

1 **R277. Education, Administration.**

2 **R277-600. Student Transportation Standards and Procedures.**

3 **R277-600-1. Authority, Purpose, and Oversight Category.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and
6 supervision over public schools in the Board;

7 (b) Subsection 53E-3-501(1)(d), which directs the Board to establish rules for
8 bus routes, bus safety and other transportation needs;

9 (c) Sections 53F-2-402 and 53F-2-403, which provide for distribution of funds for
10 transportation of public school students;

11 (d) Section 53F-2-417, which directs the Board to make rules to implement rural
12 school district transportation grants; and

13 (e) Subsection 53E-3-401(4), which allows the Board to make rules to execute
14 the Board's duties and responsibilities under the Utah Constitution and state law.

15 (2) The purpose of this rule is to specify the standards under which school
16 districts may qualify for and receive state transportation funds.

17 (3) This Rule R277-600 is categorized as Category 4 as described in Rule R277-
18 111.

19

20 **R277-600-2. Definitions.**

21 (1) "ADA" means average daily attendance.

22 (2) "ADM" means average daily membership.

23 (3) "AFR" means a school district's annual financial report, one component of
24 which is the AFR for all pupil transportation costs.

25 (4) "Annual Program Report" or "APR" has the same meaning as defined in
26 Section R277-484-2.

27 (5)(a) "Approved costs" means the Board approved costs of transporting eligible
28 students from home to school to home once each day, after-school routes, approved

29 routes for students with disabilities and vocational students attending school outside
30 their regularly assigned attendance boundary, and a portion of the bus purchase prices.

31 (b) All approved costs are adjusted by the Superintendent consistent with a
32 Board approved formula per the annual legislative transportation appropriation.

33 (6) "Child access routing plan" means the annual plan submitted to the
34 Department of Transportation as outlined in subsection 53G-4-402(19)(c).

35 [(6)] (7) "Deadhead miles" means miles traveled while operating a bus with no
36 passengers on board.

37 [(7)] (8)"Extended school year" or "ESY" means an extension of the school
38 district or charter school traditional school year to provide special education and related
39 services to a student with a disability, in accordance with the student's IEP, and at no
40 cost to the student's parent or guardian.

41 [(8)] (9)"Hazardous" means in a state of danger or potential danger, which may
42 result in injury or death.

43 [(9)] (10)"Local school board" means a local school district board of education.

44 [(10)] (11)"Multipurpose passenger vehicle" or "MPV" means any motor vehicle
45 with less than ten passenger positions, including the driver's position, which cannot be
46 certified as a bus.

47 [(11)] (12) "Public route" means a road, thoroughfare, walkway, or highway.

48 [(12)] (13) "Pupil Transportation Schedule A1" means a report submitted
49 annually to the Superintendent covering all estimated miles and minutes of to and from
50 pupil transportation within an LEA.

51

52 **R277-600-3. General Provisions.**

53 (1)(a) The Superintendent shall use state transportation funds to reimburse
54 school districts for the costs reasonably related to transporting students to and from
55 school.

56 (b) The Board shall define the limits of a school district's transportation costs
57 reimbursable by state funds in a manner that encourages safety, economy, and
58 efficiency.

59 (2) Allowable transportation costs are divided into two categories:

60 (a) A Category costs include expenditures for regular and special education bus
61 routes established by the school district, and approved by the state.

62 (b) B Category costs include other methods of transporting students to and from
63 school.

64 (3) The Superintendent shall develop a formula to allocate A Category costs
65 based on a calculated rate.

66 (4) The Superintendent shall approve reasonable and necessary B Category
67 costs on a line-by-line basis.

68 (5) The Superintendent shall develop a uniform accounting procedure for the
69 financial reporting of transportation costs, which shall specify the methods used to
70 calculate allowable transportation costs.

71 (6) The Superintendent shall develop uniform forms for the administration of the
72 transportation program.

73 (7)(a) An LEA shall record all student transportation costs, including accurate
74 mileage, minute, and trip records.

75 (b) An LEA shall maintain records and financial worksheets during the fiscal year
76 for audit purposes.

77

78 R277-600-4. Eligibility.

79 (1) The Superintendent shall only disburse state transportation funds for
80 transporting eligible students.

83 12) in accordance with the mileage from home, specified in Subsections 53F-2-403(1)
84 and (2), to the school attended by assignment of the local school board.

85 (3) A student whose IEP identifies transportation as a necessary related service
86 is eligible for transportation regardless of distance from the school attended by
87 assignment of the local school board.

88 (4) A student who attends school for at least one-half day at a location other
89 than the local school board designated school is not eligible for transportation for
90 distances up to one and one-half miles.

91 (5) A school district that implements double sessions as an alternative to new
92 building construction may transport, one way to or from school, with Board approval,
93 affected elementary students residing less than one and one-half miles from school, if
94 the local school board determines the transportation would improve safety affected by
95 darkness or other hazardous conditions.

96 (6) The distance from a student's home to the student's school or the student's
97 bus stop is determined as follows: From the center of the public route open to public
98 use, opposite the regular entrance where the student is living, over the nearest public
99 route open regularly for use by the public, to the center of the public route open to public
100 use, opposite the nearest public entrance to the school grounds which the student is
101 attending, or the student's bus stop.

102

103 **R277-600-5. Student with Disabilities Transportation.**

104 (1) A student with a disability shall be transported on regular buses and regular
105 routes when possible, unless the IEP team determines otherwise.

106 (2) A school district may be reimbursed for the costs of transporting or for
107 alternative transportation for students with disabilities whose severity of disability, or
108 combination of disabilities, necessitates special transportation.

115 (5) ESY services shall meet the standards of Part B of the Individuals with
116 Disabilities Education Act (IDEA), 20 U.S.C. 1401(3) and Board Special Education
117 Rules.

118 (6) The Utah Schools for the Deaf and the Blind shall provide transportation for
119 students who are transported to its self-contained classes, unless an exception is
120 approved by the Superintendent.

122 R277-600-6. Bus Route Approval.

123 (1)(a) A local school board shall propose bus routes subject to approval by the
124 Superintendent.

125 (b) A local school board shall provide information requested by the
126 Superintendent prior to approval of a route.

127 (c) During the regular school year, an eligible route from the assigned school site
128 to an alternative program location shall be for a minimum of 15 days with primarily the
129 same group of students.

130 (d) The Superintendent may not approve a route for reimbursement if an
131 equitable student transportation allowance or a subsistence allowance for the necessary
132 transportation is more cost-effective.

133 (2) A bus route shall:

134 (a) traverse the most direct public road;

135 (b) be reasonably cost-effective in comparison to other feasible alternatives;

136 (c) provide adequate safety for students;

137 (d) traverse roads that are constructed and maintained in a manner that does
138 not cause property damage; and

139 (e) include an economically appropriate number of students.

140 (3)(a) The minimum number of general education students required to establish
141 full eligibility for state-supported transportation is ten.

142 (b) The minimum number of students with disabilities required to establish full
143 eligibility for state-supported transportation is five.

144 (c) A bus route may be established for fewer students upon special permission
145 of the Superintendent.

146 (4) A school district shall designate safe areas for bus stops, subject to the
147 following, where possible:

148 (a) a school district shall place bus stops at least 3/10 miles apart; and
149 (b) a school district shall avoid placing bus stops on dead end roads.

150 (5)(a) A student's parent or guardian is responsible for the student's own
151 transportation to bus stops up to one and one-half miles from home.

152 (b) A parent or guardian with a student that has a disability is responsible for the
153 student's own transportation to bus stops unless the IEP team determines otherwise.

154 (6)(a) A school district shall report changes made in existing routes or the
155 addition of new routes to the Superintendent as they occur.

156 (b) The Superintendent shall review and may refuse to fund route changes.

157 (7) The Superintendent may reimburse a school district for transporting another
158 district's students across school district boundaries so long as:

159 (a) the route promotes efficient transportation for both districts;

160 (b) the route serves a group or community of students and families rather than a
161 single student or a single family;

162 (c) the local school boards of both participating districts vote in an open meeting
163 that students who reside in one district can be better and more economically served by
164 another district; and

165 (d) both districts and the Superintendent maintain documentation annually of the
166 boards' votes and the approved route.

167 (8) A school district may transport eligible students home after school activities
168 held at the students' school of regular attendance and within a reasonable time period
169 after the close of the regular school day and receive approved route mileage.

170 (9)(a) The Superintendent may approve atypical routes as alternatives to
171 building construction if routes are needed to allow more efficient school district use of
172 school facilities.

173 (b) Building construction alternatives include:

174 (i) double sessions;

175 (ii) year-round school; and

176 (iii) attendance across school district boundaries.

177 (10)(a) A school district may use local transportation funds to transport students
178 across state lines or out-of-state for school sponsored activities or required field trips if:

179 (i) the local school board has a policy that includes approval of trips at the
180 appropriate administrative level;

181 (ii) the school or school district has considered the purpose of the trip or activity
182 and any competing risk or liability;

183 (iii) given the distance, purpose, and length of the trip, the school district has
184 determined that the use of a publicly owned school bus is appropriate for the trip or
185 activity; and

186 (iv) the local school board has consulted with State Risk Management.

187 (b) If school bus routes transport students across Utah state lines or outside of
188 Utah for required to and from routes, routes are reimbursable providing a school district
189 maintains documentation that:

190 (i) the routes are necessary;

191 (ii) the routes are more cost-effective; or

192 (iii) the routes provide greater safety for students than in-state routes.

193 (11) An LEA shall include notice on their website that school bus stops and the
194 child access routing plan may not take into account the location of registered sex and
195 child abuse offenders.

196

197 **R277-600-7. Alternative Transportation.**

198 (1) A district shall analyze bus routes that involve a large number of deadhead
199 miles to determine if an alternative method of transporting students is more efficient.

200 (2) Approved alternatives include the alternatives described in Subsections (3)
201 through (9).

202 (3)(a) The costs incurred in transporting eligible pupils in a school district MPV
203 are approved costs as long as the costs demonstrate efficiency; or

204 (b) The costs incurred in paying a parent or guardian of an eligible student an
205 allowance in lieu of school district-supplied transportation are approved costs.

206 (4)(a) A parent or guardian of a student may be reimbursed for the mileage to
207 the bus stop or school, whichever is closer to the student's home.

208 (b) The allowance under this Subsection (4)(a) may not be less than \$0.35 per
209 mile, nor greater than the reimbursement allowance permitted by the Utah Department
210 of Government Operations for use of privately owned vehicles set forth in the Utah
211 Travel Regulations.

212 (5) A district shall annually perform a cost-benefit analysis as part of its
213 determination of the LEA specific reimbursement rate and make this analysis available
214 to the public.

215 (6)(a) A district shall make a student mileage allowance under this Section
216 R277-600-7 to only one student per family for each trip that is necessary for all the
217 students within a family to attend school.

218 (b) If siblings are on different school schedule or ride buses that are on
219 significantly different schedules, a parent or guardian may claim and be paid for student
220 mileage allowances for multiple students.

221 (7) If a student eligible for reimbursement under this Section R277-600-7 or the
222 student's parent or guardian cannot provide private transportation, with prior approval
223 from the Superintendent:

224 (a) the Superintendent may reimburse an amount equivalent to the student
225 allowance to the school district to help pay the costs of school district transportation; or

226 (b) the Superintendent may reimburse a school district costs paid for school
227 contracted transportation, commercial bus passes, or alternative specialized
228 transportation services.

229 (8)(a) A district shall measure and certify a student's mileage in school district
230 records.

231 (b) A student's ADA, as entered in school records, is used to determine the
232 student's attendance.

233 (9)(a) The cost incurred in providing a subsistence allowance is an approved
234 cost under the following conditions:

239 (ii) payment may not exceed the Substitute Care Rate for Family Services for the
240 current fiscal year;

241 (iii) adjustments for changes made in the rate during the year shall be included
242 in the allowance; and

243 (iv) in addition to the reimbursement for room and board, the subsistence
244 allowance may include the costs of up to 18 round trips per year.

245 (b)(i) A subsistence allowance is not available to a parent or guardian who
246 maintains a separate home during the school year for the convenience of the family.

247 (ii) A parent or guardian's primary residence during the school year is the
248 residence of the child.

249 (10) A school district may contract or lease with a third party provider for pupil
250 transportation services.

251 (11)(a) The cost incurred in engaging in a contract or leasing for transportation is
252 an approved cost at the prorated amount available to school districts.

253 (b) The Superintendent shall determine reimbursements for school districts
254 using a leasing arrangement in accordance with the comparable cost for the school
255 district to operate its own transportation.

256 (c) Under a contract or lease, a school district's transportation administrator's
257 time may not exceed 1% of the commercial contract cost.

258 (12) If a school district contracts or leases with a third party provider or other
259 LEA for pupil transportation services, it shall maintain and provide to the Superintendent
260 upon request the following items as if it operated its own transportation:

- 261 (a) eligible student counts;
- 262 (b) bus route mileage;
- 263 (c) bus route minutes; and
- 264 (d) service to students with disabilities and bus inventory data.

266 R277-600-8. Other Reimbursable Expenses.

267 The Superintendent may reimburse a school district for the following costs with
268 state transportation funds:

269 (1) salaries of clerks, secretaries, trainers, drivers, a supervisor, mechanics, and
270 other personnel necessary to operate the transportation program, subject to the
271 following limitations:

272 (a) a full time supervisor may be paid at the same rate as other professional
273 directors in the school district; and

274 (b) a school district shall ensure that a supervisor's salary is commensurate with
275 the number of buses, number of eligible students transported, and total responsibility
276 relative to other school district supervisory functions;

277 (2) a school district may claim a percentage of the school district
278 superintendent's or other supervisor's salary for reimbursement if the school district's
279 eligibility count is less than 600 and a verifiable record of administrative time spent in
280 the transportation operation is maintained; and

281 (3) the wage time for bus drivers may include to and from school time consisting
282 of:

283 (i) 10 minute pre-trip inspection;
284 (ii) actual driving time;
285 (iii) 10 minute post-trip inspection and bus cleanup; and
286 (iv) 10 minute bus servicing and fueling;
287 (4) a proportionate amount of a superintendent's or supervisor's employee
288 benefits such as health, accident, or life insurance;
289 (5) purchased property services;
290 (6) property, comprehensive, and liability insurance;
291 (7) communication expenses;
292 (8) travel for supervisors to workshops or national conventions;
293 (9) supplies and materials for vehicles, the school district transportation office
294 and the garage;
295 (10) training expenses to complete bus driver instruction and certification
296 required by the Board; and
297 (11) other related costs approved by the Superintendent, which may include
298 additional bus driver training.

300 R277-600-9. Non-reimbursable Expenses.

301 (1) AFR for all pupil transportation costs may only include pupil transportation
302 costs and other school district expenditures directly related to pupil transportation.

303 (2) In determining expenditures for eligible to and from school transportation, all
304 related costs shall be reduced on a pro rata basis for the miles not connected with
305 approved costs.

306 (3) Expenses determined by the Superintendent as not directly related to
307 transportation of eligible students to and from school may not be reimbursed.

308 (4)(a) A local school board may determine appropriate non-school uses of
309 school buses.

310 (b) A local school board may lease or rent public school buses to:

311 (i) federal, state, county, or municipal entities;

312 (ii) entities insured by State Risk Management;

313 (iii) non-government entities; or

314 (iv) entities not insured through State Risk Management.

315 (c) As part of any agreement to allow non-school use of a school bus, a local
316 school board shall:

317 (i) require full cost reimbursement for any non-public school use including:

318 (A) cost per mile;

319 (B) cost per minute; and

320 (C) bus depreciation;

321 (ii) require a non-school user to provide:

322 (A) proof of insurance through State Risk Management or private insurance
323 coverage; and

324 (B) a fully executed agreement for full release of indemnification;

325 (iii) require that any non-school use is revenue neutral; and

326 (iv) consult with State Risk Management to determine adequacy of

327 documentation of insurance and indemnity for any entity requesting use or rental of
328 publicly owned school buses.

329 (5) A local school board shall approve the use of school buses by a non-
330 governmental entity or an entity not insured through State Risk Management in an open
331 meeting.

332 (6)(a) In the event of an emergency, local, regional, state or federal authorities
333 may request the use of school buses or school bus drivers or both for the period of the
334 emergency.

335 (b) A local school board shall grant a request under Subsection (a) so long as
336 the use can be accommodated consistent with continuing student transportation and
337 student safety requirements.

338

339 R277-600-10. Board Local Levy.

340 (1) Costs for school district transportation of students which are not reimbursable
341 may be paid for from general school district funds or from the proceeds of the Board
342 Local Levy authorized under Section 53F-8-302.

343 (2) The revenue from the Board Local Levy may be used for transporting
344 students and for school bus replacement.

345 (3)(a) A local school board may approve the transportation of students in areas
346 where walking constitutes a hazardous condition from general local school board funds
347 or from the Board Local Levy.

348 (b) A local school board shall determine hazardous walking conditions by an
349 analysis of the following factors:

350 (i) volume, type, and speed of vehicular traffic;

351 (ii) age and condition of students traversing the area;

352 (iii) condition of the roadway, sidewalks and applicable means of access in the
353 area; and

354 (iv) environmental conditions.

355 (c) A local school board may designate hazardous conditions.

356

357 **R277-600-11. Exceptions.**

358 (1)(a) When undue hardships and inequities are created through exact
359 application of these standards, a school district may request an exception to this rule
360 from the Superintendent for individual cases.

361 (b) Hardships or inequities under Subsection (1)(a) may include written evidence
362 demonstrating that no significant increased costs, less than 1% of a school district's
363 transportation budget, is incurred due to a waiver or that students cannot be provided
364 services consistent with the law due to transportation exigencies.

365 (2) A school district may not be penalized in the computation of its state
366 allocation for the presence on an approved to and from school route of an ineligible
367 student who does not create an appreciable increase in the cost of the route.

368 (3) There is an appreciable increase in cost under Subsection (2) if, because of
369 the presence of ineligible students, any of the following occurs:

370 (a) another route is required;
371 (b) a larger or additional bus is required;
372 (c) a route's mileage is increased;
373 (d) the number of pick-up points below the mileage limits for eligible students
374 exceeds one; and
375 (e) significant additional time is required to complete a route.

376 (4)(a) An ineligible student may ride a school bus on a space available basis.
377 (b) An eligible student may not be displaced or required to stand in order to
378 make room for an ineligible student.

379

380 **R277-600-12. Rural School Transportation Reimbursement Program.**

381 (1) The Superintendent shall annually determine which LEAs are eligible for rural
382 school transportation reimbursement using the criteria described in Section 53F-2-520.

383 (2) The Superintendent shall measure eligibility based on:
384 (a) the most recent October 1 UTREx submission; and

385 (b) the prior year's transportation data submitted in accordance with Section
386 R277-484-3.

387 (3) By November 1 annually, the Superintendent shall notify an LEA that the
388 LEA may seek reimbursement.

389 (4) An LEA eligible for reimbursement shall:

390 (a) provide evidence to the Superintendent in the first year of the LEA's eligibility
391 that the LEA has provided transportation to and from the school for the past five years;

392 (b) submit to the Superintendent in the first year of the LEA's eligibility the LEA's
393 current year pupil transportation Schedule A1 by December 30; and

394 (c) in subsequent years of eligibility, submit all transportation reports in
395 accordance with Section R277-484-3.

396 (5) Submission of the pupil transportation Schedule A1 shall constitute an
397 annual application and request for reimbursement by an LEA with an eligible school.

398 (6)(a) The Superintendent shall calculate and process reimbursements to LEAs
399 once a year.

400 (b) The Superintendent shall determine allowable costs eligible for
401 reimbursement taking into account:

402 (i) eligible routes; and

403 (ii) eligible miles and minutes as reported on the pupil transportation Schedule
404 A1.

405 (c) The Superintendent shall reimburse an LEA based on the LEA's percentage
406 of total unreimbursed eligible costs submitted.

407 (d) If the annual appropriation is insufficient to fund all submitted eligible cost
408 payments, the Superintendent shall prorate the reimbursement up to the amount of the
409 appropriation.

410 (7) An LEA shall permit the Superintendent to review accounting ledgers,
411 student records, and transportation records upon request in order to determine:

412 (a) a school's eligibility in accordance with Subsection (1); and

413 (b) allowability of an LEA's submitted costs.

414

415 **KEY: school buses, school transportation**

416 **Date of Last Change: October 8, 2024**

417 **Notice of Continuation: June 4, 2021**

418 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-501(1)(d);**

419 **53E-3-401(4); 53F-2-415; 53F-2-403**

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