

ASSEMBLY BILL

No. 1572

Introduced by Assembly Member Campos

January 4, 2016

An act to add Section 39800.1 to the Education Code, relating to school transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1572, as introduced, Campos. School transportation.

Existing law authorizes the governing board of a school district to provide for the transportation of pupils to and from school whenever in the judgment of the board the transportation is advisable and good reasons exist to do so.

This bill would entitle a pupil who attends a school that is eligible for Title 1 federal funding to free transportation to and from school provided by the local educational agency, if certain conditions are met. The bill would require the local educational agency to designate a liaison to implement a plan developed, in consultation with specified stakeholders, to ensure that all entitled pupils receive free transportation in a timely manner.

By requiring new duties on a local educational agency, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:
3 (1) According to data released by the U.S. Census Bureau,
4 without a high school diploma, Americans are almost twice as
5 likely to live in poverty.
6 (2) Several independent academic studies indicate a marked
7 increase in school participation and graduation rates among
8 children who were guaranteed transportation to and from school.
9 (3) According to a recent report by California Attorney General
10 Kamala Harris, poverty and financial instability is the number one
11 cause of truancy in the state.
12 (b) Based on the findings and declarations in subdivision (a), it
13 is the intent of the Legislature to enact legislation that would
14 support school participation and high school attainment among
15 low-income youth.
16 SEC. 2. Section 39800.1 is added to the Education Code, to
17 read:
18 39800.1. (a) Notwithstanding any other law, a pupil attending
19 a school that is eligible for Title 1 federal funding shall be entitled
20 to free transportation, from the local educational agency, to and
21 from school, if either of the following conditions are met:
22 (1) The pupil resides more than one-half mile from the school.
23 (2) The neighborhood through which the pupil must travel to
24 get to school is unsafe due to stray dogs, no sidewalks, known
25 gang activity, or other reasons documented by stakeholders
26 pursuant to subdivision (c).
27 (b) (1) A local educational agency shall designate a liaison that
28 shall be responsible for implementing a plan to ensure that all
29 pupils entitled to free transportation pursuant to subdivision (a)
30 receive the transportation.
31 (2) The liaison shall be trained to identify and accommodate
32 the special rights of homeless youth, as defined pursuant to the
33 federal McKinney-Vento Homeless Assistance Act (42 U.S.C.
34 Sec. 11301 et seq.).

1 (c) The plan required by paragraph (1) of subdivision (b) shall
2 be developed with the consultation of teachers, school
3 administrators, regional local transit authorities, the Air Resources
4 Board, the Department of Transportation, parents, pupils, and other
5 stakeholders.

6 (d) If free, dependable, and timely transportation is not available
7 for pupils entitled to transportation services pursuant to this section,
8 the local educational agency shall ensure that the pupils entitled
9 to the transportation are provided free transportation using its
10 existing funds, unless the local educational agency determines that
11 lack of transportation does not reduce pupil school attendance.

12 SEC. 3. If the Commission on State Mandates determines that
13 this act contains costs mandated by the state, reimbursement to
14 local agencies and school districts for those costs shall be made
15 pursuant to Part 7 (commencing with Section 17500) of Division
16 4 of Title 2 of the Government Code.