

S.F. No. 372, as introduced - 87th Legislative Session (2011-2012) [11-1655]

2.1 (ii) an amount equal to one year's depreciation on the district's school bus fleet
2.2 and mobile units computed on a straight line basis at the rate of 15 percent per year for
2.3 districts operating a program under section 124D.128 for grades 1 to 12 for all students in
2.4 the district and 12-1/2 percent per year for other districts of the cost of the fleet, plus

2.5 (iii) an amount equal to one year's depreciation on the district's type III vehicles, as
2.6 defined in section 169.011, subdivision 71, which must be used a majority of the time for
2.7 pupil transportation purposes, computed on a straight line basis at the rate of 20 percent
2.8 per year of the cost of the type three school buses by:

2.9 (2) the number of pupils eligible for transportation in the regular category, as defined
2.10 in paragraph (b), clause (1), and the excess category, as defined in paragraph (b), clause (2).

2.11 (b) "Transportation category" means a category of transportation service provided to
2.12 pupils as follows:

2.13 (1) Regular transportation is:

2.14 (i) transportation to and from school during the regular school year for resident
2.15 elementary pupils residing one mile or more from the public or nonpublic school they
2.16 attend, and resident secondary pupils residing two miles or more from the public
2.17 or nonpublic school they attend, excluding desegregation transportation and noon
2.18 kindergarten transportation; but with respect to transportation of pupils to and from
2.19 nonpublic schools, only to the extent permitted by sections 123B.84 to 123B.87;

2.20 (ii) transportation of resident pupils to and from language immersion programs;

2.21 (iii) transportation of a pupil who is a custodial parent and that pupil's child between
2.22 the pupil's home and the child care provider and between the provider and the school, if
2.23 the home and provider are within the attendance area of the school;

2.24 (iv) transportation to and from or board and lodging in another district, of resident
2.25 pupils of a district without a secondary school; and

2.26 (v) transportation to and from school during the regular school year required under
2.27 subdivision 3 for nonresident elementary pupils when the distance from the attendance
2.28 area border to the public school is one mile or more, and for nonresident secondary pupils
2.29 when the distance from the attendance area border to the public school is two miles or
2.30 more, excluding desegregation transportation and noon kindergarten transportation.

2.31 For the purposes of this paragraph, a district may designate a licensed day care
2.32 facility, school day care facility, respite care facility, the residence of a relative, or the
2.33 residence of a person or other location chosen by the pupil's parent or guardian, or an
2.34 after-school program for children operated by a political subdivision of the state, as the
2.35 home of a pupil for part or all of the day, if requested by the pupil's parent or guardian,

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3.1 and if that facility, residence, or program is within the attendance area of the school the
3.2 pupil attends.

3.3 (2) Excess transportation is:

3.4 (i) transportation to and from school during the regular school year for resident
3.5 secondary pupils residing at least one mile but less than two miles from the public or
3.6 nonpublic school they attend, and transportation to and from school for resident pupils
3.7 residing less than one mile from school who are transported because of full-service school
3.8 zones, extraordinary traffic, drug, or crime hazards; and

3.9 (ii) transportation to and from school during the regular school year required under
3.10 subdivision 3 for nonresident secondary pupils when the distance from the attendance area
3.11 border to the school is at least one mile but less than two miles from the public school
3.12 they attend, and for nonresident pupils when the distance from the attendance area border
3.13 to the school is less than one mile from the school and who are transported because of
3.14 full-service school zones, extraordinary traffic, drug, or crime hazards.

3.15 (3) Desegregation transportation is transportation within and outside of the district
3.16 during the regular school year of pupils to and from schools located outside their normal
3.17 attendance areas under a plan for desegregation mandated by the commissioner or under
3.18 court order.

3.19 (4) "Transportation services for pupils with disabilities" is:

3.20 (i) transportation of pupils with disabilities who cannot be transported on a regular
3.21 school bus between home or a respite care facility and school;

3.22 (ii) necessary transportation of pupils with disabilities from home or from school to
3.23 other buildings, including centers such as developmental achievement centers, hospitals,
3.24 and treatment centers where special instruction or services required by sections 125A.03
3.25 to 125A.24, 125A.26 to 125A.48, and 125A.65 are provided, within or outside the district
3.26 where services are provided;

3.27 (iii) necessary transportation for resident pupils with disabilities required by sections
3.28 125A.12, and 125A.26 to 125A.48;

3.29 (iv) board and lodging for pupils with disabilities in a district maintaining special
3.30 classes;

3.31 (v) transportation from one educational facility to another within the district for
3.32 resident pupils enrolled on a shared-time basis in educational programs, and necessary
3.33 transportation required by sections 125A.18, and 125A.26 to 125A.48, for resident pupils
3.34 with disabilities who are provided special instruction and services on a shared-time basis
3.35 or if resident pupils are not transported, the costs of necessary travel between public

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4.1 and private schools or neutral instructional sites by essential personnel employed by the
4.2 district's program for children with a disability;

4.3 (vi) transportation for resident pupils with disabilities to and from board and lodging
4.4 facilities when the pupil is boarded and lodged for educational purposes; and

4.5 (vii) services described in clauses (i) to (vi), when provided for pupils with
4.6 disabilities in conjunction with a summer instructional program that relates to the pupil's
4.7 individual education plan or in conjunction with a learning year program established
4.8 under section 124D.128.

4.9 For purposes of computing special education initial aid under section 125A.76,
4.10 subdivision 2, the cost of providing transportation for children with disabilities includes
4.11 (A) the additional cost of transporting a homeless student from a temporary nonshelter
4.12 home in another district to the school of origin, or a formerly homeless student from a
4.13 permanent home in another district to the school of origin but only through the end of the
4.14 academic year; and (B) depreciation on district-owned school buses purchased after July 1,
4.15 2005, and used primarily for transportation of pupils with disabilities, calculated according
4.16 to paragraph (a), clauses (ii) and (iii). Depreciation costs included in the disabled
4.17 transportation category must be excluded in calculating the actual expenditure per pupil
4.18 transported in the regular and excess transportation categories according to paragraph (a).

4.19 (5) "Nonpublic nonregular transportation" is:

4.20 (i) transportation from one educational facility to another within the district for
4.21 resident pupils enrolled on a shared-time basis in educational programs, excluding
4.22 transportation for nonpublic pupils with disabilities under clause (4);

4.23 (ii) transportation within district boundaries between a nonpublic school and a
4.24 public school or a neutral site for nonpublic school pupils who are provided pupil support
4.25 services pursuant to section 123B.44; and

4.26 (iii) late transportation home from school or between schools within a district for
4.27 nonpublic school pupils involved in after-school activities.

4.28 (c) "Mobile unit" means a vehicle or trailer designed to provide facilities for
4.29 educational programs and services, including diagnostic testing, guidance and counseling
4.30 services, and health services. A mobile unit located off nonpublic school premises is a
4.31 neutral site as defined in section 123B.41, subdivision 13.

4.32 **EFFECTIVE DATE.** This section is effective July 1, 2011.