



Review of Homeless / Foster Transportation Laws - Indiana

Chapter 12. Transportation of Homeless Students

IC 20-27-12-0.1 "Appropriate vehicle"

Sec. 0.1. (a) As used in this chapter, "appropriate vehicle" means a vehicle that: (1) is owned by the school corporation or contracted for by the school corporation; and (2) has a seating capacity of not more than eight (8) passengers, including the driver. (b)

The term includes a car, truck, sport utility vehicle, or minivan.

IC 20-27-12-0.3 "Foster care"

Sec. 0.3. As used in this chapter, "foster care" has the meaning set forth in IC 31-9-2-46.7.

IC 20-27-12-1 "Original school corporation"

Sec. 1. As used in this chapter, "original school corporation" refers to a school corporation in which a homeless student's school of origin is located.

IC 20-27-12-2 "School of origin"

Sec. 2. As used in this chapter, "school of origin" means the school:

- (1) that a homeless student attended when the student last had a permanent residence; or
- (2) in which the homeless student was last enrolled.

IC 20-27-12-3 "Transitional school corporation"

Sec. 3. As used in this chapter, "transitional school corporation" refers to a school corporation in which a homeless student temporarily stays.

IC 20-27-12-4 Transportation of homeless student to school of origin; agreement between school corporations; shared responsibility

Sec. 4. (a) If a homeless student temporarily stays in the homeless student's original school corporation but outside the attendance area for the school of origin, the original school corporation shall provide transportation for the homeless student from the place where the homeless student is temporarily staying to the school of origin.

(b) If:



(1) a homeless student's school of origin is located in a school corporation in which the homeless student does not temporarily stay; and

(2) the homeless student does not elect to attend a school located in the school corporation in which the homeless student is temporarily staying;

the original school corporation and the transitional school corporation shall enter into an agreement concerning the responsibility for and apportionment of the costs of transporting the homeless student to the school of origin.

(c) If the original school corporation and the transitional school corporation are unable to reach an agreement under subsection (b), the responsibility for transporting the homeless student to the school of origin is shared equally between both school corporations, and the cost of transporting the homeless student to the school of origin is apportioned equally between both school corporations.

IC 20-27-12-5 Vehicles used to transport homeless students and students in foster care

Sec. 5. (a) This section applies to homeless students and students in foster care.

(b) A school corporation may use the following types of vehicles in transporting a student to a school of origin:

(1) If more than seven (7) students are being transported to schools in the same school corporation, a special purpose bus must be used to transport the students.

(2) If seven (7) or fewer students are being transported to schools in the same school corporation, an appropriate vehicle may be used to transport the students.

(c) The driver of a vehicle used to transport students to a school of origin under subsection (b) must meet the qualifications set forth in IC 20-27-9-5(c).

Chapter 3. Transportation of Students in Foster Care

IC 20-50-3-1 Application

Sec. 1. This chapter applies after June 30, 2009.

IC 20-50-3-1.1 "Foster care"

Sec. 1.1. As used in this chapter, "foster care" has the meaning set forth in IC 31-9-2-46.7.

IC 20-50-3-2 "Original school corporation"

Sec. 2. As used in this chapter, "original school corporation" means the school corporation in which the school of origin of a student in foster care is located.



IC 20-50-3-3"School of origin"

Sec. 3. As used in this chapter, "school of origin" means the school:

- (1) that a student in foster care attended when the student last had a permanent residence; or
- (2) in which a student in foster care was last enrolled.

IC 20-50-3-4"Transitional school corporation"

Sec. 4. As used in this chapter, "transitional school corporation" means the school corporation in which a student in foster care temporarily stays.

IC 20-50-3-5Transportaon of students in foster care

Sec. 5. (a) If a student in foster care temporarily stays in the student's original school corporation but outside the attendance area of the student's school of origin, the original school corporation shall provide transportation for the student from the place where the student is temporarily staying to the school of origin and from the school of origin to the place where the student is temporarily staying.

(b) If:

- (1) the school of origin of a student in foster care is located in a school corporation other than the school corporation in which the student is temporarily staying;
- (2) transportation of the student in foster care is in the best interest of the student; and
- (3) the student does not elect to attend a school located in the school corporation in which the student in foster care is temporarily staying;

the original school corporation and the transitional school corporation shall enter into an agreement concerning the responsibility for and apportionment of the costs of transporting the student to and from the school of origin.

(c) If the original school corporation and the transitional school corporation described in subsection (b) are unable to reach an agreement under subsection (b), the responsibility for transporting the student in foster care to and from the school of origin is shared equally between both school corporations, and the cost of transporting the student to and from the school of origin is apportioned equally between both school corporations.

If you have any questions or concerns, please contact: mckinneyventopoc@doe.in.gov.