



## **Pupil Transportation "Vehicle"**

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## 1. Legislative Updates

Following is a summary of some of the new laws affecting pupil transportation that were passed during the 2009 Legislative Session. The information for this newsletter was obtained from summaries prepared by the department and the House Research Summary of House File (H.F.) 2.

### 2009 Omnibus E-12 Education Act Chapter 96

#### Article 3 – Special Education:

**Placement in another district; responsibility (Sections 12 and 14).** Amends Minnesota Statute 125A.15 to provide for resident districts to be involved when a district other than the resident districts places a student in a care and treatment program.

#### Article 8 – Pupil Transportation:

**Definition (Section 1).** Corrects a reference to type III buses.

**School Bus (Section 2).** Increases the maximum vehicle weight of a type A-1 school bus from 10,000 to 14,500 pounds. Defines multifunctional school activity bus.

**Personal cellular phone call prohibition (Section 3).** Clarifies a cross reference.

**National standards adopted (Section 4).** Clarifies the terminology involved when referring to multifunction school activity buses.

**Seat and crash barriers (Section 5).** Requires new school buses purchased after October 21, 2009, to conform to the higher seat back requirements specified in federal law (raising the seat back height to 24 inches).

**Tailpipe (Section 6).** Allows the tailpipe to exit a school bus on either the passenger or driver side of the vehicle. Limits the exemption only through January 1, 2012.

**Type III Vehicles (Sections 7-9).** Clarifies cross-references.

**Driver's license classification; endorsements; exemptions (Sections 10).** Clarifies the terminology involved when referring to multifunction school activity buses and conforms the type A-1 weight limits to the amounts specified in section 3. Makes technical changes to centralized requirements for operation type A-1 and multifunction school activity buses without a school bus endorsement.

**Exception for certain school bus drivers (Section 11).** Regulates multifunction school activity buses when operated without a school bus endorsement, establishing the same requirements that apply to type A-1 school buses operated without the school bus endorsement. Clarifies a cross-reference, and recodes the type A-1 and multifunction school activity bus weight limit and limit of 15 passengers or less.

**Endorsement (Section 12).** Clarifies the circumstances under which a person can drive a school bus without a school bus endorsement.

**Training (Section 13).** Moves a requirement to a subdivision on training that a school district, nonpublic school or a private bus contractor provide annual in-service training.

**Annual evaluation and license verification (Section 14).** Extends the time for the annual evaluation and license verification by 15 days to accommodate the shifting start days in Minnesota's school year. Makes technical changes.

**Type III Vehicle Changes Chapter 24, Senate File (S.F.) 33.** Chapter 24, Section 171.02 subdivision 1 clarifies that an employee of a school or of a school district, who is not employed for the sole purpose of operating a type III vehicle, is exempt from a physical examination and the employer's drug and alcohol testing.

**School Bus Post-Crash Procedures H.F. 668/S.F. 782.** Section 169.4511 subdivision 1 is amended to eliminate the \$4,400 vehicle damage threshold for contacting the Minnesota State Patrol and replaces it with the following criteria: (1) a fatality or (2) bodily injury to a person that requires treatment away from the scene of the accident, or (3) one or more vehicles sustaining damage that requires them to be transported away from the scene by tow truck or other motor vehicle.

**Child restraint Systems S.F 99/H.F. 267.** Section 169.685 Subdivision 5 is amended to read that transporting a child who is both under the age of eight and shorter than four feet nine inches shall be equipped for use in the motor vehicle a child passenger restraint system meeting federal motor vehicle safety standards.

## **2. Special Education Bus Driver and Aid Awards**

The Minnesota Special Education Transportation Committee, in cooperation with the Minnesota Association for Pupil Transportation and the Minnesota Department of Education (MDE) sponsors an annual awards program to identify and recognize the best school bus drivers and transportation assistants serving Minnesota students with special needs. Winners are chosen by demonstrating exemplary service in several categories.

The Special Education Transportation Committee chose three school bus drivers and three bus assistants for the award. They are:

#### Special Education School Bus Driver Awards

First Place: Karen Wold, Vision of Elk River  
Second Place: Kim Brown, Brainerd #181  
Third Place: Cindy McCormick, Faribault

#### Special Education Bus Assistant Awards

First Place: Tom Jackson, Adam Services  
Second Place: Carol Schumaker, #622, North St. Paul  
Third Place: Deb Baker, Red Wing

#### Honorable Mentions:

Drivers: Rosemary Speiker, Northfield Public Schools/Benjamin Bus Co.  
Thomas Nystrom, ISD # 286, Brooklyn Center School Dist.  
Chris Paulie, ISD #286, Brooklyn Center School Dist.  
Bill Tuminelly, ISD #197 West St. Paul Schools  
Clayton Soulak, Adam Services  
Joan Husbyn, Cannon Falls  
Arlis Archer, Zumbrota/Mazzeppa  
Maureen Keavney, #271, Bloomington  
Mark Tallkosen, Red Wing  
Tammy Irvin, Red Wing  
Wayne Sikkink, # 271, Bloomington  
Pamela Fernandes, Anoka-Hennepin/First Student  
Marguerite Mark, #191  
Sue Stigen, ISD #314, Braham

Assistants: Rosemary Voigt, Spanier Bus Service  
Sandy Gadiant, Red Wing  
Chuck Andrews, #271, Bloomington  
Steve Powell, #272, Eden Prairie Schools  
Leslie Griner, Vision of Elk River

**Congratulations on providing outstanding service to students with special needs.  
Your work is appreciated!**

### 3. Bus Inventory

A district-owned bus inventory report is sent out twice a year, in June with the pupil transportation annual report form and again in December. From the bus inventory report, depreciation is calculated on the district's regular school bus fleet and is included in the calculation of nonpublic transportation aid according to Minnesota statute 123B.92 subd. 9. If your district has purchased or disposed of a school bus and the transaction does not appear on the listing, please complete a District-Owned Transaction form and mail it to our office as soon as possible.

Please use form ED-00186-11 for the purchase or disposal of a Type A, B, C or D school bus (yellow school buses). Use form ED-01658-09 for the purchase or disposal of a Type III school bus (car, station wagon or van). A Type III school bus can only be added to the inventory if it is used the majority of time for pupil transportation purposes.

Do not complete a transaction form for vehicles that the district is leasing. The Certificate of Title of the vehicle is in the name of the lease company during the lease period. Having title to a vehicle denotes ownership.

Districts will receive a separate inventory for school buses purchased on or after July 1, 2005, and used primarily for special education purposes. The inventory will have the universal handicapped symbol at the top to differentiate it from the other inventory. Special forms have been developed to report these purchases. These forms also have the universal handicapped symbol on the forms. The value of these inventories will be used in calculating the district's special education funding. However, vehicles purchased with federal funds are not eligible for bus depreciation per Minn. Stat. § 123B.92, subd. (1) (a) (ii) and (iii) as the costs have already been covered 100 percent.

The Special Education School Bus Transaction Forms, both Regular and Type III have been modified so that districts must indicate whether or not the vehicle was purchased with federal special education funds. The district's Special Education Bus Inventory Reports will show the selected indicator. The buses purchased with federal special education funds will not be included in the bus depreciation calculation in determining state program aid.

#### **4. Transporting Special Education Students Attending Charter Schools Outside Their District of Residence**

After review, MDE has determined that it is the responsibility of the charter school to provide or pay for special-education-related service transportation for those special education students that are attending charter schools outside of their district of residence. This is true whether or not the charter school elected to have the district in which it is located provide the transportation or the charter school provides its own transportation.

#### **5. Student School Bus Safety Training Survey**

The Minnesota School Safety Committee, the Minnesota Department of Education and the Minnesota School Safety Center are asking districts and charter schools to participate in a Student School Bus Safety Training Survey to find out what types of student safety training are currently being provided. As a result of the survey we hope to develop a toolkit on student safety training resources for districts and charter schools to use.

Your answers will be completely confidential. Thank you for your participation!

#### **6. Transporting District Reports**

Often times a district other than the serving district provides transportation for students. In these cases it is important for the districts to work together in determining the student's correct Transporting District and Transportation Category in MARSS and related transportation expenditures in UFARS. The student's transporting district, category and related expenditures need to be determined to assure proper expenditure reporting and to minimize the edits on the year end Transportation Data Verification Report.

The MDE Transportation Section sends out reports to help districts in determining the correct transporting district and category. They are sent out in July and again in October. The first report is titled "Transporting" District, Resident Students Reported by Other School Districts and Selected Non-Resident Student Attending the District. It does not include resident students attending the resident district and enrollment options students (State Aid Categories 01, 04, 11, 12 or 13). The other report that is sent is the "Transporting" District for Nonresident Students with Transportation Code 03. This report is intended to aid districts in the tuition billing process.

Please review the reports and determine if the student(s) should be included or excluded on the report and that the correct code is being used. The "Transporting" District should pay particular attention to the MARSS Codes 01– Regular, 03– Disabled, 06– Special Transportation and 04– Desegregation.

Contact the appropriate MARSS Coordinators to make any changes in the record.

It is important that the serving district work with the student's resident district to determine the proper MARSS Transportation Code to assign to the student.

If the transporting district is not transporting the student(s), continue to code as 00-Walker or Transportation Field Does Not Apply. The transporting district, resident district and enrolling district do not have to be the same.

## **7. Transportation Director List Serv**

The Minnesota Department of Education Pupil Transportation Unit has implemented a Transportation Director E-mail list serv. The list serv will provide information to Minnesota school districts regarding pupil transportation. The e-mail messages will include topics such as state pupil transportation reporting, legislative and MDE policies regarding pupil transportation and the "Vehicle Newsletter."

A contact person's email from each district was selected because at one time that person was indicated as the pupil transportation contact. If you would like to be included in the Transportation Director List Serv, please send an e-mail to [kelly.wosika@state.mn.us](mailto:kelly.wosika@state.mn.us) indicating you would like to receive e-mail news regarding pupil transportation. If you think someone at your district should be included on the Transportation Directors list serve, have that person send an email to [kelly.wosika@state.mn.us](mailto:kelly.wosika@state.mn.us) .

## **8. Bicycle Safety Information for Students and Adults**

2008 was the deadliest year for bicyclists since 2000. Bicyclists, motorists are urged to share the road safely this season.

Following the deadliest year for bicyclists in eight years, state traffic safety and transportation officials are urging motorists to drive alert as warm weather arrives and bicyclists return to the road. Last year 13 bicyclists were killed, the most since 2000 (14) and a significant increase from the four bicyclist deaths in 2007.

More bicycle commuters last year was a factor in the increase in deaths. A similar number of bicyclists is expected this year and safety officials urge caution for those who may be new to bicycle commuting.

"The spring and summer months bring new challenges for motorists as bicyclists join traffic, so it's critical that everyone share the road," said Transportation Commissioner Tom Sorel. "During May, National Bike Month, we want motorists to recognize bicyclists as people, not obstructions, and bicyclists to recognize and obey stop signs and traffic signals, not ignore them."

Each year, an average of eight bicyclists are killed and more than 950 are injured in crashes with motor vehicles, according to the Minnesota Department of Public Safety.

More than 60 percent of bicycle crashes occur from June through September. Most bicycle crashes occur during afternoon rush hours.

The major contributing factor in bicyclist-motorist crashes is failure to yield the right of way. Both bicyclists and drivers are at fault for this. For bicyclists, another crash factor is disregard for traffic control devices. A crash factor for motorists is failing to see bicyclists and driving inattentively. People under age 25 are at greatest risk; they represent more than half of all bicyclists injured annually.

Minnesota's "Share the Road" bicycle safety program was created in 2005 to educate bicyclists and motorists about how they can travel safely and help reduce crashes.

Sorel said that the law is clear: bicyclists and motorists share the responsibility for bicycle safety. Eight "rules of the road" to improve bicycle safety are:

1. Bicyclists may ride on all Minnesota roads, except where restricted.
2. Bicyclists should ride on the road, and must ride in the same direction as traffic.
3. Motorists must at all times maintain a three-foot clearance when passing a bicyclist.
4. Bicyclists must obey all traffic control signs and signals, just as motorists.
5. Motorists and bicyclists must yield the right of way to each other.
6. Bicyclists must signal their turns and should ride in a predictable manner.
7. Bicyclists must use a headlight and rear reflectors when it's dark.
8. Bicyclists should always wear helmets and bright reflective gear.

For information about the "Share the Road" bicycle safety education program, bicycle crash statistics and 2009 bicycle events statewide, go to Share the Road MN website.

"Share the Road" resource materials, including one 30-second radio spot, three 15-second radio spots and print materials in PDF and EPS formats.

## 9. Elimination of Finance Dimension 715

Effective fiscal year 2009, Finance Dimension 715, Integration/Desegregation Transportation will be eliminated. Finance Dimension 715 was used to record expenditures for the transporting of pupils under their own **intra-district** integration plan. The pupils attended a school or program located outside the pupil's normal attendance area, but within the boundaries of the school district. The transportation expenditures must now be reported in Program Code 760, Student Transportation, Finance Dimension 315, Integration Aid and Levy. This will streamline all revenue and expenditures that relate to a district's integration plan into one finance dimension for better reporting.

A district will still need to report the miles, hours or routes that occurred for intra-district desegregation on the paper Annual Transportation Report (ED-01652). However, the code will now be Fin Code 315.

Finance Dimension 714, Transportation to Multi-District Integration/Desegregation Programs will still exist for recording expenditures for the transportation of pupils to and from approved **multi-district** integration/desegregation schools or programs. The pupils could be transported to and from school or between schools to attend a program or event.

Students that are transported to approved intra-district or multi-district desegregation integration school or program on a daily basis must be coded as 04-Desegregation Transportation Category in their MARSS enrollment record.

## 10. Transportation Issues Study Committee Meeting

The Issues Study Committee meets monthly to discuss student transportation issues. Any individuals interested in student transportation are welcome to attend the monthly meetings. The committee consists of school district transportation administrators, school bus contractors and other interested parties. The meetings fall on the fourth Wednesday of the month. The next meeting will be held June 24, 2009, at the Minnesota Department of Education, conference room 1 and 2 at 9:30 a.m.

## **11. Differences Between Special Education Transportation and Special Transportation**

There are differences between Special Education Transportation and Special Transportation. Special Education Transportation is required when adaptations or accommodations are identified by the student's IEP/IFSP/IIP. The expenditure is eligible for inclusion in Finance Dimension 723. The student must be coded 03-Disabled in MARSS. Special Transportation is required transportation as an accommodation or adaptation of a 504 plan, or transportation to a care and treatment facility or for students who are experiencing homelessness. This expenditure is eligible for inclusion in UFARS Finance Dimension 728. The student that is provided Special Transportation must be coded 06-Special in MARSS.

If Special Education Transportation is identified in the student's IEP/IFSP/IIP and the student becomes homeless, attends a care and treatment facility, or has a 504 Accommodation Plan, use MARSS code 03-Disabled. Special Education Transportation supersedes Special Transportation.

Expenditures reported in both Finance Dimension 723 and 728 flow the same way through the Special Education Aid Entitlement. However, only the cost of providing Special Education Transportation to nonresident special education students is included in the Tuition Billing process while the cost of Special Transportation is not.