

EDUCATION TRANSPORTATION AMENDMENTS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Darin G. Peterson

House Sponsor: Patrick Painter

LONG TITLE

General Description:

This bill makes changes to pupil transportation cost reporting and funding.

Highlighted Provisions:

This bill:

- ▶ requires a school district to report pupil transportation costs based on an audited financial report;
- ▶ requires the Board of Education to allocate pupil transportation funds based on information reported by school districts from an audited financial report;
- ▶ provides for a minimum allocation for eligible districts;
- ▶ establishes a pupil transportation funding target; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-17a-126, as last amended by Laws of Utah 2003, Chapters 221 and 320

53A-17a-127, as last amended by Laws of Utah 2001, Chapter 73



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **53A-17a-126** is amended to read:

30 **53A-17a-126. State support of pupil transportation.**

31 (1) Money appropriated to the State Board of Education in Section 53A-17a-104 for
32 state-supported transportation of public school students shall be apportioned and distributed in
33 accordance with Section 53A-17a-127, except as otherwise provided in this section.

34 (2) (a) The Utah Schools for the Deaf and the Blind shall use money appropriated in
35 Section 53A-17a-104 to pay for transportation of their students based on current valid
36 contractual arrangements and best transportation options and methods as determined by the
37 schools.

38 (b) All student transportation costs of the schools shall be paid from the allocation of
39 pupil transportation monies received under Section 53A-17a-104.

40 (3) (a) A school district may only claim eligible transportation costs as legally reported
41 on the prior year's annual financial report submitted under Section 53A-3-404. [~~Each district~~
42 ~~shall receive its]~~

43 (b) The state shall contribute 85% of approved transportation costs, [~~except that if~~
44 ~~during the]~~ subject to budget constraints.

45 (c) If in a fiscal year the total transportation allowance for all districts exceeds the
46 amount appropriated for that purpose, all allowances shall be reduced pro rata to equal not
47 more than [~~that amount]~~ the amount appropriated.

48 (4) Local school boards shall provide salary adjustments to employee groups that work
49 with the transportation of students comparable to those of classified employees authorized
50 under Section 53A-17a-137, when dividing the weighted pupil unit for salary adjustment
51 purposes.

52 Section 2. Section **53A-17a-127** is amended to read:

53 **53A-17a-127. Eligibility for state-supported transportation -- Approved bus**
54 **routes -- Additional local tax.**

55 (1) A student eligible for state-supported transportation means:

56 (a) a student enrolled in kindergarten through grade six who lives at least 1-1/2 miles
57 from school;

58 (b) a student enrolled in grades seven through 12 who lives at least two miles from

59 school; and

60 (c) a student enrolled in a special program offered by a school district and approved by
61 the State Board of Education for trainable, motor, multiple-disabled, or other students with
62 severe disabilities who are incapable of walking to school or where it is unsafe for students to
63 walk because of their disabling condition, without reference to distance from school.

64 (2) If a school district implements double sessions as an alternative to new building
65 construction, with the approval of the State Board of Education, those affected elementary
66 school students residing less than 1-1/2 miles from school may be transported one way to or
67 from school because of safety factors relating to darkness or other hazardous conditions as
68 determined by the local school board.

69 (3) (a) The State [~~Office~~] Board of Education shall distribute transportation monies to
70 school districts based on [~~three factors~~]:

71 (i) an allowance per mile for approved bus routes;

72 (ii) an allowance per hour for approved bus routes; [~~and~~]

73 (iii) an annual allowance for equipment and overhead costs based on approved bus
74 routes and the age of the equipment[~~;~~]; and

75 (iv) a minimum allocation for each school district eligible for transportation funding.

76 (b) The State Board of Education shall distribute appropriated transportation funds
77 based on the prior year's eligible transportation costs as legally reported under Subsection
78 53A-17a-126(3).

79 [~~(b)~~] (c) In order for a bus to be considered for the equipment allowance under
80 Subsection (3)(a)(iii), it must meet federal and state regulations and standards for school buses.

81 [~~(c)~~] (d) The State [~~Office~~] Board of Education shall annually review the allowance per
82 mile, the allowance per hour, and the annual equipment and overhead allowance and adjust the
83 allowance to reflect current economic conditions.

84 (4) (a) Approved bus routes for funding purposes shall be determined on fall data
85 collected by October 1.

86 (b) Approved route funding shall be determined on the basis of the most efficient and
87 economic routes.

88 (5) A Transportation Advisory Committee with representation from local school
89 superintendents, business officials, school district transportation supervisors, and the [~~State~~]

90 ~~Office of Education]~~ state superintendent's staff shall serve as a review committee for
91 addressing school transportation needs, including recommended approved bus routes.

92 (6) (a) A local school board may provide for the transportation of students who are not
93 eligible under Subsection (1), regardless of the distance from school, from:

94 (i) general funds of the district; and

95 (ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.

96 (b) A local school board may use revenue from the tax to pay for transporting
97 participating students to interscholastic activities, night activities, and educational field trips
98 approved by the board and for the replacement of school buses.

99 (c) (i) If a local school board levies a tax under Subsection (6)(a)(ii) of at least .0002,
100 the state may contribute an amount not to exceed 85% of the state average cost per mile,
101 contingent upon the Legislature appropriating funds for a state contribution.

102 (ii) The ~~[State Office of Education]~~ state superintendent's staff shall distribute the state
103 contribution according to rules enacted by the State Board of Education.

104 (d) (i) The amount of state guarantee money [~~to~~] which a school district would
105 otherwise be entitled to receive under Subsection (6)(c) may not be reduced for the sole reason
106 that the district's levy is reduced as a consequence of changes in the certified tax rate under
107 Section 59-2-924 due to changes in property valuation.

108 (ii) Subsection (6)(d)(i) applies for a period of two years following the change in the
109 certified tax rate.

110 [~~(7) There is appropriated for the fiscal year beginning July 1, 1999, \$225,000 to the~~
111 ~~state board as the state's contribution under Subsection (6)(c)(i).]~~

Legislative Review Note
as of 1-9-08 4:35 PM

Office of Legislative Research and General Counsel

S.B. 118 - Education Transportation Amendments

Fiscal Note

2008 General Session
State of Utah

State Impact

Enactment of this bill requires the Legislature to fund 85 percent of approved to and from pupil transportation costs in the school districts. The ongoing base budget for pupil transportation, as found in House Bill 1 (2008 General Session) totals \$72.6 million in Uniform School Fund. Estimates indicate that an additional \$9.1 million in ongoing Uniform School Fund may be required to meet the 85 percent funding threshold outlined in the bill.

	<u>FY 2008 Approp.</u>	<u>FY 2009 Approp.</u>	<u>FY 2010 Approp.</u>	<u>FY 2008 Revenue</u>	<u>FY 2009 Revenue</u>	<u>FY 2010 Revenue</u>
Uniform School Fund	\$0	\$9,100,000	\$9,100,000	\$0	\$0	\$0
Total	\$0	\$9,100,000	\$9,100,000	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill will benefit local school districts by providing additional state funding for to and from pupil transportation expenses.