A BILL FOR AN ACT

CONCERNING CREATING THE COMPETITIVE TRANSPORTATION INNOVATION GRANT PROGRAM TO ADDRESS THE PUBLIC SCHOOL TRANSPORTATION SHORTAGE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

The bill creates the competitive transportation innovation grant program (grant program) in the department of education (department) to address the public school transportation shortage.

The bill allows school districts, charter schools, institute charter schools, the state charter school institute, boards of cooperative services,
a consortium of school districts, tribal governments, local governments, and community organizations that partner with school districts (eligible applicants) to apply to the grant program. The state board of education (state board) shall select grantees who develop and implement innovative solutions, strategies, and services to address the public school transportation shortage. Eligible applicants shall serve students of color and students from under-resourced communities who are disproportionately impacted by the transportation shortage and struggle to access school districts of their choice and career pathway programs because of their limited access to transportation. The department operates the grant program. The grant program is a one-time grant program, but grantees have 2 years to spend the grant money.

If selected for a grant, a grantee is required to submit a report to the department on or before August 1, 2024, and to submit a second report on or before August 1, 2025. The report must include an explanation of the solutions, strategies, and services developed and implemented with the grant money as described in the grantee's grant application.

On or before August 30, 2024, and again on or before August 30, 2025, the department is required to submit a report summarizing information submitted by the grantee.

The bill requires the general assembly to appropriate money from the revenue loss restoration cash fund to address the public school transportation shortage resulting from the COVID-19 pandemic.

The bill repeals the grant program, effective July 1, 2026.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, add 22-51-112 as follows:

22-51-112. Competitive transportation innovation grant program - creation - report - rules - legislative declaration - definitions - repeal. (1) (a) THE GENERAL ASSEMBLY FINDS THAT:

(I) THE COVID-19 PANDEMIC SEVERELY EXACERBATED THE PUBLIC SCHOOL TRANSPORTATION WORKFORCE SHORTAGE, LIMITING THE NUMBER OF BUSES AVAILABLE TO TRANSPORT PUPILS TO AND FROM SCHOOL IN COLORADO. IN SCHOOL DISTRICTS ACROSS COLORADO, APPROXIMATELY FIFTEEN TO FORTY PERCENT OF BUS DRIVER POSITIONS
ARE VACANT.

(II) To adjust to the public school transportation shortage, school districts and public schools are consolidating routes, resulting in fewer stops and longer routes. Pupils of color and pupils from under-resourced communities are disproportionately impacted by the transportation shortage and struggle to access school districts of their choice and career pathway programs because of their limited access to transportation.

(III) There is a growing need for transportation to off-site career pathway programs, internships, apprenticeships, and other career-connected learning opportunities as these programs continue to expand. Due to transportation challenges, pupils lack equitable access to these programs, even though the state has recognized the importance of these programs.

(IV) To increase educational equity, school districts and public schools must provide pupils of color and pupils from under-resourced communities with access to the same educational and enrichment opportunities as are available to pupils who have more resources; and

(V) Current pandemic conditions require new, innovative ideas to encourage school districts and public schools to employ transportation staff and equipment more efficiently and supplement with other transportation options.

(b) The general assembly finds, therefore, that the severe transportation shortage results from the COVID-19 pandemic,
AND IT IS IN THE BEST INTERESTS OF THE STATE TO ESTABLISH THE
COMPETITIVE TRANSPORTATION INNOVATION GRANT PROGRAM TO
ADDRESS THE CRISIS. THE COMPETITIVE TRANSPORTATION INNOVATION
GRANT PROGRAM WILL ENABLE SELECTED APPLICANTS TO IMPLEMENT
INNOVATIVE STRATEGIES, SOLUTIONS, AND SERVICES TO ENSURE PUPILS
ARE SAFELY AND EFFICIENTLY TRANSPORTED TO AND FROM SCHOOL AND
CAREER PATHWAY PROGRAMS AND TO HELP PROVIDE ALL PUPILS BETTER
ACCESS TO THE SCHOOLS OF THEIR CHOICE AND CAREER PATHWAY
PROGRAMS.

(2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
REQUIRES:

(a) "CAREER PATHWAY PROGRAM" MEANS A CAREER AND
TECHNICAL EDUCATION PROGRAM; WORK-BASED LEARNING
APPRENTICESHIP OR INTERNSHIP; CONCURRENT ENROLLMENT PROGRAM AS
DESCRIBED IN ARTICLE 35 OF THIS TITLE 22; PATHWAYS IN TECHNOLOGY
EARLY COLLEGE HIGH SCHOOL AS DESCRIBED IN ARTICLE 35.3 OF THIS
TITLE 22; OR OTHER PROGRAM IN WHICH A PUPIL IS SIMULTANEOUSLY
ENROLLED IN SECONDARY AND POSTSECONDARY COURSES.

(b) "CONSORTIUM OF SCHOOL DISTRICTS" MEANS TWO OR MORE
SCHOOL DISTRICTS THAT APPLY TO THE GRANT PROGRAM AS ONE ELIGIBLE
APPLICANT.

(c) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

(d) "ELIGIBLE APPLICANT" MEANS A SCHOOL DISTRICT; A CHARTER
SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF
ARTICLE 30.5 OF THIS TITLE 22; AN INSTITUTE CHARTER SCHOOL
AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO
PART 5 OF ARTICLE 30.5 OF THIS TITLE 22; THE STATE CHARTER SCHOOL
INSTITUTE CREATED IN PART 5 OF ARTICLE 30.5 OF THIS TITLE 22; A BOARD
OF COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO
ARTICLE 5 OF THIS TITLE 22 THAT OPERATES A PUBLIC SCHOOL; A
CONSORTIUM OF SCHOOL DISTRICTS; A TRIBAL GOVERNMENT; A LOCAL
GOVERNMENT; OR A COMMUNITY ORGANIZATION THAT FORMS A
COMMUNITY PARTNERSHIP WITH A SCHOOL DISTRICT, A DISTRICT CHARTER
SCHOOL, AN INSTITUTE CHARTER SCHOOL, A BOARD OF COOPERATIVE
SERVICES, OR A CONSORTIUM OF SCHOOL DISTRICTS.

(e) "GRANT PROGRAM" MEANS THE COMPETITIVE
TRANSPORTATION INNOVATION GRANT PROGRAM CREATED IN SUBSECTION
(3) OF THIS SECTION.

(f) "GRANTEE" MEANS AN ELIGIBLE APPLICANT THAT THE STATE
BOARD SELECTS TO RECEIVE MONEY THROUGH THE GRANT PROGRAM.

(g) "HIGH-POVERTY SCHOOL" MEANS A SCHOOL AT WHICH
GREATER THAN SIXTY PERCENT OF THE ENROLLED STUDENTS ARE ELIGIBLE
FOR FREE OR REDUCED-PRICE LUNCH PURSUANT TO THE FEDERAL
"RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC.
1751 ET SEQ.

(h) "LOCAL GOVERNMENT" MEANS A COUNTY, CITY AND COUNTY,
CITY, OR TOWN OR A SPECIAL DISTRICT CREATED PURSUANT TO ARTICLE 1
OF TITLE 32.

(i) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL BASED ON THE
GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

(j) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
CREATED AND EXISTING PURSUANT TO SECTION 1 OF ARTICLE IX OF THE
STATE CONSTITUTION.

(3) (a) THERE IS CREATED IN THE DEPARTMENT THE COMPETITIVE
TRANSPORTATION INNOVATION GRANT PROGRAM. THE PURPOSE OF THE
GRANT PROGRAM IS TO PROVIDE GRANTS TO ELIGIBLE APPLICANTS TO
DEVELOP AND IMPLEMENT INNOVATIVE SOLUTIONS, STRATEGIES, AND
SERVICES TO ADDRESS THE PUBLIC SCHOOL TRANSPORTATION SHORTAGE
CAUSED BY THE COVID-19 PANDEMIC AND TO ENSURE SAFE AND
EFFICIENT TRANSPORTATION FOR PUPILS TRAVELING TO AND FROM
SCHOOLS AND INCREASE EQUITABLE ACCESS TO CAREER PATHWAY
PROGRAMS.

(b) INNOVATIVE SOLUTIONS, STRATEGIES, AND SERVICES MAY
INCLUDE, BUT ARE NOT LIMITED TO:

(I) ADDRESSING PERSONNEL SHORTAGES AND IMPLEMENTING
SOLUTIONS;

(II) ESTABLISHING INCENTIVE PROGRAMS TO ATTRACT AND RETAIN
BUS DRIVERS, WHICH MAY INCLUDE FINANCIAL INCENTIVES SUCH AS
RETENTION BONUSES, SIGN-ON BONUSES, OR COVERING THE COSTS
ASSOCIATED WITH OBTAINING A COMMERCIAL DRIVER'S LICENSE FOR NEW
BUS DRIVERS, INCLUDING THE REQUIRED TRAINING COSTS;

(III) RECOMMENDING AND IMPLEMENTING PARENT CAR POOL OR
RIDESHARE PROGRAMS;

(IV) ANALYZING BUS ROUTE EFFICIENCY BETWEEN AND WITHIN
SCHOOL DISTRICTS, DISTRICT CHARTER SCHOOLS, AND INSTITUTE CHARTER
SCHOOLS;

(V) PARTNERING WITH LOCAL TRANSIT AUTHORITIES TO IMPROVE
TRANSPORTATION ROUTES AND PROVIDE TRANSIT FARE STIPENDS TO
PUPILS;

(VI) Establishing partnerships between eligible applicants and community partners to identify solutions to transport pupils safely and efficiently to and from schools and career pathway programs;

(VII) Supporting collaboration between school districts to offer transportation services to pupils and to expand access to career pathway programs in neighboring school districts;

(VIII) Addressing pupil transportation needs to travel to employment sites for work-based learning opportunities, including apprenticeships and internships;

(IX) Implementing intra-district transportation solutions to allow pupils access to schools, any course taken for academic credit, field trips, and career pathway programs available within a pupil's school district;

(X) Creating options to reduce costs for, improve efficiency of, and increase access to transportation options, such as the use of fleet vehicles; and

(XI) Implementing internet-connected transportation options specifically for pupils from under-resourced communities.

(c) Any strategies that are developed must comply with the transportation rules governing adequate standards of safety in the maintenance and operation of public school transportation that the State Board promulgates pursuant to section 22-51-108.

(d) The Department shall implement a timeline for the
GRANT PROGRAM, WHICH MUST INCLUDE THE FOLLOWING DEADLINES:

(I) On or before December 1, 2022, the department shall announce the grant program and begin accepting applications from eligible applicants;

(II) Eligible applicants must submit applications by March 1, 2023; and

(III) The department shall begin distributing grant money to the grantees by April 1, 2023.

(e) An eligible applicant that chooses to participate must submit an application to the department. The application must include, at a minimum, the following information:

(I) A description of public school transportation shortage challenges faced by the eligible applicant;

(II) A plan to develop innovative solutions, strategies, and services as described in subsection (3)(b) of this section to address the public school transportation shortage;

(III) How the eligible applicant will use a grant award to implement innovative solutions, strategies, and services identified in the plan; and

(IV) The amount of matching funds, if any, that the eligible applicant intends to provide to augment grant money received from the grant program and the anticipated amount and source of any matching funds.

(4) The department shall review the applications submitted pursuant to subsection (3)(e) of this section and make recommendations to the state board. The department may seek assistance from representatives within the business community.

(a) THE ELIGIBLE APPLICANT'S NEED FOR INNOVATIVE TRANSPORTATION SOLUTIONS, STRATEGIES, AND SERVICES THAT WILL HAVE A SIGNIFICANT IMPACT ON PUPILS AND FAMILIES;

(b) THE LIKELIHOOD THAT THE ELIGIBLE APPLICANT'S PLAN WILL RESULT IN THE IMPLEMENTATION OF INNOVATIVE TRANSPORTATION SOLUTIONS, STRATEGIES, AND SERVICES AND IMPROVE EQUITABLE ACCESS TO A PUPIL'S SCHOOL DISTRICT OF CHOICE AND CAREER PATHWAY PROGRAMS;

(c) THE DEGREE TO WHICH THE PROPOSED INNOVATIVE SOLUTIONS, STRATEGIES, AND SERVICES ARE DIFFERENT FROM CURRENT PUBLIC SCHOOL TRANSPORTATION OPERATIONS; AND

(d) THE SUSTAINABILITY OF INNOVATIVE SOLUTIONS, STRATEGIES, SERVICES, AND MAINTENANCE OF SUCCESSFUL PRACTICES ONCE THE ELIGIBLE APPLICANT HAS EXPENDED THE AWARDED GRANT MONEY.

(5) IN SELECTING GRANTEES, THE STATE BOARD SHALL GIVE PRIORITY TO THE FOLLOWING ELIGIBLE APPLICANTS:

(a) SCHOOL DISTRICTS THAT INCLUDE HIGH-POVERTY SCHOOLS;
(b) RURAL SCHOOL DISTRICTS.

(6) (a) The department shall distribute the grant money to the grantees from the amount appropriated to and received by the department pursuant to subsection (8) of this section. The department may retain up to two percent of the amount appropriated for the grant program to pay the costs incurred in administering the grant program. The department is expected to distribute all grant money by April 30, 2023.

(b) An eligible applicant that receives money pursuant to the grant program shall use the money for developing and implementing innovative solutions, strategies, and services as described in subsection (3)(b) of this section. Each grantee has two full budget years to develop and implement innovative solutions, strategies, and services as described in the grantee's application; except that the grantee must either spend grant money prior to December 30, 2024, or obligate it prior to that date and spend it prior to June 30, 2025.

(7) The state board may promulgate rules as necessary for the implementation of this section.

(8) (a) On or before August 1, 2024, and on or before August 1, 2025, during the term of the grant program, each grantee shall report the following information to the department:

(I) An explanation of the solutions, strategies, and services developed and implemented using the grant money; and

(II) An explanation of the compliance with the rules that the state board promulgates pursuant to section 22-51-108.
(b) On or before August 30, 2024, and on or before August 30, 2025, the Department shall submit to the Education Committees of the Senate and the House of Representatives, or any successor committees, a report that, at a minimum, summarizes the information received by the Department pursuant to subsection (8)(a) of this section, the total amount of money distributed, and the total amount of money received by each grantee.

(9) (a) Notwithstanding section 24-75-227 (3)(c), the General Assembly shall appropriate money from the Revenue Loss Restoration Cash Fund created in section 24-75-227 to the Department to fund the grant program and aid eligible applicants in responding to the public school transportation shortage.

(b) The Department is authorized to seek, accept, and expend gifts, grants, and donations from private or public sources to implement the grant program.

(10) Money distributed through the grant program is not part of the public school transportation categorical program for purposes of section 22-55-107 and section 17 of article IX of the State Constitution.

(11) This section is repealed, effective July 1, 2026.

SECTION 2. In Colorado Revised Statutes, 22-55-102, amend (4)(a) as follows:

22-55-102. Definitions. As used in this article 55, unless the context otherwise requires:

(4) "Categorical programs" includes only the following programs:
(a) Public school transportation as described in article 51 of this title TITLE 22, EXCEPT FOR THE COMPETITIVE TRANSPORTATION INNOVATION GRANT PROGRAM CREATED IN SECTION 22-51-112;

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.