

1 **H. B. 2727**

2
3 (By Mr. Speaker, (Mr. Thompson) and Delegate Armstead)

4 [By Request of the Executive]

5 [Introduced February 26, 2013; referred to the
6 Committee on Education then Finance.]

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10 A BILL to amend and reenact §18-9A-7 and §18-9A-8a of the code of
11 West Virginia, 1931, as amended, all relating to the school
12 aid formula; adjusting the foundation school program allowance
13 for transportation costs; restricting the ten percent
14 additional percentage allowance for alternative fuel vehicles
15 to school buses using compressed natural gas or propane;
16 adjusting the foundation allowance by reducing the maximum
17 allocation for regional education service agencies (RESA).

18 *Be it enacted by the Legislature of West Virginia:*

19 That §18-9A-7 and §18-9A-8a of the Code of West Virginia,
20 1931, as amended, be amended and reenacted, all to read as follows:

21 **ARTICLE 9A. PUBLIC SCHOOL SUPPORT.**

22 **§18-9A-7. Foundation allowance for transportation cost.**

23 (a) The allowance in the foundation school program for each

1 county for transportation shall be the sum of the following
2 computations:

3 (1) A percentage of the transportation costs incurred by the
4 county for maintenance, operation and related costs exclusive of
5 all salaries, including the costs incurred for contracted
6 transportation services and public utility transportation, as
7 follows:

8 (A) For each high-density county, eighty-seven and one-half
9 percent;

10 (B) For each medium-density county, ninety percent;

11 (C) For each low-density county, ninety-two and one-half
12 percent;

13 (D) For each sparse-density county, ninety-five percent;

14 (E) For any county for the transportation cost for
15 maintenance, operation and related costs, exclusive of all
16 salaries, for transporting students to and from classes at a
17 multicounty vocational center, the percentage provided in
18 paragraphs (A) through (D) of this subdivision as applicable for
19 the county plus an additional ten percent; and

20 (F) For any county for that portion of its school bus system
21 that uses as an alternative fuel ~~such as~~ compressed natural gas or
22 ~~other acceptable alternative fuel~~ propane, the percentage provided
23 in paragraphs (A) through (D) of this subdivision as applicable for
24 the county plus an additional ten percent: *Provided*, That any

1 county using an alternative fuel and qualifying for the additional
2 allowance under this subdivision shall submit a plan regarding the
3 intended future use of alternatively fueled school buses;

4 (2) The total cost, within each county, of insurance premiums
5 on buses, buildings and equipment used in transportation;

6 (3) An amount equal to eight and one-third percent of the
7 current replacement value of the bus fleet within each county as
8 determined by the state board. The amount shall only be used for
9 the replacement of buses. Buses purchased after July 1, 1999, that
10 are driven one hundred eighty thousand miles, regardless of year
11 model, will be subject to the replacement value of eight and
12 one-third percent as determined by the state board. In addition,
13 in any school year in which its net enrollment increases when
14 compared to the net enrollment the year immediately preceding, a
15 school district may apply to the State Superintendent for funding
16 for an additional bus or buses. The State Superintendent shall
17 make a decision regarding each application based upon an analysis
18 of the individual school district's net enrollment history and
19 transportation needs: *Provided*, That the superintendent shall not
20 consider any application which fails to document that the county
21 has applied for federal funding for additional buses. If the State
22 Superintendent finds that a need exists, a request for funding
23 shall be included in the budget request submitted by the state
24 board for the upcoming fiscal year; and

1 (4) Aid in lieu of transportation equal to the state average
2 amount per pupil for each pupil receiving the aid within each
3 county.

4 (b) The total state share for this purpose shall be the sum of
5 the county shares: *Provided*, That no county shall receive an
6 allowance which is greater than one-third above the computed state
7 average allowance per transportation mile multiplied by the total
8 transportation mileage in the county exclusive of the allowance for
9 the purchase of additional buses.

10 (c) One half of one percent of the transportation allowance
11 distributed to each county shall be for the purpose of trips
12 related to academic classroom curriculum and not related to any
13 extracurricular activity. Any remaining funds credited to a county
14 for the purpose of trips related to academic classroom curriculum
15 during the fiscal year shall be carried over for use in the same
16 manner the next fiscal year and shall be separate and apart from,
17 and in addition to, the appropriation for the next fiscal year.
18 The state board may request a county to document the use of funds
19 for trips related to academic classroom curriculum if the board
20 determines that it is necessary.

21 (d) The amendments made to this section during the 2008
22 regular session of the Legislature are intended to be temporary
23 while the transportation issue is further studied during the
24 2008-2009 nine interim period.

1 **§18-9A-8a. Foundation allowance for regional education service**
2 **agencies.**

3 For the fiscal year beginning on July 1, 2006, and for each
4 fiscal year thereafter, the foundation allowance for regional
5 education service agencies shall be equal to sixty-three
6 one-hundredths percent of the allocation for professional educators
7 as determined in section four of this article, but not more than
8 ~~\$3,990,000~~ \$3,690,750. The allowance shall be distributed to the
9 regional education service agencies in accordance with rules
10 adopted by the state board. The allowance for regional education
11 service agencies shall be excluded from the computation of total
12 basic state aid as provided in section twelve of this article.

NOTE: The purpose of this bill is to restrict the additional percentage allowance for school buses to those using compressed natural gas or propane as an alternative fuel and to reduce the cap on the foundation allowance for regional service agencies (RESA) by 7.5%.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.