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**TO:** Counties Providing Preschool Special Education Transportation Services

**FROM:** Phyllis D. Morris

**SUBJECT:** Transportation Reimbursement During Periods of Program Closure

**DATE:** November 4, 2020

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Education Law authorizes State reimbursement for actual costs incurred for transporting students enrolled in a preschool special education (4410) program to and from an approved service provider.

Education Law does not authorize the State to reimburse costs associated with keeping employees or contractors on standby, maintaining infrastructure, or other costs incurred when transportation services were not being provided to students during the period of school closures in Spring 2020. Therefore, counties may not claim and receive State reimbursement for such costs.

Under current law, counties may only submit claims for State reimbursement for actual costs incurred in physically transporting students to/from an approved service provider.

Please be advised that the Board of Regents, as part of its 2021-22 budget and legislative initiatives, is advancing proposals to amend Education Law to allow counties to be reimbursed for costs incurred to keep 4410 transportation vendors and employees on standby between March 18, 2020 and May 1, 2020, as well as for costs incurred to maintain the infrastructure necessary to have transportation services available to support in-person education.