

TITLE 6 PRIMARY AND SECONDARY EDUCATION
CHAPTER 43 TRANSPORTATION - OPERATIONS AND FUNDING
PART 3 PUBLIC SCHOOL TRANSPORTATION OPERATIONAL FUNDING REPORTING
REQUIREMENTS

6.43.3.1 ISSUING AGENCY: Public Education Department
[07-30-99; 6.43.3.1 NMAC - Rn, 6 NMAC 9.4.3.1, 12-29-2000; A, 11-13-2009]

6.43.3.2 SCOPE: Provisions of this rule apply to public school districts that receive transportation distributions in accordance with Sections 22-8-26, 22-8-29, 22-8-29.1, 22-8-29.4, and 22-8-29.6 NMSA, 1978.
[07-30-99; 6.43.3.2 NMAC - Rn, 6 NMAC 9.4.3.2, 12-29-2000; A, 11-13-2009]

6.43.3.3 STATUTORY AUTHORITY: Sections 22-2-1, 22-16-2, 22-8-26, and 22-8-29 NMSA 1978.
[07-30-99; 6.43.3.3 NMAC - Rn, 6 NMAC 9.4.3.3, 12-29-2000]

6.43.3.4 DURATION: Permanent
[07-30-99; 6.43.3.4 NMAC - Rn, 6 NMAC 9.4.3.4, 12-29-2000]

6.43.3.5 EFFECTIVE DATE: July 30, 1999, unless a later date is cited at the end of a section.
[07-30-99; 6.43.3.5 NMAC - Rn, 6 NMAC 9.4.3.5, 12-29-2000]

6.43.3.6 OBJECTIVE: To establish the parameters for the use of the public school transportation distributions and to establish requirements for reporting proper expenditures.
[07-30-99; 6.43.3.6 NMAC - Rn, 6 NMAC 9.4.3.6, 12-29-2000]

6.43.3.7 DEFINITIONS:

- A. **Department** - The public education department.
- B. **Transportation distribution** - An amount of funding that each school district receives as a result of the operational formula calculation established in Sections 22-8-29, 22-8-29.1, 22-8-29.4, and 22-8-29.6 NMSA, 1978.
- C. **Other transportation related services** - Other transportation services that includes the actual transportation of students to such events as follows: ancillary services, school to work programs, educational activities, before and after school programs, and school sponsored athletic programs.
- D. **To-and-from transportation** - Services provided from home to school and from school to home each day that school is in session for students in grades kindergarten through twelve attending public school within the school district and of three and four-year old children who meet the department approved criteria and definition of developmentally disabled and for transportation of students to and from their regular attendance centers and the place where approved vocational education programs are being offered.
- E. **Remaining balance** - Unexpended balance at the end of any fiscal year that is not obligated or necessary to meet the to-and-from transportation services included in the school district budget.
[07-30-99; 6.43.3.7 NMAC - Rn, 6 NMAC 9.4.3.7, 12-29-2000; A, 11-13-2009]

6.43.3.8 REQUIREMENTS OF THE PUBLIC EDUCATION DEPARTMENT: The department is responsible for determining the distribution for each school district in accordance with Sections 22-8-26, 22-8-29, 22-8-29.1, 22-8-29.4, and 22-8-29.6 NMSA 1978.

- A. **The department shall** calculate the remaining balances for each school district and submit the amount to each school district that they are allowed to maintain and use for to-and -from operations and other transportation related services.
- B. **The department shall** prepare budget and reporting forms for the remaining balances carried forward and provide them to each school district.
[07-30-99; 6.43.3.8 NMAC - Rn, 6 NMAC 9.4.3.8, 12-29-2000; A, 11-13-2009]

6.43.3.9 REQUIREMENTS OF SCHOOL DISTRICTS

- A. **Each school district** that receives transportation distributions in accordance with Sections 22-8-26, 22-8-29, 22-8-29.1, 22-8-29.4, and 22-8-29.6, NMSA, 1978 shall report to the department their budget and expenditures on forms provided by the department.

B. **School districts shall** use their remaining balance as follows.

(1) At least twenty-five percent of the total remaining balance shall be used for to-and-from transportation-related services, excluding salaries and benefits.

(2) Up to twenty-five percent of the total remaining balance may be used for other transportation-related services, excluding salaries and benefits.

(3) The school district may use fifty percent of the total remaining balance for to-and-from transportation-related services, excluding salaries and benefits.

[07-30-99; 6.43.3.9 NMAC - Rn, 6 NMAC 9.4.3.9, 12-29-2000]

HISTORY OF 6.43.3 NMAC: [RESERVED]