

LEGISLATIVE BILL 200

Approved by the Governor April 6, 1987

Introduced by Education Committee, Withem, 14,
Chairperson; McFarland, 28; Baack, 47;
Chizek, 31; V. Johnson, 8; Nelson, 35

AN ACT relating to schools; to amend section 79-490, Revised Statutes Supplement, 1986; to authorize school-provided transportation for certain students at a fee; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 79-490, Revised Statutes Supplement, 1986, be amended to read as follows:

79-490. When no other means of free transportation is provided to a student attending a public school, an allowance for transportation shall be made to the family of such student by the district in which such family resides as follows: (1) When a student attends an elementary school in his or her own district and lives more than four miles from the public schoolhouse therein, there shall be paid two hundred eighty-five per cent of the mileage rate provided in section 84-306.03 for each mile actually and necessarily traveled on each day of attendance by which the distance traveled one way from the residence of such student to the schoolhouse exceeds three miles; (2) when a student is required to attend an elementary school outside of his or her own district and lives more than four miles from such elementary school there shall be paid two hundred eighty-five per cent of the mileage rate provided in section 84-306.03 for each mile actually and necessarily traveled on each day of attendance by which the distance traveled one way from the residence of such student to the schoolhouse exceeds three miles; (3) when a student attends a secondary school in his or her own Class II or III school district and lives more than four miles from the public schoolhouse there shall be paid two hundred eighty-five per cent of the mileage rate provided in section 84-306.03 for each mile actually and necessarily traveled on each day of attendance by which the distance traveled one way from the residence of such student to the schoolhouse exceeds three miles; and (4) when a student, other than a student in grades ten

through twelve in a Class V district, attends an elementary or junior high school in his or her own Class V district and lives more than four miles from the public schoolhouse therein, there shall be paid for each day of attendance two hundred eighty-five per cent of the mileage rate provided in section 84-306.03 for each mile actually and necessarily traveled by which the distance of the residence of such student from the schoolhouse exceeds three miles. The local school board may authorize school-provided transportation to any student who does not qualify under the mileage requirements of subdivisions (1) to (4) of this section, but a fee may be charged to the parent or guardian of the student for such service. Where the patrons of a Class VI school district have voted to operate and provide free bus transportation for the pupils of the district, such district shall be eligible for payment for transportation as provided for in the School Foundation and Equalization Act. No transportation payments shall be made to a family for mileage not actually traveled by such family. The number of days the student has attended school shall be reported monthly by the teacher to the school board of such public school district. No more than one allowance shall be made to a family irrespective of the number of students in a family being transported to school. If a family resides in a Class I district which is part of a Class VI district and has students enrolled in any grade of grades kindergarten through six in the Class I district and in any grade of grades seven and eight in the Class VI district, such family shall receive not more than one allowance for the distance actually traveled when both districts are on the same direct travel route with one district being located a greater distance from the residence than the other. In such cases, the travel allowance shall be prorated among the school districts involved. Unless the parties involved can mutually agree, the county superintendent of the district in which the school attended is located shall determine the pro rata share to be paid by each district. In the event the schools attended are in different counties, the respective county superintendents shall determine the proper pro rata amount each district shall pay. No pupil shall be exempt from school attendance on account of distance from the public schoolhouse.

Sec. 2. That original section 79-490, Revised Statutes Supplement, 1986, is repealed.