



## Regulations and Guidelines for Pupil Transportation Reporting

### Introduction

The following information briefly states in chronological order the administrative steps for school transportation and the reporting process:

- By **July 1** a district must send copies of all signed and completed school bus contracts to the county superintendent.
- By **July 1** a district must submit individual transportation contracts electronically to the Superintendent of Public Instruction
- By the **fourth Monday of July** a county transportation committee (CTC) must act to approve or not approve all bus routes established by the districts. The CTC must also act on all applications for increased payments due to isolation. Approval of board of trustees for increased payments is required prior to CTC action
- By **October 1** the county superintendent must electronically acknowledge receipt of all individual transportation contracts (TR-4) and electronically authorize individual transportation contracts for which the CTC has approved for increased payments due to isolation.
- At least **30 days prior to the beginning of the first semester**, the Montana Highway Patrol (HWP) must inspect all school buses used to transport students. If necessary the buses must be re-inspected before the beginning of the semester.
- By the **second Monday in September** the county superintendent must send the final budgets for the ensuing year to the Superintendent of Public Instruction
- By **November 1** a district must send the county superintendent one copy of the TR-1 for each bus route and submit a TR-1 for each bus route electronically to the Superintendent of Public Instruction.
- By **November 10** the county superintendent must electronically approve each TR-1 submitted by the district.
- By **January 31** buses must have passed inspection for second semester by the Highway Patrol (HWP) for all school buses used to transport students.
- By **February 15** a district must send the county superintendent one copy of transportation claims TR-5 and TR-6 and submit the claims electronically to the Superintendent of Public Instruction.
- By **February 22** the county superintendent must electronically authorize each district TR-5 and TR-6 claim for first semester.
- **Upon receipt** of electronic claims, the Superintendent of Public Instruction verifies the claims and disburses the approved amount of state reimbursement for first semester transportation. Payments will be made on or before March 31.
- **Upon receipt** of electronic state payment notice the county superintendent orders the disbursement of county reimbursement for first semester transportation on the basis of state reimbursement.
- By **May 24** a district must send the county superintendent one copy of signed and completed transportation claims TR-5 and TR-6 and submit the claims electronically to the Superintendent of Public Instruction.

- By **June 1** the county superintendent must electronically authorize each district TR-5 and TR-6 claim for the second semester.
- **Upon receipt** of electronic claims the Superintendent of Public Instruction verifies the claims and disburses the approved amount of state reimbursement for second semester transportation. Payments will be made on or before June 30.
- **Upon receipt** of electronic state payment notice the county superintendent orders the disbursement of county reimbursement for second semester transportation on the basis of state reimbursement.
- **Whenever necessary**, new individual transportation contracts received by the school district after final budget adoption are completed by the board of trustees. The district will enter and submit the contract electronically to the Superintendent of Public Instruction and submit the original to the county superintendent.
- **Whenever required**, the board of trustees issues Montana school bus driver certification to bus drivers and transmits the required copies to the county superintendent. The district will submit new and amended driver certifications electronically, as they are updated, to the Superintendent of Public Instruction.
- **Whenever required**, but no later than June 30, budget amendment proceedings must be completed to provide budget authority for additional pupil transportation obligations arising after final budget adoption and for which the contingency item is inadequate.  
(ARM10.7.101, MCA 20-10-112)

### **Qualification of Bus Drivers**

School bus drivers must be fully qualified in order for a district to receive state transportation reimbursement. Drivers are required to have the following credentials:

- Five years of licensed driving experience
- Is not less than 18 years of age
- Of good moral character;
- Holds a driver's license with the proper commercial vehicle operator's endorsement (Passenger (P) and School Bus (S))
- Filed with the board of trustees a satisfactory report of a physical examination, signed by a licensed physician in the state of Montana, on a federal Department of Transportation (DOT) form
- Holds a valid basic first-aid certificate or certificate from an equivalent or more advanced first-aid course
- Holds a valid certificate (form TR-35) as evidence of meeting the above qualifications.

State transportation reimbursement for bus transportation for the full school term will be made only when a new driver of the bus has completed the first-aid requirement within 60 days from the employment date. Any bus operated by a driver that is not qualified will not be eligible for state reimbursement for that portion of the term that the driver is not qualified. Drivers who have driven the previous year must have the first-aid requirement completed before the expiration date on their certificate.

In the event a district (or contractor) is obligated to employ a driver as a replacement for a driver employed at the beginning of the school year, or must employ an additional driver, a period of 60 days will be permitted for the new driver to acquire the first-aid certificate. If after 60 days following the date of first employment of the additional or replacement driver, the first-aid requirement has not been met, the bus operated by the driver will not qualify for state reimbursement for that portion of the year that the driver is

not qualified, including the 60-day grace period.

The holding of a Montana school bus driver certificate is proof that the driver meets all the qualifications of the school transportation law. The bus driver certificate forms are provided electronically by the Superintendent of Public Instruction for use by the board of trustees. The board issues a certificate to each driver who is authorized and qualified to drive, and files a dated and signed copy with the county superintendent and electronically files the certification information with the Superintendent of Public Instruction.

A school bus driver certificate remains valid until the earliest expiration date of the commercial vehicle operator's endorsement, the first-aid certificate, and physical examination. A new certificate must be issued to the driver when any of the above items expires and is renewed.

The qualifications of all bus drivers are reviewed at the time the state verification of transportation claims is made, as the qualifications of the bus driver are one of the criteria for eligibility for state transportation reimbursement.

The State Superintendent will not reimburse for routes driven by drivers without a current certificate on file with the Office of Public Instruction. If any license, certificate or examination was expired for any period of time, the Office of Public Instruction will withhold transportation reimbursement funding for the number of days the driver was not qualified.

Districts must retain a signed copy of each bus driver certificate on file for audit purposes. (Rule 10.7.111, MCA 20-10-103)

### **Claim Procedure**

First semester:

By February 15 the board of trustees must provide the county superintendent with one complete copy of the first semester transportation claim using forms provided electronically by the Superintendent of Public Instruction. The district claims must be signed by the chairman of the board of trustees and a copy must be retained on file at the district for audit purposes.

By February 22 the county superintendent must review each district's claim for completeness and accuracy, and electronically notify the Superintendent of Public Instruction of the county superintendent's approval of each district's first semester transportation claim.

Valid claims submitted by the district and approved by the county superintendent after February 22 will be paid with the second semester transportation reimbursement.

Second semester:

By May 24 the board of trustees must provide the county superintendent with one complete copy of the second semester transportation claim using forms provided electronically by the Superintendent of Public Instruction. The district claims must be signed by the chairman of the board of trustees and a copy must be retained on file at the district for audit purposes.

By June 1, the county superintendent must review each district's claim for completeness and accuracy and electronically notify the Superintendent of Public Instruction of the county superintendent's approval of each district's second semester transportation claim.

Valid claims submitted by the district and approved by the county superintendent after May 24 and by June 30 will be paid by September 30 of the following school year. (ARM 10.7.104)

### **Semiannual Inspection of School Buses**

School Districts must perform semiannual inspections of their school buses by the Montana Highway Patrol.

- ✓ 1st Semester inspections must be performed and passed at least 30 days prior to the beginning of the school term.
- ✓ 2nd Semester inspections must be performed and passed by the Highway Patrol by January 31.

Only buses that pass inspection may be used to transport students, and only school buses that pass inspection will receive state and county transportation reimbursement. A school bus that fails to pass inspection will not be eligible to receive state transportation reimbursement. The school district is responsible for contacting the Highway Patrol for performing bus inspections.

NOTE: The Montana Highway Patrol may inspect school buses at other times as the Highway Patrol sees fit.

School District's inspections shall determine if the school buses meet the minimum standards for school buses as adopted by the Board of Public Education.  
(Rule 10.7.101, MCA 61-9-502)

### **Standards for School Buses**

Reimbursable bus transportation shall be made on vehicles that are in compliance, and that meet the definition of school bus under state and federal law.

Motor vehicles designed to carry ten or fewer persons do not meet the definition of a school bus and are not eligible for route reimbursement. To be eligible for reimbursement, motor vehicles that carry more than ten persons must meet the school bus standards set by the Board of Public Education for school buses in Montana and must pass semiannual inspection by the Highway Patrol.

State and county reimbursement for bus transportation will only be paid for routes operated with buses (either district-owned or contractor-owned) that pass the Montana Highway Patrol's inspection. The Montana Highway Patrol's inspection will determine if the school bus meets the Minimum Standards for School Buses in Montana as adopted by the Board of Public Education.

Only school buses that pass inspection may be used to transport students and only school buses that pass inspection will receive state and county transportation reimbursement.  
(Rule 10.7.110, MCA 20-10-101, MCA 61-9-502)

### **TR-1 for Registration of School Buses and State Reimbursement**

The form used for this application, designated form TR-1, must be completed by the board of trustees for each approved bus route in the district.

The trustees shall send one copy of a TR-1 for each route to the county superintendent by November 1 and must submit the information for each route electronically to the Superintendent of Public Instruction.

County and state approval of the electronic TR-1 is a prerequisite to reimbursement. (ARM 10.7.109)

### **Eligibility for Bus Transportation State Reimbursement**

The route (the area served and the miles per day) must be established by the board of trustees, by board resolution.

- The route must be approved by the county transportation committee.
- A district may not extend a bus route to transport pupils from outside its transportation service area unless the district has a written agreement with the district that the county transportation committee has assigned to transport the pupils. Without a written agreement between districts authorizing the route, the county transportation committee must withdraw its approval of the entire route.
- The county transportation committee may not approve only a portion of a route. The route must be approved or denied in its entirety.
- The vehicle operating on the route must meet minimum standards for school buses adopted by the Board of Public Education.
- The vehicle operating on the route must be inspected and approved by the Montana Highway Patrol.
- The driver of the vehicle must be qualified according to law.
- Reimbursement is not authorized for bus transportation provided for a student who lives less than three miles from school unless transportation is listed as a related service on the student's individualized education plan (IEP) or the student is a preschool student with disabilities.
- State and county reimbursement is not authorized for routes operated outside the term of the regular school year for days in excess of 180 days per school year or for days the route was not operated.
- When the board of trustees changes a route's mileage per day, or if a different school bus is used on the route, the trustees must amend the TR-1 bus route form, show the effective date of the change, submit it first to the county transportation committee for approval and then to the Superintendent of Public Instruction. When the claims for payments are submitted, the district will report the number of days the route operated at each mileage amount or number of days that each bus operated on the route. The Superintendent of Public Instruction will adjust the reimbursement for the route and will pay the adjusted rate for days the route operates after the date the change in mileage or bus became effective, subject to constraints of the budget or budget amendments.
- When routes are extended, it is up to the district to determine if a budget amendment is required to cover the additional costs of the route.
- A school district shall not claim state and county transportation aid for the district's or cooperative's conveyance of students to and from alternative sites, buildings or other locations where services or programs are offered during the school day, such as partial-day special education services provided by a cooperative or classes at different buildings of the school district or community. School districts may claim state and county transportation

reimbursement for conveyance of a pupil from the student's home to and from the location of the student's center based day program for the school day, such as a day treatment program or special education preschool program that is operated by a cooperative or district interlocal agreement. (Rule 10.7.112, 10.7.110, MCA 20-10-132, 20-10-126, 20-10-103, 20-10-145)

### **Criteria for Establishing Transportation Areas**

The territory of a transportation service area is the territory of a school district unless the county transportation committee approves alternative boundaries after determining that the adjustments will improve pupil safety, transportation efficiency, or the cost-effectiveness of the pupil transportation system of the county. A district may not extend a bus route to transport students from outside its transportation service area unless the district has a written agreement with the district that the county transportation committee has assigned to transport the students.

However, a district may extend a bus route across another transportation service area if the district determines that it is necessary in order to provide transportation to pupils in the district's own transportation service area. When the trustees of two or more districts enter into a written agreement to authorize transportation services among transportation service areas, a copy of the agreement must be submitted to the county superintendent and approved by the county transportation committee. Upon approval by the committee, the transportation agreements are valid for the current school year.

The trustees of any district who object to a particular bus route or transportation service area to which the district has been assigned may request a transfer to another bus route or transportation service area. The county transportation committee may transfer the territory of the district to an adjacent transportation service area or approved bus route with the consent of the district providing transportation in the adjacent transportation service area.

The trustees of any district who object to a bus route operated by another district may bring that route to the attention of the county transportation committee. If the committee agrees that the district is operating a portion of its route as an unapproved route outside of its district boundaries, the committee shall file with the district a written warning concerning the unapproved route, and if the district, in spite of the warning, continues to operate the route, the committee may withdraw its approval of the entire route.

If the qualified electors of the district object to the decision of the county transportation committee and the adjacent district is willing to provide school bus service, 20% of the qualified electors may petition the trustees to conduct an election on the proposition that the territory of the district be transferred for pupil transportation purposes to the adjacent transportation service area. If a satisfactory petition is presented to the trustees, the trustees shall call an election on the proposition for the next ensuing regular school election day. The election must be conducted in accordance with the school election laws. If a majority of those voting at the election approve the transfer, the transfer is effective on July 1 of the ensuing school fiscal year.

Unless a transfer of territory from one transportation service area or approved bus route to another area or bus route is approved by the superintendent of public instruction and the county transportation committee, the state transportation reimbursement is limited to the reimbursement amount for pupil transportation to the nearest operating public elementary school or public high school, whichever is appropriate for the affected pupils. (MCA 20-10-126)

### **Duty of trustees to provide transportation**

The trustees of a district may furnish transportation to an eligible transportee who attends a school of the district or has been granted permission to attend a school outside of the district. Whenever the trustees of a district provide transportation for an eligible transportee, the trustees shall provide all eligible transportees of the district with transportation. The trustees shall furnish transportation when directed to do so by the county transportation committee and when that direction is upheld by the superintendent of public instruction.

The tendering of a contract to the parent or guardian under which the district would pay the parent or guardian for individually transporting the pupil or pupils fulfills the district's obligation to furnish transportation for an eligible transportee. The parent or guardian of an eligible transportee may provide transportation or arrange for transportation for the parent's or guardian's child at the parent's or guardian's own expense to any district willing to accept the child.

The type of transportation provided by a district may be:

- By a school bus
- By individual transportation contract
- Paying the parent or guardian for individually transporting the pupil
- Paying board and room reimbursements
- Providing supervised correspondence study
- Providing supervised home study

When the parent or guardian of an elementary pupil consents to a trip of over 1 hour, the trustees may require the eligible transportee to ride a school bus for more than 1 hour each trip.  
(MCA 20-10-121)

### **Schedule for Bus Transportation**

A bus route having at least one eligible transportee and meeting other eligibility criteria will be reimbursed for bus mileage. A bus route without at least one eligible transportee is not eligible to receive reimbursement.

Reimbursement is not authorized for bus transportation provided for pupils who live less than three miles from school unless the pupils have transportation listed as a related service on individualized education plans (IEP).

Nonbus mileage is reimbursable for a vehicle driven by a bus driver to and from an overnight location of a school bus when the location is more than ten miles from the school. Reimbursement for nonbus mileage is 50 cents per mile.

If a bus route is made up of a series of legs where one complete set of students disembarks from the bus and a new set of students' board, the riders must be reported on more than one TR-1 bus route form. The district must report the legs as separate parts of a single route (e.g., Route 1A, 1B and 1C) by submitting a separate form for each section of the route ending where all of the students disembark to board another bus or to attend school before the bus continues to another destination. (ARM 10.7.115)

The mileage rates for school transportation constitute the maximum reimbursement to districts for school transportation from state and county sources of transportation revenue. These rates may not limit the amount that a district may budget in its transportation fund budget in order to provide for the estimated



and necessary cost of school transportation during the ensuing school fiscal year. All bus miles traveled on bus routes approved by the county transportation committee are reimbursable. Nonbus mileage is reimbursable for a vehicle driven by a bus driver to and from an overnight location of a school bus when the location is more than 10 miles from the school. A district may approve additional bus or nonbus miles within its own district or approved service area but may not claim reimbursement for the mileage. Any vehicle, the operation of which is reimbursed for bus mileage under the rate provisions of this schedule, must be a school bus, as defined by this title, driven by a qualified driver on a bus route approved by the county transportation committee and the superintendent of public instruction.

The rate for each bus mile traveled must be determined in accordance with the following schedule:

- \$0.95 cents for a school bus with a rated capacity of not more than 49 passenger seating positions.
- \$1.15 for a school bus with a rated capacity of 50 to 59 passenger seating positions.
- \$1.36 for a school bus with a rated capacity of 60 to 69 passenger seating positions.
- \$1.57 for a school bus with a rated capacity of 70 to 79 passenger seating positions.
- \$1.80 for a school bus with 80 or more passenger seating positions.
- \$0.50 for Nonbus mileage.

The rated capacity is the number of passenger seating positions of a school bus as determined under the policy adopted by the board of public education. If modification of a school bus to accommodate pupils with disabilities reduces the rated capacity of the bus, the reimbursement to a district for pupil transportation is based on the rated capacity of the bus prior to modification.

The number of pupils riding the school bus may not exceed the passenger seating positions of the bus.  
(MCA 20-10-141)

### **Contents and Limitations of Pupil Transportation Contracts**

When a district enters into a contract with any private party to provide transportation to eligible transportees, the private party shall comply with the regulations of the board of public education for the standards of equipment, operation and safety of the school bus, and qualifications of the driver. The trustees may require added safeguards by supplementing the board of public education policies in the contract with additional requirements for bus specifications, age of drivers, liability insurance, operating speed, or any other contractual condition considered necessary by the trustees.

Any school bus transportation by a private party or individual transportation that is furnished by a district must be under contract, and district, county, or state money may not be paid for transportation services to any person or firm who does not hold a legal contract with the district. Transportation contracts for the ensuing year must be completed by the fourth Monday of June, except when an eligible transportee establishes residence in the district after the fourth Monday of June and a contingency amount is included in the regular transportation budget or an emergency transportation budget is adopted. Transportation contracts between a district and a private party for the provision of school bus transportation must:

- ✓ Be completed in triplicate, with one copy for the county superintendent, one copy for the private party, and one copy for the district.
- ✓ Conform to the transportation law, policies of the board of public education, and rules of the superintendent of public instruction
- ✓ Signed by the presiding officer of the trustees and the private party.



A transportation contract between a parent or guardian of an eligible transportee and a district for the provision of individual transportation is subject to the following requirements:

1. It must be completed in quadruplicate, with one copy for the parent or guardian, one copy for the district, one copy for the county superintendent, and one copy for the superintendent of public instruction.
2. It must be completed on forms promulgated by the superintendent of public instruction.
3. The parent or guardian shall sign an affidavit attesting to the place of residence of the child or children.
4. It must be signed by the presiding officer of the trustees and the parent or guardian of the eligible transportees.

A school district may enter into a contract for the provision of individual transportation only if the student being transported is an eligible transportee of the district.

An eligible transportee is deemed by law "to reside with a parent or guardian who maintains legal residence within the boundaries of the district furnishing the transportation regardless of where the eligible transportee actually lives when attending school."

Prekindergarten pupils with disabilities are considered eligible transportees regardless of distance between home and school or bus stop.

When a student attends school outside his or her district of residence under an out-of-district attendance agreement approved by the district of residence, either the district of attendance or the district of residence, but not both, may consider the student an eligible transportee for purposes of contracting to provide transportation reimbursement or to provide bus services.

Unless a student is attending school under mandatory provisions, or under an individual education plan (IEP), the distance from the home to the nearest operating school or bus stop will be used to calculate the reimbursement under a pupil transportation contract. The nearest operating school is the nearest elementary or high school that the student could reasonably attend, offering educational services appropriate for the grade level of the student. Whether the school is in the district of attendance or the district of residence is irrelevant to the calculation.

The nearest bus stop where the student could board a bus to the elementary or high school offering educational services appropriate for the grade level of the student that the student could reasonably attend, regardless of whether the bus stop is provided by the district of attendance or the district of residence.

If the student attends under the mandatory provisions, or is placed in another district under an IEP, the distance from the home to the nearest appropriate school or bus stop will be used to calculate the amount of reimbursement under an individual contract for transportation. The state may honor valid individual contracts which are approved by the district after the budget has been adopted. In no case may the district honor a contract submitted after the last pupil instruction day of the school year at the school of attendance.

If an approved out-of-district attendance agreement that includes terms for providing transportation does not exist between the district of residence and the district of attendance, the parent or guardian shall

provide transportation at his own expense.

When making an individual transportation contract with the district, the parent, legal guardian or emancipated minor must sign an affidavit attesting to the place of residence of the student. No person other than the student's parent, legal guardian or an emancipated minor may enter into an individual contract for transportation or receive the transportation reimbursement. Transportation must be provided by a licensed driver in an insured vehicle.

The form for contracts between a school district and a parent, legal guardian or emancipated minor is designated form TR-4. The same contract form is used for both elementary and high school pupils and provides for contracts at the individual rate or for the increased individual rate due to isolation. The maximum daily reimbursement rate a parent, legal guardian or emancipated minor may receive for a mileage contract is the daily rate he or she would receive under a room and board contract, unless the contract has been approved for isolation.

To be eligible to receive reimbursement for a mileage contract, transportation for the mileage reported on the contract must actually occur. The district may not claim state or county reimbursement or pay a parent, legal guardian or emancipated minor for transportation on days the student does not attend school.

Contracts for students with transportation listed as a related service on their individualized education plans will receive the following state/county reimbursement:

1. Students who live three miles or less from the school or bus stop will be eligible for the minimum state/county reimbursement rate of 35 cents per day.
2. Contracts for students who live over three miles from the school or bus stop will receive a state/county reimbursement rate calculated with the same formula used for all other students.
3. If the distance from the student's home to the nearest bus stop or school decreases during the term of the individual contract, the district must amend the contract to reflect the lower mileage and must notify the Superintendent of Public Instruction and the county superintendent of the date the lowered mileage became effective. The Superintendent of Public Instruction will recalculate the daily reimbursement rate and will assign a new contract number to the amended contract. The school district must claim the number of days that transportation occurs at each distance on the TR-5 school district claim for individual transportation reimbursement.
4. The contract must be completed in its entirety, signed by the parent, legal guardian, or emancipated minor, and the chairman of the board of trustees on or before July 1 of the school year for which the transportation is being provided. The signed contract is the authorization of the board of trustees to budget for that transportation expenditure necessary to meet the obligation imposed on the district by the contract. Each party to the contract and the county superintendent must receive a copy of the contract.
5. If the contracting party applies for increased individual transportation payments due to isolation, the contract must be completed and signed in advance of the meeting of the county transportation committee at which such applications are approved or disapproved. (The date of this meeting in any county can be obtained from the county superintendent.) Approval of any increased rates by the county transportation committee precedes budget adoption.
6. The district clerk must transmit each transportation contract to the county superintendent and submit each contract electronically to the Superintendent of Public Instruction by July 1, or as received and accepted by the board of trustees.

By October 1, or as received from the district, the county superintendent must electronically verify the County Transportation Committee's receipt of each transportation contract to the Superintendent of Public Instruction. All individual contracts made between the same parent or legal guardian and different school districts (in the same county or in different counties) are gathered electronically by the Superintendent of Public Instruction and allocation of district responsibility for payment is made in compliance with the law and the Board of Public Education policy.

The district clerk, in writing warrants for transportation payments to the parent, legal guardian, or the emancipated minor, is guided by the approved rates; the school district may only make payments to the parent, legal guardian, or emancipated minor in accordance with the rate established.

The district must retain a copy of each signed individual transportation contract on file for audit purposes. (MCA 20-10-124 and ARM 10.7.106)

### **Schedule for Transportation Payments**

The schedule for paying for individual and isolated (or "increased") transportation or for room and board in lieu of bus transportation is found in 20-10-142, MCA. This section establishes the amount of individual payments to parents for transporting their children to school (if they reside in an area not served by a school bus) or to a bus stop.

Section 20-10-142, MCA authorizes the board of trustees and the county transportation committee, subject to written approval by the Superintendent of Public Instruction, to alter or increase the payments to a family if, because of isolation, the schedule is inadequate. This "increased" payment (also called "isolated" transportation) is 50% of the authorized amount. All isolated ("increased") transportation must be approved by the county transportation committee prior to approval by the Superintendent of Public Instruction.

In cases where the family must move and maintain two households or where the family must board the student near the school, the family may be eligible for the room and board rate of \$12.95 per day for the first child and \$8.40 per day for each additional child. All contracts for room and board reimbursement must be approved by the county transportation committee prior to approval by the Superintendent of Public Instruction.

If there is more than one eligible transportee of the same household, and the eligible transportees attend schools operated by more than one school district, the rate of \$12.95 per day shall be paid to the district enrolling the student with the highest grade level. Additional reimbursement will be at the rate of \$8.40 per day per student.

(ARM 10.7.114 and MCA 20-10-142)

### **PUPIL TRANSPORTATION CONTRACTS (TR-4)**

School districts are required to have individual transportation contracts for the ensuing year signed by July 1.

Three copies of the contract form are needed: one for the individual or contractor providing the service,

one for the district clerk, and one for the county superintendent.

The board of trustees is prohibited from issuing warrants on the transportation budget in the absence of a contract. State reimbursement is paid only on claims supported by valid contracts (Rule 10.7.105)

### **Isolation Allowed Increasing the Individual Transportation Rate**

When the board of trustees of a school district establishes a program of "isolated transportation payments" individual families entering into transportation contracts with the board of trustees may apply for an "isolated" or increased individual, rate of payment. The board of trustees and the county transportation committee, in acting on applications for increased individual payments due to isolation, should judge each application in relation to all others in the district and county. The following factors are suggested to be considered by the county transportation committee in determining if increased payments for isolated conditions are appropriate:

- Student lives at least seven miles from school and no school bus is provided, or lives at least seven miles from the bus stop.
- Roads are not graded for at least one-half of the distance from home to the school or bus stop, and roads present considerable difficulty in bad weather, and special equipment ordinarily is required.
- County transportation committee determines that hardship (physical and/or financial) exists.

The board of trustees must consider and approve or disapprove all requests for an increase in an individual transportation rate due to isolation. All board of trustee decisions must be reviewed by the county transportation committee and the Superintendent of Public Instruction who both have final authority over any decision of the board of trustees.

The increased rate is 1 1/2 times the state rate .35 per mile. The board of trustees is not required to approve requests for increased rates because of isolation, and the county transportation committee is not required to approve increased payments because of isolation. State approval is required for all increases in rates granted locally. The capping of mileage reimbursement rates at the room and board rate does not apply to isolation contracts. (ARM 10.7.116 and MCA 20-10-142)

### **Two Contract Amount Regulation**

The law which establishes the schedule governing payments to families prohibits paying more than one contract amount to any family. To comply with this law, the following rules have been adopted:

- If two or more eligible transportees are transported by a parent or guardian to two or more schools located within three miles of one another, and if such schools are operated by different school districts, the total amount of the reimbursement, calculated using the distance to the furthest school, shall be divided equally between the districts.
- The reimbursement paid to each district may be less than 35 cents per day, but the combined payment for the contract shall not be less than 35 cents per day.
- If two or more eligible transportees are transported by a parent or guardian to two or more schools located more than three miles from one another, the parent or guardian shall be

- separately reimbursed for transporting the eligible transportee or transportees to each school.
- If, because of a half-time preschool or kindergarten program, a parent or guardian must make a separate trip to transport an eligible preschool or kindergarten transportee from the school or bus stop, the parent or guardian is eligible for reimbursement for this trip. A separate TR-4 form shall be used for this trip. (Rule 10.7.113, MCA 20-10-142)

### **Contingency Transportation and Budget Amendments for Transportation**

During the course of a school year, whenever a district becomes obligated to provide transportation for a student, the board of trustees immediately must:

- ✓ Provide bus service for the eligible transportee
- ✓ Enter into a contract with the parent, legal guardian or emancipated minor, and transmit a copy of the contract to the county superintendent, who transmits one copy immediately to the Superintendent of Public Instruction.

The cost of such additional transportation is met by the contingency item in the transportation budget or nonoperating budget. Valid claims against the amount budgeted as contingency are reimbursable by the state and county as on-schedule costs.

If there is no contingency item (or the appropriation therein is already obligated for other pupils in the district), the district shall institute budget amendment proceedings to acquire the budget authorization necessary to provide transportation for such students.

The on-schedule costs associated with the contingency transportation, in excess of the contingency amount, are reimbursable by the state and county only upon adoption of a budget amendment increase, and either county transportation committee approval of new or altered bus routes or district approval of new individual transportation contracts, and state approval of such transportation. (ARM 10.7.107)

### **On Schedule Calculation**

Bus Miles Reimbursed  
+ Nonbus Miles Reimbursed  
+ Individual Transportation Contracts Reimbursed  
+ 10% Contingency  
= On Schedule Reimbursement

- 50% County Levy
- 50% State Reimbursement

### **Bus Contracts**

Contracts between districts and bus contractors must be signed prior to the adoption of the budget by the trustees. Such contracts may run for a period of more than one year but not exceeding five years. Whenever a new contract is completed, one copy is retained by the bus contractor, one copy is retained by the district clerk and one copy is transmitted to the county superintendent.

## School Transportation Forms Listed by Form Number

Form TR-1, Combined School District Application for Registration of School Bus and State Reimbursement:

- Forms supplied electronically by the Superintendent of Public Instruction.
- Forms completed by district officials, due in county superintendent's office by November 1.
- Completed forms transmitted electronically to the Superintendent of Public Instruction by November 1.
- Forms electronically authorized by the county superintendent by November 10.
- Forms processed electronically, rated, and approved by the Superintendent of Public Instruction.

Form TR-2, Additional Pupil List:

- Additional pupil list for form TR-1.
- Forms electronically supplied by the Superintendent of Public Instruction.
- Forms completed by district officials, due in county superintendent's office by November 1.
- County superintendent uses form to verify accuracy of information submitted on TR-1.

Form TR-4, Elementary and High School Individual Transportation Contract:

- Forms electronically supplied by the Superintendent of Public Instruction.
- Provided only for contracts entered into by a district and an eligible transportee of the district.
- Forms completed by families and district officials by July 1 or as accepted by the district.
- Completed forms due in the county superintendent's office by July 1 or as received from the district.
- Electronic copy of each contract transmitted by the district to the Superintendent of Public Instruction by July 1 and as electronically approved by the county superintendent.
- The contracts are processed electronically, rated, and approved by the Superintendent of Public Instruction and the approved rates are available electronically to the county superintendent and district by mid-October.

Form TR-5, School District Claim for State Reimbursement for Individual and Isolated Transportation:

- Forms supplied electronically by the Superintendent of Public Instruction each semester.

Forms completed by district officials and due in the county superintendent's office:

- First semester by February 15.
- Second semester by May 24

County superintendent authorizes the claim electronically:

- First semester by February 22.

- Second semester by June 1.

Forms are verified electronically by the Superintendent of Public Instruction. After claims are verified, each district official and county superintendent receives from the Superintendent of Public Instruction a notification of the amount of reimbursement to be received by the district. The county treasurer receives from the Superintendent of Public Instruction a state payment with a list of districts and the amount each district is to receive.

Form TR-6, School District Claim for Reimbursement for School Bus Transportation: Forms electronically supplied by the Superintendent of Public Instruction each semester. Forms completed by district officials and due in the county superintendent's office:

- First semester by February 15.
- Second semester by May 24.

County superintendent authorizes the claim electronically:

- First semester by February 22.
- Second semester by June 1.

Forms are electronically verified by the Superintendent of Public Instruction. After claims are verified, each district official and the county superintendent receive from the Superintendent of Public Instruction a notification of the amount of reimbursement to be received by the district. The county treasurer receives from the Superintendent of Public Instruction a state payment with a list of districts and the amount each district is to receive.

Form TR-8, School Bus Accident Report to the Montana Department of Transportation:

- Forms supplied by the Montana Department of Transportation.
- Forms supplied upon request.
- Forms used only to report accidents (those investigated by a law enforcement agency) involving school buses.

Physical Examination Report for School Bus Drivers:

- Forms supplied by the federal Department of Transportation.
- Forms supplied upon request.
- Forms used by school bus drivers for physical examination purposes.

Form TR-13, Montana Highway Patrol School Bus Inspection (and reinspection):

- Forms supplied electronically by the Superintendent of Public Instruction.
- Forms supplied to school districts by June 1 of the previous year for the first semester, by November 20 for the second semester and upon request.
- Form also used when a bus did not pass first inspection by the Highway Patrol.

Completed forms after inspection/reinspection transmitted by Montana Highway Patrol to:



- County superintendent of schools.
- District official.
- Montana Highway Patrol official.

Form TR-35, Montana School Bus Driver Certificate:

- Certificate forms supplied electronically by the Superintendent of Public Instruction.
- Certificates issued by the board of trustees to drivers authorized to drive schoolbuses.
- Completed copies of certificates filed with county superintendent of schools and filed electronically with the Superintendent of Public Instruction.