

By Senator Simmons

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1 A bill to be entitled
2 An act relating to student transportation funding;
3 amending s. 1011.68, F.S.; revising the membership of
4 students that a school district reports for
5 transportation funding purposes; revising the school
6 transportation allocation formula used by each school
7 district; revising the types of students eligible for
8 transportation funds used for transportation to and
9 from school in private passenger cars and boats;
10 reenacting s. 1011.622, F.S., to incorporate the
11 amendment made to s. 1011.68, F.S., in a reference
12 thereto; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Section 1011.68, Florida Statutes, is amended to
17 read:

18 1011.68 Funds for student transportation.—The annual
19 allocation to each district for transportation to public school
20 programs, including charter schools as provided in s.
21 1002.33(17)(b), of students in membership in kindergarten
22 through grade 12 and in ~~migrant and~~ exceptional student programs
23 below kindergarten shall be determined as follows:

24 (1) Subject to the rules of the State Board of Education,
25 each district shall determine the membership of students who are
26 transported:

27 (a) By reason of being a student who lives ~~living~~ 2 miles
28 or more from school.

29 (b) By reason of being a student enrolled in a

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30 prekindergarten program for students with disabilities or
31 enrolled in a teenage parent program, which generates full-time
32 equivalent student membership under s. 1011.61, regardless of
33 distance to school.

34 (c) By reason of being a student who is pregnant, a student
35 parent, or the child of a student parent as provided in s.
36 1003.54 in a state prekindergarten program, regardless of
37 distance from school.

38 (d) By reason of being a student with a disability,
39 regardless of distance to school, whose individual educational
40 plan (IEP) identifies the need for one or more of the following
41 services:

42 1. Medical equipment, which includes wheelchairs, crutches,
43 walkers, canes, tracheotomy equipment, and positioning or unique
44 seating devices.

45 2. A special transportation environment in accordance with
46 a physician's prescription. Such an environment may include, but
47 is not limited to, tinted windows, a dust-controlled atmosphere,
48 or temperature control.

49 3. An attendant, aide, or monitor.

50 4. A shortened school day.

51 5. Transportation to a school center located in an out-of-
52 district school system. The term "school center" means a public
53 school center, Florida College System institution, state
54 university, or other facility rented, leased, or owned and
55 operated by the school district or another public agency ~~By~~
56 ~~reason of being career, dual enrollment, or students with~~
57 ~~disabilities transported from one school center to another to~~
58 ~~participate in an instructional program or service; or students~~

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59 ~~with disabilities, transported from one designation to another~~
60 ~~in the state, provided one designation is a school center and~~
61 ~~provided the student's individual educational plan (IEP)~~
62 ~~identifies the need for the instructional program or service and~~
63 ~~transportation to be provided by the school district.~~

64 (e) By reason of being a student who is enrolled during the
65 180-day school year in a career education course or a dual
66 enrollment course in a Florida College System institution or a
67 State University System institution pursuant to s. 1007.271 and
68 who is transported from one school center to another. The term A
69 "school center" means ~~is defined as~~ a public school center,
70 Florida College System institution, state university, or other
71 facility rented, leased, or owned and operated by the school
72 district or another public agency. ~~A "dual enrollment student"~~
73 ~~is defined as a public school student in membership in both a~~
74 ~~public secondary school program and a Florida College System~~
75 ~~institution or a state university program under a written~~
76 ~~agreement to partially fulfill ss. 1003.435 and 1007.23 and~~
77 ~~earning full-time equivalent membership under s. 1011.62(1)(i).~~

78 (f)(e) By reason of being an ~~With respect to~~ elementary
79 school student ~~students~~ whose grade level does not exceed grade
80 6 who is, ~~by reason of being~~ subjected to hazardous walking
81 conditions en route to or from school as provided in s. 1006.23
82 and by rule of the State Board of Education. Such rule ~~rules~~
83 shall, when appropriate, provide for the determination of
84 membership under this paragraph ~~for less than 1 year to~~
85 accommodate the needs of students who require transportation
86 ~~only~~ until such hazardous conditions are corrected.

87 ~~(f) By reason of being a pregnant student or student~~

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88 ~~parent, and the child of a student parent as provided in s.~~
 89 ~~1003.54, regardless of distance from school.~~

90 (g) By reason of being a student with a disability whose
 91 IEP specifies the need for an extended school year education,
 92 with transportation as a related service, during the summer.

93 (h) By reason of being a student who generates full-time
 94 equivalent student membership during the summer under s. 1011.61
 95 through participation in a nonresidential Department of Juvenile
 96 Justice education program pursuant to s. 1003.52.

97 (2) A school district may report only students who generate
 98 full-time equivalent membership during the summer under s.
 99 1011.61 for student transportation funding during the summer,
 100 unless a student meets the requirements of paragraph (1)(g).

101 (3) Students who are enrolled in the Florida School for the
 102 Deaf and the Blind as authorized in s. 1002.36 are funded
 103 through a specific appropriation in the General Appropriations
 104 Act for the Florida School for the Deaf and the Blind and are
 105 not eligible for student transportation funding under this
 106 section.

107 (4)~~(2)~~ The allocation for each district shall be calculated
 108 annually in accordance with the following formula:

109
 110 $T = \del{B} + EX + \underline{B}$. The elements of this formula are defined as
 111 follows:

112 (a) T is the total dollar allocation for transportation.

113 (b) EX is the transportation dollar allocation for students
 114 with disabilities whom the school district reports under
 115 paragraph (1)(d). The transportation dollar allocation for
 116 students with disabilities is the students with disabilities

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117 membership count reported in paragraph (1) (d), weighted for
118 increased costs associated with transporting students with
119 disabilities, and multiplying that number by an average per
120 student cost for transportation as determined by the Legislature
121 ~~B is the base transportation dollar allocation prorated by an~~
122 ~~adjusted student membership count.~~ The adjusted students with
123 disabilities membership count shall be derived from a
124 multiplicative index function in which the base student
125 membership is adjusted by multiplying it by index numbers that
126 individually account for the impact of the price level index,
127 average bus occupancy, and the extent of rural population in the
128 district. Each adjustment factor shall be designed to affect the
129 base allocation by no more or less than 10 percent.

130 (c) B ~~EX~~ is the base transportation dollar allocation and
131 represents the remaining funds after calculating the
132 transportation dollar allocation for students with disabilities
133 prorated by an adjusted student membership count ~~for disabled~~
134 ~~students prorated by an adjusted disabled student membership~~
135 ~~count. The base transportation dollar allocation for disabled~~
136 ~~students is the total state base disabled student membership~~
137 ~~count weighted for increased costs associated with transporting~~
138 ~~disabled students and multiplying it by an average per student~~
139 ~~cost for transportation as determined by the Legislature.~~ The
140 adjusted ~~disabled student~~ membership count shall be derived from
141 a multiplicative index function in which the ~~weighted base~~
142 ~~disabled~~ student membership count reported in subsection (1) is
143 adjusted by multiplying it by index numbers that individually
144 account for the impact of the price level index, average bus
145 occupancy, and the extent of rural population in the district.

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146 Each adjustment factor shall be designed to affect the base
147 allocation by no more or less than 10 percent.

148 ~~(3) The total allocation to each district for~~
149 ~~transportation of students shall be the sum of the amounts~~
150 ~~determined in subsection (2). If the funds appropriated for the~~
151 ~~purpose of implementing this section are not sufficient to pay~~
152 ~~the base transportation allocation and the base transportation~~
153 ~~allocation for disabled students, the Department of Education~~
154 ~~shall prorate the available funds on a percentage basis. If the~~
155 ~~funds appropriated for the purpose of implementing this section~~
156 ~~exceed the sum of the base transportation allocation and the~~
157 ~~base transportation allocation for disabled students, the base~~
158 ~~transportation allocation for disabled students shall be limited~~
159 ~~to the amount calculated in subsection (2), and the remaining~~
160 ~~balance shall be added to the base transportation allocation.~~

161 ~~(5)-(4)~~ A ~~No~~ district may not shall use funds to purchase
162 transportation equipment and supplies at prices which exceed
163 those determined by the department to be the lowest which can be
164 obtained, as prescribed in s. 1006.27(1).

165 ~~(6) (a)-(5)~~ Funds allocated or apportioned for the payment of
166 student transportation services may be used to pay for
167 transportation of students to and from school on local general
168 purpose transportation systems.

169 (b) Student transportation funds may ~~also~~ be used to pay
170 for transportation of students to and from school in private
171 passenger cars and boats when the transportation is for:

172 1. An isolated student who lives in a sparsely populated
173 area when compared to other population areas within the
174 district, or in a location for which a school bus cannot

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175 traverse the road or route necessary to pick up the student;

176 2. A student with a disability as authorized by rule;

177 3. A student who is in the custody of the Department of
178 Children and Families; and

179 4. A student who lacks a fixed, regular, and adequate
180 nighttime residence, or whose primary nighttime residence is a
181 public or private shelter designed to provide temporary
182 residence or whose primary nighttime residence is a public or
183 private place not designed for, or ordinarily used as, a regular
184 sleeping accommodation for human beings ~~isolated students, or~~
185 ~~students with disabilities as defined by rule. Subject to the~~
186 ~~rules of the State Board of Education, each school district~~
187 ~~shall determine and report the number of assigned students using~~
188 ~~general purpose transportation private passenger cars and boats.~~
189 ~~The allocation per student must be equal to the allocation per~~
190 ~~student riding a school bus.~~

191 (c) The allocation per student for general purpose
192 transportation, private passenger cars, and boats is equal to
193 the allocation per student riding a school bus.

194 (7)~~(6)~~ Notwithstanding other provisions of this section, in
195 no case shall any student or students be counted for
196 transportation funding more than once per day. This provision
197 includes counting students for funding pursuant to trips in
198 school buses, passenger cars, or boats or general purpose
199 transportation.

200 Section 2. Section 1011.622, Florida Statutes, is reenacted
201 for the purpose of incorporating the amendment made by this act
202 to s. 1011.68, Florida Statutes, in a reference thereto.

203 Section 3. This act shall take effect July 1, 2015.