



Province of Alberta

EDUCATION ACT

SCHOOL TRANSPORTATION REGULATION

Alberta Regulation 96/2019

Filed on August 16, 2019, in force September 1, 2019

Extract

© Published by Alberta Queen's Printer

Alberta Queen's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

Copyright and Permission Statement

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20__.*

*The year of first publication of the legal materials is to be completed.

Note

All persons making use of this document are reminded that it has no legislative sanction. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(no amdt)

ALBERTA REGULATION 96/2019

Education Act

SCHOOL TRANSPORTATION REGULATION

Table of Contents

- 1 Definitions
- 2 Transportation criteria
- 3 Distance from bus route
- 4 Computing distance
- 5 Specialized supports and services outside attendance area
- 6 Student residing outside areas
- 7 Transportation fee amount limitations
- 8 Board policies
- 9 Transportation fee schedule
- 10 Publication of policies and fee schedule
- 11 Collection and use statement
- 12 Charter schools
- 13 Expiry
- 14 Repeal
- 15 Coming into force

Definitions

1 In this Regulation,

- (a) “attendance area”, with respect to a school, means an attendance area established by the board for the school;
- (b) “transportation service area” means the area surrounding a school in which a board establishes school bus routes on which students may be transported to and from the school.

Transportation criteria

2 For the purpose of section 59(1)(c) of the Act, the student must reside at a distance of at least 2.4 kilometres from the site of the school.

Distance from bus route

3 In providing for the transportation of a student under section 59(1) of the Act, the transportation must be provided on a route that is not more than 2.4 kilometres from the residence of the student.

Computing distance

4 In computing distances for the purposes of this Regulation,

- (a) the official survey made under any Act of Canada or the Legislature relating to surveys must be accepted as final and conclusive and all sections are deemed to be 1.6 kilometres square and no more,
- (b) the width of road allowances must be excluded from the computation, and
- (c) the distance of a residence from a school or from a bus route is the shortest distance measured along a travelled road or public right of way between the school site or the bus route, as the case may be, and the nearest roadway access at the boundary of the quarter section or lot on which the student's parent resides.

Specialized supports and services outside attendance area

5 If a student is entitled to access to specialized supports and services under section 11(4) of the Act but does not reside in the attendance area for any school that provides specialized supports and services that are suitable for the student, the board of which the student is a resident student must provide for the transportation of the student to and from the school that provides the specialized supports and services in which the board enrolls the student.

Student residing outside areas

6(1) If a student is enrolled in a school pursuant to section 10(2) or (4) of the Act but does not reside in the attendance area or the transportation service area for that school, the student or the parent of the student must provide for the transportation of the student

- (a) to and from the school, or
- (b) to and from a designated stop on a school bus route in the transportation service area for that school.

(2) If a student or the parent of a student chooses to provide transportation in accordance with subsection (1)(b), the board that enrolled the student in the school must provide for the transportation of the student between the school and the designated

stop nearest to the student's residence on a school bus route in the transportation service area for that school.

(3) Subsection (2) does not apply unless there is a seat available for the student on the school bus after the students referred to in section 59(1) of the Act are accommodated on that school bus.

Transportation fee amount limitations

7(1) A fee charged under section 59(3) of the Act respecting the transportation of students in accordance with section 59(1) of the Act and this Regulation must not exceed the average difference per student between

- (a) the estimated cost to the board of transporting those students, and
- (b) the funding received by the board under the *Education Grants Regulation* (AR 120/2008) in respect of the transportation of those students.

(2) A fee charged under section 59(3) of the Act respecting the transportation of students other than students referred to in subsection (1)

- (a) who are eligible for funding under the *Education Grants Regulation* (AR 120/2008) must not exceed the average difference per student between
 - (i) the estimated costs to the board of transporting those students, and
 - (ii) the funding received by the board under the *Education Grants Regulation* (AR 120/2008) in respect of the transportation of those students,and
- (b) who are not eligible for funding under the *Education Grants Regulation* (AR 120/2008) must not exceed the estimated average cost per student to the board for transporting those students.

(3) A fee referred to in this section must be established in accordance with the board policies under section 8(1).

(4) Any surplus from fees charged under subsection (1) or (2) must be used to subsidize the cost of transportation of students referred to in that subsection in the 2 school years following the school year in which the surplus was collected.

Board policies

8(1) A board must establish, maintain and implement policies respecting the transportation of students and the transportation fees it proposes to charge.

(2) The board policies must include

- (a) a requirement to demonstrate to parents the need to charge any transportation fee, including its amount,
- (b) the circumstances under which any transportation fee may be waived or refunded,
- (c) the process a parent has to follow to request that a transportation fee be waived or refunded,
- (d) a process designed to ensure that the staff of each school and the parents of students enrolled in that school are notified of the circumstances under which a transportation fee may be waived or refunded and of the procedures for requesting that a transportation fee be waived or refunded, as the case may be, and
- (e) with respect to the transportation of students and transportation fees,
 - (i) processes designed to enable the resolution of disputes and concerns between parents and the board, and
 - (ii) any other requirements directed in writing by the Minister.

Transportation fee schedule

9 A board must, prior to the commencement of each school year, establish a schedule of transportation fees, in the form, if any, required by the Minister, listing each type of transportation fee, with its amount, that may be charged in that school year.

Publication of policies and fee schedule

10 A board must, prior to the commencement of each school year, publish the policies established under section 8 and the transportation fee schedule established under section 9 on the board's website or in any other manner the board determines would provide parents and the public with notice of the policies and transportation fee schedule.

Collection and use statement

11 A board must, on request, provide to the Minister a statement, in the form, if any, required by the Minister, that demonstrates that the transportation fees collected by it have been spent for the purposes for which they were collected.

Charter schools

12 This Regulation applies to charter schools in the manner set out under the *Charter Schools Exemption and Application Regulation*.

Expiry

13 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on August 31, 2022.

Repeal

14 The *School Transportation Regulation* (AR 102/2017) is repealed.

Coming into force

15 This Regulation comes into force on September 1, 2019.



Printed on Recycled Paper 