



New Hampshire

# Department of Education Technical Advisory

Serving New Hampshire's Education Community

## Transportation of Pupils

RSA 189:6

*This Technical Advisory provides information regarding the transportation of pupils.*

RSA 189:6 Transportation of Pupils. The local school districts shall furnish transportation to all pupils in grade 1 through grade 8 who live more than 2 miles from the school to which they are assigned.

This is a statutory and constitutional requirement/obligation of all public schools in the State of New Hampshire. Given the potential First Student bus driver union strike, the Department of Education provides the following technical advisory:

It is the responsibility of each school district to provide all students described in RSA 189:6 with transportation to school. A school district may rely on parents who voluntarily bring their pupils to school. However, the school district must provide transportation for all other students described in RSA 189:6 to the school.

Upon request by the Department of Education, schools must be able to provide documentation that transportation has been made available for at least 90% of the students identified in RSA 189:6 through voluntary parent transportation and/or transportation provided by the district. If a school's attendance is at 85% on the impacted days, that statistic will constitute sufficient evidence.

If an impacted school – namely a school with students in grades 1 through 8 – is unable to provide transportation as described above, the school will be considered closed for purposes of the minimum instructional days as defined by RSA 189:24. If a school chooses to remain open to meet the needs of the community (e.g. food program, after school programming, or other student needs), the days will not be counted as one of the 180 required instructional days. Schools with students in grades 9 through 12 may remain open as to those grades. These district level determinations should be made at the local level.

While the Department cannot make waiver determinations at this time, the Department will take any closure that results from this situation into account should a waiver be requested.

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\*Additional information regarding Department of Motor Vehicle Roster requirements for bus drivers will be provided as soon as it is available.

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