



Frequently Asked Questions

School Bus Transportation for the Public Schools of North Carolina

School bus transportation in North Carolina is a function of the Local Education Agency (the LEA). The board of education in each county or city school system is responsible for most of the policies associated with your child's school bus ride to and from school. Local boards of education develop, implement and enforce most of these policies.

*However, there are a number of **state** laws and policies to which the LEA must adhere. North Carolina General Statutes (laws) regarding school transportation are found in Article 17 of Chapter 115C, sections 239-262. Further, state law directs the North Carolina State Board of Education (SBE) to develop and implement policies related to school transportation. These policies are requirements and have the full effect of law.*

Laws and policies may be found at www.ncbussafety.org/NCLaws.html

Following are answers to some of the more frequently asked questions regarding pupil transportation in North Carolina.

Q: How long are students allowed to ride the school bus each way in North Carolina?

A: There is no state law regarding the length of a bus ride. North Carolina has a wide range of geography across the state and the diversity of rural and urban areas results in a very wide range of bus ride times. Some rural counties have an **average** student ride time of over 50 minutes while some small city LEAs have an **average** ride time as low as 15 minutes. Individual LEAs may have local policies that require a maximum ride time.

Q: The bus driver told me I am not allowed to get on the bus. Is that true?

A: G.S. 115C-245(b) states that the driver "shall have complete authority over and responsibility for the operation of the bus and the maintaining of good order and conduct upon such bus." Further, any person boarding the bus after being told not to by the driver is guilty of a Class 1 misdemeanor according to G.S. 14-132.2.

Q: Are students allowed to stand on the school bus or to sit in the aisles?

A: Absolutely not. State Board of Education policy requires that seating be provided for each student on the bus and that standees are strictly prohibited. Further, each student must be completely seated in the school bus seat - with a padded seat back behind him and a padded seat back in front of him. The same policy requires that the capacity of the bus cannot be exceeded. Violations should be reported to the local director of transportation.

Q: How is the capacity of a school bus determined?

A: Nearly all school buses come equipped with 39 inch seats on either side of a center aisle. The largest buses in North Carolina are the “flat-nose” transit-style school buses that have 26 total seats. The smallest buses have 12 total seats. Most buses have either 22 or 24 seats. The rated capacity is posted on the front bulkhead of each school bus according to student grades. The maximum capacity for grades 9-12 is calculated as the number of seats times two (i.e. two students per seat). The maximum capacity for grades 6-8 is calculated as the number of seats times 2.5, where half of the seats would have two students and half would have three students. The maximum capacity for grades Kindergarten through 5 is calculated as the number of seats times 3 (i.e. three students per seat). These are MAXIMUM capacities and, while the LEA may not exceed the rated capacity of the bus, the LEA must also provide seating – within the seating compartment – for all students assigned to the bus, whether or not the assigned load reaches the maximum capacity.

Q: My child’s bus stop has been moved from the location where it has been for several years. What can I do?

A: The LEA is required to establish a bus stop for each student within one mile of the student’s residence. Nearly all bus stops are, in reality, much closer than this. G.S. 115C-246 states that buses must be routed “so that the bus passes within one mile of the residence of each pupil assigned to that bus.” Any bus stop within one mile of the residence is “legal”. The appeal process is to the local board of education, under rules established by that local board of education for such appeals. Most boards of education meet monthly in public meetings and allocate some time for comments from parents and community members.

Q: My school system says that they don’t get enough money from the state to come down my street or to add another bus. Is that true?

A: Each LEA receives a block grant of funding through the North Carolina Department of Public Instruction, as its portion of the school transportation appropriation from the North Carolina General Assembly. It is up to that LEA to determine how those funds will be spent, within state requirements. The LEA receives a percentage of its actual prior-year expenditures according to a formula that assigns a “budget rating” which is, in part, a measure of efficiency. The fewer buses operated and the lower the expenditures, the higher the efficiency and therefore the budget rating. In short, LEAs have a financial incentive to provide *efficient* service using the least number of buses necessary. It is up to the local board of education to determine their transportation policies as they must balance service with efficiency.

Q: My child has special needs and can't get to and from the bus stop. How can her needs be accommodated?

A: A student with an Individualized Education Program (IEP) may have Transportation listed as a related service. Further, that IEP may require specialized equipment (e.g. wheelchair lift) or other accommodations so that the student can be safely transported to and from school. In such cases where there is an IEP, the school district has an obligation to make sure that those needs are met. The LEA may decide that those needs can be met via transportation by school bus or may identify an alternative method, such as contracting with a third party to transport the student

Q: The bus won't come in my private subdivision. What can I do?

A: G.S. 115C-246(b) states that "unless road or other conditions make it inadvisable, public school buses shall be routed on state-maintained highways, municipal streets, or other streets with publicly dedicated right-of-way." It is up to the local board of education to determine what other conditions might require or preclude the routing of school buses on private roads. The appeal process is to the local board of education.

Q: What determines whether or not my local board of education will allow school buses to travel on a private road?

A: There is no requirement to travel private roads, as stated in the previous answer. However, the local board may consider routing a bus on a private road for student safety reasons. In order to ensure that the bus can travel safely, some local boards may require written permission from the owner(s) of the road in order to travel and may also require that the owner(s) keep the road maintained suitable for school bus travel. G.S. 115C-246(b) also states that, with regard to school buses routed on state-maintained highways, municipal streets and other streets with publicly dedicate right-of-way, "the local board of education shall not be responsible for damage to the roadway."

Q: I have been told that the school bus cannot come down my dead-end road. Why?

A: State Board of Education policy states the following with regard to school bus routing:

- Superintendents shall plan bus routes in a way designed to conserve fuel and to use buses efficiently.
- A route may not deviate from a general path of direction for a distance of less than one-half mile and then return to the original path except for groups of 10 or more pupils, unescorted pupils in grades K-3 or special education pupils.
- Unless safety factors require otherwise, superintendents may not plan bus stops closer together than 0.2 miles.

Q: Why don't school buses have seat belts?

A: School buses afford students the safest form of transportation to and from school. This has been validated by federal crash testing and research by the National Academy of Sciences. School buses have to meet rigid federal construction standards for the sides and top of the bus, fuel tanks and inside of each bus. The thick padded seats and seat-backs provide a passive form of crash protection known as "compartmentalization." This padding, combined with the placement of the seating area high above the impact zone (with most other vehicles), offers a protection that has resulted in an unmatched record of passenger safety.

Especially for small students, lap belts can be more harmful than helpful. In our passenger cars, lap belts are being phased out. Only recently – in the early 2000's – have lap-shoulder seat belts been available in school buses. In North Carolina, thirteen buses with these 3-point belts are being evaluated. Further, the North Carolina Child Fatality Task Force has been directed by the General Assembly to study safety restraints on school buses and to report back by May 1, 2008. Adding lap/shoulder belts is very expensive and evidence to date suggests that all but the youngest students are reluctant to wear them.

Q: My child is having a birthday party after school and I would like for her friends to ride the bus home with her. We can do that, right?

A: This is a decision that rests with the local board of education. The primary responsibility of that board, with regard to school bus routing, is to see that all students entitled to transportation have a bus assignment for their daily ride to and from school and that all bus assignments are done in a way as to provide seating for all students. If the superintendent (or designee) changes school bus assignments for a day – as you described – adequate seating for all students must be provided.

Q: I am disabled and unable to accompany my child to the bus stop each morning. Can the bus stop at my home?

A: State law requires that the school bus be routed within one mile of your home, if the student lives 1.5 miles or more from school. Any other decisions about the placement of your child's bus stop are up to the local board of education. Usually situations like this are handled on a case-by-case basis. Your appeal would be to the local board of education.

Q: Are charter schools required to provide transportation to and from school?

A: No. Charter schools are required to have a plan to ensure that transportation is not a barrier for any student; however, the school does not have to provide transportation for every student.