House Bill 2693

Sponsored by Representative MCKEOWN (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Establishes grant program under which Department of Education awards grants to school districts for percentage of certain student transportation costs for which school district does not receive any amount in distributions from State School Fund.

Allows school district to transport certain students on public transit.

Declares emergency, effective July 1, 2017.

A BILL FOR AN ACT

Relating to student transportation; creating new provisions; amending ORS 820.150; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 327.

SECTION 2. (1) In addition to moneys distributed through the State School Fund, the Department of Education shall award grants to school districts for up to 50 percent of student transportation costs described in subsection (2) of this section.

(2) A school district may receive a grant under this section only for student transportation costs:

(a) For which the school district does not receive any amount in distributions from the State School Fund under ORS 327.013; and

(b) That are incurred for the provision of alternate modes of transportation, including public transit, that are provided to students in grades 9 through 12.

(3)(a) Each school district may apply to the Department of Education for a grant under this section.

(b) The department shall review and approve applications based on criteria established by the State Board of Education.

(c) The applications must include the total amount of the student transportation costs described in subsection (2) of this section and the purposes for which the student transportation costs were incurred.

(4)(a) Notwithstanding ORS 338.155 (9), the department may not award a grant under this section directly to a public charter school.

(b) A school district that receives a grant under this section may transfer a portion of the grant to a public charter school based on the charter of the school or any other agreement between the school district and the public charter school.

(c) A public charter school that receives grant funds under this subsection shall use those funds for the student transportation costs described in subsection (2) of this section.

(5)(a) The amount of each grant for a school district = the school district’s ADMw × (the total amount available for distribution to school districts as grants in each fiscal year).

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

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(b) As used in this subsection, “ADMw” means the extended weighted average daily membership as calculated under ORS 327.013, 338.155 (1) and 338.165 (2).

(6) Each school district shall deposit the grant funds it receives under this section in a separate account and shall apply amounts in that account to pay for student transportation costs described in the school district’s application.

(7) The State Board of Education may adopt any rules necessary for the administration of the grant program.

(8) Nothing in this section affects a school district’s eligibility to receive a waiver as provided by ORS 327.043.

SECTION 3. Section 2 of this 2017 Act applies to student transportation costs incurred on or after July 1, 2017.

SECTION 4. In addition to and not in lieu of any other appropriation, there is appropriated to the Department of Education, for the biennium beginning July 1, 2017, out of the General Fund, the amount of $________, which shall be expended for the grant program established under section 2 of this 2017 Act.

SECTION 5. ORS 820.150 is amended to read:

820.150. (1) The State Board of Education, by rule, may establish classes or types of vehicles that are not considered school buses or school activity vehicles for purposes of the Oregon Vehicle Code or classes of school buses or school activity vehicles that are not subject to regulation under the Oregon Vehicle Code either partially or completely.

(2) The governing board of a public university listed in ORS 352.002 may adopt separate standards of the type described under this section for vehicles that are under its jurisdiction.

(3) Rules and standards adopted under this section are subject to the following:

(a) Any exemption, either partial or total, established under this section may be based upon passenger capacity, on limited use or on any other basis the State Board of Education or the governing board considers appropriate.

(b) An exemption, either partial or total, may not be established under this section for any vehicle that is marked with or displays the words “school bus.”

(c) Any vehicle determined not to be a school bus under this section is not a school bus within the definition established under ORS 801.460. Partial exemptions established for vehicles under this section may include removal of the vehicle from any provisions relating to school buses under the vehicle code.

(d) Any vehicle determined not to be a school activity vehicle under this section is not a school activity vehicle within the definition established under ORS 801.455. Partial exemptions established for vehicles under this section may include removal of the vehicle from any provisions relating to school activity vehicles under the vehicle code.

(e) In considering any adopting rules and standards under this section, the boards shall consider the need to ensure student safety.

(f) Any rule or standard adopted under this section cannot prohibit a school district from transporting students in grades 9 through 12 on public transit.

SECTION 6. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect July 1, 2017.