

CERTIFICATION OF ENROLLMENT

SENATE BILL 6684

Chapter 279, Laws of 1996

54th Legislature
1996 Regular Session

TRANSPORTATION FOR STUDENTS--FUNDING FOR SAFETY

EFFECTIVE DATE: 6/6/96

Passed by the Senate March 2, 1996
YEAS 47 NAYS 0

JOEL PRITCHARD

President of the Senate

Passed by the House February 29, 1996
YEAS 92 NAYS 0

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved March 29, 1996

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6684** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

March 29, 1996 - 5:02 p.m.

**Secretary of State
State of Washington**

SENATE BILL 6684

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

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 new sections.

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
5 including the use of buses, funding of crossing guards, and matching
6 funds for local and state transportation projects intended to mitigate
7 hazardous walking conditions. Priority for transportation services
8 shall be given to students in grades kindergarten through five.

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

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

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

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

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

36 ((+3+)) (4) Prior to June 1st of each year the superintendent shall
37 submit to the office of financial management, and the committees on
38 education and ways and means of the senate and house of representatives

1 a report outlining the methodology and rationale used in determining
2 the allocation rates to be used the following year.

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

5 NEW SECTION. **Sec. 5.** If specific funding for purposes of this
6 act, referencing this act by bill or chapter number, is not provided by
7 June 30, 1996, in the supplemental omnibus appropriations act, this act
8 is null and void.

Passed the Senate March 2, 1996.

Passed the House February 29, 1996.

Approved by the Governor March 29, 1996.

Filed in Office of Secretary of State March 29, 1996.