S-3547.1

SENATE BILL 5858

State of Washington 69th Legislature 2026 Regular Session

By Senators Wellman, Krishnadasan, Nobles, Slatter, Valdez, and C. Wilson

Prefiled 12/09/25. Read first time 01/12/26. Referred to Committee on Early Learning & K-12 Education.

AN ACT Relating to pupil transportation safety net funding for special passengers; and adding a new section to chapter 28A.160 RCW.

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

NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.160 RCW to read as follows:

(1) The superintendent of public instruction must provide transportation safety net awards to school districts with a convincingly demonstrated need for additional transportation funding for special passengers. Transportation safety net awards may only be provided when a school district's allowable transportation expenditures exceed the amount provided under RCW 28A.160.150 through 28A.160.192 and any excess transportation costs reimbursed by federal, state, tribal, or local child welfare agencies. A transportation safety net award may not exceed a school district's excess expenditures directly attributable to serving special passengers in the pupil transportation program.

(2) For the purposes of this section, "special passengers" include:

(a) Students eligible for and receiving special education that require transportation as a related service of their individualized education program;

(b) Homeless students requiring transportation under the federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11431 et seq.; and

(c) Foster students receiving transportation as required under the federal every student succeeds act, 20 U.S.C. Sec. 6312(c)(5)(b).

(3) To be eligible for additional transportation safety net award funding, the school district must report, in accordance with statewide accounting guidance, the amount of the excess costs and the specific activities or services provided to special passengers that created the excess costs.

(4) The office of the superintendent of public instruction must establish rules and processes for transportation safety net applications and awards. The omnibus appropriations act must specify the total amount available for transportation safety net awards. Total awards may not exceed the amount appropriated. The superintendent of public instruction must submit to the office of financial management, and the education and fiscal committees of the legislature, the total demonstrated need and awards by school district.

(5) Charter schools established under chapter 28A.710 RCW and state-tribal education compact schools subject to chapter 28A.715 RCW are also eligible for awards under this section.

(6) Transportation safety net awards allocated under this section are not part of the state's program of basic education.

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