

STUDENT CONDUCT ON SCHOOL BUSES REGULATIONS

I. Standards of Conduct

A. BOARD OF EDUCATION, DISTRICT AND BUILDING CODES OF CONDUCT AND POLICIES APPLY IN TRANSPORTATION SITUATIONS. Vehicles used by the Berlin Central School District to transport students to or from school, or to or from school-related activities, are District property. Therefore, standards of conduct that students are expected to observe while they are attending school, or while they are participating in school-sponsored activities, which are set forth in policies established by the Board of Education and in student handbooks, shall be observed while students are being transported by the District, and while students are waiting for a school bus or other District vehicle to transport them.

B. STUDENTS' AFFIRMATIVE DUTIES IN TRANSPORTATION SITUATIONS. Specifically, students being transported by the District or who are waiting to be transported shall:

1. show respect for other students, for those responsible for their supervision and safety (e.g., school bus drivers), and for members of the general public (e.g., pedestrians and occupants of other vehicles);
2. show respect for the property of the District, including the vehicles in which students are transported, and for the property of others while being transported by the District or while waiting to be transported by the District (e.g., other vehicles and the real property in the vicinity of the area where students wait for transportation); and
3. observe all safety rules established by the District for student passengers on District vehicles, which shall include:
 - a. Observing the following rules while waiting for transportation:
 - not standing, or playing in the road; and all unnecessary crossing of streets;
 - looking both ways whenever crossing streets and crossing only when no moving vehicles are approaching from either direction;
 - not pushing, pulling, or chasing other students; and iv. avoiding trespassing on private property and being unduly disruptive or noisy.
 - b. Observing all safety precautions while riding the bus, including:
 - remaining seated at all times while the vehicle is moving, and remaining in one's own seat rather than switching seats;
 - facing forward while seated in one's seat, and refraining from kneeling or sitting on one's books;

- sitting three (3) to a seat, when necessary, to avoid any student's standing;
 - avoiding all misbehavior, including horseplay, fighting, and annoying other students;
 - refraining from damaging seats or any other part of the vehicle, and paying for any such damage one causes;
 - maintaining noise at a reasonable level at all times;
 - refraining from eating or drinking on the bus runs;
 - refraining from throwing objects (e.g., snowballs, rocks) at the bus;
 - refraining from extending one's arms or any other body parts out the window of a school vehicle;
 - refraining from using tobacco, including smoking, and from using, possessing, or transporting any illegal substance or contraband (e.g., drugs, alcohol, weapons, and animals) on any District vehicle;
 - refraining from throwing any object or substance inside the bus or out the windows or doors of the bus; and
 - obeying the bus driver at all times.
- c. Observing all safety precautions while unloading the bus, including:
- not leaving one's seat until the vehicle has come to a complete stop and the driver has opened the door;
 - in crossing the street as one leaves the bus, walking in front of the bus (never in back of the bus) at a distance of at least ten (10) feet from the vehicle, in such a way that eye contact can be made with the driver; and waiting for the driver's signal to cross
 - never going back in front of the bus after crossing the street.

II. Enforcement Procedures

A. REPORTING PROCEDURE. In the event of the violation of any disciplinary rule by a student who is being transported by the District, or who is waiting to be transported by the District, said violation shall be reported immediately by the vehicle operator, or by any other person having knowledge of the violation, to the Superintendent or another building administrator. Said report shall be made in writing, on such forms or in such a manner as the Superintendent may require.

B. ADMINISTRATIVE INVESTIGATION REQUIRED. The Superintendent or her/his designee shall promptly investigate the reported disciplinary violation. Such investigation shall include, but need not be limited to, interviewing the individual making the report, interviewing other witnesses, interviewing the student, and, where damage to property has been reported, viewing the reported damage.

C. ACTION UPON CONCLUDING INVESTIGATION. Upon a determination by the Superintendent or the building principal that there is credible evidence that the violation reported according to Section 3.A, above, has occurred, the Superintendent or principal shall take such steps regarding that violation and the apparent perpetrator as are called for in the District's disciplinary code.

III. Disciplinary Measures

A. DUE PROCESS REQUIREMENTS. In any disciplinary action taken against any student as a result of a violation of the rules of conduct governing behavior on District vehicles, said discipline shall be imposed only after the student's relevant due process rights have been observed. In no case will a formal hearing, pursuant to Section 3214 of the Education Law, be held prior to or as part of any administrative suspension of a student from the privilege of being transported by the District.

B. DISCRIMINATION BASED ON DISABILITY PROHIBITED. No disciplinary measure taken against any student with a disability as a result of a violation of the rules of conduct governing behavior on District vehicles shall violate said student's rights to a free appropriate public education under either the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.