

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 869 Session of 2011

INTRODUCED BY ALLOWAY, PICCOLA, EICHELBERGER, D. WHITE,  
GREENLEAF, FOLMER AND WILLIAMS, MARCH 25, 2011

REFERRED TO EDUCATION, MARCH 25, 2011

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," in pupils and attendance, further  
6 providing for when transportation of pupils provided.

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 Transportation of Pupils Provided.--(a)

13 (1) The board of school directors in any school district may,  
14 out of the funds of the district, provide for the free  
15 transportation of any resident pupil to and from the  
16 kindergarten, elementary school, or secondary school in which  
17 [he] the pupil is lawfully enrolled, provided that such school  
18 is not operated for profit and is located within the district  
19 boundaries or outside the district boundaries at a distance not  
20 exceeding ten miles by the nearest public highway, except that

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

25 (2) The board of school directors in any school district  
26 may, if the board deems it to the best interest of the school  
27 district, for the purposes of transporting pupils as required or  
28 authorized by any of the provisions of this act or of any other  
29 act of the Assembly, appropriate funds for urban common carrier  
30 mass transportation purposes from current revenues to urban

1 common carrier mass transportation authorities to assist the  
2 authorities to meet costs of operation, maintenance, capital  
3 improvements, and debt service. Said contributions shall not be  
4 subject to reimbursement by the Commonwealth [of Pennsylvania].

5 (3) The State Board of Education shall adopt regulations,  
6 including qualifications of school bus drivers, to govern the  
7 transportation of school pupils.

8 (b) Nothing in this section shall be construed to require  
9 any school district to transport pupils to any school or school  
10 district outside this Commonwealth, except for special schools  
11 and classes that provide specialized instruction to students  
12 with disabilities, which specialized instruction is approved by  
13 the Department of Education.

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