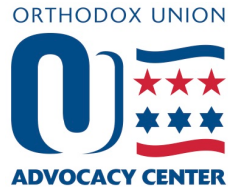


ORTHODOX UNION



NONPUBLIC SCHOOL TRANSPORTATION



INTRODUCTION

Each year, more than 800 students in the United States are killed due to traffic fatalities during their commutes to and from school. The school bus is the safest form of transportation for students, considered nearly eight times safer than passenger vehicles¹. All students—public and non-public alike—deserve to be safe when travelling to and from school.

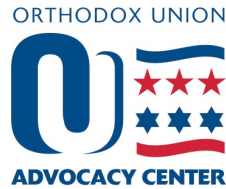
Not only are school buses safer for students, but they also minimize traffic, thereby creating cleaner air. Annually, school buses keep an estimated 17.3 million cars off the roads surrounding schools each morning². For every school bus on the road, approximately 36 fewer cars clog the morning commute and pollute the atmosphere³.

All states provide transportation for their public school students. Some states also provide transportation for non-public school students. By providing transportation for both groups of students, these states have a safer student population, less traffic and lower levels of air and noise pollution. Each state that provides non-public school transportation does so in a slightly different manner. This document gives an overview of non-public school transportation in New York, New Jersey, Pennsylvania, Ohio and Connecticut.

¹ http://mhso.mva.maryland.gov/SafetyPrograms/program_kids.htm

² http://www.trafficsafetymarketing.gov/staticfiles/tsm/PDF/schoolbus_safety3.pdf

³ <http://www.americanschoolbuscouncil.org/issues/environmental-benefits>



NEW YORK

New York provides transportation for the following groups:

- All non-city pupils in grades K-8 who live more than two miles from the school they attend, up to a distance of 15 miles.
- All non-city pupils in grades 9-12 who live more than three miles from the school they attend, up to a distance of 15 miles.
- Non-public school pupils who live less than two miles from school are eligible for transportation if their local school district provides transportation for public school pupils who also live closer than two miles to their schools.

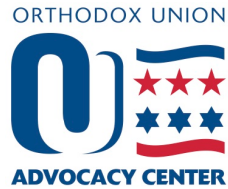
The transportation services must be reasonable and adequate, but they **do not need to be exactly the same** for public and non-public school pupils. Some school districts may require non-public school pupils who qualify for transportation to use public transportation.

City school districts and the city portion of enlarged city school districts are not required to provide transportation. These districts may, by a majority vote of the board of education, opt to provide transportation. If transportation is provided, it must be provided equally to all pupils in like circumstances, those attending public or non-public schools.

Beyond The Mileage Limit:

Transportation can be provided for pupils who live beyond the 15-mile limit in two ways:

1. Voter Approval: With voter approval, non-city school districts may provide transportation beyond 15 miles.
2. The Pickup Point Law: This provision requires school districts that are currently transporting pupils to a non-public school to designate one or more public schools as centralized pickup points for non-public school pupils who live beyond the 15-mile limit. The parent must arrange to get the pupil to and from the pickup point and the district then transports the pupil between that point and the non-public school. In order for the pickup point arrangement to be operative, the school district must currently provide transportation to that non-public school for at least one pupil who lives within the 15-mile limit.



In addition to the required “pickup point” transportation, a recent change in the law also permits a board of education, at its discretion, to provide transportation for pupils residing more than 15 miles from a non-public school under the following conditions:

- The distance between the centralized pickup points and the non-public school is not more than 15 miles
- If such transportation had been provided from one or more centralized pickup points to the same non-public school in at least one of the immediately preceding three school years.

Funding:

- In New York State there is no per pupil allocation for transportation. Rather, each district sends data to the State telling them how much mileage they drove and the number of students transported⁴. The district’s transportation allocation is generated based on the data submitted.
- The funding for pupil transportation comes from the State’s Education Budget.

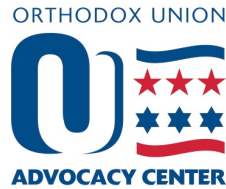
Contracting:

Transportation is a local issue—it is up to each district to decide how they want to contract buses. For example, districts can use district-owned buses, contract out to a bus company, or use public transportation.

Sources:

<http://www.p12.nysed.gov/nonpub/handbookonservices/transportation.html>

⁴ For more details on how the funding is calculated: <https://stateaid.nysed.gov/trans/calculated.htm>



NEW JERSEY

New Jersey provides transportation for the following groups:

- All public school pupils in grades K-8 who live more than two miles from the school they attend, up to a distance of 20 miles.
- All public school pupils, in grades 9-12 who live more than two-and-one-half miles from the school they attend, up to a distance of 20 miles.

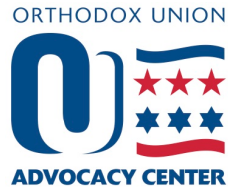
Whenever a school district is required to provide transportation to public school students, it must also provide transportation to eligible non-public school students.

Transportation eligibility requirements for a non-public school student include:

- He/she must attend a not-for-profit non-public school, located within the state of New Jersey.
- The school may be located no more than 20 miles from the pupil's home.
 - In the 2014-2015 school year, transportation services also are extended to students living in third-class counties or second-class counties, with a population of less than 235,000, who reside no more than 30 miles from their non-public schools located within the state. This applies to Cumberland, Gloucester, Hunterdon, Salem, Sussex and Warren counties.
- The cost of the transportation comes from the state's education budget and may not exceed the annual maximum expenditure set by state law each year. For the 2014-15 school year, this amount is \$884.
- Pupils must be in grades kindergarten through 12th grade.
- Pupils must meet the entrance age requirements for students in the resident public school district.

Funding:

- A portion of the annual maximum expenditure, or \$884 for the 2014-2015 school year, is not covered by New Jersey state aid. The districts cover the rest of the cost up to \$884.
- If the cost of transportation for the non-public school pupil will exceed the annual maximum expenditure, the school district cannot provide the transportation for the pupil. Instead, the district must pay the pupil's parent or legal guardian the maximum expenditure amount.



- The district is not given the discretion to decide whether to provide transportation or pay aid in lieu of transportation. The district's first obligation under state law is to provide the bus service if they can. The district can only provide payment in place of transportation when a student is eligible for transportation but the district is unable to provide it within the budget of the state's annual maximum expenditure.

Contracting:

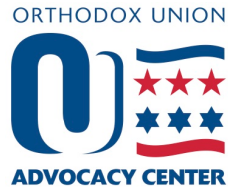
It is up to each school district to decide how to contract buses for non-public schools. They can use district-owned or contracted buses, a Coordinated Transportation Services Agency (CTSA), a Joint Transportation Agreement with other districts or use NJ Transit bus tickets.

Sources:

<http://www.nj.gov/education/finance/transportation/>

http://www.state.nj.us/education/finance/transportation/procedures/np_proc.pdf

http://www.state.nj.us/education/genfo/faq/faq_transportation.shtml



PENNSYLVANIA

Pennsylvania provides transportation for the following group:

- Non-public school pupils, if the local school districts provide transportation for public school students.

The non-public school must be a nonprofit and located within 10 miles of the district's boundary. If the school building in which the pupil is enrolled is not located within the 10-mile distance, the non-public school pupil is not eligible for transportation.

A school district may ask a child going to a non-public elementary school to ride on a vehicle with public high school students.

Funding:

The state provides \$385 for each non-public school pupil transported, which comes from Pennsylvania's Nonpublic and Charter School Pupil Transportation Subsidy. On a statewide average, the pupil subsidy covers approximately half of the school district's transportation costs.

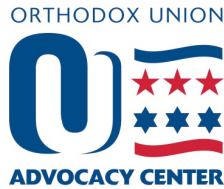
Contracting:

Transportation is a local issue in Pennsylvania—districts have the power to enter into contracts and make all decisions regarding transportation services. They have the discretion to decide how they want to contract for non-public schools. For example, they can use district-owned vehicles or contract out to a bus company.

Sources:

http://www.portal.state.pa.us/portal/server.pt/community/pupil_transportation/7516/frequently_asked_questions/509266

http://www.portal.state.pa.us/portal/server.pt/community/school_code_and_regulations/17299



OHIO

Ohio provides transportation for the following group:

- All pupils in grades K-8 who live more than two miles from their school, including non-public school students.

High school transportation for *any* student is not a requirement—it is left to the discretion of the school district. However, if a school districts provides transportation services for pupils in grades 9-12, they must provide “like services” for non-public school pupils as well.

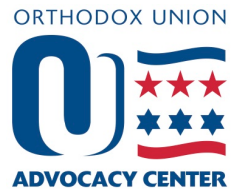
In Ohio, there is no mileage limit; however, if a non-public school pupil requires more than 30 minutes of direct travel time to school, a school district is not required to provide him/her with transportation.

Funding:

- Regarding funding for pupil transportation, the state of Ohio does not distinguish between payments for public school students and non-public students. The payments are made to districts through their school foundation payments as a separate line item, and are based upon legislative requirements.
- For the 2014-2015 school year, the transportation payment is based upon several factors, including the determination of the number of students or the number of miles, whichever is greater. Districts do not use different formulas to fund public or non-public school students. Costs per student for the current school year have yet to be determined, but as in the past, non-public and community school cost per student is typically higher than the cost per student for public schools.
- School transportation funding is part of the school foundation payment program and the appropriations as established each budget cycle. Actual funding for pupil transportation comes from a combination of both state appropriations and the general budget of each district.

Contracting:

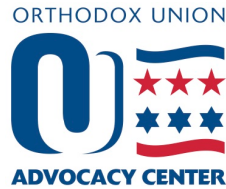
School districts can either use district-owned school buses, contract with a bus service, share buses with a neighboring district or use public transportation. Where it is impractical to transport a pupil by school transportation and all of the other methods have been exhausted, a district may offer payment in lieu of providing such transportation. This should be considered a last resort.



Sources:

<http://codes.ohio.gov/orc/3327>

<http://education.ohio.gov/getattachment/Topics/School-Choice/Community-Schools/Guidance-Documents/CS-Transportation-Guidance.pdf.aspx>



CONNECTICUT

Connecticut provides transportation for the following groups:

Intra District

- All pupils including non-public school students attending school within the district. The non-public schools must be not-for-profit, with the majority of students being residents of the state of Connecticut.

Inter District

- School districts are not required to provide transportation to a student attending an elementary or secondary non-public not-for-profit school located outside the school district, but may do so if they desire.

If the district decides to provide transportation services, it is funded from their local budgets.

There is no state aid for inter district transportation *unless* a district does not have a high school and the public school students in grades 9-12 must be bused to another district. In that case, a non-public school located in the district to which the students are being bused would be eligible for transportation for students coming from the original district with no public high school.

Funding:

- There is no per pupil funding amount from the state such as in Pennsylvania and in New Jersey. Rather, the per pupil expenditure amount for any non-public school student cannot exceed double the local per pupil transportation expenditure for public school students during the prior year.
- Districts mix state and local aid in order to provide transportation to students. The funding that the state provides is distributed on a sliding scale—the wealthier districts, with all other things being equal, will receive less transportation funding.

Contracting:

Transportation is a local issue—it is up to districts to decide how they want to contract buses. They can use district-owned buses or contract out to a bus company.

Sources:

http://www.sde.ct.gov/sde/lib/sde/pdf/legal/workshop_package.pdf