

By: Representative Carlton

To: Education;
Appropriations

HOUSE BILL NO. 759

1 AN ACT TO AMEND SECTION 37-151-85, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE SCHOOL BOARDS TO PAY ACTUAL EXPENSES INCURRED WHEN
3 ACQUIRING AN INITIAL COMMERCIAL LICENSE OR ANY RENEWAL OF A
4 COMMERCIAL LICENSE FOR SUBSTITUTE SCHOOL BUS DRIVERS; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-151-85, Mississippi Code of 1972, is
8 amended as follows:

9 37-151-85. (1) The amount to be allotted by the State Board
10 of Education for transportation shall be determined as follows:

11 The State Department of Education shall calculate the cost of
12 transportation in school districts by ascertaining the average
13 cost per pupil in average daily attendance of transported pupils
14 in school districts classified in different density groups as
15 determined by the State Department of Education. Based on these
16 calculations, the State Department of Education shall develop a
17 scale for determining the allowable cost per pupil in different
18 density groups, which scale shall provide greatest allowance per
19 pupil transported in school districts with lowest densities and
20 smallest allowance per pupil in school districts with highest
21 densities. The total allowance in the adequate education program
22 for transported children for any school district for the current
23 year shall be the average daily attendance of the transported
24 children for the nine (9) months of the prior year, multiplied by
25 the allowance per transported pupil as provided herein. However,
26 the State Department of Education is hereby authorized and
27 empowered to make proper adjustments in allotments, under rules
28 and regulations of the State Board of Education, in cases where

29 major changes in the number of children in average daily
30 attendance transported occur from one year to another as a result
31 of changes or alterations in the boundaries of school districts, a
32 change in or relocation of attendance centers, or for other
33 reasons which would result in major decrease or increase in the
34 number of children in average daily attendance transported during
35 the current school year as compared with the preceding year.
36 Moreover, the State Board of Education is hereby authorized and
37 empowered to make such payments to all districts and/or
38 university-based programs as deemed necessary in connection with
39 transporting exceptional children as defined in Section 37-23-3.
40 The State Board of Education shall establish and implement all
41 necessary rules and regulations to allot transportation payments
42 to university-based programs. In developing density
43 classifications under the provisions hereof, the State Department
44 of Education may give consideration to the length of the route,
45 the sparsity of the population, the lack of adequate roads,
46 highways and bridges, and the presence of large streams or other
47 geographic obstacles. In addition to funds allotted under the
48 above provisions, funds shall be allotted to each school district
49 that transports students from their assigned school or attendance
50 center to classes in an approved vocational-technical center at a
51 rate per mile not to exceed the average statewide cost per mile of
52 school bus transportation during the preceding year exclusive of
53 bus replacement. All such transportation must have prior approval
54 by the State Department of Education.

55 (2) The average daily attendance of transported children
56 shall be reported by the school district in which such children
57 attend school. If children living in a school district are
58 transported at the expense of such school district to another
59 school district, the average daily attendance of such transported
60 children shall be deducted by the State Department of Education
61 from the aggregate average daily attendance of transported

62 children in the school district in which they attend school and
63 shall be added to the aggregate average daily attendance of
64 transported children of the school district from which they come
65 for the purpose of calculating transportation allotments.

66 However, such deduction shall not be made for the purpose of
67 calculating adequate education program pupil-based funding.

68 (3) The State Department of Education shall include in the
69 allowance for transportation for each school district an amount
70 for the replacement of school buses or the purchase of new buses,
71 which amount shall be calculated upon the estimated useful life of
72 all school buses being used for the transportation of children in
73 such school district, whether such buses be publicly or privately
74 owned.

75 (4) The school boards of all districts operating school bus
76 transportation are authorized and directed to establish a salary
77 schedule for school bus drivers. No school district shall be
78 entitled to receive the funds herein allotted for transportation
79 unless it pays each of its nonstudent adult school bus drivers
80 paid from such transportation allotments a minimum of One Hundred
81 Ninety Dollars (\$190.00) per month. In addition, local school
82 boards may compensate school bus drivers or substitute school bus
83 drivers for actual expenses incurred when acquiring an initial
84 commercial license or any renewal of a commercial license in order
85 to drive a school bus. In addition, local school boards may
86 compensate school bus drivers for expenses, not to exceed One
87 Hundred Dollars (\$100.00), when acquiring an initial medical exam
88 or any renewal of a medical exam, in order to qualify for a
89 commercial driver's license.

90 (5) The State Board of Education shall be authorized and
91 empowered to use such part of the funds appropriated for
92 transportation in the adequate education fund as may be necessary
93 to finance driver training courses as provided for in Section
94 37-41-1, Mississippi Code of 1972.

95 (6) The State Board of Education, acting through the
96 Department of Education, may compensate school bus drivers, who
97 are providing driving services to the various state operated
98 schools, such as the Mississippi School for the Deaf, the
99 Mississippi School for the Blind, the Mississippi School of the
100 Arts, the Mississippi School for Math and Science and any other
101 similar state operated schools, for actual expenses incurred when
102 acquiring an initial commercial license or any renewal of a
103 commercial license in order to drive a school bus.

104 **SECTION 2.** This act shall take effect and be in force from
105 and after July 1, 2006.