



## BUSING PUBLIC AND PRIVATE SCHOOL STUDENTS

By: Marybeth Sullivan, Associate Analyst

### ISSUE

What are the state laws governing a municipality's responsibility to bus public and private school children? (This report updates [OLR Report 2014-R-0144](#).)

### SUMMARY

In general, state law requires each local or regional board of education to provide transportation to school-aged children wherever reasonable and desirable (CGS § [10-220\(a\)](#)). It also identifies transportation as a type of "school accommodation" that boards of education must provide so that children aged five to 20 years may attend public school (CGS § [10-186](#)). A parent, guardian, surrogate parent, emancipated minor, or student aged 18 or older is entitled to a hearing before the board of education when a school accommodation, such as transportation, is denied.

Additional state laws address busing public school students to (1) technical high schools, (2) agricultural science and technology education centers, (3) charter schools, (4) interdistrict magnet schools, and (5) Open Choice schools. They also govern boards' obligation to transport students to nonprofit, private schools within the school district and their option to transport students to such schools outside the district.

Boards of education have the authority to create their own transportation policies as long as they comply with state law. The State Department of Education (SDE) issues [guidelines](#) for policies, but these are not mandatory.

School districts are eligible for state reimbursement grants for school transportation, subject to available appropriations (CGS § [10-266m](#)). For FY 17, state funds were not appropriated for these grants.



## **PUBLIC SCHOOL STUDENT BUSING**

Local and regional boards of education have a general duty to transport each five- to 20-year-old student who resides in their respective public school districts to neighborhood public schools. State law allows them to enter into transportation contracts to fulfill this obligation. These contracts must not exceed five years' duration (CGS § [10-220\(a\)](#)).

Boards also have an obligation under state law to bus students to other types of public schools as described below.

### ***Technical High Schools***

A board of education must provide reasonable and necessary transportation for students younger than age 21 attending state or state-approved technical high schools as regular all-day students or high school cooperative students (presumably students attending technical high schools as part of multi-district cooperative arrangements). The students must live with parents or guardians in the local school district or in a town that is a member of the regional school district. Boards also must transport students who attend technical high schools located in towns outside of their towns of residence (CGS § [10-97\(a\)](#)). Boards that do so are eligible for partial transportation reimbursement from the state (CGS § [10-97\(c\)](#)).

### ***Agricultural Science and Technology Education Centers***

A board of education that does not offer agricultural science and technology education within the school district must designate a school or multiple schools that offer this curriculum for its students to attend. The board must pay the reasonable and necessary cost of transporting students who are younger than age 21 to attend the designated schools (CGS § [10-97\(b\)](#)). Similar to technical high schools, boards are eligible for partial transportation reimbursement (CGS § [10-97\(c\)](#)).

### ***Charter Schools***

A board of education must provide transportation services for students who attend a charter school within the school district where they live, unless the charter school makes other transportation arrangements. If the student lives in the district but attends a charter school outside the district, the board has the option to provide transportation services. If the board elects to do so, it is eligible for reimbursement of reasonable costs from the state (CGS § [10-66ee\(f\)](#)).

### ***Interdistrict Magnet Schools***

A board of education must provide the same transportation services to students enrolled in a magnet school in its district as it does for students enrolled in other public schools in the district (CGS § [10-264/\(f\)](#)).

If a board of education, regional education service center (RESC), or cooperative arrangement formed by several boards of education transports students to a magnet school in a district outside of the district where the students live, it is eligible for a per-child cost reimbursement grant from the state (CGS § [10-264j](#)).

### ***Open Choice Schools***

Open Choice is an interdistrict attendance program that encourages boards of education to offer open seats to students from other districts in order to improve academic achievement and reduce students' racial, ethnic, and economic isolation.

By law, SDE must provide per-pupil grants to local or regional boards of education and RESCs, within available appropriations in FYs 15-17, for the reasonable cost of transporting students participating in the Open Choice program. Additionally, the Education Commissioner may award bonus grants, if remaining funds are available, to both boards and RESCs to offset transportation costs that exceed the statutorily-established maximum grant. RESCs also must provide reasonable transportation services to high school students participating in supervised extracurricular activities (CGS § [10-266aa\(f\)](#)).

## **PRIVATE SCHOOL STUDENT BUSING**

### ***Schools in the District***

State law requires municipalities and school districts to provide transportation services to students enrolled in nonprofit, private schools in grades kindergarten through 12. This requirement only applies when a majority of the students attending the private school are Connecticut residents.

Municipalities and school districts are not required to spend a per-pupil transportation amount on private school students that exceeds double the local per-pupil public school transportation amount for the previous school year. If the private school transportation cost exceeds this amount, the municipality or district may (1) allocate its share on a per-pupil, per-school basis and pay its share directly to the transportation provider on a monthly basis or (2) provide transportation services for less than the entire school year (CGS § [10-281](#)).

***Schools outside the District***

The law permits, but does not require, boards of education to provide transportation services to students attending nonprofit, private elementary or high schools outside of the district where they live. However, the school must be located in Connecticut (CGS § [10-280a](#)).

MS:bs