



3939 Thirteenth Street
P.O. Box 868
Riverside, California
92502-0868

47-336 Oasis Street
Indio, California
92201-6998

24980 Las Brisas Road
Murrieta, California
92562

**Riverside County
Board of Education**

Gerald P. Colapinto

Lisa A. Conyers

Lynne D. Craig

Betty Gibbel

Vick Knight

William R. Kroonen

Adolfo Mediano, Jr.

DATE: July 16, 2009

TO: Chief Business Officials
Accounting Managers
K-12 School Districts

FROM: Geri Tims, Coordinator
District Fiscal Services
Division of Administration and Business Services
(951) 826-6121 / FAX [951] 826-6363

SUBJECT: Fiscal Year 2008-09 Fees for Pupil Transportation

ACTION: **Return original to District Fiscal Services by July 24, 2009**

Enclosed please find a copy of the correspondence from the California Department of Education regarding the maximum amount of fees that parents or guardians may be charged for pupil transportation. As specified in Education Code Section 39807.5, these rates are the maximum that apply to pupil transportation for regular day students. The maximum allowable rates are expressed on a "cost per trip" basis. The cost per passenger trip is \$4.18 and the cost for a daily round trip is \$8.36.

Please note that Education Code Section 39809.5 requires that the sum of the 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. In computing whether a district collected excess fees, subtract fee revenue and state transportation apportionments received from the sum of the approved transportation costs reported on the Annual Report of Pupil Transportation, EDP 130 and 133. If excess fees were collected, the district must reduce its fees in the succeeding years.

The education code also requires that a school district certify to the county superintendent that the district levied fees are in accordance with law, and that, where appropriate, fees have been reduced and excess fees eliminated. **Please return the enclosed certification to our office no later than July 24, 2009.**

If you have any questions, please contact me at the number stated above.

GT/mh
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Enclosures

**CERTIFICATION OF FEES COLLECTED
FOR PUPIL TRANSPORTATION
Fiscal Year 2008-09
(Education Code Section 39809.5)**

Pursuant to Education Code Section 39809.5, our district certifies that the district levied fees for home to school transportation of pupils is in accordance with applicable laws and education code requirements and that, where appropriate, fees have been reduced and excess fees eliminated for the current fiscal year.

Our district charged a rate of \$_____ per passenger trip, which was within the maximum allowable rate of \$4.18 per passenger trip as set forth by the California Department of Education and the California Department of Transportation in accordance with Education Code Section 39807.5.

(District)

(Date)

(Superintendent or Authorized Agent Signature)

(Contact Person)

(Phone number)

**CERTIFICATION OF NO FEES COLLECTED
FOR PUPIL TRANSPORTATION
Fiscal Year 2008-09
(Education Code Section 39809.5)**

Our district did not charge any home to school transportation fees in the 2008-09 fiscal year under Education Code Sections 39807.5 through 39809.5.

(District)

(Date)

(Superintendent or Authorized Agent Signature)

(Contact Person)

(Phone number)



CALIFORNIA
DEPARTMENT OF
EDUCATION

JACK O'CONNELL
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

April 28, 2009

Dear County Superintendents of Schools and Chief Business Officials:

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:	\$4.18
Daily round trip cost:	\$8.36

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 site 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 forward this letter to school districts in their counties or notify them that this letter is posted on the CDE Web site at <http://www.cde.ca.gov/fg/aa/ca/pupiltransport.asp>.

If you have questions regarding the information provided in this letter, please contact Janice Huarte, Fiscal Analyst, Categorical Programs Unit, at 916-322-9128 or by e-mail at jhuarte@cde.ca.gov.

Sincerely,

Scott Hannan, Director
School Fiscal Services Division