



INDIVIDUAL CONTRACT (TR-4) TIPS AND REMINDERS

- The tendering of a contract to the parent or guardian whereby the district would pay the parent or guardian for individually transporting the pupil or pupils shall fulfill the district's obligation to furnish transportation for an eligible transportee. The parent or guardian of an eligible transportee may, at his discretion, provide transportation or arrange transportation for his child at his own expense to any district willing to accept his child.
- 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.
- When a student attends school outside his or her district of residence under 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 the mandatory provisions of MCA 20-8-321(1)(d) or (e), 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 a 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 is 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 of MCA20-5-321 (1)(d) or (e), or is placed in another district under an individual education plan (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.
- 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. A licensed driver in an insured vehicle must provide transportation.

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:

* 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;

* Contracts for students who live over the 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.

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 and 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 Form.

The contract must be completed in its entirety, signed by the parent, legal guardian or emancipated minor and sign by the chairman of the board of trustees on or before the fourth Monday in June proceeding 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. The district clerk transmits each transportation contract to the county superintendent by July 1, or as received and accepted by the board of trustees. By July 10, or as received from the district, the county superintendent transmits the original copy of the transportation contract to the superintendent of public instruction.

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

If, because of a half-day 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.

□ Administrative Rule 10.7.116 Isolation allowed to increase the Individual Transportation Rate (1) When the board of trustees of a school district establishes a program of "isolated transportation payments" – that is, increase in the individual transportation rates due to isolation – individual families entering into the transportation contracts with the board of trustees may apply for an "isolated" or increased individual rate of pay. The following factors should be considered:

* The student lives at least seven miles from school and no school bus is provided, or lives at least seven miles from the bus stop; and 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; and

* The county transportation committee determines that hardship (physical and/or financial) exists.

Individual and Isolated Daily Rate

Daily Rate = [(one-way mileage-3miles) X number of trips per day] X .35

Isolation factor is the daily rate X 1.5

Reimbursement is made only for the portion of the trip that a student is in the car.

For assistance, contact Donell Rosenthal at drosnthal@mt.gov or call 406-444-3024.