

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 869** Session of
2011

INTRODUCED BY ALLOWAY, PICCOLA, EICHELBERGER, D. WHITE,
GREENLEAF, FOLMER AND WILLIAMS, MARCH 25, 2011

REFERRED TO EDUCATION, MARCH 25, 2011

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," in pupils and attendance, further providing for when transportation of pupils provided.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 1361 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, amended May 11, 1979 (P.L.26, No.7), is amended to read:

Section 1361. When Transportation of Pupils Provided.--(a)(1) The board of school directors in any school district may, out of the funds of the district, provide for the free transportation of any resident pupil to and from the kindergarten, elementary school, or secondary school in which [he] the pupil is lawfully enrolled, provided that such school is not operated for profit and is located within the district boundaries or outside the district boundaries at a distance not exceeding ten miles by the nearest public highway, except that

such ten-mile limit shall not apply to area vocational technical schools which regularly serve eligible district pupils or to special schools and classes approved by the Department of Education, and to and from any points within or without [the] this Commonwealth in order to provide field trips for any purpose connected with the educational pursuits of the pupils. When provision is made by a board of school directors for the transportation of public school pupils to and from such schools or to and from any points within or without [the] this Commonwealth in order to provide field trips as herein provided, the board of school directors shall also make identical provision for the free transportation of pupils who regularly attend nonpublic kindergarten, elementary and high schools not operated for profit to and from such schools or to and from any points within or without [the] this Commonwealth in order to provide field trips as herein provided. Such transportation of pupils attending nonpublic schools shall be provided during regular school hours on such dates and periods that the nonpublic school not operated for profit is in regular session, according to the school calendar officially adopted by the directors of the same in accordance with provisions of law. The board of school directors shall provide such transportation whenever so required by any of the provisions of this act or of any other act of Assembly.

(2) The board of school directors in any school district may, if the board deems it to the best interest of the school district, for the purposes of transporting pupils as required or authorized by any of the provisions of this act or of any other act of the Assembly, appropriate funds for urban common carrier mass transportation purposes from current revenues to urban

common carrier mass transportation authorities to assist the authorities to meet costs of operation, maintenance, capital improvements, and debt service. Said contributions shall not be subject to reimbursement by the Commonwealth [of Pennsylvania].

(3) The State Board of Education shall adopt regulations, including qualifications of school bus drivers, to govern the transportation of school pupils.

(b) Nothing in this section shall be construed to require any school district to transport pupils to any school or school district outside this Commonwealth, except for special schools and classes that provide specialized instruction to students with disabilities, which specialized instruction is approved by the Department of Education.

Section 2. This act shall take effect in 60 days.