

**Department of Health and Human Services
Office of Education Services
Policies and Procedures**

Transportation Reimbursement to Legal Guardians

Effective Date: January 1, 2008 (Revised)
Original Effective Date April 17, 2001

Purpose:

To establish a uniform policy and guidelines regarding the provision of transportation reimbursement to legal guardians for K-12 residential and day students in the Office of Education Services (OES).

Legal Rationale:

- (1) The Individuals with Disabilities Education Act 1997 (IDEA)
- (2) GS 115C, Article 9
- (3) North Carolina Constitution

Mission Statement:

The Office of Education Services is committed to promoting independence and educational opportunities for special needs students through positive, safe, and efficient transportation experiences. Equal educational opportunities to elementary and secondary school age special needs students are achieved by providing a free and appropriate public education to each student, regardless of the nature or severity of the student's disability. An essential part of the student's free and appropriate public education is transportation services.

Target Group:

All OES Employees and Legal Guardians

Definition:

In this policy, the term "legal guardian" refers to parents, family members, foster care parents, surrogate parents, or designees of legal guardians who have the authority to transport students.

Policy:

- Legal guardians of residential students will be reimbursed at the current mileage rate for state employees for two round trips to designated bus stops.
- Legal guardians of day students contracted to provide transportation may be reimbursed at the current mileage rate for state employees for two round trips per day.
- Payments shall be based on actual mileage required solely for transporting the designated children to and from the school or bus stop.

- Actual miles between home and school or home and the bus stop will be reimbursed as either actual miles to home or to another destination whichever is less.
- Payment shall be made for the actual number of school days the pupil is transported. Normally, payment will be made only for school days during the regular school year and during extended school year (ESY) required by the Individualized Education Program (IEP) and focused instruction required to enable a student to meet the Gateways.
- Transportation reimbursement is only applicable when transporting students to and from school.
- Payment based on mileage shall not exceed the current state approved rate of mileage reimbursement.
- OES employees whose children attend an OES school are not eligible for reimbursement.
- OES employees who transport students are not eligible for reimbursement.
- School Transportation Coordinators are responsible for initiating, implementing, and monitoring transportation contracts with legal guardians.
- Legal guardians are responsible for signing transportation contracts prior to transporting students to and from bus stops and to and from school. Prior to the initiation of a contract, legal guardians are required to submit the following information to the school's Transportation Coordinator:
 - Current License
 - Current Insurance Coverage
 - Proof of current state inspection sticker
 - Driving Record
- Legal guardians are responsible for submitting appropriate reimbursement forms in a timely manner determined by the school's Transportation Coordinator.
- Legal guardians are responsible meeting the bus at the designated stop and time.
- The school is responsible for mileage verification following receipt of the legal guardian's mileage reimbursement form.
- The school is responsible for verification of student's attendance following receipt of the legal guardian's mileage reimbursement form.

- A legal guardian who refuses a school's transportation arrangement shall not receive reimbursement for other methods of transportation.
- Reimbursement is only applicable to the designated bus stop, whether it is a day student or residential student, and as it is indicated on a student's IEP. Parental choice in transporting outside the scope of an IEP placement decision is not subject to reimbursement.

(OES Policy T-2; 4-17-2001; 3-27-2002, 7-25-07)