

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Education

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BILL: SB 270

INTRODUCER: Senator Hutson

SUBJECT: Funds for Student Transportation

DATE: November 1, 2021

REVISED: \_\_\_\_\_

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	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jahnke	Bouck	ED	<b>Pre-meeting</b>
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____

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**I. Summary:**

SB 270 modifies the district school board’s criterion for identifying students who are funded for transportation services from students living two miles or more from school to at least one mile from school. The change may result in more students transported by a school district.

The bill does not have an impact on state revenues or expenditures. See Section V.

The bill takes effect July 1, 2022.

**II. Present Situation:**

Florida law specifies the responsibilities of the district school superintendents and district school boards regarding the transportation of students to and from school.

**District School Superintendent Duties Regarding Transportation**

The district school superintendent must:<sup>1</sup>

- Ascertain which students should be transported to school or to school activities;
- Determine the most effective arrangement of transportation routes to accommodate these students and recommend such routing to the district school board;
- Recommend plans and procedures for providing facilities for the economical and safe transportation of students; and
- Recommend such rules as may be necessary and see that all rules relating to the transportation of students approved by the district school board, as well as rules of the State Board of Education (SBE), are properly carried into effect, as prescribed in law.

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<sup>1</sup> Section 1006.21(1), F.S.

## District School Board Duties Regarding Transportation

Each district school board must, after considering recommendations from the district school superintendent, provide transportation for each student in prekindergarten disability programs and in kindergarten through grade 12 in a public school when, and only when, transportation is necessary to provide adequate educational facilities and opportunities which otherwise would not be available and to transport students whose homes are more than a reasonable walking distance, as defined by SBE rule, from the nearest appropriate school.<sup>2</sup>

The SBE rule defines “a reasonable walking distance,” for any student not already identified in law as eligible to be transported, as any distance not more than two miles between the home and school or one and one-half miles between the home and the assigned bus stop.<sup>3</sup> Currently, each district must identify those students who are transported by reason of living two miles or more from school.<sup>4</sup>

## Funds for Student Transportation

School districts receive an annual allocation for transportation to public school programs, including charter schools, of students in kindergarten through grade 12.<sup>5</sup> In 2021-22, the FEFP includes \$458,641,984 in funding through the Student Transportation Allocation, which provides an average of \$414 in funding per base student rider and \$1,885 in funding for a rider with disabilities.<sup>6</sup>

School districts typically spend more than double what they receive in transportation specific funding through the FEFP.<sup>7</sup> In the 2019-2020 school year, school districts reported spending \$999,372,387 to transport 1,046,269 students, which included 954,888 students eligible for funding and 91,381 students who were not eligible for transportation funding, known as “courtesy riders.”<sup>8</sup> This averaged \$955.18 per rider.<sup>9</sup>

Each district must identify students to be included in the allocation who are transported by reason of:<sup>10</sup>

- Living two miles or more from school.
- Being a student with disabilities or enrolled in a teenage parent program, regardless of distance from school.
- Being in a state prekindergarten program, regardless of distance from school.
- Being a career and technical education or dual enrollment student, or a student with disabilities transported from one school center to another to participate in an instructional program or service.

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<sup>2</sup> Section 1006.21(3)(a), F.S.

<sup>3</sup> Rule 6A-3.001(3), F.A.C.

<sup>4</sup> Section 1011.68(1)(a), F.S.

<sup>5</sup> Section 1011.68, F.S. Students in migrant and exceptional education programs below kindergarten are also eligible to be included in the transportation allocation. *Id.*

<sup>6</sup> Florida Department of Education, *2022 Agency Legislative Bill Analysis of SB 270* (Oct. 26, 2021), at 3.

<sup>7</sup> Florida Department of Education, *2022 Agency Legislative Bill Analysis of SB 270* (Oct. 26, 2021), at 2.

<sup>8</sup> *Id.*

<sup>9</sup> Florida Department of Education, *2022 Agency Legislative Bill Analysis of SB 270* (Oct. 26, 2021), at 4.

<sup>10</sup> Section 1003.54, F.S.

- Being subjected to hazardous walking conditions en route to or from school for elementary students whose grade level does not exceed grade six.<sup>11</sup>
- Being a pregnant student or student parent, and the child of a student parent regardless of distance from school.

### **III. Effect of Proposed Changes:**

SB 270 modifies the district school board's criteria for identifying public school students in kindergarten through grade 12 with regards to funding for student transportation services. The bill changes the criterion school districts use to identify transported students from those students living two miles or more from school to at least one mile from school.

Specifically, the bill requires school districts to transport any student who lives one mile or more from the school. The modification in the bill to the transportation funding provision would require a corresponding change to the State Board of Education rule definition of "reasonable walking distance."

The bill takes effect July 1, 2022.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

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<sup>11</sup> Hazardous walking conditions are defined in law for walkways parallel to a road, perpendicular to a road, or crossings over a road. Section 1006.23, F.S.

**B. Private Sector Impact:**

Under the bill, any student who lives one mile or more from the school would now be eligible for transportation services, and so the families may no longer incur the cost of transportation.<sup>12</sup>

**C. Government Sector Impact:**

The bill does not have an impact on state revenues or expenditures.

However, school districts may incur additional costs to transport the additional students. This potential cost includes expenses related to the adjustment in bus routes and school start times, and may also necessitate the purchase of additional buses.<sup>13</sup>

Under the bill, school districts would be required to transport any student who lives one mile or more from the school. The DOE has estimated that the bill would result in approximately 193,110 additional riders. Transporting these additional students could increase the cost to school districts by approximately \$184.5 million (193,110 students x \$955.18 per rider) each year.<sup>14</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 1011.68 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>12</sup> Florida Department of Education, *2022 Agency Legislative Bill Analysis of SB 270* (Oct. 26, 2021), at 5.

<sup>13</sup> *Id.* at 4.

<sup>14</sup> *Id.*