



SENATE BILL 105: 2021 Appropriations Act, Sec. 7.70: Student Transportation Support

2021-2022 General Assembly

Committee:		Date:	February 23, 2022
Introduced by:		Prepared by:	Brian Gwyn Staff Attorney
Analysis of:	Sec. 7.70 of S.L. 2021-180		

OVERVIEW: Section 7.70 of S.L. 2021-180, as amended by section 2.7 of S.L. 2022-6, directs the Department of Public Instruction (DPI) to establish the 2021 Smart School Bus Safety Pilot Program (Program) beginning with the 2021-2022 school year and ending on or before January 1, 2025. The Program is designed to improve the transportation of public school students through technology in response to the COVID-19 pandemic.

Participation – The following local school administrative units (LEAs) and charter schools are authorized to participate in the Program:

- *Burke County Schools.*
- *Caldwell County Schools.*
- *Chatham County Schools.*
- *Clinton City Schools.*
- *Elizabeth City-Pasquotank Public Schools.*
- *Elkin City Schools.*
- *Gaston County Schools.*
- *Harnett County Schools.*
- *Hickory City Schools.*
- *Iredell-Statesville Schools.*
- *Johnston County Schools.*
- *Martin County Schools.*
- *New Hanover County Schools.*
- *Sampson County Schools.*
- *Surry County Schools.*
- *Transylvania County Schools.*
- *Union County Public Schools.*
- *Watauga County Schools.*
- *Wayne County Public Schools.*

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- *Winston-Salem/Forsyth County Schools.*
- *Alpha Academy.*
- *Sallie B Howard School.*
- *Sugar Creek Charter.*
- *Thomas Jefferson Classical.*

Option to leave – Any authorized LEA or charter school can elect to not participate in the Program. For each LEA or charter school that elects not to participate, DPI can authorize a replacement LEA or charter school with a similar population to participate in the Program.

Minimum Technology and Services – LEAs must identify and contract with qualifying vendors to provide technology and services for school buses. LEAs have discretion over the specific technology and services provided by qualifying vendors as long as the technology and services either improve communications and information or provide students on school buses with access to the internet over Wi-Fi.

Technology and services that improve communication and information must meet the following minimum requirements:

- *Improve overall communications and reporting on school buses.*
- *Enable employee time tracking, student ridership tracking, and contact tracing in the event of a COVID-19 infection.*
- *Enable global positioning system (GPS) tracking of school buses.*
- *Enable turn-by-turn navigation along bus routes.*
- *Optimize time, expenditure, and safety of bus routes.*
- *Provide pre- and post-trip vehicle inspections that can be transmitted to DPI on a regular basis.*
- *Communicate ridership information to the student information management system.*
- *Permit parents or legal guardians to access applicable information.*
- *Conform to applicable guidance provided by the North Carolina Department of Health and Human Services (DHHS) for the transportation of students during the COVID-19 pandemic.*
- *Facilitate the receipt of Medicaid reimbursement for eligible student transportation services.*

Technology and services that provide students with Wi-Fi on school buses must provide options for LEAs and charter schools to customize connectivity and must comply with all State and federal law.

Miscellaneous Requirements – The following requirements apply to each participating LEA and charter school:

- *Every school bus designed for the transportation of children with disabilities must be outfitted with technology provided pursuant to the Program as long as the technology is appropriate for children with disabilities and can be provided in a cost-effective manner.*
- *At the conclusion of the Program, all hardware provided to an LEA or charter school becomes the property of that LEA or charter school.*

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- *Participating LEAs and charter schools must make use of technology or services provided pursuant to the Program at least through the conclusion of the 2023-2024 school year.*

Reports – By July 1, 2022, of each year the Program is in effect, DPI, in consultation with each participating LEA and charter school, must report at least all the following information to Joint Legislative Education Oversight Committee (JLEOC), any committee constituted by the House of Representatives or Senate to address school safety, and the Fiscal Research Division:

- *An itemized breakdown of software infrastructure, hardware infrastructure, and equipment provided by qualifying vendors to participating LEAs and charter schools pursuant to the Program.*
- *A description of all services provided by qualifying vendors to participating LEAs and charter schools pursuant to the Program.*
- *A list of qualifying vendors contracting with participating LEAs and charter schools pursuant to the Program.*
- *The impact and effectiveness of the Program.*
- *All expenditures of State funds pursuant to the Program.*

Medicaid Coverage – By May 1, 2022, the Department of Health and Human Services, Division of Health Benefits, and DPI must jointly submit a report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice and JLEOC with a proposal for adding the Medicaid coverage for school-based transportation services described in the November 1, 2016, report to the Joint Legislative Oversight Committee on Medicaid and NC Health Choice entitled "Medicaid Coverage for School-Based Health Services" to the fullest extent allowed by federal Medicaid law and regulations. The proposal must include all of the following:

- *A detailed description of the coverage to be added.*
- *A detailed description of the required documentation for reimbursement.*
- *An updated analysis of the fiscal impact both to DHHS and to all public school units of adding the coverage.*
- *The identification of any State appropriations needed to implement the coverage.*
- *A recommended time frame for implementing the coverage.*
- *Proposed language for any legislative changes needed to implement the coverage.*

The Program became effective July 1, 2021, and the remainder of the section became effective November 18, 2021.