



April 10, 2020

Sen. Carla Nelson  
3235 Minnesota Senate Building  
95 University Avenue West  
Saint Paul, MN 55155

Rep. Jim Davnie  
443 State Office Building  
100 Rev. Dr. MLK Jr. Blvd  
Saint Paul, MN 55155

Rep. Cheryl Youakim  
591 State Office Building  
100 Rev. Dr. MLK Jr. Blvd  
Saint Paul, MN 55155

Dear Sen. Nelson, Rep. Davnie, and Rep. Youakim:

On behalf of the Minnesota School Bus Operator's Association and the 130 Minnesota businesses that partner with our school districts to transport students, we are writing to ask that the Legislature take action soon to pass HF4415 with the DE10 amendment, which addresses needs within the state's K-12 system to respond to the COVID-19 crisis. In particular, we believe Art. 1, Sec. 1, Subd. 3 of the amendment is critically important to both make sure districts and school bus operators have the ability to support the state's distance learning model, currently scheduled to run at least until May 4, and to make sure the state maintains the transportation system necessary to transport our students to school if we are able to return yet this school year or for the 2020-21 school year.

When Governor Walz issued Emergency Order 20-19, he authorized MDE to take the actions necessary to facilitate the distance learning period, and to make sure our schools are ready to start back up the moment it is safe for our students and our communities. Using the power granted to the MDE, Commissioner Ricker has provided guidance to districts on how to address a number of areas, including transportation contracts

([https://education.mn.gov/mdeprod/idcplg?IdcService=GET\\_FILE&dDocName=MDE032188&RevisionSelectionMethod=latestReleased&Rendition=primary](https://education.mn.gov/mdeprod/idcplg?IdcService=GET_FILE&dDocName=MDE032188&RevisionSelectionMethod=latestReleased&Rendition=primary)). Regarding transportation contracts, the MDE guidance includes the following

"The expectation is that school districts and charter schools maintain collaboration and contracts with bus transportation providers. These professionals are instrumental in supporting the efforts of distance learning specifically for transporting the students of our critical workers and food to our students throughout the community. Transportation should be provided to students in the school-age care for children of critical workers program, just as they would receive this transportation on a normal school day. If transportation for before- and after-school care would normally have been provided, that transportation should also continue."

In addition, Section 18006 of the Federal CARES Act stipulates that "A local educational agency, State, institution of higher education, or other entity that receives funds under 'Education Stabilization Fund', shall to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus."

Unfortunately, we continue to have issues with a significant number of districts who are choosing not to follow the guidance of MDE or the requirement of the CARES Act. In a recent survey of our 130 operators, between 20 percent and 30 percent responded that their district is not maintaining their

transportation contracts. We commend and thank the 70 percent who have stepped forward and are following the state and federal guidance.

In discussions with the districts that are not following the MDE guidance, the responses our operators get from the districts include:

- “We’re still waiting for more direction”
- “I’m not paying you”
- “We are not required to follow MDE’s guidance”
- Districts cite the contract’s cancelled days policy, intended to address a limited number of weather-related cancellations, that allow for partial payment of the daily contract
- “We are not paying until HF4415 is passed”

We believe adoption of the language included in the HF4415 DE10 amendment will resolve these issues.

Why does it matter that school districts maintain their transportation contracts? First, local, private bus operators provide transportation services for 60 percent of the bus routes across the state, and this includes routes in Minneapolis and Saint Paul, the Twin Cities’ suburbs, and throughout Greater Minnesota.

Second, if our contracts are not maintained, our operators will have no choice but to lay off our school bus drivers. As a result, districts across the state will not have the transportation services that are needed to support the mandatory distance learning effort. Please know, in districts in every corner of the state, our drivers are operating every day, delivering class materials and meals to students. If we don’t have drivers, we cannot provide this service. Additionally, if we are forced to lay off our drivers, we will not be in a position to actually get kids to school if schools are opened up on May 5 or next school year for that matter.

Finally, even with contracts being maintained, our operators are losing significant revenues tied to spring sports, activities, and field trips. By maintaining the contracts, which the districts continue to get funding for from their state appropriation and local levies, districts are ensuring that their local bus operator is able to weather this economic crisis and is able to be there on May 5<sup>th</sup> and September 8<sup>th</sup> to make sure every student in Minnesota is able to get to school.

Thank you for considering this request.

With gratitude,



Garrett Regan  
President  
Minnesota School Bus Operator’s Association

CC: Senate E-12 Finance and Policy Committee members  
House Education Finance Division members  
House Education Policy Committee members  
Commissioner Mary Cathryn Ricker, Department of Education  
Deputy Commissioner Heather Mueller, Department of Education  
Aara Johnson, Office of Governor Tim Walz