

MEMORANDUM

To: School Superintendents and Principals

From: Michael A. LaRocco, Director Office of School Transportation
Jeff Wittman, School Social Work & Foster Youth Specialist

Date: May 4, 2018

Re: Senate Enrolled Act 303 – Various education matters

Background:

The Indiana General Assembly recently passed legislation addressing various education matters, which for transportation purposes involve changes in allowances for the types and sizes of vehicles and providers that can now be used to transport students that fall under services provided through the McKinney-Vento Act and the Every Students Succeeds Act, more commonly known as homeless and foster care.

Guidance:

1. Made changes to IC 20-27-12-5:
 - a. Increases the capacity allowance for an “appropriate vehicle” from three (3), not including the driver, to eight (8), including driver, for homeless and/or foster care students being transported at the same time. In those circumstances the district may use an “appropriate vehicle” in place of special purpose bus or school bus.
 - i. An “appropriate vehicle” includes a car, truck, sport utility vehicle, or minivan. This allows a district to use a minivan with the appropriate capacity, but not a full size van, to transport homeless and/or foster care students.
 - b. Allows that if there are more than seven (7) homeless and/or foster care students being transported at the same time, the district must use a special purpose bus in place of an “appropriate vehicle.”
2. Made a change to IC 20-50-3-5:
 - a. Removes the restriction of “adjoining district” for foster care transportation. Now schools must consider whether transportation of the student in foster care is in the best interest of the student.
3. To go along with these legislative changes, there is legal guidance from the Indiana Department of Education that also allows the district to use contracted service providers to provide transportation for homeless and foster care students. Those providers would have to meet the same restrictions and requirements for vehicles and drivers as the districts.

If you have any questions, please contact Mike LaRocco at (317) 232-0891 or email mlarocco@doe.in.gov or Jeff Wittman at (317)234-5704 or e-mail at jwittman@doe.in.gov.