

ODE FAQ Transportation Guidance

Q: Given Governor's Executive Order 20-08, what are allowable expenses that can be reimbursed under the Transportation Grant in the State School Fund? (April 7)

A: School districts should first review their contracts with legal counsel to identify what they are responsible to pay when contracted transportation services are not provided due to school closures outlined in Executive Order 20-08. If a district determines they are liable to pay a portion, or the full amount of the contract, this would be considered an allowable expense under the Transportation Grant in the State School Fund. Because of the variety of contracts and agreements around the state, it will be difficult for ODE to provide a universal response or legal advice to address every situation; therefore, this should be a local decision guided by legal review.

There are options to continue some level of transportation service while schools are closed. The Executive Order 20-08 allows the State School Fund's Transportation Grant to be used for providing school meals in non-congregate settings through the Summer Food Service Program and Seamless Summer Option and for delivery of items in Section 4a of Executive Order 20-08, including learning materials, technology, and wifi access. Also, public schools may use the Transportation Grant to support the transportation of children to and from school-based child care.

In addition to the Transportation Grant, additional funds will be provided through the Federal CARES Act. While there will be more information provided in the upcoming weeks, the CARES Act will provide for an Education Stabilization Fund that provides resources to help school districts in the continuity of education services to Oregon's students and addresses challenges created through the current coronavirus emergency. The Act states that "to the greatest extent practicable" districts shall "continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus."

Q: If a district's contract does not require them to pay their provider during school closure, but the district wants to pay them anyway to assure that the provider can maintain its services in the future, are those payments reimbursable? (April 7)

A: Within Governor Executive Order 20-08, provisions are provided to extend school closures until April 28, 2020. Based on this Order, school districts must assume that schools will reopen on April 29, 2020, at which time transportation services will be necessary to continue education services. As such, transportation service contractors, similar to school employees, must be maintained in order to ensure these services are readily available when school reopens. Therefore, school districts may use the Transportation Grant in the State School Fund to reimburse these contracts (up to the applicable percentage) through the closure period so long as the contracts can be used to provide transportation services, in accordance to the Order, for delivering meals in non-congregate settings to eligible school sites; transporting children to and from school-based child care; and/or helping facilitate distant learning through the Governor's directive. Additionally, because of the variety of contracts and agreements around the state, it will be difficult for ODE to provide a universal response or legal advice to address every situation; therefore, decisions should be guided by legal review.

Q: What would be the maximum number of students we could transport at any one time? (April 7)

A: The maximum number of students transported at any one time would be dependent on the size of the transport vehicle and the current recommendations from either local, state and/or the Centers for Disease Control (CDC) for social distancing. Currently, CDC recommendations advise maintaining a distance of approximately 6 feet from others when possible and students should be seated in a manner that aligns with current guidance.

Q: We're planning on using bus routes to deliver meals, technology and learning packets. With the latest guidance from Governor Brown, are we still ok to do so? We will practice the six foot rules. (April 7)

A: Under Executive Order 20-08, the Governor has authorized the use of transportation services to assist in the delivery of meals and childcare. Additionally, the Order, under Section 4a, directs school districts as part of receiving State School Funds, to deliver supplemental education and learning support to the extent practical through independent study and other appropriate options. Under Section 5 of the Order that directs ODE to provide further guidance in the execution of Section 4, the Department has determined that the Transportation Grant, a funding source within the State School Fund, may be used to reimburse transportation services for not only the delivery of meals and childcare as specifically identified in the Order, but also to facilitate the delivery of supplemental and distant learning such as educational learning materials, technology, and wi-fi. Therefore, school districts may use their bus routes to deliver meals, technology, and learning packets to students, and treat it as reimbursable expense through the State School Fund's Transportation Grant.