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Saint Paul Public Schools Procedure

709.01

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TRANSPORTATION/STUDENT DISCIPLINE

Minnesota Statute 123.801 provides that:

Transportation by school bus is a privilege not a right for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or for violation of any other law governing student conduct on a school bus. Revocation of a student's bus riding privilege is; not an exclusion, expulsion, or suspension under the Fair Pupil Dismissal Act of 1974. Revocation procedures for a student who is an individual with a disability under the Individuals with Disabilities Act, United States Code, Title 20, Section 1400 et seq, Section 504 of the Rehabilitation Act of 1973, United States Code, Title 29, Section 794, and the Americans with Disabilities Act, Public Law Number 101-336, are governed by these provisions.

As required by Minnesota Statutes, records of unacceptable student conduct on school buses will be maintained in the Transportation Department and will be retained by the school in the same manner as other student discipline records. Serious offenses, as defined by the Minnesota Department of Public Safety, will be reported by the Transportation Department to the Department of Public Safety as required by Minnesota Statute 169...452.

As required by Minnesota Statute 169,4582, any principal or other District employee who has knowledge that a student has committed a "Reportable Offense," as defined in 169.4582 Subdivision 1, on a school bus or in a school bus loading area, shall immediately make a report to the Saint Paul Police Department and Transportation Department. The Transportation Department shall file a report with the Department of Public Safety as required in Subdivision 2.

Incidents of unacceptable student conduct on or near a school bus, or at the school bus stop, shall be divided into Class I, II and III offenses, depending upon the severity of the incident. The consequences to be applied by the building principal are:

TRANSPORTATION/STUDENT DISCIPLINE (continued)

Class I Offenses:

- First Offense: Loss of bus service for the remainder of the school year, or 120 days, whichever is longer, for students in grades 4-12. Thirty-day (30) suspension of transportation privileges and parent conference for students in grade K-3.
- Second Offense: Loss of bus service for the remainder of the school year, or 120 days, whichever is longer, for students in grades K-3.

Class II Offenses:

- First Offense: Written warning of 1-5 day suspension of transportation privileges and written notification of parent/guardian.
- Second Offense: 3-5 day suspension of transportation privileges and parent conference.
- Third Offense: 10-day suspension of transportation privileges and parent conference.
- Fourth Offense: 30-day suspension of transportation privileges and parent conference.
- Fifth Offense: Loss of transportation privileges for remainder of school year, or 120 days, whichever is longer.

Class III Offenses:

- First Offense: Conference with principal and written notification of parent/guardian.
- Second Offense: Written warning or 0-5 day suspension of transportation privileges, written notification of parent/guardian, and in building disciplinary consequences if no suspension of transportation privileges.
- Third Offense: 3-5 day suspension of transportation privileges and parent conference.
- Fourth Offense: 10-day suspension of transportation privileges and parent conference.
- Fifth Offense: 30-day suspension of transportation privileges and parent conference.
- Sixth Offense: Loss of transportation privileges for remainder of school year, or 120 days, whichever is longer.

If a student commits offenses of different classes during the same incident, the consequences associated with the more serious class or offense must be applied.

TRANSPORTATION/STUDENT DISCIPLINE (continued)

In considering application of penalties, principals may consider incidents of unacceptable student conduct which have occurred in previous school years.

Each student suspended from transportation service must attend a District school bus safety class and must successfully demonstrate knowledge of the school bus safety competencies required under Minnesota Statute 123.7991, Subdivision 2 within five (5) school days following the completion of any suspension of transportation privileges. Failure to attend school bus safety class, or failure to demonstrate knowledge of the required school bus safety competencies shall result in denial of transportation until the student has successfully completed the class and demonstrated the required competencies.

Class I Offenses

1. Possession of a handgun, knife, or other weapon
2. Detonation of ammunition
3. Detonation of a pyrotechnic device on the school bus
4. Sale or distribution of alcohol or drugs
5. Assault on the school bus driver
6. Attempting to ride on the outside of the school bus
7. Bringing a flammable liquid onto the school bus
8. Igniting, or attempting to ignite, any object
9. Pushing or shoving another student at, or near, a moving school bus
10. Running out in front of a moving school bus
11. Violent assault on another student
12. Tampering with, or vandalism of, the school bus crossing gate
13. Opening an emergency exit, or exiting, or attempting to exit, from a moving school bus
14. Extending head out of window while bus is in motion
15. Other extremely dangerous and/or illegal actions which endanger the safety of the student or others.

Class II Offenses

1. Threatened assault upon the school bus driver
2. Interfering with a police officer, District administrator, or safety supervisor
3. Use of tobacco
4. Ignition of any type of fire, including matches and lighters
5. Physical aggression, or the threat of physical aggression, against another person
6. Fighting

TRANSPORTATION/STUDENT DISCIPLINE (continued)

7. Theft or robbery
8. Possession of a pyrotechnic device
9. Possession of a look-a-like weapon
10. Tampering with emergency equipment including 8 light system, radio, and emergency exists.
11. Extending head, arms, or legs out of window while the bus is in motion
12. Chasing, or running beside, a moving school bus
13. Throwing or shooting an object, or objects, at the bus driver or out of the bus window.
14. Distracting the school bus driver
15. Bringing dangerous objects onto the school bus (other than weapons or flammable liquids)
16. Riding while under suspension of transportation privileges
17. Pushing, or shoving, another student in the school bus Danger Zone
18. Willful damage to property a the school bus stop
19. Willful damage to the property of other students
20. Unacceptable sexual conduct
21. False identification or refusal to provide the driver with the student's name
22. Failure to follow safe crossing procedures
23. Possession of ammunition
24. Possession of alcohol or unprescribed drugs.

Class III Offenses

1. Vandalism of the school bus*
2. Throwing or shooting objects around the school bus
3. Failure to follow the driver's instructions
4. Standing while the school bus is in motion
5. Pushing, shoving, or hitting another student
6. Failure to cross ten feet in front to the school bus
7. Use of obscene or profane gestures or languages
8. Harassment in any form
9. Riding on a bus other than the assigned route
10. Boarding or exiting other than the assigned stop
11. Eating or drinking on the school bus
12. Shouting, yelling, screaming or excessive noise
13. Tripping a student
14. Blocking the school bus aisle
15. Spitting
16. Horseplay

TRANSPORTATION/STUDENT DISCIPLINE (continued)

17. Possession of a lighter or matches
18. Possession of prohibited objects as squirt guns, water balloons, liquid containers of any type, shaving cream, or eggs
19. Possession of cap guns, or other obviously toy weapons

* The Transportation Department shall invoice the parent/guardian of any student who is deemed to be responsible for vandalism to a school bus, either owned by the district or under contract to the district. The student, parent, or guardian shall have two weeks from the date of the invoice to make restitution for damages. Failure to pay for damages shall result in loss of bus privilege until damages are paid. Suspension for failure to make restitution is in addition to consequences received for the vandalism as a Class II offense.

CROSS REFERENCE:

LEGAL REFERENCES: