

**State Funding Eligibility Requirements for Student Transportation
to or from a Designated Child Care Facility (CCF) or Grand-parent's Residence (GPR)**
(as enacted by SB 833 (09/01/01); amended by HB 3459 (9/1/03) and further amended by SB 1713 effective 09/01/07)

- Transportation of students to and from a parent designated CCF or GPR is a requirement if the location of the CCF or GPR is an approved stop on an approved route; all routes and stops are approved at local school board level. Those students with a qualifying special need (disability/impairment/handicap) are entitled to such transportation (regardless of the location of the CCF or GPR) as a necessary related service **only** if determined on an individual (case-by-case) basis by a duly authorized committee (i.e., ARD/504 committee).
- As defined in state law and regulation (see § 42.002, Human Resources Code), a CCF is a facility (establishment/operation) which is licensed, certified, or registered by the Department of Protective and Regulatory Services to provide assessment, care, training, education, custody, treatment, or supervision for a child who is not related by blood, marriage, or adoption to the owner or operator of the facility for all or part of the 24-hour day, whether or not the facility is operated for profit or charges for the services it offers.

Examples of a CCF would include a licensed, certified, or registered child-care institution, individual or agency-operated foster home or foster group home, day-care center, group day-care home, or registered family home; however, it would **not** include a listed (non-registered) family home that provides regular care in the caretaker's own residence for not more than six (6) children under 14 years of age excluding children who are related to the caretaker and that provides care after school hours for not more than six (6) additional elementary school children but the total number of children including those related to the caretaker does not exceed 12 at any given time, **nor** would it include a home that provides care exclusively for any number of children who are related to the caretaker.

Furthermore, it **shall** be the responsibility of the participating school district to ascertain/verify whether a parent-designated CCF or GPR meets the requirements for a legitimate CCF (as defined) by obtaining and maintaining documentation from the facility or GPR of its authenticity as a CCF or GPR prior to reporting such transportation services as eligible for funding.

- The parent-designated CCF or GPR **must** actually be located at least two miles from the respective student's assigned campus of regular attendance or in a district-designated hazardous traffic area within two miles of the campus; transportation provided exclusively to serve students to or from a designated CCF or GPR located within two miles of their campus of regular attendance that is not in a designated hazardous traffic area is **not** eligible to report for state funding. However, an eligible CCF could actually be located outside of a student's assigned attendance zone or resident district boundaries (as determined by the student's legal residence).
- A student's eligibility status **shall** be determined entirely by the location of the designated CCF or GPR and **not** the location of the student's residence; a student who actually lives two or more miles from his/her school or in a designated hazardous traffic area would not be considered an eligible rider unless the CCF or GPR is also located in such an eligible area. However, a resident student who is attending his/her assigned campus and is being provided transportation to or from a CCF or GPR that is located outside the student's assigned attendance zone or resident district is **not** considered an ineligible transfer student.
- State law allows a school district to charge a reasonable fee for transporting students to and from school who live within two miles of their campus of regular attendance **if** their residence is not in a designated hazardous traffic area for which the district receives funds under § 42.155(d) of the Education Code. This would include students being served to or from a designated CCF or GPR located in a non-hazardous traffic area within two miles of their school who would otherwise be eligible based on the location of their actual legal residence. However, the district is required to adopt reasonable procedures for waiving such a fee if an affected student or the student's parent or guardian is unable to pay it.
- A school district is **not** entitled to report eligible route service mileage not actually incurred or eligible student riders not actually transported because it chooses to provide transportation for students to and from their designated CCF or GPR instead of their legal residences. Also, reporting additional eligible mileage and/or fewer eligible riders because of choosing to transport students to and from their designated CCF or GPR instead of their residences could result in a lower effective linear density and corresponding lower funding rate (allotment per mile), which in turn could result in an overall reduction in such a district's transportation allotment for the succeeding school year.
- In accordance with current agency policy, the transportation of voluntary intra-district or inter-district in-grade transfer students (those whose academic/education program is available at a campus located in their assigned attendance zone or resident district) to attend school at a campus located in another attendance zone or school district is **not** eligible to report for state funding; however, such students may be counted as eligible riders for reporting purposes **if** they are served at established stops on eligible routes or eligible portions/segments of routes included in the district's reported total annual mileage for state funding.