driven to obtain maintenance and service;
(6) Driver costs; and
(7) All expenses referred to in §39.707.
(b) In addition, all day schools and
on-reservation boarding schools must
include in their report a Day Student
Transportation Form signed and cer-
tified as complete and accurate by the
School Principal and the appropriate
ELO.

MISCELLANEOUS PROVISIONS
§ 39.730 Which standards must student
transportation vehicles meet?
All vehicles used by schools to trans-
port students must meet or exceed all
appropriate Federal motor vehicle safety
standards and State or Tribal motor
vehicle safety standards. The Bureau
will not fund transportation mileage and
costs incurred transporting stu-
dents in vehicles that do not meet
these standards.

§ 39.731 Can transportation time be
used as instruction time for day
school students?
No. Transportation time cannot be
used as instruction time for day school
students in meeting the minimum re-
quired hours for academic funding.

§ 39.732 How does OIEP allocate trans-
portation funds to schools?
OIEP allocates transportation funds
based on the types of transportation
programs that the school provides. To
allocate transportation funds OIEP:
(a) Multiplies the one-way commer-
cial costs for all schools by four to
identify the total commercial costs for
all schools;
(b) Subtracts the commercial cost
total from the appropriated transpor-
tation funds and allocates the balance
of the transportation funds to each
school with a per-mile rate;
(c) Divides the balance of funds by
the sum of the annual day miles and
the annual residential miles to identify
a per-mile rate;
(d) For day transportation, multi-
plies the per-mile rate times the an-
nual day miles for each school; and
(e) For residential transportation,
multiplies the per mile rate times the
annual transportation miles for each
school.

Subpart H—Determining the
Amount Necessary To Sustain
an Academic or Residential
Program

SOURCE: 70 FR 22205, Apr. 28, 2005, unless
otherwise noted.

§ 39.801 What is the formula to deter-
mine the amount necessary to sus-
tain a school’s academic or residen-
tial program?
(a) The Secretary’s formula to deter-
mine the minimum annual amount
necessary to sustain a Bureau-funded
school’s academic or residential pro-
gram is as follows:
Student Unit Value \times Weighted Student Unit = Annual Minimum Amount per student.
(b) Sections 39.802 through 39.807 ex-
plain the derivation of the formula in
paragraph (a) of this section.
(c) If the annual minimum amount
calculated under this section and
§§39.802 through 39.807 is not fully fund-
ed, OIEP will pro rate funds distributed
to schools using the Indian School
Equalization Formula.

§ 39.802 What is the student unit value
in the formula?
The student unit value is the dollar
value applied to each student in an
academic or residential program. There
are two types of student unit values:
the student unit instructional value
(SUIV) and the student unit residential
value (SURV).
(a) The student unit instructional
value (SUIV) applies to a student en-
rolled in an instructional program. It
is an annually established ratio of 1.0
that represents a student in grades 4
through 6 of a typical non-residential
program.
(b) The student unit residential value
(SURV) applies to a residential stu-
dent. It is an annually established
ratio of 1.0 that represents a student in
grades 4 through 6 of a typical residen-
tial program.

§ 39.803 What is a weighted student
unit in the formula?
A weighted student unit is an ad-
justed ratio using factors in the Indian