

DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

STATE AID FOR TRANSPORTATION OF SCHOOLCHILDREN

(By authority conferred on the state board of education by sections 1701 and 1703 of Act No. 451 of the Public Acts of 1976, as amended, and section 9 of Act No. 94 of the Public Acts of 1979, as amended, being SS380.1701, 380.1703, and 388.1609 of the Michigan Compiled Laws)

R 388.371 Definitions.

Rule 1. As used in these rules:

(a) "Act" means Act No. 94 of the Public Acts of 1979, as amended, being S388.1601 et seq. of the Michigan Compiled Laws.

(b) "Department" means the department of education.

(c) "Specialized transportation services" means transportation services provided in vehicles for the exclusive use of special education students.

History: 1987 AACCS.

R 388.372 Allowances.

Rule 2. The allowance granted to a school district or intermediate school district for transportation is the maximum amount calculated pursuant to R 388.373 and R 388.374, but subject to the limitations of the act.

History: 1987 AACCS.

R 388.373 Rescinded.

History: 1987 AACCS; 1995 AACCS.

R 388.374 Reporting requirements for specialized transportation services.

Rule 4. (1) For each day during the first full school week of October, for each vehicle exclusively providing special education pupil transportation for which funding is requested, a school district or intermediate school district shall collect, on a form provided by the department, all of the following information:

(a) The fleet number and route number of the vehicle.

(b) The miles the vehicle travels each day transporting special education pupils to school, starting at the bus storage area or beginning of the route and ending at the school building where the students exit or other storage area.

(c) The number of special education pupils actually transported to school each day.

(d) The name of the aide, if any, serving on the special education vehicle.

(2) The forms shall be retained by the school district or intermediate school district for 3 years.

(3) A school district may, at its own option, collect and submit information during the first full school week of February and during the last full school week of June of each year.

History: 1987 AACCS.

R 388.375 Rescinded.

History: 1987 AACS; 1995 AACS.

R 388.376 Rescinded.

History: 1987 AACS; 1995 AACS.

R 388.377 Intermediate school district audits.

Rule 7. The intermediate school district superintendent shall audit and verify through sampling the accuracy of the information provided in R 388.373, R 388.374, and R 388.375, and shall submit the findings on a form provided by the department.

History: 1987 AACS.

R 388.378 Reporting costs.

Rule 8. A school district and intermediate school district shall report the costs of pupil transportation on a form provided by the department and according to the manual of instruction.

History: 1987 AACS.

R 388.379 Reports of purchase of school buses.

Rule 9. A school district and intermediate school district shall report, on a form provided by the department, as to a purchased school transportation vehicle, all of the following information:

- (a) The date the completed vehicle was accepted for use.
- (b) The name of the chassis manufacturer.
- (c) The name of the body manufacturer.
- (d) The manufacturer's rated capacity of the vehicle.
- (e) The engine number.
- (f) Bus fleet number.
- (g) Cost to the district, including the interest to be paid.
- (h) Use by the school district or intermediate school district as a regular vehicle, a special education vehicle, or as a combination of the two.

History: 1987 AACS.

R 388.380 Amortization allowances; "type I school bus," "type I premium school bus," "type II school bus" defined.

Rule 10. (1) Additional allowances for vehicle rental and amortization shall be determined and included in the district's state aid base for each eligible vehicle used to transport eligible pupils. The allowance shall not include more vehicles than the number determined to be necessary, plus the allowable number of spare vehicles.

(2) The annual amortization allowance shall be determined as follows:

(a) For a type I school bus, divide the amortization cost base by 7. This annual allowance shall be included each year the bus is used to transport eligible pupils for a maximum of 7 years. As used in this rule, a "type I school bus" means a school bus with a gross vehicle weight rating of more than 10,000 pounds.

(b) For a type I premium school bus, divide the amortization cost base by 10. This annual allowance shall be included each year the bus is used to transport eligible pupils for a maximum of 10 years. As used in this rule, a "type I premium school bus" means a school bus purchased by a school district at a cost, excluding interest and special equipment, which exceeds, by more than 15%, the average cost of a school bus of the same capacity purchased the same year. The type I premium school bus shall meet the requirements of R 340.1201 to R 340.1232.

(c) For a type II school bus, station wagon, and passenger van, divide the amortization cost base by 5. This annual allowance shall be included each year the bus or vehicle is used to transport eligible pupils for a maximum of 5 years. As used in this rule, a "type II school bus" means a school bus with a gross vehicle weight rating of 10,000 pounds or less.

(d) For a rehabilitated school bus that has been rebuilt by an agency approved by the authorized agent of the state board, divide the amortization cost base by 5.

(3) When a school bus or pupil transportation vehicle accrues not less than 100,000 miles within 4 years, an optional 4-year amortization schedule may be substituted as an alternative to subrule (2)(a), (b), and (c) of this rule, upon approval of the department. The option shall be declared the first reporting period after purchase.

(4) The amortization cost base for each vehicle shall be determined as follows:

(a) For school buses and other transportation vehicles which are purchased new and which are used to transport pupils, the purchase price of the vehicle and attached equipment, including interest, adjusted by any gain or loss on buses or other vehicles traded in or sold.

(b) For a school bus that has been rebuilt, 50% of the remaining annual amortization allowances the district could be granted if the bus were continued in use without rebuilding, plus the rebuilding charges.

(c) For a used bus purchased by a district, the original invoice costs for the bus and attached equipment, plus any interest to be paid by the purchasing district, adjusted by any gain or loss on a bus or buses traded in or sold. If the original invoice cost cannot be determined, the purchasing district may secure a substitute invoice cost from the department. The substitute invoice cost shall be based on costs of comparable vehicles manufactured during the same year.

(d) If a bus is sold before being fully amortized, the maximum gain to be deducted from the purchase price of another vehicle shall be an amount equal to the total annual amortization allowances granted to the selling district.

(5) If a type I standard bus or a type II school bus that was purchased new by the district shows evidence indicating a probable need for repairs that is considered beyond good economic practice, the bus may be removed from service subject to the approval of the superintendent of public instruction. When a school bus is removed from service, a district may maintain the bus on its inventory, and annual allowances for amortization shall be granted the same as if the bus were continued in use. A bus removed from service shall not be included in the determination of any other allowance. The bus shall not be used for pupil transportation or by any Michigan school district, but it may be sold. The bus shall have been used by the district to transport eligible pupils for not less than 4 years and shall have traveled not less than 150,000 miles. Evidence documenting acceptable regular preventive maintenance procedures and repair history throughout the life of the vehicle shall be available to the department.

(6) The amortization cost base for school buses and other vehicles purchased new that are used to transport pupils shall be the purchase price of the vehicle and attached equipment, including interest, adjusted by any gain or loss on buses or other vehicles traded in or sold.

History: 1987 AACCS.

R 388.381 Allowance for private contractors or common carriers.

Rule 11. (1) School districts and intermediate school districts providing transportation to and from school by employing private contractors or common carriers and requesting funding for the transportation shall provide the information requested in R 388.373 and R 388.374.

(2) The allocation for amortization shall be determined by the department.

History: 1987 AACCS.

R 388.382 Allowance for family vehicle transportation.

Rule 12. The department shall provide funding for family vehicle transportation at a fixed rate to be set annually by the department. Information shall be reported on a form provided by the department.

History: 1987 AACCS.

R 388.383 Eligibility for specialized transportation services.

Rule 13. A handicapped person shall be eligible for specialized transportation services when the student is unable to be transported in a regular vehicle.

History: 1987 AACS.

R 388.384 Educational planning committee; establishment of specialized transportation services.

Rule 14. (1) Specialized transportation services shall be established by the individualized educational planning committee.

(2) The individualized educational planning committee shall include the transportation director or designee at the time the individualized educational planning committee is scheduled.

(3) In establishing specialized transportation services, the committee shall consider the nature of the handicap condition which must be accommodated by specialized transportation services.

History: 1987 AACS.

R 388.385 Rescinded.

History: 1987 AACS; 1995 AACS.

R 388.386 Coordination or provision of specialized transportation services.

Rule 16. The intermediate school district shall coordinate or provide for specialized transportation of an eligible handicapped person, as determined by the individualized educational planning committee specifications, which are designed to meet the transportation needs of these students to programs located either inside or outside the boundaries of the local school district in which the person resides. The plan for coordinated specialized transportation services shall be included within the intermediate school district's plan for delivery of special education programs and services. The services included in the plan may be provided by any local school district, intermediate school district, private contractor, or any combination thereof, in order to receive state school aid for specialized transportation.

History: 1987 AACS.

R 388.387 Approval of specialized transportation routes.

Rule 17. (1) A school district is not eligible for state school aid for transportation of handicapped persons unless the school bus route or other transportation service is approved by the intermediate school district superintendent or designee before the implementation of service.

(2) Temporary approval for a period of not more than 30 days may be granted to permit development and evaluation of alternative routes or services.

(3) Approval may be withdrawn for a route or service if there is a reduction in the number of persons served and if those remaining can be properly served by another existing route. Approval may be withdrawn for a route or service if an alternate route or service would significantly improve services.

(4) If approval is withdrawn for any reason stated in subrules (2) and (3) of this rule, a vehicle owned or leased by a district that was used on an approved route may be continued on the inventory for that year as if the route were continued for the balance of that year.

History: 1987 AACS.

R 388.388 Authorization of overlapping or duplicate routes or services prohibited; exception.

Rule 18. The intermediate superintendent shall not authorize a special education vehicle route or other transportation service that unnecessarily overlaps or duplicates routes or services provided by the same or any other school district, unless there are instances when a specialized vehicle is needed to transport a handicapped student who would otherwise not be able to participate in an appropriate educational program.

History: 1987 AACS.

R 388.389 Rescinded.

History: 1987 AACS; 1995 AACS.