

CHAPTER 3520

DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING

STUDENT TRANSPORTATION

3520.0400	STANDARDS FOR AID TRANSPORTATION DATA REPORTING REQUIREMENTS. 3520.1400 REGULATIONS RELATING TO EQUAL TRANSPORTATION.	3520.1500	FREE AND EQUAL TRANSPORT TO DISTRICT BOUNDARY. TRANSPORTATION 3520.3300 TRANSPORTATION OF PUPILS WITH A DISABILITY.
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3520.0200 [Repealed, L 1993 c 224 art 12 s 39]

3520.0300 [Repealed, L 1993 c 224 art 12 s 39]

STANDARDS FOR AID

3520.0400 TRANSPORTATION DATA REPORTING REQUIREMENTS.

Subpart 1. **Regular category.** An elementary or secondary pupil for which a school district is entitled to transportation aid under Minnesota Statutes, sections 124.223, clauses (1) and (2), must be transported 20 or more days to be eligible for state aid. A kindergarten pupil attending full-day, every other day classes must be transported ten or more days to be eligible for state aid. A district shall report annual mileage for regular category transportation.

Subp. 2. **Other authorized categories.** A district that transports pupils under Minnesota Statutes, sections 123.223, clauses (1) and (3) to (10), and 275.125, subdivision 5d, must report the number of pupils transported. Annual mileage must be reported only when separate routes are set up to provide this transportation.

Subp. 3. **Other unauthorized categories.** A district that transports pupils in categories that are not authorized for transportation aid must furnish information on students transported and mileage as requested on the annual transportation report.

Subp. 4. **Other transportation data.** A district shall furnish information on vehicle ownership, fuel consumption, and other data as requested on the annual transportation report.

Subp. 5. **Duplication of pupil counts.** A district must not report a pupil in more than one to and from school category. These categories are: regular, handicapped, secondary one to two miles, traffic hazards, and ineligible.

Statutory Authority: *MS s 169.45*

History: *L 1987 c 258 s 12; 13 SR 1860*

3520.0500 [Repealed, 13 SR 1860]

3520.0600 [Repealed, L 1993 c 224 art 12 s 39]

3520.0700 [Repealed, 13 SR 1860]

3520.0800 [Repealed, 13 SR 1860]

3520.0900 [Repealed, 13 SR 1860]

3520.1000 [Repealed, L 1993 c 224 art 12 s 39]

3520.1100 [Repealed, 13 SR 1860]

3520.1200 [Repealed, L 1993 c 224 art 12 s 39]

3520.1300 [Repealed, L 1993 c 224 art 12 s 39]

3520.1400 REGULATIONS RELATING TO EQUAL TRANSPORTATION.

In accordance with Minnesota Statutes, sections 123B.84 to 123B.87, it is the policy of the commissioner of Children, Families, and Learning that school districts provide free and equal transportation for all school children of the state.

Pursuant to the policy set out above, the commissioner of Children, Families, and Learning:

A. Shall provide transportation aid in accordance with parts 3520.0200 to 3520.1700 for transportation provided by the school board for resident pupils to and from eligible schools located within the district.

B. Shall provide transportation aid in accordance with parts 3520.0200 to 3520.1700 for transportation provided by the school district for resident pupils attending eligible schools located in another district, provided that the aid shall be for only so much of the trip as is within the district of residence and, provided further that transportation aid may only be provided for such pupils within the limits specified in part 3520.1500. This limitation is not applicable to transportation of children with a disability.

C. Shall not provide transportation aid where a school district elects to provide transportation for nonresident pupils to a school or schools within its district.

D. Shall not provide transportation aid where a school district elects to provide transportation for nonresident pupils through its district enroute to a school located in another district.

Statutory Authority: *MS s 121.11*

History: *L 1991 c 265 art 3 s 38; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55*

3520.1500 FREE AND EQUAL TRANSPORT TO DISTRICT BOUNDARY.

An eligible resident pupil shall receive free and equal transportation to the appropriate school district boundary if there is no nonpublic school within the district maintaining grades or departments that are maintained in another district, or if attendance can more safely, economically, or conveniently be provided by such means.

A nonpublic school located within the resident district shall be deemed unavailable if it does not maintain the appropriate grades or departments. The term "appropriate department" shall include a department of religion.

The public school administration shall annually and as necessary consult with the appropriate nonpublic school administration on attendance areas, safety, economics, conveniences, and availability of space for the pupils.

The final determination as to whether transportation shall be provided to the boundary of the resident district shall be made by the public school board pursuant to law.

Where transportation is provided within the district to the boundary of the district and the school district is eligible for transportation aid for such transportation, the "within the district" limitation shall not be applied in an arbitrary manner. Safety factors in loading or unloading buses at or near the school district boundary shall be given due consideration. Transporting pupils a reasonable distance into the adjoining district or stopping short of the district boundary to assure safety of the pupils shall be determined by the public school board.

Statutory Authority: *MS s 121.11*

History: *L 1998 c 397 art 11 s 3*

3520.1600 [Repealed, L 1993 c 224 art 12 s 39]

3520.1700 [Repealed, 13 SR 1860]

3520.1800 [Repealed, L 1993 c 224 art 12 s 39]

3520.1900 [Repealed, 13 SR 1860]

3520.2000 [Repealed, 13 SR 1860]

3520.2100 [Repealed, 13 SR 1860]

3520.2200 [Repealed, 13 SR 1860]

3520.2300 [Repealed, 13 SR 1860]

3520.2400 [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 647 art 12 s 35; 20 SR 722]

3520.2500 [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 647 art 12 s 35; 20 SR 722]

3520.2600 [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 647 art 12 s 35; 20 SR 722]

3520.2700 [Repealed, L 1993 c 224 art 12 s 39]

3520.2800 [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 647 art 12 s 35; 20 SR 722]

3520.2900 [Repealed, L 1993 c 224 art 12 s 39]

3520.3000 [Repealed, L 1993 c 224 art 12 s 39]

3520.3100 [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 647 art 12 s 35; 20 SR 722]

3520.3200 [Repealed, L 1993 c 224 art 12 s 39]

TRANSPORTATION

3520.3300 TRANSPORTATION OF PUPILS WITH A DISABILITY.

Subpart 1. **Services provided.** Under the provisions of Minnesota Statutes, sections 125A.03 to 125A.24, school districts are required to provide special education and services for school age residents with disabilities. Accordingly, free transportation services shall be provided to any such child with a disability who requires special transportation services because of the child's disabling conditions and/or special program needs.

These rules shall apply when the disabling conditions of the child are such that the child cannot be safely transported on the regular school bus route and/or when the child is transported on a special route for the purpose of attending an approved special education program. These rules shall not be applicable to parents who transport their own child under contract with a school district.

Subp. 2. **Appeal process.** Any parent of a child with a disability who believes that the transportation services provided for that child are not in compliance with these rules may utilize the due process procedures provided for in Laws of Minnesota 1976, chapter 211.

Subp. 3. **Transportation of students.** The length of time a child with a disability is transported shall be appropriate to the physical, mental, and emotional well-being of the child. In general, a child with a disability should not spend more time in transit than a child without a disability except as may be required because of the unique location of the child's educational program.

The school district shall determine the type of vehicle used to transport pupils with a disability on the basis of the disabling conditions of those pupils. Such vehicles shall comply with the provisions of parts 3520.3700 to 3520.5800 of the rules of the Department of Children, Families, and Learning.

All vehicles used to transport pupils with a disability shall be equipped with a two-way communications system and/or have a responsible aide to provide necessary assistance and supervision which cannot safely be provided by the driver. A school district may determine that neither a communication system nor an aide is required.

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The determination of whether a communication system and/or an aide are required shall reflect the needs of the pupils and be based on such factors as disabilities of pupils transported, distance traveled, density of population, terrain, and any other factors which may affect the safety of the pupil passengers. Exceptions to this paragraph may be made upon mutual agreement between the parents and the school district.

Specially adapted seats, support, and/or protective devices shall be provided for all pupils who require such devices to insure their safe transportation. Such devices shall be selected by the school district in consultation with the child's parents and on the basis of the specific needs of the individual child with a disability.

Any school bus used to transport students in wheelchairs shall be equipped with fastening devices which will hold such wheelchairs securely in a fixed position.

Statutory Authority: *MS s 169.45*

History: *17 SR 1279; L 1991 c 265 art 3 s 38; L 1998 c 397 art 11 s 3; L 1998 c 398 art 5 s 55*

3520.3400 [Repealed, L 1993 c 224 art 12 s 39; L 1994 c 647 art 12 s 35; 20 SR 722]

3520.3500 [Repealed, L 1993 c 224 art 12 s 39]

3520.3600 [Repealed, L 1994 c 647 art 12 s 43]

3520.3680 [Repealed, L 1993 c 224 art 12 s 39]

3520.3700 [Repealed, L 1994 c 647 art 12 s 43]

3520.3701 [Repealed, L 1993 c 224 art 12 s 39]

3520.3800 [Repealed, 13 SR 1860]

3520.3801 [Repealed, L 1993 c 224 art 12 s 39]

3520.3802 [Repealed, L 1993 c 224 art 12 s 39]

3520.3900 [Repealed, L 1993 c 224 art 12 s 39]

3520.4000 [Repealed, 13 SR 1860]

3520.4001 [Repealed, L 1993 c 224 art 12 s 39]

3520.4100 [Repealed, L 1993 c 224 art 12 s 39]

3520.4200 [Repealed, 13 SR 1860]

3520.4201 [Repealed, L 1993 c 224 art 12 s 39]

3520.4210 [Repealed, 13 SR 1860]

3520.4220 [Repealed, 13 SR 1860]

3520.4230 [Repealed, 13 SR 1860]

3520.4240 [Repealed, 13 SR 1860]

3520.4250 [Repealed, 13 SR 1860]

3520.4260 [Repealed, 13 SR 1860]

3520.4300 [Repealed, 13 SR 1860]

3520.4301 [Repealed, L 1993 c 224 art 12 s 39]

- 3520.4400** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4500** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4510** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4520** [Repealed, 13 SR 1860]
- 3520.4530** [Repealed, 13 SR 1860]
- 3520.4531** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4540** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4550** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4560** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4570** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4580** [Repealed, 13 SR 1860]
- 3520.4600** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4610** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4620** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4630** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4640** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4650** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4660** [Repealed, 13 SR 1860]
- 3520.4670** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4680** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4690** [Repealed, 13 SR 1860]
- 3520.4700** [Repealed, 13 SR 1860]
- 3520.4701** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4710** [Repealed, 13 SR 1860]
- 3520.4711** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4720** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4730** [Repealed, 13 SR 1860]
- 3520.4731** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4740** [Repealed, 13 SR 1860]
- 3520.4741** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4750** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4760** [Repealed, 13 SR 1860]
- 3520.4761** [Repealed, L 1993 c 224 art 12 s 39]

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- 3520.4770** [Repealed, 13 SR 1860]
- 3520.4800** [Repealed, 13 SR 1860]
- 3520.4801** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4810** [Repealed, 13 SR 1860]
- 3520.4811** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4820** [Repealed, 13 SR 1860]
- 3520.4830** [Repealed, 13 SR 1860]
- 3520.4831** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4840** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4850** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4860** [Repealed, 13 SR 1860]
- 3520.4870** [Repealed, 13 SR 1860]
- 3520.4900** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4910** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4920** [Repealed, 13 SR 1860]
- 3520.4930** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4940** [Repealed, 13 SR 1860]
- 3520.4950** [Repealed, 13 SR 1860]
- 3520.4960** [Repealed, 13 SR 1860]
- 3520.4970** [Repealed, 13 SR 1860]
- 3520.4980** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.4990** [Repealed, 13 SR 1860]
- 3520.5000** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5010** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5020** [Repealed, 13 SR 1860]
- 3520.5100** [Repealed, 13 SR 1860]
- 3520.5110** [Repealed, 13 SR 1860]
- 3520.5111** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5120** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5130** [Repealed, 13 SR 1860]
- 3520.5140** [Repealed, 13 SR 1860]
- 3520.5141** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5150** [Repealed, 13 SR 1860]

- 3520.5151** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5160** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5170** [Repealed, 13 SR 1860]
- 3520.5171** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5180** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5190** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5200** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5210** [Repealed, 13 SR 1860]
- 3520.5220** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5230** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5300** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5310** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5320** [Repealed, 13 SR 1860]
- 3520.5330** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5340** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5350** [Repealed, 13 SR 1860]
- 3520.5360** [Repealed, 13 SR 1860]
- 3520.5361** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5370** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5380** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5400** [Repealed, 13 SR 1860]
- 3520.5401** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5410** [Repealed, 13 SR 1860]
- 3520.5420** [Repealed, 13 SR 1860]
- 3520.5430** [Repealed, 13 SR 1860]
- 3520.5440** [Repealed, 13 SR 1860]
- 3520.5450** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5460** [Repealed, 13 SR 1860]
- 3520.5461** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5470** [Repealed, 13 SR 1860]
- 3520.5471** [Repealed, L 1993 c 224 art 12 s 39]
- 3520.5480** [Repealed, 13 SR 1860]
- 3520.5481** [Repealed, L 1993 c 224 art 12 s 39]

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3520.5490 [Repealed, L 1993 c 224 art 12 s 39]

3520.5500 [Repealed, L 1993 c 224 art 12 s 39]

3520.5510 [Repealed, L 1993 c 224 art 12 s 39]

3520.5520 [Repealed, L 1993 c 224 art 12 s 39]

3520.5530 [Repealed, 13 SR 1860]

3520.5531 [Repealed, L 1993 c 224 art 12 s 39]

3520.5540 [Repealed, 13 SR 1860]

3520.5550 [Repealed, 13 SR 1860]

3520.5551 [Repealed, L 1993 c 224 art 12 s 39]

3520.5560 [Repealed, L 1993 c 224 art 12 s 39]

3520.5570 [Repealed, L 1993 c 224 art 12 s 39]

3520.5580 [Repealed, L 1993 c 224 art 12 s 39]

3520.5600 [Repealed, L 1993 c 224 art 12 s 39]

3520.5610 [Repealed, 13 SR 1860]

3520.5611 [Repealed, L 1993 c 224 art 12 s 39]

3520.5700 [Repealed, L 1993 c 224 art 12 s 39]

3520.5710 [Repealed, L 1993 c 224 art 12 s 39]

3520.5800 [Repealed, 13 SR 1860]

3520.5900 [Repealed, L 1993 c 224 art 12 s 39]

3520.5910 [Repealed, L 1993 c 224 art 12 s 39]

3520.5920 [Repealed, L 1993 c 224 art 12 s 39]