



Book Policy Manual
Section 200 Pupils
Title Educational Opportunity for Military Children
Code 254 Vol V 2023
Status

Purpose

The Board recognizes the challenges encountered by children of military families due to the frequent moves and deployment of their parents/guardians. The Board is committed to eliminating barriers to student attendance, education and graduation; and to providing additional supports to children of military families in compliance with federal and state laws, regulations and Board policy.

Definitions

Active duty – means full-time duty status in the active uniformed services of the United States, including members of the National Guard and reserve on active duty orders.[1][2]

Children of military families - means a school-aged child, enrolled in kindergarten through twelfth grade, normally residing in the household of an active duty member. Specifically, this includes children of:[3]

1. Active duty members of the uniformed services.
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement.
3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

This does not include the children of:[3]

1. Inactive members of the National Guard and military reserves.
2. Members of the uniformed services now retired, except as otherwise stated in this policy.
3. Veterans of the uniformed services, except as otherwise stated in this policy.
4. Other United States Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

State Council – an entity to coordinate the state's participation and compliance among its government agencies, school entities and military installations.

Uniformed services – means the U.S. armed forces, Commissioned Corps of the National Oceanic and Atmospheric Administration, and the Commissioned Corps of the Public Health Service.[4]

U.S. armed forces – means the Army, Navy, Air Force, Marine Corps, Coast Guard and Space Force.[4]

Authority

The Board directs the district to comply with the provisions of the Interstate Compact on Educational Opportunity for Military Children (Compact) and this Board policy by:[3][5]

1. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from previous school districts or variations in entrance/age requirements.[6][7][8][9]
2. Facilitating the student placement process through which children of military families are disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content or assessment.[10][11][12][13][14]
3. Facilitating the qualification and eligibility for enrollment, educational programs and participation in extracurricular, academic, athletic and social activities.[15][16][17]
4. Facilitating the on-time graduation of children of military families.[18]
5. Providing for the promulgation and enforcement of administrative rules implementing the provisions of the Compact.
6. Providing for the uniform collection and sharing of information between and among states, schools and military families under the Compact.
7. Promoting coordination between the Compact and other compacts affecting military children.
8. Promoting flexibility and cooperation between the educational system, parents/guardians and the student in order to achieve educational success for the student.

Advance Enrollment

In addition to the provisions of the Compact, the district shall enroll children of a parent/guardian who is an active duty member of the U.S. armed forces, including a reserve component, that has received official military orders to transfer into or within Pennsylvania, prior to establishing residency in this district.[6][8][19]

The parent/guardian shall provide the following:[6][19][20]

1. A copy of the official military order.
2. Proof of intent to move into this district, which may include:[19]
 - a. A signed contract to buy a home.
 - b. A signed lease agreement.
 - c. A statement from the parent/guardian stating their intent to move into the district.

Within forty-five (45) days after the arrival date specified in the military orders, the parent/guardian shall provide the district with proof of residence in this district.[19]

The Board shall ensure that children of military families have equal access to the same educational programs, activities and services provided to other district students.

Delegation of Responsibility

The Superintendent shall be authorized to waive specific requirements in Board policies, procedures and administrative regulations to the extent that they create barriers for the enrollment, placement and attendance of children of military families. [6][7][8][11][15][16][18][21]

The Superintendent or designee shall collaborate with the military family education liaison designated by the State Council, school staff, sending schools, local agencies and other entities in supporting the needs of children of military families.

Guidelines

Children of military families enrolled in this district shall be provided support and services, as appropriate to each individual student's needs, in accordance with the Compact and Board policy. [22][23][24][25][26]

NOTE:

The definition of "uniformed services" in the Pennsylvania Interstate Compact on Educational Opportunity for Military Children Act (24 P.S. 7301 et seq) currently differs from the federal definition of "uniformed services" (10 U.S.C. 101) since the federal definition has been updated to reference all branches of the U.S. armed forces, including Space Force. PSBA suggests considering the option aligning with the current federal definition (second option), to address the provision of educational opportunity for children of all active duty members of the armed forces, despite the technicality in differing definitions. This is a local decision that boards may discuss with their school solicitor.

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Legal

1. 10 U.S.C. 12301 et seq

2. 10 U.S.C. 12401 et seq

3. 24 P.S. 7302

4. 10 U.S.C. 101

5. 24 P.S. 7301

6. Pol. 200

7. Pol. 201

8. Pol. 202

9. Pol. 216

10. Pol. 127

11. Pol. 204

12. Pol. 206

13. Pol. 212

14. Pol. 215

15. Pol. 122

16. Pol. 123

17. Pol. 231

18. Pol. 217

19. 24 P.S. 1302.1

20. 24 P.S. 1302

21. Pol. 203

22. Pol. 103.1

23. Pol. 113

24. Pol. 114

25. Pol. 138

26. Pol. 918

Pol. 113.4

Pol. 115

Pol. 146

Pol. 209

Interstate Compact on Educational Opportunity for Military Children (MIC3)

254 ATT.docx (14 KB)



Book	Policy Manual
Section	800 Operations
Title	Transportation
Code	810 Vol V 2023
Status	

Purpose

Transportation for students shall be provided in accordance with law and Board policy.

Definitions

School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[\[1\]](#)

School vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[\[1\]](#)

Authority

The Board shall provide transportation for resident students in grades kindergarten through 12 to the district's public schools and charter, regional charter and nonpublic schools located in the district or within the district's transportation boundary or other placements as required by law or agreements. The district's transportation boundary is a distance not exceeding ten (10) miles by the nearest public highway outside the school district's border.[\[2\]\[3\]\[4\]](#)

The Board shall purchase, lease, equip and maintain school buses/vehicles and/or contract for school bus/vehicle services for transportation of students to and from school at regularly scheduled hours and for field trips and extracurricular activities.[\[2\]\[3\]\[5\]\[6\]\[7\]\[8\]\[9\]\[10\]\[11\]](#)

The Board shall provide transportation for students living within the prescribed limits when walking conditions to the school are found to be hazardous by the Department of Transportation.[\[3\]\[12\]](#)

The Board shall provide transportation for students with disabilities, without regard to distance or hazardous walking conditions, when required by the student's individualized education program (IEP) or Section 504 Service Agreement.[\[13\]\[14\]\[15\]\[16\]\[17\]](#)

The Board shall provide transportation for eligible resident students who are enrolled in nonpublic schools or charter schools as required by law.[\[2\]\[4\]\[18\]](#)

The Board shall provide transportation for children in foster care in accordance with federal and state laws and regulations, and the local transportation plan.[19][20]

The Board shall provide transportation for homeless children and youths in accordance with federal and state laws and regulations.[20][21]

The Board prohibits any diesel-powered motor vehicle weighing 10,001 pounds or more to idle for more than five (5) minutes in any continuous sixty-minute period while parked, loading or unloading, except as allowed by law.[22]

The Board shall ensure that permanent signs, notifying drivers of the idling restrictions, are maintained on district property at locations where diesel-powered motor vehicles weighing 10,001 pounds or more load or unload. Signs shall also be posted at locations that provide fifteen (15) or more parking spaces for such diesel-powered motor vehicles.[23][24]

Delegation of Responsibility

The school bus/vehicle driver shall be responsible to maintain order while students are being transported.

The school bus/vehicle driver shall report all incidents, including, but not limited to, discipline problems, medical problems, bullying/harassment, safety issues, accidents or injuries, and violations of Pennsylvania's School Bus Stopping Law to the Superintendent or designee as soon as practicable.

The building principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.[2]

The Superintendent or designee shall be responsible to:

1. Maintain records and make required reports regarding school transportation.[5][7]
2. Distribute rules governing student conduct during transport; such rules shall be binding on all students transported by the district.[7]
3. Provide each school bus/school vehicle driver with:
 - a. The Pennsylvania School Bus Driver's Manual;
 - b. The written rules for student conduct on buses/vehicles;
 - c. The procedures for evacuation drills; and
 - d. Any additional laws and applicable Board policies and administrative regulations which apply to school bus/vehicle drivers

Guidelines

Student Health Information

When necessary for student safety, or when required by a student's IEP or Section 504 Service Agreement, a school bus/vehicle driver shall be provided with relevant student health and medical information.[16][17][26][27][28][29]

School bus/vehicle drivers shall maintain the confidentiality of student health/medical information in accordance with district policies and procedures and applicable law.[30][31]

Evacuation Drills

Bus evacuation drills shall be conducted twice a year and reported to the Pennsylvania Department of Education, in accordance with law and Board policy.[32][33][34]

NOTES:

Title 22, Sec. 23.4 - discipline, field trips, contracted negotiations, records
Title 22, Sec. 23.6 - authorized passengers
Computation of distance - 1366
Field Trips – 24 P.S. Sec. 517 (farm show), 1361 (nonpublic); Title 22, Sec. 23.4
Ten-mile boundaries - 1361
Other boundaries - 1 ½ miles - 1362
Payments/reimbursements - 2541, 2542, Title 22 Sec. 23.31-23.40
Transportation - Title 22, Chapter 23
School Buses/Vehicles - Title 67, Chapter 171
Bus Drivers Minor Children – Title 22 Sec. 23.6
Definitions of motor vehicle – Vehicle Code – 75 Pa. C.S.A. Sec. 102

If the district has existing language in policy on transportation routes and stops, which addresses students being limited to a single bus stop or single residence, recommend reviewing the language with the solicitor based on recent court cases regarding student transportation and residency (*Watts v Manheim Township SD, Wyland v West Shore SD*). Consult Legal with questions.

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Legal

[1. 75 Pa. C.S.A. 102](#)

[2. 24 P.S. 1361](#)

[3. 24 P.S. 1362](#)

[4. 24 P.S. 1726-A](#)

[5. 22 PA Code 23.1](#)

[6. 22 PA Code 23.2](#)

[7. 22 PA Code 23.4](#)

8. Pol. 610

9. Pol. 611

10. Pol. 818

[11. 75 Pa. C.S.A. 3345.1](#)

[12. 67 PA Code 447.1 et seq](#)

[13. 22 PA Code 23.3](#)

[14. 24 P.S. 1374](#)

15. Pol. 103

16. Pol. 103.1

17. Pol. 113

18. Pol. 140

[19. 20 U.S.C. 6312](#)

20. Pol. 251

[21. 42 U.S.C. 11432](#)

[22. 35 P.S. 4601 et seq](#)

[23. 35 P.S. 4608](#)

[24. 67 PA Code 212.101](#)

25. Pol. 121

26. Pol. 209.1

27. Pol. 209.2

28. Pol. 210

29. Pol. 210.1

30. Pol. 113.4

31. Pol. 216

[32. 24 P.S. 1517](#)

[33. 75 Pa. C.S.A. 4552](#)

34. Pol. 805

[24 P.S. 1331](#)

[24 P.S. 1365](#)

[24 P.S. 1366](#)

[24 P.S. 2541](#)

[24 P.S. 2542](#)

[22 PA Code 15.1 et seq](#)

[22 PA Code 23.6](#)

[75 Pa. C.S.A. 4551-4553](#)

[20 U.S.C. 6301 et seq](#)

[42 U.S.C. 11431 et seq](#)

[49 CFR Part 37](#)

[49 CFR Part 38](#)

Pol. 810.1