

Assembly Bill No. 1346

CHAPTER 826

An act to amend Sections 41862 and 41863 of the Education Code, relating to education, and making an appropriation therefor.

[Approved by Governor October 9, 1997. Filed with Secretary of State October 10, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1346, Olberg. Education: home-to-school transportation.

Existing law provides that each school district or county office of education shall receive a home-to-school transportation allowance in the amount received in the prior fiscal year, but in no event in excess of the prior year's approved home-to-school transportation costs, increased by the amount provided in the annual Budget Act. Existing law also prescribes criteria for determining the eligibility of school districts for supplemental home-to-school funds.

This bill would require the Superintendent of Public Instruction, for the 1997-98 fiscal year, to allocate any funds that would have been available for the purpose of home-to-school transportation pursuant to a specified provision so that these funds would instead be available partly for that purpose and partly for the purpose of other specified home-to-school transportation apportionments, as specified.

The bill would reappropriate, for allocation by the Superintendent of Public Instruction in the 1997-98 fiscal year in accordance with a specified schedule, the unallocated balance of the funds appropriated in the 1996-97 fiscal year pursuant to a specified provision of law relating to home-to-school transportation allocations.

Appropriation: yes.

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

SECTION 1. Section 41862 of the Education Code is amended to read:

41862. School districts that meet all of the following criteria are eligible to receive an apportionment pursuant to this article:

(a) The number of students who received home-to-school transportation services in the prior fiscal year were equivalent to at least 33 percent of the total number of units of average daily attendance in the prior fiscal year.

(b) The total cost per mile for the prior fiscal year for home-to-school transportation does not exceed the statewide average cost per mile.



(c) In the prior fiscal year, the amount of the school district's approved cost of home-to-school transportation per unit of average daily attendance exceeded one hundred thirty dollars (\$130).

SEC. 2. Section 41863 of the Education Code is amended to read:

41863. (a) The Superintendent of Public Instruction shall determine for each school district meeting the standards of Section 41862 the apportionment for that school district's unreimbursed cost of home-to-school transportation in the prior fiscal year as follows:

(1) Add the following amounts:

(A) The home-to-school transportation allowance for the school district received pursuant to Sections 41851 and 41851.11 for the prior fiscal year.

(B) The amount of funding received for the costs of transportation associated with court-ordered or voluntary desegregation programs.

(2) Subtract from the sum computed pursuant to paragraph (1) all supplemental grant funding received in the prior fiscal year by the school district for home-to-school transportation or court-ordered or voluntary desegregation.

(3) Subtract from the school district's prior year's approved costs of home-to-school transportation the amount computed pursuant to paragraph (2).

(b) The Superintendent of Public Instruction shall calculate data for school districts within a joint powers authority as separate entities, but apportionments shall be the same as under existing law, provided that the joint powers authority submits in a timely fashion the data required by the superintendent to make the calculation.

(c) In the event the funds appropriated for the purposes of this article are not sufficient to fully fund the formula established by this section, the amounts apportioned shall be reduced on a proportionate basis.

SEC. 3. (a) Notwithstanding subdivision (a) of Section 41851.11 of the Education Code, for the 1997-98 fiscal year, the Superintendent of Public Instruction shall allocate one-half of any funds that would have been available for the purposes of subdivision (a) of Section 41851.11 of the Education Code for the purposes of Section 41851.11 of the Education Code and one-half of those funds for the purposes of Section 41863 of the Education Code.

(b) Regardless of when this act becomes effective, it is the intent of the Legislature that subdivision (a) be implemented for the entire 1997-98 fiscal year. For the purpose of implementing that subdivision for the entire 1997-98 fiscal year, the Superintendent of Public Instruction and other public officers shall take all necessary steps to effect the required adjustments and shall have authority to adjust allowance computations, apportionments, and disbursements ordered from Section A of the State School Fund and other public funds.



SEC. 4. Notwithstanding any other provision of law, the unallocated balance of the funds appropriated for the purposes of Section 41851.11 of the Education Code in the 1996–97 fiscal year is reappropriated to the Superintendent of Public Instruction for allocation in accordance with the following schedule:

(a) One-half of this unallocated balance for the purposes of Section 41851.11 of the Education Code in the 1997–98 fiscal year.

(b) One-half of this unallocated balance for the purposes of Section 41862 of the Education Code in the 1997–98 fiscal year.

