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DR. VERONICA C. GARCÍA
SECRETARY OF EDUCATION

BILL RICHARDSON
Governor

April 13, 2010

MEMORANDUM

TO: Special Education Directors

FROM: Joey F. Martin, Accountability Data Manager, Special Education Bureau

RE: **CONTINGENCY FOR PURCHASING VEHICLES WITH IDEA-B FUNDING**

In carrying out its administrative responsibilities under the Individuals with Disabilities Education Act, Part B (IDEA-B) the New Mexico Public Education Department's (NMPED) Special Education Bureau (SEB) is providing this guidance for requests from Local Educational Agencies (LEA) to purchase vehicles with IDEA-B entitlement funding. When purchasing educational equipment used in direct instruction or as a related service for students with Individual Education Programs (IEPs), as per OMB A-87, Attachment B, section (15)(b)(2), prior SEB approval of capital expenditures with a unit cost of $5,000 or more must be obtained prior to obligating IDEA-B funds. For IDEA-B purposes, transportation services for students are defined as a related service and is further defined under 34 CFR § 300.34(c)(16) as to include:

(i) Travel to and from school and between schools;
(ii) Travel in and around school buildings; and
(iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

Approval of a "Request for Equipment Purchase Approval Form" for purchase of a vehicle(s) with IDEA-B entitlement funding is contingent upon the LEA's written assurance that it will maintain a tracking log that documents the following information:

1. Specific vehicle identification data that will properly identify which vehicle is being tracked by which specific log book for IDEA-B reporting purposes;
2. Date of each trip;

3. Time out and time returned for each trip;
4. Assigned driver for each trip;
5. Authorized passenger(s) for each trip [for students, please provide only the student ID when reporting students in the NMPED's Student Teacher Accountability Reporting System (STARS)];
6. Purpose of each trip;
7. Beginning and ending odometer reading for each trip; and

The required tracking logs will be subject to periodic audits by the NMPED and SEB. A "Request for Equipment Purchase Approval Form" may be downloaded off of the NMPED website at: http://www.ped.state.nm.us/SEB/fiscal/dl10/Request%20for%20Equipment%20Purchase%20Approval%20Form. Each request must be submitted with a signed letter assuring the NMPED that the LEA will maintain a tracking log that contains the above listed information.

For further information please contact the SEB Education Administrator assigned to your LEA at (505) 827-1457.

cc: Catherine Cross Maple, Ph.D., Deputy Education Secretary, Learning and Accountability
Don Moya, Deputy Secretary, Finance and Operations
Austin Buff, Director, Administrative Services Division
Denise Koscielniak, Special Education Director, Special Education Bureau