

<b>PRESTON COUNTY BOARD OF EDUCATION</b> <b>FILE: 12 - TRANSPORTATION SERVICES</b> <b>File: 12-1 Endnotes</b>	<b>Last Reviewed: 6-28-10</b> <b>Next Review: 7-01-12</b>
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**ENDNOTES**

**File: 12 – Student Transportation, Safety, Food & Insurance**

**U. S. Constitution:**

Fourteenth Amendment – Guarantees equal protection of all citizens under the existing laws.

**West Virginia Codes:**

<b>Codes</b>	<b>Topic of the Code</b>
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| § 17C-14-12-----<br>§ 18-2-5-----<br>§ 18-4-10-----<br>§ 18-4-11-----<br>§ 18-5-13-----<br>§ 18-5-16-----<br>§ 18-9A-7-----<br>§ 18A-5-1-----<br>§ 18A-5-1a-----<br>§ 29-12-5a----- | School bus rules.<br>Powers and duties of the State Board.<br>Duties of the county superintendent.<br>Other powers and duties of the county superintendent.<br>Authority of county boards generally.<br>Transfer of pupils; tuition; transportation and maintenance.<br>Foundation allowance for transportation costs.<br>Authority of teachers and other school personnel.<br>Possessing deadly weapons on premises of educational facilities (Safe School Act).<br>Liability insurance for county boards of education, their employees and members the county superintendent. |
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**State Board Policies:**

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| SBP 4334-----<br>SBP 4336-----<br>SBP 4373----- | Requirements for Design of School Buses<br>WV School Transportation Regulations<br>Student Code of Conduct |
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**Federal References:**

- FMCSA Regulations (Federal Motor Carrier Safety Administration)  
(Fair Labor Standards Act)

### **Relevant Court Cases:**

**Porter v. Miller, 287 S.E. 2d 163 (1981)** – The BOE has a duty to seek alternative methods of transporting students if the normal means prove ineffective.

**Shrewsbury v BOE, 265 S.E. 2d 767 (1980)** – The BOE may not refuse to provide transportation services to students because the road they live on is not safe for a large school bus and the board would have to purchase a new vehicle to traverse the road. To do so would deny their equal protection of the law rights under the 14<sup>th</sup> Amendment.

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