



CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

February 11, 2011

Dear County Superintendents of Schools:

FEES FOR PUPIL TRANSPORTATION

The governing board of any school district that provides for the transportation of pupils to and from school, in accordance with California *Education Code (EC)* Section 39807.5, may require parents and guardians to pay a portion of the transportation costs with two exceptions as discussed below. Fee amounts are determined by the governing board and shall be no greater than the statewide average non-subsidized cost of providing this transportation to a pupil on a publicly owned or operated transit system. For the purpose of this section, non-subsidized cost means actual operating costs less federal subsidies.

Maximum Rates

The State Superintendent of Public Instruction, in cooperation with the Department of Transportation, is required to determine the maximum amount of fees that parents or guardians may be charged for pupil transportation (*EC* Section 39807.5). The maximum rates apply to pupil transportation for regular day students, and students in regular full-time occupational training classes as provided by a regional occupational center or program.

The maximum allowable rates below are expressed on a "cost per passenger trip" basis. The daily round trip pupil transportation cost is twice the cost per passenger trip rate.

Cost per passenger trip:	\$4.25
Daily round trip cost:	\$8.50

Limit on Total Fees Collected

The sum of state aid received and the parent fees collected in a fiscal year shall not exceed the actual operating costs of pupil transportation in the same fiscal year (*EC* Section 39809.5). In computing whether excess fees were collected by a school district in a fiscal year, any fee revenue plus state transportation apportionments received by the district should be subtracted from the combined approved transportation costs for both home-to-school and special education reported on the Annual Report of Pupil Transportation, electronic data processing (EDP) numbers 130 and 133, for that fiscal year. If the result is a negative number, then excess fees were collected and the school district must reduce its fees in succeeding years. In addition, the school district should also certify to the county superintendent that the school district levied fees in accordance with law, and where appropriate, fees have been reduced and excess fees eliminated (*EC* Section 39809.5).

Exclusions and Limitations

State law requires district governing boards to exempt certain pupils from any transportation fee, specifically:

- 1) Individuals with exceptional needs whose individualized education program requires the local educational agency to provide transportation services, and
- 2) Pupils whose parents or guardians are indigent.

In the absence of a statutory definition of indigent and to promote uniformity in the application of the statute, the State Board of Education strongly recommends that local governing boards use the "free meal standard" to define "indigent" pupils. Specifically, these would be pupils who are eligible to receive free priced meals (but not necessarily participating) in the National School Lunch Program or School Breakfast Program.

Such eligibility can be determined using the United States Department of Agriculture's household income eligibility criteria which can be found on the California Department of Education (CDE) Nutrition Services Division Web page at <http://www.cde.ca.gov/ls/nu/sn/eligmaterials.asp>. Students may also meet the free meal standard by being directly certified based on their families receiving aid from the federal Food Stamp Program, California Work Opportunities and

Responsibility to Kids Program, Kinship Guardian Assistance Payment Program, and Food Distribution Program on Indian Reservations. Students may also meet the free meal standard by being directly certified by an appropriate district liaison as eligible for the McKinney-Vento Homeless Assistance Program or Runaway and Homeless Youth Grant Program, or as a "migrant child" as defined in Section 1309 of the Elementary and Secondary Education Act of 1965.

County offices of education are requested to notify school districts in their counties that this letter is posted on the CDE Web page at <http://www.cde.ca.gov/fg/aa/ca/pupiltransport.asp>.

If you have questions regarding the information provided in this letter, please contact Christina Schlueter, Assistant Fiscal Consultant, Categorical Allocations and Management Assistance, by phone at 916-322-9128 or by e-mail at cschlueter@cde.ca.gov.

Sincerely,

Scott Hannan, Director
School Fiscal Services Division

California Department of Education
1430 N Street
Sacramento, CA 95814

Last Reviewed: Thursday, March 24, 2011



Santa Clara County Office of Education

Charles Weis, Ph.D.
County Superintendent of Schools

Informational Bulletin

District Business & Advisory Services

Nimrat Johal: Director- DBAS: 408-453-6599

Cathy McKim, Manager-DBAS: 408-453-6588

Bulletin: 11-019

Date: March 28, 2011

To: District Fiscal Directors

From: Cathy McKim

Re: 2011-12 Fees for Pupil Transportation

The purpose of this e-mail is to notify you that the California Department of Education (CDE) has signed a letter, dated February 11, 2011, detailing the maximum fees that can be charged for pupil transportation in fiscal year 2011-12.

I have attached this letter for your review; however it can also be found on the CDE Web page at <http://www.cde.ca.gov/fg/aa/ca/pupiltransport.asp>.

Please forward this information to the person(s) within your organization that need to know.

Approved by: Nimrat Johal- Director- District Business & Advisory Services