



Transportation To & From Bear Creek Community Charter School

Your child's right to school transportation depends on the local policies adopted by your local school district of residence, the distance from your residence to the school, and whether your child has disabilities that require individualized transportation arrangements. Pennsylvania school districts are required to provide transportation to children attending charter schools located within their district and charter schools that are within 10 miles by the nearest public highway of the school district's boundary on the dates that the charter school is in session.¹

Does Bear Creek Community Charter School provide student transportation to and from school?

Bear Creek Community Charter School does not provide transportation for students to and from school, except in limited circumstances where required by law. As required by the Pennsylvania Charter School law, each local school district is responsible for the transportation of students residing in their district to and from Bear Creek Community Charter School on days when the charter school is in session. This includes days when the local school district may be closed.

Are all Pennsylvania school districts required to transport students to and from school?

No. With certain exceptions, Pennsylvania law does not require school districts to provide transportation to all students.²

What if my child's bus ride is very long?

Pennsylvania does not have a time limit for the length of a school bus ride. In some rural districts and densely populated urban districts, transportation time may be significant. You can reach out to your home school district's transportation department if you have concerns regarding long commute times for your child.

Can my child be suspended from riding a school bus or told they are no longer allowed to ride a school bus?

Under state law, a school district (or public charter school) is empowered to develop rules governing behavioral expectations and may impose discipline for student infractions of the code of conduct occurring while a student is on the school bus or taking public transportation to and from school.³ As transportation is not a right in Pennsylvania (except for students with disabilities), courts have not recognized a property interest mandating a hearing prior to a deprivation of transportation.⁴

However, like other rules made by a school board, student discipline relating to transportation cannot be arbitrary and capricious, overly punitive,⁵ or discriminate against students on the basis of race, sex, disability, national origin, ethnicity, religion, and other protected class statuses.

Students, parents and guardians should review Bear Creek Community Charter School's Student/Parent Handbook regarding student behavior expectations and the School's disciplinary process. The Handbook is available on the School's web site at www.bearcreekschool.com or a hard copy can be obtained by contacting the School's office.

Our family is experiencing homelessness. Will the school provide transportation to and from where we are currently located?

Under a federal law called the McKinney-Vento Act, a student experiencing homelessness has the right to continue attending their school of origin with transportation provided if needed. In addition to providing transportation to the school of origin, LEAs must consider the student's needs and provide students in homeless situations with transportation services comparable to those provided to other students in the school.⁶

If you are experiencing homelessness, please contact Mrs. Melanie Leo at (570) 820-4070, extension 6200.

Who do I contact if I have issues with the location of the bus stop or the times associated with pick-up or drop off?

Please contact your local school district of residence who is providing your child with transportation to and from school. A complete list of school district transportation contacts, along with their respective transportation providers, is located on the charter school's web site at www.bearcreekschool.com

Sources

Adapted from School Transportation Frequently Asked Questions, the Education Law Center, August 2023.

¹ 24 P.S. §17-1726-A.

² 24 P.S. §13-1331.

³ 24 P.S. § 5-510 (authorizing school boards to regulate the conduct of students during “the time necessarily spent in coming to and returning from school.”)

⁴ See *Rose v. Nashua Board of Educ.*, 506 F. Supp. 1366 (D.N.H. 1981), *aff'd*, 679 F.2d 279 (1st Cir. 1982)(concluding that while bus transportation is a right under New Hampshire law, short-term exclusion from a bus route did not give rise to procedural due process); *Mathews v. Eldridge*, 424 U.S. 319 (1976).

⁵ 24 P.S. § 5-510.

⁶ 42 U.S.C. § 11432(g)(4)(A).