# State Aid & FINANCIAL PLANNING SERVICE

# **Reference Guide to Transportation Aid**

October 2024

#### QUEST RIII PUTTING STUDENTS FIRE

10 Empire State Boulevard Castleton, New York 12033 518.477.2635 TEL 518.477.4284 FAX

http://sap.questar.org

Prepared by: Kathy Beardsley Rose Fiddemon-Clarke Mike Los Sarah Morrison Mary Mosher John Tamburello

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## Introduction

School districts receive Transportation Aid on bus purchase expenditures and operating expenditures. Expenses for operating district owned buses, contract buses and public service carriers and other transportation related expenses may be approved for aid. Districts report this information to SED for Transportation Aid on their state aid claim forms (Form FT & ST-3). Approved transportation expenses are aided based on the highest of three aid ratios with a minimum ratio of 6.5% and a maximum of 90%.

**Statute of Limitations:** Districts may be eligible for a prior year Transportation Aid adjustment for certain aid claims filed in a timely manner. Amended claims must be filed with SED within 1 year from the school year that such aid would have been payable (for example, 2022-23 eligible expenses for aid payable in 2023-24 must be on file by 6/30/2025). Aid claims not meeting the filing statute of limitations period require special legislation to authorize payment.

**Summer School Transportation Aid:** Aid is available for transportation to <u>approved district</u> <u>operated summer programs</u>. Aid will be based on prior year expenses. The Legislature appropriated \$5 million for 2024-25 aid. Statewide claims of more than \$5 million will result in prorated reductions in districts' Transportation Aid. Summer Transportation Aid will be claimed on Form FT, entry 115b.

For additional information, please check the following SED Website addresses:

- FAQ: <u>https://stateaid.nysed.gov/trans/transmain.htm</u>
- SED Transportation Guide: <u>https://stateaid.nysed.gov/trans/online\_guide.htm</u>. (Includes ST-3 codes and schedules to record expenses)

## **Transportation Aid Formula**

The Transportation Aid formula is:

#### Approved Prior Year Transportation Expenses

#### Х

#### Transportation Aid Ratio<sup>1</sup>

Transportation Aid Ratio = Selected Transportation Aid Ratio + Sparsity Factor\* (Line 32 of District's TRA Output Report)

Selected Transportation Aid Ratio = Greater of:

1. 1.01 - (0.46 x RWR) \*\*

Or

2. 1.263 x Selected State Sharing Ratio\*\*\*

Or

3. 1.01 - (0.46 x EWR) \*\*\*\*

\*Sparsity Adjustment = <u>21.00 – 2022-23 Enrollment per Square Mile</u>\*\*\* 317.88 \*\*RWADA Wealth Ratio (RWR) = <u>2021 Actual Valuation / 2022-23 RWADA</u> \$1,037,700 (State Average AV/RWADA)

\*\*\*Selected State Share Aid Ratio =

1.37 - (1.23 \* Combined Wealth Ratio (CWR)) 1.00 - (0.64 \* CWR) 0.80 - (0.39 \* CWR) 0.51 - (0.22 \* CWR)

\*\*\*\*Enrollment Wealth Ratio (EWR) =

2021 Actual Valuation / 2022-23 Resident public & non-public enrollment \$923,200 (State Average AV/RPNE)

<sup>&</sup>lt;sup>1</sup> Minimum Transportation Aid Ratio = 0.065, Maximum Transportation Aid Ratio = 0.90

### **District Record Keeping**

#### Mileage:

#### Legal Limits:

All non-city school districts must provide transportation for pupils in grades K-8 residing more than 2 miles from the school of attendance and for pupils in grades 9-12 who reside more than 3 miles from the school attended, up to a distance of 15 miles. However, a district is required to transport students to and from the regular program based on the mileage limitations previously adopted by the voters of the district which may be more generous than mandated by law. These mileage limits may only be changed by a special proposition to the voters. (This is not applicable to the Big 5 city school districts because in those districts the Board of Education itself has the authority to change the distances). The minimum and maximum mile mandate is also non-applicable to pupils with disabilities for whom transportation services are specified in the IEP. Pupils with disabilities may be transported up to 50 miles from their home to the school site.

If voters approve transportation other than the mandated limits, then the voter approved transportation limits over 1 1/2 miles are eligible for Transportation Aid. Transportation either within the state-mandated mileage limitation or pursuant to the policy approved by the voters is a contingent expense.

Districts are required to report actual mileage for all purposes on district-owned buses for the school year period of July 1<sup>st</sup> to June 30<sup>th</sup> based on odometer readings.

Districts must track other purpose mileage separately. Other Purpose mileage includes vehicle mileage on other than regularly scheduled routes such as noon trips home for lunch, field trips, athletic trips, excursions, regular summer school programs and any mileage related to staff or administrative use of vehicles. The accuracy of Other Purpose Mileage is important. Other Purpose Mileage is not aidable (except regular summer school to district operated programs), and the number reported is used to compute a deduction to Transportation Aid. You may wish to look at the district's historical ratio of Other Purpose Mileage to total mileage to determine if the reported mileage is reasonable.

Also, districts should be sure to include mileage of any vehicles that may have been disposed of during the school year.

#### Expenditures:

The district should maintain detailed records of expenditures and enter the expenses in the proper account codes to ensure that all eligible expenses are aided.

Accurate reporting of expenses for Transportation Aid requires organized record keeping and some knowledge of the expenses that are approved for aid. Since this is a vast area, it is impossible to include every eligible expense. Therefore, the eligible expenses listed within this guidebook represent a sample of aidable expenses and are not intended to be all-inclusive.

SED provides a Guide to Aidable/Non-Aidable Transportation Expenses. If your district incurs a transportation expense for which aidability is uncertain, then the district should contact SED to determine eligibility.

Guide to Aidable/Non-Aidable Transportation Expenses: https://stateaid.nysed.gov/trans/aidable\_nonaidable\_list.htm

## Non-Allowable Pupil Decimal

The Non-Allowable Pupil Decimal (NAPD) is applied to aidable transportation related capital expenses (bus purchases), district operating expenses and contract expenses to determine a nonallowable pupil deduction for Transportation Aid purposes. The lower the NAPD, the lower the deduction to aidable expenses. A slight change in routing can have a dramatic effect on NAPD and aid. To minimize the deduction in aid, a review of the calculation of NAPD is necessary.

The Non-Allowable Pupil Mile radius is measured by the nearest available route, not the actual route that the bus travels. Eligibility is based on miles with an exception provided for special education students and K-8 students in approved child safety zones.

A bus route that contains only non-allowable pupils must use the length of the bus route in determining NAPD. A district with a mix of allowable and nonallowable pupils will use the 1.5-mile multiplier in determining NAPD.

NAPD calculations may be done using actual ridership on the district selected day in March, April, or May or using the district transportation software using scheduled ridership.

#### Definitions:

<u>Allowable pupil or "quota pupil"</u> – K-12 Pupil who resides greater than 1.5 miles from school. Students with disabilities are considered allowable if transportation is recommended as a related service by the Committee on Special Education (CSE). Students in a qualifying Child Safety Zone are also considered allowable for purposes of determining the non-allowable pupil decimal.

Non-allowable pupil or "non-quota pupil" – Pupil who resides within 1.5 miles of school.

Example 1: Number of students on route 60

Number of quota students 0

Length of bus route 5 miles

NAPM: 60 (non-allowable pupils) x 5 (miles) = 300 NAPM

If the afternoon route is the same, then the daily total is: 300 NAPM x 2 = 600 NAPM

Since this route contains no quota pupils, all 600-pupil miles are nonallowable.

## Non-Allowable Pupil Decimal (continued)

#### Calculation:

Example 2:	Number of students on route	60
	Number of quota students	1
	Length of bus route	5 Miles

Allowable Pupil Miles (APM): 1 (allowable pupils) x 5 (miles) = 5 Allowable Pupil Miles

Nonallowable Pupil Miles (NAPM): 59 (non-allowable pupils) x 1.5 = 88.5 NAPM

The addition of just one allowable pupil to this route reduces the round trip NAPM to 177 (88.5 x 2), a decrease of 423 NAPM, increasing the district's Transportation Aid.

NAPD is calculated as follows:

Total NAPM Total Pupil Miles (APM + NAPM)

This ratio is then applied to transportation expenditures to calculate a nonallowable pupil mile deduction. For example, if the NAPD deduction ratio is 0.05, then 5% of the district transportation expenditures will not be eligible for aid.

A review of the Transportation Output Report (TRA) will assist the district in determining the impact of this change on Transportation Aid. Four non-allowable pupil deductions are computed when determining Transportation Aid. Deductions are made to capital expenses, operating expenses, contract expenses and public service expenses.

Districts are required to submit a Nonallowable Pupil Decimal Worksheet at least once every 3 years or any time the district experiences one of the following conditions:

- A. Change in transportation eligibility policy.
- B. School district reorganizes with other district(s).
- C. Opening/closing of a school building.
- D. An error made by either SED or the school district in the calculation of the nonallowable pupil decimal.
- E. Change in district policy to provide transportation of eligible universal pre-k pupils (only if such transportation results in additional bus routes, trips, vehicles or increase in expenses).

## Non-Allowable Pupil Decimal (continued)

Please review the district listings to see the list of districts required to file the NAPD worksheet as well as to view a printable version of the NAPD worksheet and instructions. The district listings, NAPD Worksheet and NAPD Instructions can be found at: <u>https://stateaid.nysed.gov/trans/htm\_docs/napd\_prep.html</u>

**NAPD for UPK Students** – NAPD may be applicable to UPK students depending on how you transport those students. Guidance regarding the inclusion and calculation of UPK students may be found at: <u>https://stateaid.nysed.gov/trans/upk\_trans\_guidance.htm</u>.

## **Transportation Shared Services**

Sharing transportation services is allowed for school districts. Sharing can be accomplished through a BOCES Cooperative Service (CO-SER) or through a district-to-district agreement. A BOCES transportation CO-SER would require the filing of a transportation contract, much like a regular contract. There are numerous areas of the transportation department that can be shared, such as, but not limited to:

- Transportation supervisor
- Bus maintenance
- Bus garage
- District operated student routes
- Contracted transportation\*

Under Education Law \$305(14)(g), a Board of Education may enter into a piggyback contract with another school district that transports students by means of a contract with a private transportation contractor, provided that the Board finds that the contract cost is appropriate and entry into a piggyback contract will result in a cost savings to the school district. This is sometimes known as a "piggyback contract." Under Education Law \$305(14)(g), an eligible "piggyback contract" is a contract for the transportation of students that:

- Provides transportation to a location outside the students' school district of residence to which another school district is already providing transportation to its own students through an existing contract with a private transportation contractor, other than a cooperatively bid contract
- Is entered into by the private transportation contractor and each school district involved; and
- Provides for transportation in accordance with the terms and conditions of such existing transportation contract

More information on piggybacking may be found at: <a href="http://www.p12.nysed.gov/schoolbus/PiggybackingTransportation.html">http://www.p12.nysed.gov/schoolbus/PiggybackingTransportation.html</a>

If there is a payment of services for district-operated transportation, the district providing the services (receiving revenue) may be subject to a Transportation Aid deduction. The revenue received is coded to revenue codes A2304, A2308, A2389, and A2440, depending on the services provided, and reported in detail on ST-3 schedule A3. Revenue coded to A2389 is an automatic deduction from district transportation expenditures. Revenue from codes A2304, A2308, and A2440 is compared to the estimated costs of mileage reported for buses leased to others and the greater of the two is the selected deduction.

## **Transportation Expenses Eligible for Transportation Aid**

• Expenses for the transportation of **allowable pupils**\* on regularly scheduled routes. This includes expenses for transporting regular pupils and pupils with disabilities to and from school once daily, including late trips.

\*Allowable pupils are pupils residing greater than 1.5 miles from the school attended.

- Expenses for transporting pupils to and from BOCES.
- Shuttle transportation within the school day for occupational and other approved academic programs (i.e., BOCES shuttle).
- Transportation to and from day care centers. (See Appendix F)
- Expenses for transporting pupils to and from approved shared programs in other school districts.
- Expenses for transporting pupils to and from occupational education programs operated within the district.
- Expenses for the transportation of an infant or child of an allowable pupil attending the district to childcare service, nursery school, preschool, or parent program.
- Expenses for transportation provided to a nonresident homeless pupil.
- Expenses for transporting pupils to nonpublic schools and charter schools.
- Expenses for transportation of dual enrolled pupils. Pupils attending occupational, gifted, and talented and special education programs may be transported from the nonpublic school attended to the public school or BOCES where the services are provided (if the distance between the nonpublic school and the public school or BOCES exceeds ¼ of a mile). For nonpublic pupils with disabilities receiving special education services from either a public school or BOCES there is no minimum distance.

## **Transportation Services for Pupils with Disabilities**

- All districts are required to provide transportation for resident pupils with disabilities who have transportation services listed on an IEP.
- A disabled pupil may be transported in accordance with the IEP, to and from special classes or programs up to 50 miles from the home of such pupil. The Commissioner may approve placement more than 50 miles if no appropriate nonresidential special service or program is available within 50 miles.
- Pupils with disabilities may be transported from home to a residential school and return 3 times per year in addition to the first and last trips.
- Expenses to and from the educational facility for pupils residing in facilities pursuant to Chapter 47, 66, 721 are eligible for aid.
- Expenses for providing a student's nurse on route (if listed on IEP).

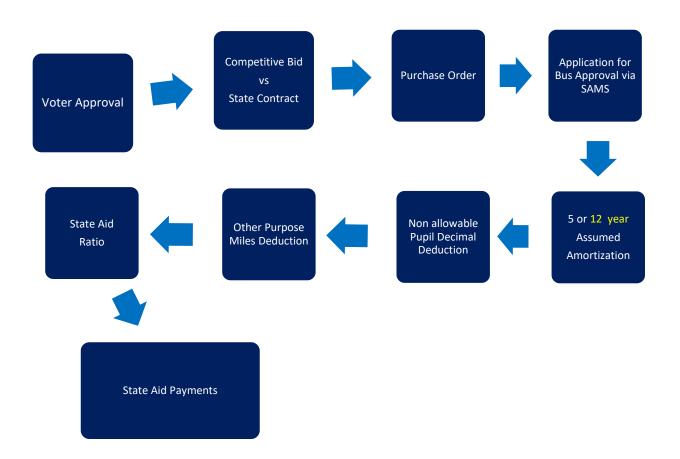
#### **Bus Purchases**

- Districts are required to obtain SED and voter approval for all bus purchases to generate Transportation Aid towards these expenditures. Bus purchases are now approved by SED upon the district submitting a Bus Purchase Approval Form (Form BP) through SAMS. This system functions independently from the rest of SAMS and is not connected to Form FT or any other SAMS form set. All activities in the SAMS Bus Purchase System must be performed under the 'Official' data area only.
- Approved bus purchase expenditures are limited to the State Contract Price, or the statewide median cost if there is no State Contract for a vehicle. If the district is trading a school bus in towards the purchase of a new bus, the net cost after trade-in may be claimed for aid (see life of a bus purchase diagram below)
- The net approved cost of each school bus is aided according to an assumed • amortization schedule established by the State Education Department. Under the 2024-25 Enacted Budget, grants and/or vouchers used to fund zero emission bus purchases are no longer counted against the Approved Cost for Transportation Aid. Therefore, the portion of zero-emission bus purchases funded with grants and/or vouchers are now included towards the final Approved Cost for Aid. Aid will be paid based upon two equal assumed semi-annual payments of principal and interest using a statewide average interest rate. Aid begins in the school year following the purchase order date and will be calculated based upon the assumed debt service payments. Entries 41 and 42 for nonzero emission buses and Entry 36 of for zero-emission buses of the TRA output report display the total assumed aidable debt service amount for the current school year. Both the TRA and TRA EST output reports can be found under the 'Reports' tab in SAMS and are labeled as 'Output Reports.' Under the 'Reports' tab, you will also find reports titled Buses Generating Aid on the TRA Output Report, Buses Projecting Aid on the TRA EST Output Report and Bus Detail Report. These reports provide assumed amortization details for all approved buses generating aid during 2024-25 and beyond and detailed information about the buses.
- Emergency Bus Purchase (due to damage or loss of vehicle used to transport pupils). No voter authorization is required, but districts must go through the SAMS Bus Purchase System for approval. You must select 'Yes' on Entry #18 to indicate that the vehicle was purchased as an emergency replacement. Details regarding the emergency purchase must be provided on Entry 19 and the date the board resolution was passed for the emergency purchase must be provided on Entry 20. See *Appendix* G for additional information.

### Bus Purchases (continued)

- Districts also receive aid on used buses that are purchased. The district must still comply with all laws and regulations and apply for SED approval under the SAMS Bus Purchase System.
- A bus is not approved for aid until it has been certified by the Superintendent. Buses in 'CERTIFIED' or 'REV\_AFTER\_CERT' status within the SAMS Bus Purchase System, have been approved for aid and no additional action is required. Please note, there is no connection between the 'CERTIFIED' status of a bus and the 'CERTIFIED' status of the Form FT, or any other SAMS form set.
- SED requests that SAMS Bus Approval Application Forms are submitted immediately after the payment of the bus and no later than 1 year after the purchase. While there is no specific deadline, aid will not flow until the bus forms have been certified and approved within the SAMS Bus Purchase System.
- Supporting documentation for bus purchases is no longer required to be submitted. This information may be requested by SED at any point during the school year to verify bus purchases, contract information, emergency purchase data, costs, etc. Therefore, districts must retain all purchase documentation for buses in accordance with NYS Archives Records Retention and Disposition Schedule ED-1 guidance.
- Districts must continue to project current year bus purchase data on Form FT Entries 164 and 165 for non-zero emission buses and Entries 168 and 169 for zero emission buses to project an estimate of the subsequent year's aid as shown on the TRA EST output report (Executive budget proposal and enacted State budget).
- See *Appendix* A for selected screen shots of the new Bus Purchase Approval System in SAMS.

## Life of a Bus Purchase



## **Prospective Bus Purchase Amortization**

The net approved cost of <u>all fuel powered</u> school buses, for which purchase orders are issued on or after July 1, 2005, will be amortized prospectively for a period of five years. School districts must project the cost of buses which are to be purchased during the first and second halves of the subsequent school year in Entries 164 and 165 of State Aid Claim Form FT.

The net approved cost of <u>all hydrogen fuel cell and/or electric powered</u> school buses, for which purchase orders are issued on or after July 1, 2022, will be amortized prospectively for a period of twelve years. School districts must project the cost of buses which are to be purchased during the first and second halves of the subsequent school year in Entries 168 and 169 of State Aid Claim Form FT.

#### **Bus Leases**

- Districts can lease buses for up to 1 year without voter approval and for a term of 1-5 years with voter approval.
- Emergency leases of buses are aidable with prior approval from SED and are limited to 90 calendar days.
- SAMS Bus Purchase Approval Forms are **not** required for leased buses.
- The Board of Education is not authorized to enter into a lease-purchase agreement for buses.
- Bus leases must be submitted to SED for approval using the School Bus Lease Checklist Form (*Appendix D*). Leases will not be aided until SED approval is received.
- Project total costs for new bus leases on Form FT entries 166 and 170 (for non-zero emission and zero emission bus leases starting in the first half of the school year) or entries 167 and 171 (for non-zero emission and zero emission bus leases starting in the second half of the school year).

### **Salaries and Fringe Benefits**

- Salaries and fringe benefits for active transportation personnel are approved for aid. The cost of providing fringe benefits for persons other than transportation personnel is <u>not</u> aidable. For example, individual health insurance premiums are allowable, not the total cost of family coverage.
- Salaries and fringe benefits for bus drivers and mechanics.
- Salaries and fringe benefits for assistant drivers of buses transporting pupils with disabilities <u>only</u> if specified in the pupil's IEP.
- Salaries and fringe benefits for bus garage custodial staff.
- Fringe benefits may include workers' compensation and social security and retirement benefits for active employees whose salaries are aidable.
- If the district provides transportation through a private contractor, the salaries of any otherwise eligible district transportation personnel may be included in expenditures.
- Salaries and fringe benefits for transportation supervisors and their direct support staff are also aidable. The direct support staff may include the dispatcher, clerical, or other support staff. In some cases, districts do not employ a transportation supervisor. The salaries and fringe benefits of other staff performing this function on a part-time basis may be aidable. Salaries should be prorated based on the amount of time spent by staff on transportation. Salaries of support staff involved in transportation-related activities can be included. However, in an audit, the amount of time claimed must be supported by each position's job description and duty statement. The salaries of the Superintendent and the Superintendent's direct support staff are not eligible for Transportation Aid. The salary of a school building Principal is not eligible for Transportation Aid. Prior to submitting claims for expenditures related to positions other than that of transportation supervisors and their staff, it is advisable to verify aidability with SED.
- The cost of contracting with an outside consultant to serve as the Transportation Supervisor.

## **Supplies and Materials**

• This includes expenses such as fuel, antifreeze, oil, lubricants, tires, chains, replacement parts, etc.

#### Insurance

- Aidable insurance expenses include insurance premiums for public liability, property damage, personal injury protection, uninsured motorist, bus fire, collision, and the bus garage.
- Individual health, dental and life insurance for active transportation personnel <u>only</u>.
- The portion of umbrella liability coverage that is due to transportation is aidable. Appropriate documentation now includes a letter from the insurance agent stating the percentage of the premium that is due to transportation-related liability exposure. The expense should be reported as a contractual transportation expense.

#### **Bus Garage**

- Expenses associated with a district-owned bus garage are aidable. This includes custodial supplies, water and sewer charges, uniforms, equipment, and garage repair and maintenance.
- Expenses for garage rental up to \$10,000.
- The cost of utilities such as heat, light, electricity, and telephone for related buildings is also aidable. The district may prorate a portion of the total cost of utilities relative to the building's transportation-related square footage. The district may benefit by metering separately those transportation-related buildings which are not energy-efficient.
- Snow removal in and around the bus garage.
- Portable bus garage equipment approved on a case-by-case basis. (Oil-water separator)

**Note:** Non-zero emission bus equipment purchased on or after July 1, 2004, will be aided based upon a five-year assumed amortization of the approved costs at a statewide average interest rate. Zero emission bus equipment purchased on or after July 1, 2022, will be aided based upon a twelve-year assumed amortization of the approved costs at a statewide average interest rate.

### Other Aidable Expenses

Certain transportation purchases require prior approval from SED. See *Appendix E* for further information.

- Bridge and highway tolls for regularly scheduled routes.
- Expenditures for computerized bus routing with prior approval from SED, where applicable (See *Appendix E*). This may include the costs for hardware, equipment, programming, software development, software acquisition and annual program licensing or service fees. If the district utilizes a computerized bus routing service to establish the routes for a private contractor, the costs incurred in the computerization are eligible for aid.
- Prior approval is required for new equipment and hardware. Upgrades and modifications exceeding \$5,000 in total yearly costs also need approval. To gain approval for computer hardware, the district should submit the following to SED:
  - Description of hardware
  - Identify the software to be used
  - Savings and justification
  - Staff training
  - Security of hardware
- Districts are required to obtain SED approval for software over \$5,000. Annual service or upgrade fees for existing programs do not require SED approval. To gain approval for computer routing software, the district should:
  - Describe software and plan for usage
  - Indicate first year of use and year application is made
  - o Indicate savings, both projected and actual
- Non-fixed equipment items directly related to transportation. (Above ground bus lift)
- Bus driver training and physicals.
- Bus driver alcohol and drug testing.
- Reasonable expenses for in-state travel and conferences if the salary of the person attending is transportation aidable.

#### Other Aidable Expenses (continued)

- Publications and organization dues.
- Radio base stations, antennas, repeaters require prior approval when the total cost exceeds \$5,000 with prior approval by SED.
- Cellular telephones with prior approval by SED.
- Two-way radios installed on buses when total cost is more than \$10,000 require prior approval.
- Computerized fuel monitoring systems with prior approval by SED.
- Bus internal and external loudspeaker systems.
- The phone recording system, for the purpose of transportation, requires prior approval when the total cost exceeds \$5,000.
- Commercial Driver's License (CDL) costs incurred by the district for qualifying criminal history and driver license testing fees, attributable to special requirements for drivers of school buses pursuant to Article 19 and 19A of the Vehicle and Traffic Law. (This includes the Written Test, Road Test Fee, and Individual Written Endorsement Tests.)
- The cost of gasoline provided for the contractor.
- If a volunteer escort is required by the IEP for the transportation of a disabled pupil, the costs of the escort's travel, lodging and meals are aidable. However, a contract should be fully executed and approved.
- If certain criteria are met, the cost of a transportation service provided by a parent may be aidable.
- Video cameras and/or black boxes are aidable, and do not require SED prior approval.
- Contracts with a consultant (individual or firm) to work on the district's transportation program if the district can document that the consultant services resulted in a more efficient, economical, or safe pupil transportation program; and if the school district staff is better able to manage the pupil transportation program.

 Global Positioning System (GPS) (standalone systems or systems integrated into computerized routing software on district owned buses) (Beginning with purchases in the 2015-16 school year)

**Note**: Non-zero emission bus equipment purchased on or after July 1, 2004, will be aided based upon a five-year assumed amortization of the approved costs at a statewide average interest rate. Zero emission bus equipment purchased on or after July 1, 2022, will be aided based upon a twelve-year assumed amortization of the approved costs at a statewide average interest rate.

## **Bus Contracts**

School districts may generate aid on private contracts executed for the transportation of pupils.

- District must file contracts on time to avoid loss of aid due to late filing of contracts. If necessary, a return receipt may serve as proof of timely filing.
- Transportation contracts must be filed with SED within 120 days of the start of service and must be within reasonable guidelines as determined by SED. The Superintendent must sign and date the contracts on or before the date service begins. Aid will be prorated for every day that the service was provided before the contract was signed and dated (See *Appendix B*).
- SED applies a test of reasonable cost to each contract annually. If the cost is determined to be unreasonable, only the approved amount will be aided.
- Contracts not properly executed or filed late will have expenditures prorated on a dayby-day basis.
- Contract expenditures more than the approved amount will not be aided. If the aggregate cost for all transportation contracts exceeds \$20,000, it must be competitively bid or selected after a Request for Proposal (RFP). Competitive bidding of contracts and RFP's must be advertised on or before June 1st for regular transportation, July 1st for transportation of disabled pupils and must provide a reasonable number of days between the bid notice and the bid submission. SED considers a minimum of 2 weeks as a reasonable amount of time for bid submission (School Executive Bulletin, 4/92). If contract expenditures exceed \$20,000 and the contract is not bid, no aid will be paid to the district.
- Bid contracts or prepare RFP for "other purposes" such as field trips and athletic trips separately from the regular transportation contracts.
- When designing bus contracts, the district should make sure that contracts have flexibility. For example, make sure all contracts contain an Add/Delete Clause with specific details as to each party's responsibility in the event of changes to the original contract. The district will not be aided on any increase in cost due to a change in terms and conditions not specified in the Add/Delete Clause.
- Any changes in contractual bus routes not covered under the original contract will not be aided.

## Bus Contracts (continued)

- Flexible contracts will accommodate any changes in pupil population without aid penalty. Make provisions in contracts for adding or deleting pupils, buses, or mileage.
- Verify all changes with SED.
- Certain "pass through" costs (passed through from the contractor to the district) for criminal background and driver's license testing fees are aidable.
- A board of education may agree to extend transportation contracts for up to five years. The rate for calculating maximum increases for pupil transportation contract extensions during the 2024-25 school year can be found on SED's website using the following link <a href="http://www.p12.nysed.gov/schoolbus/">http://www.p12.nysed.gov/schoolbus/</a>. (See Appendix D for a contract extension form and instructions for completing this form). Contract extensions between two to five years in length require voter authorization before the board of education approval. The voters must approve a separate proposition or a specific line item in the school budget. The budget must also include a footnote to the line item which indicates the total number of years and cost of the multi-year contract.

### **Public Service Carriers**

School districts may utilize public service carriers to provide transportation for their pupils.

- May include expenses for bus passes, tokens, train tickets, and airline fares.
- Expenditures are reported on Schedule K of the State Aid Claim Form FT.

## **Transportation Expenses Ineligible for Transportation Aid**

- Transportation for "other purpose mileage" is <u>not</u> aidable. Other purpose transportation includes vehicle mileage for other than regularly scheduled routes such as:
  - o noon trips home for lunch
  - o field trips
  - o athletic trips
  - o excursions
  - o any mileage related to staff or administrative use of vehicles
  - Deadhead Miles\*

\* **Deadhead Mileage** - The mileage travelled from the place where the bus is stored to the beginning of the first route and from the end of the last route to the storage place.

#### Examples:

- mileage from a garage outside the district to or from the route within the district
- mileage from a garage (not on a school campus) to the route that the bus must take from the school to pick up or drop off students
- Expenses for vehicles not used to transport pupils on a regular basis are <u>not</u> aidable.
- Pickup trucks are not aidable even if used to transport pupils.
- Transportation expenses for pupils with disabilities attending summer programs (Section 4408) are <u>not</u> aidable under Transportation Aid. These pupils are aided through the STAC process and summer school aid for disabled pupils. (SED reimburses districts for 80% of the approved cost, which includes education, transportation, and maintenance expenses). For more information, please see Claiming Transportation Aid for Various Pupil Placements on Page 30.
- Transportation costs for Pre-K pupils with disabilities are <u>not</u> aidable. The cost of transporting these pupils is the responsibility of the county where the children reside.
- Pupils transported on unapproved buses and routes are <u>not</u> aidable.

Salaries and fringe benefits for assistant drivers of buses transporting regular pupils are <u>not</u> aidable.

• Health insurance or other benefits for <u>retired</u> transportation personnel are <u>not</u> aidable.

## Transportation Expenses Ineligible for Transportation Aid (continued)

- The district will <u>not</u> generate Transportation Aid for transportation costs associated with **nonallowable** pupils. The following pupils are considered **nonallowable**:
  - Regular pupils residing 1 1/2 miles or less from the school attended.
  - Regular pupils on feeder routes who live 1 mile or less from the main bus route.
  - Regular pupils in grades K-6 residing in a common school district.
  - Regular pupils in grades 7-8 residing in a common school district (only if the common school district maintains grades 7-8).
  - Regular pupils attending public school outside the resident district in grades maintained by the resident district in which there is no overcrowding.
  - Transportation of Universal Pre-K pupils resulting in additional bus routes, trips vehicles or increase in expenses.
  - Non-pupils transported pursuant to Section 1502 of Education Law. (This would include the transportation of groups such as senior citizens, nonprofit groups serving the physically or mentally handicapped, nonprofit groups providing recreation, youth services, playground or neighborhood recreation centers, or municipal corporations).

#### To minimize the nonallowable pupil mile deduction, the district should include at least one "allowable pupil" on each bus route (avoid bus routes dedicated solely to nonallowable pupil transportation).

- Expenses for renovations to bus garages are <u>not</u> transportation aidable. \*
- Expenses for new surfaces on parking lots and driveways are <u>not</u> transportation aidable.
- Expenses for fixed equipment including bus lifts, fuel pumps and underground fuel tanks are <u>not</u> transportation aidable. \*
- Legal fees connected with the issuance of bonds and capital notes for bus purchases are <u>not</u> aidable.
- Any part of drivers' salaries associated with duties other than driving a school bus, or any part of salaries of mechanics and mechanics helpers for performing duties other than school bus maintenance and repair of school buses are <u>not</u> aidable.

## Transportation Expenses Ineligible for Transportation Aid (continued)

- Supplies and materials for vehicles other than school buses are <u>not</u> aidable.
- Premiums on insurance for vehicles other than buses are <u>not</u> aidable.
- Expenses for transportation services provided on buses leased to another school, a BOCES, a municipality or other organizations are <u>not</u> aidable. Taxicabs are not considered to be public service carriers.

# \*These expenses may be aidable under the Building Aid formula as part of an approved building project.

## **Deductions to Transportation Aid**

When completing the transportation section under State Aid Claim Form FT and when reviewing the Transportation Output Report, be aware that there are entries that are used to compute deductions to the transportation expenses approved for aid. Therefore, accuracy on these entries is important.

- Deduction for Other Purpose Mileage (as discussed previously).
- Non-allowable Pupil Deduction. This deduction is computed by multiplying approved transportation expenses by the Nonallowable Pupil Decimal (NAPD). The NAPD is derived from the ratio of the district's nonallowable pupil mileage to the district's total net transportation mileage. This is a fixed decimal that must be updated at least once every 3 years on State Aid Claim Form FT. Districts may be required to submit data sooner if certain conditions relating to changes in the district's transportation policy or services exist.
- Deductions for refunds of prior year's transportation expenditures. Report only those refunds that are transportation related.
- Deductions for receipt from the sale of transportation aidable equipment. List only equipment that was once aidable (e.g., buses, garage equipment).
- Deductions for insurance recoveries received for the repair of a bus damaged by fire, collision, etc. If the insurance recovery will be used to replace a bus, the insurance recovery amount should be deducted from the cost of the new vehicle. For insurance recoveries, make sure to list only those that are transportation related.
- Deductions for revenues received for transportation services provided. For example, revenues received from BOCES other than shuttle and revenues from bus leases.
- Deductions for contracts not filed, contract expenses more than the approved amount, late filing of contracts, nonresident revenues, refunds from BOCES and any contracts signed and dated after service begins.
- Districts that have contracts with SED for the transportation of Native American pupils must deduct the contract amount paid by SED to the district from total transportation expenses.
- Revenues from other districts.

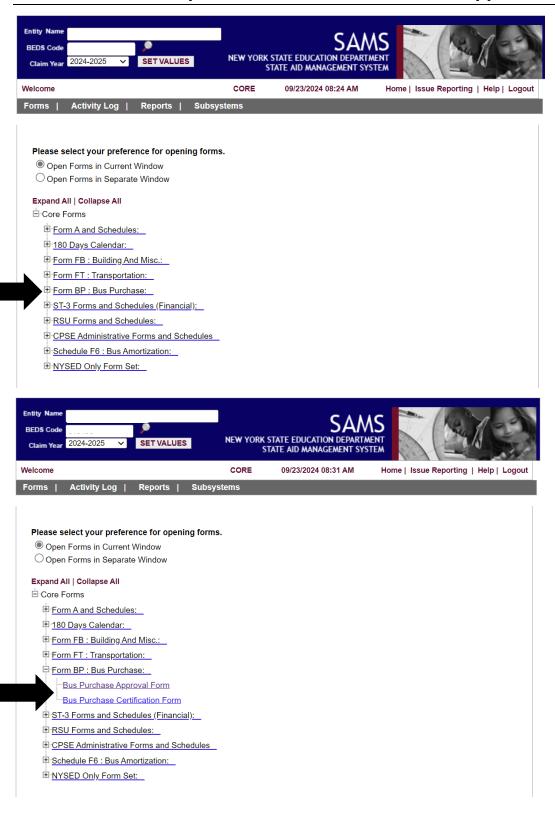
## **Claiming Transportation Aid for Various Pupil Placements**

Sources and procedures for claiming Transportation Aid for pupils transported vary according to the type of educational placement. The following chart outlines the sources, claim processes and methods of payment for students transported by the district.

Type of Placement	Aid Source	Claim Process	Payment Methods
In-District Program <sup>2</sup>	State		
Non-residential Public or Private Program within 50 miles		Form FT/ST-3	Paid with General Aids
Residential Private Program			
Dual Enrolled Pupils			
12-Month Placement	State	STAC for Summer Trips	80% of Cost Paid by State (Separate Check)
Rome School for the Deaf & Batavia School for the Blind	State	Form FT/ ST-3 Weekly Trips (School closed on weekends)	Paid with General Aids
Chapter 47 Pupils Placed by OPWDD in Group Home, Family Care, or Other Institution	Slale	Form FT/ ST-3	
Chapter 66 Pupils Residing in OPWDD Facilities	OPWDD	OPWDD Provides or Contracts with Local District	Per Contract
Chapter 721 Pupils Residing in Intermediate Care Facilities	State		100% of Cost Paid with Chapter Payments
Section 4408 Summer Placement Regular Special Education		STAC/AVL	80% of Cost Paid by State (Separate Check)
Section 4408 Summer Chapter Placements			100% Cost Paid by State (Separate Check)
Section 4410 Preschool Placement	County	County Contracts with Local District	Per Contract
Homeless Placement (See Appendix C for additional information)	District of Origin/DSS	Educating district invoices District of Origin/DSS	Billed Annually

<sup>&</sup>lt;sup>2</sup> Including approved summer school

## Appendix A Selected Screen Captures of SAMS Bus Purchase Approval System



## Appendix A Selected Screen Captures of SAMS Bus Purchase Approval System (continued)

Entity Name BEDS Code Claim Year 2024-2025	SET VALUES	NEW YO	SAN RK STATE EDUCATION DEPARTM STATE AID MANAGEMENT SYS	ENT	
Welcome	(State Aid Planning)	CORE	09/23/2024 09:51 AM	Home   Issue Reporting   Help   Logout	
Forms    Activity Log    Reports    Subsystems      Output Reports    Buses Generating Aid on TRA Output Report      Buses Projecting Aid on TRA EST Output Report      Reports Menu Links					
Output Reports: Output Reports Bus Purchase Reports: Buses Generating Aid on Buses Projecting Aid on T					

## Appendix B Guidance on Transportation Contracts

SED has posted instructions for each type of transportation contract under the Pupil Transportation Unit (PTU) website. The link to the main page of this website where instructions for all transportation contracts can be found is as follows: <u>http://www.p12.nysed.gov/schoolbus/contracts.html</u>

Individual instructions for each type of contract can be found using the link to the main page as noted above or by using the links listed below:

#### Instructions for Emergency Contracts:

http://www.p12.nysed.gov/schoolbus/documents/InstructionsreEmergencyContracts.pdf

#### Instructions for Parent Contracts: http://www.p12.nysed.gov/schoolbus/documents/InstructionsParentContracts.pdf

#### Instructions for Regular Transportation Contracts:

http://www.p12.nysed.gov/schoolbus/documents/InstructionsFormTC.pdf

#### Instructions for Contract Extensions:

http://www.p12.nysed.gov/schoolbus/documents/InstructionsFormCExtension.pdf

#### Instructions for Summer Transportation Contracts:

http://www.p12.nysed.gov/schoolbus/documents/InstructionsFormTCSummer.pdf

#### Instructions for Summer Contract Extensions:

http://www.p12.nysed.gov/schoolbus/documents/InstructionsFormCESummer.pdf

## Appendix C Transportation Guidance for Homeless Pupils

#### NYS Ed. Law § 3209, paragraph 4.

#### Transportation:

a. A social services district shall provide for the transportation of each homeless child, including those in preschool and students with disabilities identified pursuant to sections fortyfour hundred one and forty-four hundred two of this chapter whose individualized education programs include special transportation services, who is eligible for benefits pursuant to section three hundred fifty-j of the social services law, to and from a temporary housing location in which the child was placed by the social services district and the school attended by such child pursuant to this section, if such temporary housing facility is located outside of the designated school district pursuant to paragraph a of subdivision two of this section. A social services district shall be authorized to contract with a board of education or a board of cooperative educational services for the provision of such transportation. Where the social services district requests that the designated school district of attendance provide or arrange for transportation for a homeless child eligible for transportation pursuant to this paragraph, the designated school district of attendance shall provide or arrange for the transportation and the social services district shall fully and promptly reimburse the designated school district of attendance for the cost as determined by the designated school district. This paragraph shall apply to placements made by a social services district without regard to whether a payment is made by the district to the operator of the temporary housing facility.

b. The designated school district of attendance shall provide for the transportation of each homeless child who is living in a residential program for runaway and homeless youth established pursuant to article nineteen-H of the executive law, to and from such residential program, and the school attended by such child pursuant to this section, if such temporary housing location is located outside the designated school district. The designated district of attendance shall be authorized to contract with a board of cooperative educational services or a residential program for runaway and homeless youth for the provision of such transportation. The department shall reimburse the designated school district of attendance for the cost of transporting such child to and from the residential program and the school attended by such child to the extent funds are provided for such purpose, as determined by the director of the budget.

## Appendix C Transportation Guidance for Homeless Pupils (continued)

c. Notwithstanding any other provision of law, any homeless child not entitled to receive transportation pursuant to paragraphs a and b of this subdivision who requires transportation in order to attend a school of origin designated pursuant to subdivision two of this section, shall be entitled to receive such transportation pursuant to this paragraph. The designated school district of attendance shall provide transportation to and from the child's temporary housing location and the school of origin. Such transportation shall not be in excess of fifty miles each way except where the commissioner certifies that transportation in excess of fifty miles is in the best interest of the child. Any cost incurred for such transportation that is allowable pursuant to the applicable provision of parts two and three of article seventy-three of this chapter or herein, shall be aidable pursuant to subdivision seven of section thirty-six hundred two of this chapter, provided that the approved transportation expense shall not exceed an amount determined by the commissioner to be the total cost for providing the most cost-effective mode of such transportation in a manner consistent with commissioner's regulations. The commissioner shall promulgate regulations setting forth the circumstances pursuant to which parent accompaniment for transportation may be reimbursable, including but not limited to the age of the child; the distance of the transportation; the cost-effectiveness of the transportation; and whether the child has a handicapping condition.

d. Notwithstanding any other provision of law, where a homeless child designates the school district of current location as the district the child will attend and such child does not attend the school of origin, such school district shall provide transportation to such child on the same basis as a resident student.

e. Where the designated school district of attendance has recommended that the homeless child attend a summer educational program and the lack of transportation poses a barrier to such child's participation in the summer educational program, the designated school district of attendance shall provide transportation.

f. The designated school district of attendance, or the social services district if such child is eligible for transportation from the social services district pursuant to paragraph a of this subdivision, shall provide or arrange for transportation to extracurricular or academic activities where:

(1) the homeless child participates in or would like to participate in an extracurricular or academic activity, including an after-school activity, at the school

(2) the homeless child meets the relevant eligibility criteria for the activity; and

(3) the lack of transportation poses a barrier to such child's participation in the activity.

## Appendix C Transportation Guidance for Homeless Pupils (continued)

g. Where the homeless child is temporarily living in a contiguous state and has designated a school of origin located in the state of New York, the designated school district in New York state shall collaborate with the local educational agency in which such child is temporarily living to arrange for transportation in accordance with Section 722(g)(1)(J)(iii)(II) of the McKinney-Vento Homeless Assistance Act.

h. Where the homeless child is temporarily living in New York state and continues to attend a school of origin located in a contiguous state, the school district of current location shall coordinate with the local educational agency where such child is attending school to arrange for transportation in accordance with Section 722(g)(1)(J)(iii)(II) of the McKinney-Vento Homeless Assistance Act.

i. Transportation as described in this subdivision must be provided to the homeless child by the designated school district of attendance or the social services district for the duration of homelessness. The designated district of attendance must transport the child for the remainder of the school year in which the child becomes permanently housed and one additional year if that year constitutes the child's terminal year in the designated school. Such transportation shall not be more than fifty miles each way except where the commissioner certifies that transportation more than fifty miles is in the best interest of the child. The designated school district of attendance shall be entitled to reimbursement from the current school district in which the child becomes permanently housed for any cost incurred for transportation for the remainder of the school year after the child becomes permanently housed and one additional year if that year constitutes the child's terminal year in the designated school.

## Appendix D Transportation Forms/Approvals/Electric Vehicle (EV)

#### Main Website:

http://www.p12.nysed.gov/schoolbus/contracts.html

https://www.nysed.gov/pupil-transportation/forms

Electric Vehicle (EV) SED Memo: <u>https://www.p12.nysed.gov/mgtserv/docs/zero-emission-bus-infrastructure-qanda-20230629.pdf</u>

## Appendix E SED Guidance on Approval of Certain Purchases

NYSED.gov

#### **Pupil Transportation**

**Department Approval Required for Certain Purchases or Services** 

Prior written approval by the Department's Pupil Transportation Unit is required before the following expenditures will be allowed for Transportation Aid:

- Computerized bus routing systems and fleet maintenance programs, which cost in excess of \$10,000. (Annual program licensing or service fees do not require approval.) <u>Application Approval For Bus Routing</u>
  <u>Systems</u> (9KB) Requests for approval of computerized bus routing and fleet maintenance programs must be made on this Department application form.
- Computer equipment purchases, modifications, and upgrades, where the aggregate cost exceeds \$5,000.
- Two-way radios installed on old buses or locally installed on new buses, where the aggregate cost exceeds \$10,000.
- Radio base stations, antennas, and repeaters, where the aggregate cost exceeds \$5,000.

Application Approval for Transportation Purchases 🗖

Requests for all other approvals should be made on your school district letterhead and should include a description of the items or services, the quantity and cost, and an explanation of why such items or services are needed in addition to the Approval for Transportation Purchases form. The district is encouraged to submit a copy of the original invoice along with other necessary papers. Please include an email address so that we may send the approval notice to your district. WRITE TO: State Education Department, Educational Management Services, Room 1075 Education Building Annex, Albany, New York 12234.

• The purchase of video cameras for use inside of school buses **does not** require approval.

Where a school district contracts with a <u>consultant</u> (individual or firm) to provide technical assistance and claims the expenditures for Transportation Aid, the district must submit a description of the services provided and documentation to show that both of the following criteria were satisfied.

- The consultant services resulted in a more efficient, economical, or safe transportation program.
- The consultant services resulted in district staff being better able to manage the transportation program.
- <u>Completed Application Approval for Efficiency Study</u>

Last Updated: May 3, 2019

https://www.p12.nysed.gov/schoolbus/TransDirector/htm/department\_approval.htm

#### 

Pupil Transportation

Transportation between School and a Child Care Location for Grades K-8

- A board of education, at its discretion, may provide transportation between before/after childcare locations and school, but only for children attending public or nonpublic schools located within the school district in which the child resides.
- A childcare location shall mean a place situated within the school district, other than the child's home, where care for less than 24 hours a day is provided on a regular basis. This definition includes, but is not limited to, a variety of childcare services such as day care centers and in-home care by relatives and non-relatives.
- Where a school district has more than one elementary school, such transportation may be restricted to "childcare locations within the attendance zone of the school the child attends, and to child day care centers and school age childcare programs licensed or registered pursuant to Section 390 of the Social Services Law located anywhere within the school district." Transportation to such licensed or registered programs may not be limited to a school attendance zone but must be provided anywhere within the school district.
- Children are eligible for such transportation where the distance between the childcare location and school exceeds the district's eligibility distance for transportation between home and school. Consequently, a child may be eligible for transportation to or from a childcare location even though not eligible for transportation to or from home.
- Written requests for transportation to or from a childcare location must be submitted by the parent or legal guardian not later than April 1.

https://stateaid.nysed.gov/trans/daycare.htm

#### Q. What do I have to do if I need to make an emergency bus purchase?

Paragraph (a) of subdivision (25) of Section 1709 of the Education Law states that:

 "Any replacement of a motor vehicle or vehicles, necessitated by damage to or loss of such vehicles, owned by the school district and used for the transportation of pupils residing within the district, may be purchased by the board of education without voter approval, using any unencumbered funds in the general fund or by the issuance of budget notes in accordance with Section 29.00 of the local finance law, in addition to any available insurance proceeds."

Voter authorization is not required for the purchase of a school bus which is a replacement for another vehicle which has been damaged beyond repair, or unexpectedly removed from service. Such vehicle must require replacement *under emergency conditions*, which include but are not limited to, damage or loss due to accident, fire, flood, hurricane, theft, or vandalism.

Vehicles that simply no longer pass a NYS DOT inspection are not eligible for emergency replacement under this provision.

Purchasing one or more buses under emergency conditions does not alter the authority of the Commissioner of Education to approve the purchase of a school bus. Emergency bus purchases must be approved by the commissioner to generate Transportation Aid.

Districts should enter buses purchased under emergency conditions into the automated Bus Purchase Approval system in the State Aid Management System (SAMS), in the same manner as all buses are entered. However, the district must respond 'Yes' at Entry #18, which asks if the vehicle was purchased as an emergency replacement. Details regarding the emergency purchase must be provided at Entry #19 and the date the board resolution was passed for the emergency purchase must be provided at Entry #20.

Districts must retain documentation that substantiates the emergency purchase information certified on the bus purchase approval form and must provide such documentation upon request of the Commissioner.

School districts should not submit to the State Education Department any request for approval of emergency bus purchases other than on the SAMS bus purchase approval form as described above. Nor should districts submit any documentation to the State Education Department, paper or electronic, until a request for such documentation is received from the State Aid Office.

https://stateaid.nysed.gov/trans/emerg\_bus\_purch.htm

#### 

#### **Pupil Transportation**

#### **Transportation Contracts Awarded Through an RFP**

Transportation Contracts may be awarded through a Request for Proposals (RFP), instead of by competitive bid, in accordance with <u>Section 305(14)</u> of Education Law and <u>Section 156.12</u> of Commissioner's Regulations. Where the RFP method is chosen, each proposal must be evaluated using the ten weighted criteria that are specified in <u>Section 156.12</u>, and the contract must be awarded on the basis of the scores used to assess each criteria. No single criteria can be weighted in excess of 50 percent of the total weight of all criteria. In addition, any public notice soliciting proposals, and any instructions provided to potential respondents must specify all of the criteria and the weightings.

The RFP method should not be confused with the process of awarding contracts that are not subject to competitive bidding. It is a method that is much more complex than simply obtaining price quotes from the contractors.

All contracts shall be submitted to the Education Department for approval together with the Ad & Affidavit of publishing, instructions used in making the request, the contract specifications, all proposals received, and the criteria, weights and scores used to assess the proposals.

#### <u>Transportation RFP Checklist</u>

School districts should be reminded of the following when they are awarding transportation contracts through a Request for Proposal (RFP).

- A public notice advertising the RFP must be placed in the official newspaper(s) designated by the Board of Education. The seven-day rule for advertisement must be adhered to – i.e., there must be a full five days in between the date of advertisement and the date of bid opening.
- The public notice must specify all of the criteria to be used in evaluating proposals received as well as the weightings assigned to each criterion. No single criterion may count for more than 50 percent of the total of the weightings. The ten (10) criteria are:
  - (1) the previous experience of the contractor in transporting pupils;
  - (2) the name of each transportation company of which the contractor has been an owner or manager;
  - (3) a description of any safety programs implemented by the contractor;
  - (4) a record of accidents in motor vehicles under the control of the contractor;

(5) the driving history of employees of the contractor;

(6) inspection records and model year of each of the motor vehicles under the control of the contractor;

- (7) maintenance schedules of the motor vehicles under the control of the contractor;
- (8) a financial analysis of the contractor;
- (9) documentation of compliance with motor vehicle insurance requirements; and
- (10) total cost of the proposal.
- 3. Each proposal received in response to the RFP must be scored by a committee of reviewers following prescribed evaluation criteria. In addition, the district must establish a minimum threshold score below which they will not award the RFP. Even if the district receives only one response, that response must be scored by the committee and committee member scores must be part of the information submitted to the Education Department for approval of the RFP process.
- 4. A copy of all proposals received must be submitted to the Education Department, not simply the winning proposal.
- 5. A copy of the contract specifications and the affidavit of publication must be submitted to the Education Department.
- 6. Approval of the RFP process does not automatically approve the related transportation contract. The approval process of the contract is done separately by the Pupil Transportation Unit and the Office of State Aid. Districts should make sure that they have followed all the appropriate statutory and regulatory requirements for entering into and filing a pupil transportation contract (inc. voter approval for multi-year contracts, filing within 120 days of commencement of the contract, etc.).

We encourage you to contact the Pupil Transportation Unit before you begin the process and ask any questions. Questions regarding the Request for Proposal process should be addressed to David Elliott at David.Elliott@nysed.gov or by phone at (518) 474-6541.

https://www.p12.nysed.gov/schoolbus/BusinessOfficial/htm/transportation\_contract\_RFP.htm#:~:text= Transportation%20Contracts%20may%20be%20awarded,Section%20156.12%20of%20Commissione r's%20Regulations.