

TRANSPORTATION FOR NONPUBLIC SCHOOL STUDENTS

☐ Required

☐ Local

☒ **Notice**

NOTE: We have suggested the underlined language to outline the district's responsibilities for transporting resident students attending nonpublic schools. The sentence in the first paragraph about transportation on days when public school is not in session is consistent with guidance from the NYS Education Department and affirmed in a 2022 court case. The district may, but is not required to, provide such transportation.

The district is required to provide transportation to nonpublic school students residing in the district to and from the nonpublic school they attend. This transportation will be within the same mileage limitations established for resident students attending district schools. Parents must submit a written request to the Director of Transportation. The district is not required to provide transportation on days when the public schools are not in session.

Transportation requests for students attending nonpublic schools should be received by the district no later than the April 1st preceding the beginning of the next school year. If a student moves into the ~~district~~district later than April 1st, the request should be received within thirty days of establishing residence in the district, but preferably no later than August ~~1st~~1st.

All late requests, however, shall be considered by the Board of Education on the basis of each case's merits. ~~Criteria~~ Late requests will be honored if there is a reasonable explanation for the delay as determined by the Board, or if the transportation will not result in additional costs to the district. ~~Criteria~~ used by the Board in judging whether to accept a late request may include but not be limited to the following:

1. 1. ~~whether transportation will require an additional cost, and, if so,~~
2. 2. ~~the reasonableness of the excuse for the late request.~~

Ref: Education Law §3635

Appeal of Boyle, 31 EDR 208 (1991)

Matter of Ward, 29 EDR 153 (1989)

Matter of Alletto, 25 EDR 14 (1985)

Note: Policy added

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Reasonable explanations for delays include lateness due to actions by the nonpublic school, or dates of CSE/CPSE annual review meetings which impact parental decisions. Reasonable excuses do not include personal hardship, ignorance of the deadlines, belated parental decisions, or a change in nonpublic school after the deadline.

The district may require nonpublic school students to walk to pick-up points up to the same distance as district students. The district may also transport students to nonpublic schools by utilizing

centralized transfer points. If the district provides transportation to students who live within the mileage limitations and attend a particular nonpublic school, the district will designate one or more public schools as a centralized pick-up points to provide transportation to any students living outside the mileage limitations who attend that school. The district may provide transportation to the centralized pick-up point for students who live along an established route to the pick-up point, as long as it does not result in additional costs to the district.

- **Optional language:** The district may provide transportation to nonpublic school students living more than 15 miles from their nonpublic school via a centralized pickup point that is within 15 miles from the nonpublic school, if the district has provided transportation to that school in at least one of the three prior years.]

- Cross-ref: _____
1740, Relations with Nonpublic Schools

- Ref: _____
Education Law §3635
Appeal of Boyle, 31 EDR 208 (1991)
Matter of Ward, 29 EDR 153 (1989)
Matter of Alletto, 25 EDR 14 (1985)
United Jewish Cmty. of Blooming Grove v. Washingtonville Cent. Sch. Dist., 2022 N.Y. Slip Op. 3566 (2022)
Transportation for Students Enrolled in Nonpublic Schools: Handbook on Services to Pupils Attending Nonpublic Schools, NYSED, www.p12.nysed.gov/nonpub/handbookonservices/transportation.html

- Adoption date: _____

Adoption Date: _____
Classification: _____
Revised Dates: ; _____