

OFFICE OF EDUCATIONAL ACCOUNTABILITY
Summary of State Board of Education Agenda Items
Consent Agenda
May 26, 2022

OFFICE OF PUBLIC REPORTING

- R.10. Approval to repeal Miss. Admin. Code 7-3: 81.8, State Board Policy Chapter 81, Rule 81.8 – Transportation Management of Students with Disabilities
(Has cleared the Administrative Procedures Act process with no public comment)

Background Information: To repeal Miss. Admin. Code 7-3: 81.8, State Board Policy Chapter 81, Rule 81.8 – Transportation Management of Students with Disabilities policy in accordance with Miss. Code Ann. § 25-43-3.114 which requires an agency to review all of its rules at least every five years to determine whether any rule should be repealed, amended, or a new rule adopted.

Recommendation: Approval

Back-up material attached

Part 3, Chapter 81: Transportation

Rule 81.8 Transportation Management of Students with Disabilities. In the event a school district cannot meet the transportation needs of students with disabilities on a regular school bus route, the State Department of Education will provide funding to the district for transportation of students with disabilities within the district or to the nearest adequate facility outside the district in order to provide appropriate educational services. Payment shall be based upon the following formula: $(1/2 \text{ of school district's annual per pupil transportation allotment} \times \text{number of students transported}) + (\text{round trip mileage transported} \times \text{total number of actual days transported} \times 20 \text{ cents per mile})$.

Payment for transporting children enrolled as resident students at the Mississippi School for the Blind or Mississippi School for the Deaf shall be based on the same formula defined above. School districts may reimburse parents, guardians, etc., for the round trip to the Mississippi School for the Blind or Mississippi School for the Deaf and back home at the beginning of the school year and at the close of the school year. Transportation may also be provided on the same basis any time during the school year when the dormitories at these institutions are closed. School districts providing transportation for eligible day students assigned to the Mississippi school for the Blind and Mississippi School for the Deaf shall be eligible for funding based on the formula defined above.

If a child enrolled in either the Mississippi School for the Blind or the Mississippi School for the Deaf resides in a school district where there is an appropriate program for that child or where there is an appropriate program within reasonable driving distance which the district will make available to the child, then the transportation cost will be the responsibility of the Mississippi School for the Blind or the Mississippi School for the Deaf (depending upon which school the child is enrolled).

In the event that a state supported university or college provides a special education program for children from any school district that is unable to meet the educational needs of those children, then the university based program shall be eligible for funding based on the formula defined above. Any assessment of one half the per pupil allotment shall be based on the child's resident district.

The maximum distance a student with disabilities may be transported or the maximum length of time for a special education transportation route will depend upon the Individualized Educational Program (IEP) for the respective child.

For the purpose of payment, a student with disabilities is defined as any child properly tested and found eligible for a special education program receiving appropriate educational services as stipulated in the Individualized Educational Program (IEP).

Funding for the transportation of students with disabilities will be determined using prior year transportation data submitted on forms provided by the Mississippi Department of Education and based on the formula defined above. No private contracts or use of vehicles other than school buses shall be submitted to the State Board of Education for approval.

~~Drivers transporting students other than members of the driver's immediate families must be trained and properly certified.~~

~~Source: *Miss. Code Ann. § 37-1-3 (Revised 12/2005)*~~