

DEPARTMENT OF EDUCATION
SUPERINTENDENT OF PUBLIC INSTRUCTION

STATE AID FOR TRANSPORTATION OF SCHOOL CHILDREN

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 34, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the superintendent of public instruction by sections 1701 and 1703 of 1976 PA 451, MCL 380.1701 and MCL 380.1703 and Executive Reorganization Order Nos. 1996-6 and 1996-7, MCL 388.993 and MCL 388.994)

R 388.371, R 388.381 and R 388.383 of the Michigan Administrative Code are amended; R 388.372, R 388.374, R 388.377, R 388.382, R 388.386, R 388.387 and R 388.388 are rescinded from the Code as follows:

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~~ **1979 PA 94, MCL 388.1601 to MCL 388.1896.**

(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.

R 388.372 ~~Allowances.~~ **Rescinded.**

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.~~

R 388.374 Reporting requirements for specialized transportation services.

Rule 4. (1) For each day during the first full school week ~~of October~~ **in which pupils are counted in membership under section 6 of 1979 PA 94, MCL 388.1606**, 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 schools, 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.

R 388.377 ~~Intermediate school district audits.~~ **Rescinded.**

~~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.~~

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 **and R 388.379.**

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

R 388.382 ~~Allowance for family vehicle transportation.~~ **Rescinded.**

~~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.~~

R 388.383 Eligibility for specialized transportation services.

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

R 388.386 ~~Coordination or provision of specialized transportation services.~~ **Rescinded.**

~~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.~~

R 388.387 ~~Approval of specialized transportation routes.~~ **Rescinded.**

~~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.~~

R 388.388 ~~Authorization of overlapping or duplicate routes or services prohibited; exception.~~ **Rescinded.**

~~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.~~