
SENATE BILL 6684

State of Washington

54th Legislature

1996 Regular Session

By Senators McAuliffe, Johnson, Goings, Finkbeiner, Pelz, Rasmussen, Fairley, Hochstatter, Bauer and Winsley

Read first time 01/23/96. Referred to Committee on Education.

1 AN ACT Relating to student safety to and from school; amending RCW
2 28A.160.150, 28A.160.160, and 28A.160.180; and creating a new section.

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

4 **Sec. 1.** RCW 28A.160.150 and 1990 c 33 s 141 are each amended to
5 read as follows:

6 Funds allocated for transportation costs shall be in addition to
7 the basic education allocation. The distribution formula developed in
8 RCW 28A.160.150 through 28A.160.180 shall be for allocation purposes
9 only and shall not be construed as mandating specific levels of pupil
10 transportation services by local districts. Operating costs as
11 determined under RCW 28A.160.150 through 28A.160.180 shall be funded at
12 one hundred percent or as close thereto as reasonably possible for
13 transportation of an eligible student to and from school as defined in
14 RCW 28A.160.160(3). In addition, funding shall be provided for
15 transportation services for students living within one radius mile from
16 school as determined under RCW 28A.160.180(2).

17 **Sec. 2.** RCW 28A.160.160 and 1995 c 77 s 17 are each amended to
18 read as follows:

1 For purposes of RCW 28A.160.150 through 28A.160.190, except where
2 the context shall clearly indicate otherwise, the following definitions
3 apply:

4 (1) "Eligible student" means any student served by the
5 transportation program of a school district or compensated for
6 individual transportation arrangements authorized by RCW 28A.160.030
7 whose route stop is more than one radius mile from the student's
8 school, except if the student to be transported(~~(;—(a))~~) is disabled
9 under RCW 28A.155.020 and is either not ambulatory or not capable of
10 protecting his or her own welfare while traveling to or from the school
11 or agency where special education services are provided, in which case
12 no mileage distance restriction applies(~~(; or (b) qualifies for an
13 exemption due to hazardous walking conditions)~~).

14 (2) "Superintendent" means the superintendent of public
15 instruction.

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

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

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

21 (c) Transportation of students between schools and learning centers
22 for instruction specifically required by statute; and

23 (d) Transportation of students with disabilities to and from
24 schools and agencies for special education services.

25 Extended day transportation shall not be considered part of
26 transportation of students "to and from school" for the purposes of
27 chapter 61, Laws of 1983 1st ex. sess.

28 (4) (~~"Hazardous walking conditions" means those instances of the
29 existence of dangerous walkways documented by the board of directors of
30 a school district which meet criteria specified in rules adopted by the
31 superintendent of public instruction. A school district that receives
32 an exemption for hazardous walking conditions should demonstrate that
33 good faith efforts are being made to alleviate the problem and that the
34 district, in cooperation with other state and local governing
35 authorities, is attempting to reduce the incidence of hazardous walking
36 conditions. The superintendent of public instruction shall appoint an
37 advisory committee to prepare guidelines and procedures for determining
38 the existence of hazardous walking conditions. The committee shall
39 include but not be limited to representatives from law enforcement~~

1 agencies, school districts, the department of transportation, city and
2 county government, the insurance industry, parents, school directors
3 and legislators.)) "Transportation services" for students living within
4 one radius mile from school means school transportation services or
5 remedial action to alleviate a hazardous walking condition including
6 but not limited to the use of buses, crossing guards, warning signs,
7 markings, or physical improvements such as sidewalks, overpasses, or
8 wider shoulders. Priority for transportation services shall be given
9 to students in grades kindergarten through five.

10 **Sec. 3.** RCW 28A.160.180 and 1995 c 77 s 18 are each amended to
11 read as follows:

12 Each district's annual student transportation allocation shall be
13 based on differential rates determined by the superintendent of public
14 instruction in the following manner:

15 (1) The superintendent shall annually calculate a standard student
16 mile allocation rate for determining the transportation allocation for
17 those services provided for in RCW 28A.160.150. "Standard student mile
18 allocation rate," as used in this chapter, means the per mile
19 allocation rate for transporting an eligible student. The standard
20 student mile allocation rate may be adjusted to include such additional
21 differential factors as distance; restricted passenger load;
22 circumstances that require use of special types of transportation
23 vehicles; student with disabilities load; and small fleet maintenance.

24 (2) For transportation services for students living within one
25 radius mile from school, the allocation shall be based on the number of
26 students in grades kindergarten through five living within one radius
27 mile as specified in the biennial appropriations act.

28 (3) The superintendent of public instruction shall annually
29 calculate allocation rate(s), which shall include vehicle amortization,
30 for determining the transportation allocation for transporting students
31 in district-owned passenger cars, as defined in RCW 46.04.382, pursuant
32 to RCW 28A.160.010 for services provided for in RCW 28A.160.150 if a
33 school district deems it advisable to use such vehicles after the
34 school district board of directors has considered the safety of the
35 students being transported as well as the economy of utilizing a
36 district-owned passenger car in lieu of a school bus.

37 ((+3)) (4) Prior to June 1st of each year the superintendent shall
38 submit to the office of financial management, and the committees on

1 education and ways and means of the senate and house of representatives
2 a report outlining the methodology and rationale used in determining
3 the allocation rates to be used the following year.

4 NEW SECTION. **Sec. 4.** This act shall be effective for school
5 transportation programs in the 1996-97 school year and thereafter.

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