

3520.1500 FREE AND EQUAL TRANSPORT TO DISTRICT BOUNDARY.

An eligible resident pupil shall receive free and equal transportation to the appropriate school district boundary if there is no nonpublic school within the district maintaining grades or departments that are maintained in another district, or if attendance can more safely, economically, or conveniently be provided by such means.

A nonpublic school located within the resident district shall be deemed unavailable if it does not maintain the appropriate grades or departments. The term "appropriate department" shall include a department of religion.

The public school administration shall annually and as necessary consult with the appropriate nonpublic school administration on attendance areas, safety, economics, conveniences, and availability of space for the pupils.

The final determination as to whether transportation shall be provided to the boundary of the resident district shall be made by the public school board pursuant to law.

Where transportation is provided within the district to the boundary of the district and the school district is eligible for transportation aid for such transportation, the "within the district" limitation shall not be applied in an arbitrary manner. Safety factors in loading or unloading buses at or near the school district boundary shall be given due consideration. Transporting pupils a reasonable distance into the adjoining district or stopping short of the district boundary to assure safety of the pupils shall be determined by the public school board.

Statutory Authority: *MS s 121.11*

History: *L 1998 c 397 art 11 s 3*

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