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**SUBSTITUTE SENATE BILL 5114**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Rockefeller, Parlette, Eide, Weinstein, Fairley, Keiser, Shin, Kohl-Welles, Murray, McAuliffe, Rasmussen, Kauffman, Kilmer, Franklin and Holmquist)

READ FIRST TIME 02/9/07.

1 AN ACT Relating to student transportation funding; amending RCW  
2 28A.160.160 and 28A.160.170; creating a new section; and providing  
3 effective dates.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.160.160 and 1996 c 279 s 2 are each amended to  
6 read as follows:

7 For purposes of RCW 28A.160.150 through 28A.160.190, except where  
8 the context shall clearly indicate otherwise, the following definitions  
9 apply:

10 (1) "Eligible student" means any student served by the  
11 transportation program of a school district or compensated for  
12 individual transportation arrangements authorized by RCW 28A.160.030  
13 whose route stop is more than one (~~radius~~) mile using the shortest  
14 road mile that is the safest route to travel from the student's school,  
15 except that no mileage restriction applies if the student to be  
16 transported:

17 (a) Is disabled under RCW 28A.155.020 and is either not ambulatory  
18 or not capable of protecting his or her own welfare while traveling to

1 or from the school or agency where special education services are  
2 provided(~~(, in which case no mileage distance restriction applies)~~); or

3 (b) Qualifies for an exemption due to hazardous walking conditions.

4 (2) "Superintendent" means the superintendent of public  
5 instruction.

6 (3) "To and from school" means the transportation of students for  
7 the following purposes:

8 (a) Transportation to and from route stops and schools;

9 (b) Transportation to and from schools pursuant to an interdistrict  
10 agreement pursuant to RCW 28A.335.160;

11 (c) Transportation of students between schools and learning centers  
12 for instruction specifically required by statute; (~~and~~)

13 (d) Transportation of students for instructional activities  
14 necessary to basic education or federal requirements related to special  
15 education or no child left behind, or for homeless children; and

16 (e) Transportation of students with disabilities to and from  
17 schools and agencies for special education services.

18 Except as provided in (a) through (e) of this subsection, extended  
19 day transportation shall not be considered part of transportation of  
20 students "to and from school" for the purposes of chapter 61, Laws of  
21 1983 1st ex. sess.

22 (4) "Transportation services" for students living within one radius  
23 mile from school means school transportation services including the use  
24 of buses, funding of crossing guards, and matching funds for local and  
25 state transportation projects intended to mitigate hazardous walking  
26 conditions. Priority for transportation services shall be given to  
27 students in grades kindergarten through five.

28 (5) As used in this section, "hazardous walking conditions" means  
29 those instances of the existence of dangerous walkways documented by  
30 the board of directors of a school district that meet criteria  
31 specified in rules adopted by the superintendent of public instruction.

32 **Sec. 2.** RCW 28A.160.170 and 1990 c 33 s 143 are each amended to  
33 read as follows:

34 Each district shall submit to the superintendent of public  
35 instruction during October of each year a report containing the  
36 following:

1 (1)(a) The number of eligible students transported to and from  
2 school as provided for in RCW 28A.160.150 for the current school year  
3 and the number of miles estimated to be driven for pupil transportation  
4 services, along with a map describing student route stop locations and  
5 school locations, and (b) the number of miles driven for pupil  
6 transportation services as authorized in RCW 28A.160.150 the previous  
7 school year; and

8 (2) Other operational data and descriptions as required by the  
9 superintendent to determine allocation requirements for each district.  
10 The superintendent shall require that districts separate the costs of  
11 operating the program for the transportation of eligible students to  
12 and from school as defined by RCW 28A.160.160(3) from non-to-and-from-  
13 school pupil transportation costs in the annual financial statement.

14 Each district shall submit the information required in this section  
15 on a timely basis as a condition of the continuing receipt of school  
16 transportation moneys.

17 NEW SECTION. Sec. 3. (1) The office of financial management, in  
18 consultation with the superintendent of public instruction and the  
19 joint legislative audit and review committee, shall contract for  
20 development of two options for a pupil transportation funding  
21 methodology. The consultants shall have expertise in school funding  
22 methodologies, pupil transportation, and commercial transportation  
23 logistics.

24 (2) In developing these options, the first priority shall be to  
25 create a methodology that reflects actual costs and builds incentives  
26 for the efficient use of resources. As a secondary priority, the  
27 funding methodology, to the extent possible, shall provide school  
28 districts with predictable levels of funding.

29 (3) In developing the funding methodology options, the office of  
30 financial management and the contractor shall consult with the office  
31 of the superintendent of public instruction, regional transportation  
32 coordinators, and professional associations representing pupil  
33 transportation coordinators, school business managers, school  
34 administrators, and classified staff.

35 (4) By December 1, 2008, the office of financial management shall  
36 report to the governor and the education and fiscal committees of the

1 legislature details of the pupil funding methodology options and  
2 outline any legislation that would be required to implement those  
3 options.

4 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect September  
5 1, 2007.

6 NEW SECTION. **Sec. 5.** Section 1 of this act takes effect September  
7 1, 2009.

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