

LESC bill analyses are available on the New Mexico Legislature website (www.nmlegis.gov). Bill analyses are prepared by LESC staff for standing education committees of the New Mexico Legislature. LESC does not assume any responsibility for the accuracy of these reports if they are used for other purposes.

LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
53rd Legislature, 1st Session, 2017

Bill Number	<u>HB178/HECS</u>	Sponsor	<u>HEC</u>
Tracking Number	<u>.207508.2</u>	Committee Referrals	<u>HTPWC/HEC</u>
Short Title	<u>School Funds for Bus Passes for Students</u>		
Analyst	<u>Herz</u>	Original Date	<u>3/6/17</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Bill

House Education Committee Substitute for House Bill 178 (HB178/HECS) amends the Public School Code to establish a pilot project that allows Albuquerque Public Schools (APS), Los Alamos Public Schools (LAPS), and state-chartered charter schools within those districts to use a portion of their transportation distribution to provide public transportation passes for high school students for transportation to and from school. The bill requires that the pilot project operate for the 2017-2018 and 2018-2019 school years, gather specific data from participating school districts and charter schools, and report progress and findings to the Legislative Education Study Committee (LESC) and the Public Education Department (PED).

FISCAL IMPACT

HB178/HECS neither appropriates funds nor changes the state public school transportation allocation outlined in the General Appropriation Act.

The bill will likely have little impact on transportation distributions received by participating school districts and state-chartered charter schools. Currently, school districts receive transportation funding from the state based on prior year student bus ridership, prior year bus miles traveled, and a set base allocation. As student ridership and bus fleet mileage increases, so does a district's transportation funding. If significant numbers of students choose to participate in the program, bus fleet miles may decrease slightly, which would cause a small decrease in the school district's or charter school's transportation distribution during the subsequent year. However, students participating in the program would still be counted in ridership numbers reported to PED.

SUBSTANTIVE ISSUES

This pilot project studies whether flexibility for participating school districts and state-chartered charter schools impacts student transportation needs and costs. According to city websites, student year-long public transportation passes cost \$90 in Albuquerque, while students ride Los

Alamos public buses for free. In addition to potential cost savings, HB178/HECS grants school districts additional flexibility in addressing student transportation needs. A number of school districts, including APS and LAPS, have expressed concerns regarding limited contracting options.

Given the complexities involved in transporting students to and from schools, the pilot program proposed in HB178/HECS could help to identify effects on students before including all school districts in the program. Shifting how school districts and charter schools are allowed to provide student transportation could have many unintended consequences, both positive and negative. For example, allowing students to ride public transportation to and from school could allow students greater flexibility in arriving at school on time, which could lead to decreased truancy rates. On the other hand, increased student independence could also allow students to leave school grounds more easily, potentially causing a rise in truancy rates. The pilot project proposed in this bill could provide useful data to legislators if they consider expanding this program in the future.

Shifting students from school buses to public transportation could introduce issues of liability. By agreeing to transport students, school districts take on responsibility for student safety. When school districts contract transportation services to outside entities, contracts must address the assignment of liability between the parties. Potential litigation surrounding transportation liability could present a large expense for the state. To address this concern, New Mexico Public Schools Insurance Authority provided a clause absolving school districts and state-chartered charter schools of liability. Despite the bill's language eliminating district liability, school districts and state-chartered charter schools that choose to provide bus passes would need to work with municipal transit providers to address any remaining liability concerns.

ADMINISTRATIVE IMPLICATIONS

The bill requires participating school districts and charter schools to collect and report data on the total number of students participating in the pilot project, the frequency of participating students' use of public transportation to get to and from school, and the pilot project's impact on the school district's or state-chartered charter school's budget. Administrators at participating school districts and charter schools may choose to gather additional information to assess the effectiveness of the pilot project.

SOURCES OF INFORMATION

- PED
- NMPSIA
- Albuquerque Public Schools
- LESC Files

MPH/rab