

**GUIDELINES FOR DEVELOPING A BOARD POLICY**  
**FOR THE REINSTATEMENT OF**  
**STUDENT TRANSPORTATION SERVICES**

**18A:39-1c Waiver for pupil transportation services under certain circumstances.**

1. a. Notwithstanding the provisions of N.J.S.18A:39-1 or any other section of law to the contrary, a school district shall not be required to provide transportation services for the school year to an elementary school pupil who lives more than two miles from his public school of attendance or to a secondary school pupil who lives more than 2 1/2 miles from his public school of attendance if the pupil's parent or guardian signs a written statement that the pupil waives transportation services for that school year. The written statement shall be in such form as determined by the Department of Education.
  
- b. In the event that a parent or guardian signs a waiver pursuant to subsection a. of this section, the school district shall develop a policy for the provision of transportation services to the pupil in the case of a family or economic hardship.

The above statute:

1. Permits parents or guardians to waive the right to student transportation for eligible students for the school year by signing a statement to that effect developed by the Department of Education.
  
2. Requires the school district to adopt a policy providing for the reinstatement of these services due to family or economic hardship.

In adopting its policy, the school district may consider, but is not limited to, the following requirements:

1. Waivers and reinstatements are subject to board approval.
  
2. Criteria for determining family or economic hardship.
  
3. Submission of proof of family or economic hardship.
  
4. The acceptance of more than one waiver and reinstatement within the school year.
  
5. The length of time between the receipt of the Reinstatement of Transportation Services Request Form and the estimated start date of transportation.

In addition, the board may consider a review of its policy by the board attorney.