

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 678 Session of
1995

INTRODUCED BY BATTISTO, FAIRCHILD, COWELL, TIGUE, BROWN, SEMMEL,
BELFANTI, TRELLO, WAUGH, SATHER, WOZNIAK, ROBERTS,
YOUNGBLOOD, MERRY, RUBLEY, MIHALICH, VAN HORNE, BROWNE,
ROONEY, STABACK, E. Z. TAYLOR, BELARDI, McCALL, SHANER,
COLAFELLA AND JOSEPHS, FEBRUARY 13, 1995

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 13, 1995

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for transportation of
6 pupils.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1361 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended May 11, 1979 (P.L.26, No.7), is amended to read:

12 Section 1361. When Provided.--(1) The board of school
13 directors in any school district may, out of the funds of the
14 district, provide for the free transportation of any resident
15 pupil to and from the kindergarten, elementary school, or
16 secondary school in which he is lawfully enrolled, provided that
17 such school is not operated for profit and is located within the
18 district boundaries or outside the district boundaries at a

1 distance not exceeding ten miles by the nearest public highway,
2 except that such ten-mile limit shall not apply to area
3 vocational technical schools which regularly serve eligible
4 district pupils or to special schools and classes approved by
5 the Department of Education, and to and from any points within
6 or without the Commonwealth in order to provide field trips for
7 any purpose connected with the educational pursuits of the
8 pupils. When provision is made by a board of school directors
9 for the transportation of public school pupils to and from such
10 schools or to and from any points within or without the
11 Commonwealth in order to provide field trips as herein provided,
12 the board of school directors shall also make identical
13 provision for the free transportation of pupils who regularly
14 attend nonpublic kindergarten, elementary and high schools not
15 operated for profit to and from such schools or to and from any
16 points within or without the Commonwealth in order to provide
17 field trips as herein provided. Such transportation of pupils
18 attending nonpublic schools shall be provided during regular
19 school hours on such dates and periods that the nonpublic school
20 not operated for profit is in regular session, according to the
21 school calendar officially adopted by the directors of the same
22 in accordance with provisions of law. The board of school
23 directors shall provide such transportation whenever so required
24 by any of the provisions of this act or of any other act of
25 Assembly so long as the Commonwealth provides full State funding
26 of the actual cost to transport nonpublic school students as
27 required by this section.

28 (2) The board of school directors in any school district
29 may, if the board deems it to the best interest of the school
30 district, for the purposes of transporting pupils as required or

1 authorized by any of the provisions of this act or of any other
2 act of the Assembly, appropriate funds for urban common carrier
3 mass transportation purposes from current revenues to urban
4 common carrier mass transportation authorities to assist the
5 authorities to meet costs of operation, maintenance, capital
6 improvements, and debt service. Said contributions shall not be
7 subject to reimbursement by the Commonwealth of Pennsylvania.

8 (3) The State Board of Education shall adopt regulations,
9 including qualifications of school bus drivers, to govern the
10 transportation of school pupils.

11 (4) The Secretary of Education shall conduct a study of
12 transportation services being provided by school districts to
13 pupils attending public and nonpublic schools, in accordance
14 with this section, and shall report to the General Assembly on
15 or before June 30, 1996, concerning the potential fiscal,
16 instructional or other effects to school districts of altering
17 existing provisions, including, but not limited to:

18 (i) a review of the current costs of providing
19 transportation to public school students and the effect on
20 school district budgets;

21 (ii) the adequacy of the current transportation formula
22 subsidy in reimbursing the costs incurred under subclause (i);

23 (iii) the impact of commercial driver's license requirements
24 on the availability of qualified school bus drivers; and

25 (iv) with respect to transportation of nonpublic students:

26 (A) reduction of the ten-mile limit to five miles or to be
27 coterminous with the boundary of the school district providing
28 the transportation;

29 (B) elimination of transportation to nonpublic schools in
30 other states;

1 (C) provision for transportation to be offered to nonpublic
2 school pupils only on days when the public schools are in
3 regular session; and

4 (D) other related issues deemed appropriate by the Secretary
5 of Education.

6 Section 2. This act shall take effect in 60 days.