

By: Mayo

To: Education;  
Appropriations

## HOUSE BILL NO. 1269

1 AN ACT TO AMEND SECTION 37-41-3, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE SCHOOL DISTRICTS TO PROVIDE TRANSPORTATION TO PUPILS  
3 LIVING WITHIN ONE MILE OF THEIR SCHOOL IF SUCH PUPILS ARE REQUIRED  
4 TO CROSS A MAJOR THOROUGHFARE WHEN WALKING TO AND FROM SCHOOL; TO  
5 AMEND SECTION 37-41-13, MISSISSIPPI CODE OF 1972, TO REQUIRE  
6 SCHOOL BUS ROUTES TO BE LAID OUT SO THAT CHILDREN ARE NOT REQUIRED  
7 TO CROSS A MAJOR THOROUGHFARE WHEN WALKING TO AND FROM THEIR BUS  
8 STOP; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. Section 37-41-3, Mississippi Code of 1972, is  
11 amended as follows:[HS1]

12 37-41-3. Pupils of legal school age, which shall include  
13 kindergarten pupils, and in actual attendance in the public  
14 schools who live a distance of one (1) mile or more by the nearest  
15 traveled road from the school to which they are assigned shall be  
16 entitled to transportation within the meaning of this chapter. In  
17 addition, notwithstanding the distance from their place of  
18 residence to such school, pupils who are required to cross a major  
19 thoroughfare when walking to and from their school shall be  
20 entitled to such transportation. Nothing contained in this  
21 section shall be construed to bar any child from such  
22 transportation where he or she lives less than one (1) mile and is  
23 on the regular route of travel of a school bus and space is  
24 available in such bus for such transportation. No state funds  
25 shall be paid for the transportation of children living within one  
26 (1) mile of the school, except when the transportation is required  
27 under this section, and \* \* \* children for whom transportation is  
28 not required shall not be included in transportation reports. In  
29 the development of route plans, economy shall be a prime

30 consideration. There shall be no duplication of routes except in  
31 circumstances where it is totally unavoidable. The State  
32 Department of Education shall have authority to investigate school  
33 bus routing when there is reason to believe the provisions of this  
34 statute are being violated. The State Board of Education shall  
35 have authority to withhold transportation funds when school  
36 districts fail to correct unnecessary route duplication. \* \* \*  
37 All school districts are \* \* \* authorized to lease or contract  
38 with any public or private individual, partnership, corporation,  
39 association, agency or other organization for the implementation  
40 of transportation of pupils as provided for in this section.

41 The school boards may provide transportation to such crippled  
42 and physically handicapped children as may be designated by such  
43 boards, when the failure to do so would result in undue hardship,  
44 even though the children are not otherwise entitled to  
45 transportation under the provisions of this chapter. The State  
46 Department of Education shall require all school districts,  
47 beginning in the 1993-1994 school year, to equip school buses with  
48 properly designed seat belts to protect such physically  
49 handicapped children, and school districts are authorized to  
50 expend funds therefor from nonminimum program or other sources.

51 Where space is available, students attending community or  
52 junior colleges shall be allowed transportation on established  
53 routes in district-owned buses. However, no additional funds  
54 shall be allocated or expended for such purposes, and such persons  
55 shall not be included in transportation reports.

56 Children enrolled in special or alternative programs approved  
57 by local school boards also may \* \* \* be provided transportation,  
58 even though such children are not otherwise entitled to  
59 transportation under the provisions of this chapter. No  
60 additional funds shall be allocated for such purposes, and such  
61 children shall not be included in transportation reports.

62 SECTION 2. Section 37-41-13, Mississippi Code of 1972, is  
63 amended as follows:[HS2]

64 37-41-13. All routes shall be laid out so as to place all  
65 pupils entitled to transportation within a reasonable distance of  
66 same. No child entitled to transportation shall be required to

67 cross any major thoroughfare or to walk a greater distance than  
68 one (1) mile to reach the vehicle of transportation when going to  
69 school or to reach his residence when returning from school.

70 SECTION 3. This act shall take effect and be in force from  
71 and after July 1, 2000.