



# CONTINUING RESOLUTIONS 2023-2024

## **Student Transportation**

(Adopted 1981, 1984, 1987; amended 1990, 1992; readopted 1995, 1997; amended 2000, 2002, 2005; readopted 2008, 2011; amended 2014, 2016, 2017, 2020, 2021, 2022)

WHEREAS, adequate state funding for public school transportation has been a long-time goal of the Maryland Association of Boards of Education (MABE); and

WHEREAS, the Bridge to Excellence in Public Schools Act of 2002 increased state funding for student transportation to address chronic underfunding through the 1980s and 1990s; and

WHEREAS, for nearly twenty years, state funding for disabled student transportation was limited to \$500 times the number of disabled students requiring special transportation services who were transported by the local board in excess of the number transported during the 1980-1981 school year; and

WHEREAS, the Bridge to Excellence in Public Schools Act of 2002 increased the base transportation grant for 15 counties that experienced aggregate enrollment increases between 1980 and 1995, a time when the transportation formula did not include annual adjustments for enrollment increases, and phased-in increases by FY 2008 in per pupil funding for students receiving special transportation services from \$500 to \$1000; and

WHEREAS, additional requirements for student transportation have been created through mandated programs; and

WHEREAS, the federal McKinney-Vento Homeless Assistance Act requires that homeless students must be provided with transportation to and from their school of origin at parent or guardian request; transportation services may include crossing district boundaries or providing special education busing; and if the student transportation needs cross district boundaries, the two districts must determine how to divide the responsibility and cost; and

WHEREAS, the state mandates that school systems provide targeted prekindergarten for low-income four-year olds and yet prekindergarten students are not included in the per pupil calculation of student transportation funding; and

WHEREAS, rapid increases in gasoline prices can present significant unanticipated expenditures from transportation budgets and potentially reduce available funding for other educational programs and services; and

WHEREAS, in 2016 the General Assembly enacted legislation to exempt from the motor fuel tax, motor fuel that is purchased for use in a school bus owned by a county board of education or used to transport students by a school bus operator under contract with a county board of education; and

WHEREAS, the Blueprint for Maryland's Future Act of 2021 redefines the annual full-time equivalent (FTE) student enrollment count to be the greater of the prior year's FTE enrollment or the average of the three prior years' FTE enrollment, which will result in higher enrollments and transportation aid amounts in declining enrollment districts; and

WHEREAS, in 2016 and 2017 legislation was introduced, but not enacted, which would have imposed an unfunded mandate that all school buses be equipped with seatbelts, either as a requirement to retrofit current buses or as a design standard for new buses; and

WHEREAS, federal law requires small school buses, weighing 10,000 pounds or less, to be equipped with seat belts; and in this way, federal requirements regarding seat belts are reasonably related to the size and relative safety of school buses; and

WHEREAS, transportation services to and from public schools play a critical role in addressing the educational opportunity gap; and

WHEREAS, in 2020 the COVID-19 pandemic and resulting state and local education recovery plans, especially the social distancing standards, presented enormous student transportation funding and policy challenges for local school systems and bus contractors and drivers; and

WHEREAS, federal COVID-19 relief funding provided by the Governor's Emergency Education Relief (GEER) Fund and Elementary and Secondary Emergency Relief (ESSER) Fund include student transportation services as eligible costs; and

WHEREAS, in 2021 legislation mandating summer school programs in 2021 and 2022 to address the effects of the COVID-19 pandemic also required school systems to provide student transportation services for these programs; and

WHEREAS, Maryland's school systems and bus contractors are experiencing a severe shortage of school bus drivers which is negatively impacting daily student transportation to and from school; and

WHEREAS, in 2021 legislation was enacted with local school system support to authorize the expanded use of non-school bus vehicles for student transportation for (1) preschool-age students; (2) students with disabilities; (3) homeless youth; (4) children in foster care; (5) students without access to school buses; (6) students in a nonpublic school placement; or (7) students in dual enrollment programs or work programs or other educational programs based off the school campus; and

WHEREAS, in 2022 legislation was enacted to mandate the purchasing of zero emission school buses beginning in 2025, including buses purchased by school systems and contractors, with waivers available based on incremental costs and availability; and legislation was enacted to establish the Electric School Bus Pilot Program to incentivize electric utilities to finance the purchase of zero emission school buses and development of interconnective infrastructure including school bus charging stations; and

WHEREAS, in 2022 legislation was enacted to require school systems to develop pedestrian safety plans for new and expanded schools to identify safe routes for students to walk or bike to school and evaluate state and county road and sidewalk infrastructure;

NOW, THEREFORE, BE IT RESOLVED, that MABE will cooperate with other interested groups to advocate for increased public school transportation funding, including transportation funding to support the hiring and retention of bus drivers, and transportation services for expanded full-day prekindergarten and expanded dual-enrollment and career and technical education programs under the Blueprint for Maryland's Future; and

BE IT FURTHER RESOLVED, that MABE supports increased state, local, and federal funding and flexibility to facilitate the statewide transition to the procurement and use of electric school buses, including the development of supporting infrastructure, and availability of waivers; and

BE IT FURTHER RESOLVED, that MABE will oppose new unfunded mandates impacting student transportation, including mandatory seatbelts on school buses, or a reduction of the state share of per pupil student transportation costs.