

MEMORANDUM

To: Superintendents, Principals, and Directors of Transportation

From: Michael A. LaRocco, Director of School Transportation

Date: June 12, 2020

Re: House Enrolled Act (HEA) 1066 – Transportation for CTE Programs (3 of 5)

Background:

House Enrolled Act 1066 (2020) is a various education matters bill affecting numerous parts of Indiana Code (IC). This guidance pertains to Sections 10 and 11 of HEA 1066 regarding transportation for Career and Technical Education students. This bill was signed into law on March 21, 2020 and will take effect on July 1, 2020.

Guidance:

HEA 1066 details the circumstances under which a school corporation may use a special purpose bus to and from a career and technical education (CTE) program. The bill requires that when more than eight (8) or more students are being transported for this purpose, a special purpose bus must be used.

It must be noted, the law does not alter the prohibition against using a special purpose bus for transportation between a student's home and school. I.C. 20-27-9-5 prohibits such a use for a special purpose bus. Based on IC language, a special purpose bus could be used to transport CTE students from school to school, or school to CTE program, but not to and from home to the CTE program. Because of this, consideration should be given as to how to transport a student to and from a CTE program and the student's home if the transportation time is during your normal routes and a school bus is not available.

This bill also establishes that if transporting fewer than eight (8) students to and from a CTE program, an "appropriate vehicle" may be used. IC 20-27-12-0.1 defines an appropriate vehicle as a vehicle that:

- (1) is owned by the school corporation or contracted for by the school corporation; and
 - (2) has a seating capacity of not more than eight (8) passengers, including the driver.
- (b) The term includes a car, truck, sport utility vehicle, or minivan.

This is the same vehicle that you can currently use for transportation of homeless and foster care students.

The bill is silent as to the use of an appropriate vehicle for transporting students from home to school or school to home, or to or from school to a CTE program. However, since this vehicle is not a school bus, and does not have overhead warning lights and a stop arm, students cannot be picked up or dropped off on the roadway. Corporations will need to plan for driveway or parking lot access for loading and unloading students if transporting to and from home in an “appropriate vehicle.”

It is recommended that schools/school districts consult with their school attorney and insurance company regarding liability issues that can arise in the use of either the special purpose bus or appropriate vehicle for transportation of CTE students, particularly if you are providing to and from home to the CTE program.

If you have any questions, please contact Mike LaRocco, Director of School Transportation, at mlarocco@doe.in.gov, or by phone at 317-232-0891.

This bill was authored by Representative Jeffery Thompson. The full bill text can be found [here](#). Information regarding how to contact your legislators can be found [here](#).