



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
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This fiscal impact statement is produced in compliance with the South Carolina Code of Laws and House and Senate rules. The focus of the analysis is on governmental expenditure and revenue impacts and may not provide a comprehensive summary of the legislation.

Bill Number: H. 3067 Introduced on January 10, 2023
Author: Yow
Subject: Special Needs Student School Bus Attendants
Requestor: House Education and Public Works
RFA Analyst(s): Bryant
Impact Date: March 3, 2023 - Updated for Additional Agency Response

Fiscal Impact Summary

This bill provides that a public school bus that transports one or more certain handicapped school age persons must have at least one adult attendant to accompany the handicapped person or persons on the bus while being transported. The bill specifies that the driver of the bus may not simultaneously act as the adult attendant.

This bill will have no expenditure impact on the S.C. Department of Education (SCDE) since the agency can manage the provisions of the bill within existing appropriations. SCDE also noted that, if the intent is to provide state funding for these additional aides, the cost will range between \$336,000 and \$4,793,000 depending upon the methodology used for determining the reimbursement to districts. Currently, \$129,548 is appropriated for bus driver aides, which supports 203 attendants at a rate of \$638 per year.

This bill will have no expenditure impact on the state agency schools. The agencies indicate that they do not have public school bus routes, do not accept students with ambulatory handicaps, or can manage the provisions of the bill within existing appropriations.

The overall expenditure impact of this bill on local school districts is undetermined and will vary. SCDE surveyed the seventy-three regular school districts and the three charter districts regarding the expenditure impact of this bill and received responses from twenty-two districts. Based on information provided, half of the responding districts indicate that the bill will have no expenditure impact as they already satisfy the requirements of the bill. Many of the remaining responding districts anticipate the need to hire additional bus attendants at a potential range of \$44,000 to \$852,000.

This impact statement has been updated to include responses from SCDE, the Wil Lou Gray Opportunity School, and the local school districts.

Explanation of Fiscal Impact

Updated for Additional Agency Response on March 3, 2023

Introduced on January 10, 2023

State Expenditure

This bill provides that a public school bus that transports one or more handicapped school age persons who must be mechanically or physically restrained while being transported must have an adult attendant at all times to accompany the handicapped person or persons on the bus while being transported. The bill specifies that the driver of the bus may not simultaneously act as the adult attendant. The bill further specifies that the bus may have more than one such adult attendant but is only required to have one.

S.C. Department of Education. SCDE indicates that the agency can manage implementing the provisions of the bill within existing appropriations.

The General Assembly currently appropriates \$129,548 in funding for bus driver aides, which is allocated to the local school districts as follows: districts with five or more special needs buses receive one bus driver aide for every five special needs buses operated by the local school district, and districts with fewer than five special needs buses receive one aide. These totals are then multiplied by the rate established by the Office of Transportation for the current fiscal year. The funding supports 203 attendants at a rate of \$638 per year currently.

SCDE indicates that if the General Assembly intends to increase the current bus driver aide appropriation available to local school districts using the existing methodology to fund the change in required attendants, there will be a cost of approximately \$336,000 to implement the requirement for an attendant on each special needs bus transporting secured students. If the state were to fund all attendants needed across the state in the same way that it currently funds the bus driver salary appropriation, the cost could be as much as \$4,793,000. *This section of the impact statement has been updated to include a response from SCDE.*

State Agency Schools. The Governor's School for Agriculture at John de la Howe indicates that this bill will have no expenditure impact as the agency is a residential school with no bus routes. The Governor's School for the Arts and Humanities indicates that this bill will have no expenditure impact since the agency can manage the provisions of the bill within existing appropriations. The Governor's School for Science and Mathematics indicates that this bill will have no expenditure impact as the agency does not have state buses. The Wil Lou Opportunity school indicates that the school is a physically challenging program and therefore does not enroll students with ambulatory handicaps. Based upon these responses, we do not anticipate that this bill will have an expenditure impact on the School for the Deaf and Blind. We will update this impact if the agency provides a different response. *This section of the impact statement has been updated to include a response from the Wil Lou Gray Opportunity School.*

State Revenue

N/A

Local Expenditure

As stated above, this bill provides that a public school bus that transports one or more certain handicapped school age persons must have an adult attendant at all times to accompany the handicapped person or persons on the bus while being transported.

The overall expenditure impact of this bill on local school districts is undetermined and will vary. SCDE surveyed the seventy-three regular school districts and the three charter districts regarding the expenditure impact of this bill and received responses from twenty-two districts. Half of the responding districts indicate that the bill will have no expenditure impact as the districts already satisfy the requirements of the bill. Many of the remaining responding districts indicate that expenses could increase by a range of \$44,000 to \$852,000 to hire new bus attendants.

This section of the impact statement has been updated to include a response from the local school districts.

Local Revenue

N/A

Updated for Additional Agency Response on February 24, 2023

Introduced on January 10, 2023

State Expenditure

This bill provides that a public school bus that transports one or more handicapped school age persons who must be mechanically or physically restrained while being transported must have an adult attendant at all times to accompany the handicapped person or persons on the bus while being transported. The bill specifies that the driver of the bus may not simultaneously act as the adult attendant. The bill further specifies that the bus may have more than one such adult attendant but is only required to have one.

S.C. Department of Education. The expenditure impact of this bill on SCDE is pending, contingent upon a response.

State Agency Schools. The overall expenditure impact of this bill on the state agency schools is pending, contingent upon further information from the School for the Deaf and Blind and the Wil Lou Gray Opportunity School. The Governor's School for Agriculture at John de la Howe indicates that this bill have no expenditure impact as the agency is a residential school with no bus routes. The Governor's School for the Arts and Humanities indicates that this bill will have no expenditure impact since the agency can manage the provisions of the bill within existing appropriations. The Governor's School for Science and Mathematics indicates that this bill will have no expenditure impact as the agency does not have any state buses. *This section of the impact statement has been updated to include a response from the Governor's School for Agriculture at John de la Howe.*

State Revenue

N/A

Local Expenditure

As stated above, this bill provides that a public school bus that transports one or more certain handicapped school age persons must have an adult attendant at all times to accompany the handicapped person or persons on the bus while being transported.

The expenditure impact of this bill on the local school districts is pending, contingent upon a response.

Local Revenue

N/A

Introduced on January 10, 2023**State Expenditure**

This bill provides that a public school bus that transports one or more handicapped school age persons who must be mechanically or physically restrained while being transported must have an adult attendant at all times to accompany the handicapped person or persons on the bus while being transported. The bill specifies that the driver of the bus may not simultaneously act as the adult attendant. The bill further specifies that the bus may have more than one such adult attendant but is only required to have one.

S.C. Department of Education. The expenditure impact of this bill on SCDE is pending, contingent upon a response.

State Agency Schools. The overall expenditure impact of this bill on the state agency schools is pending, contingent upon further information from the Governor's School for Agriculture at John de la Howe, the School for the Deaf and Blind, and the Wil Lou Gray Opportunity School. The Governor's School for the Arts and Humanities indicates that this bill will have no expenditure impact since the agency can manage the provisions of the bill within existing appropriations. The Governor's School for Science and Mathematics indicates that this bill will have no expenditure impact as the agency does not have any state buses.

State Revenue

N/A

Local Expenditure

As stated above, this bill provides that a public school bus that transports one or more certain handicapped school age persons must have an adult attendant at all times to accompany the handicapped person or persons on the bus while being transported.

The expenditure impact of this bill on the local school districts is pending, contingent upon a response.

Local Revenue

N/A



Frank A. Rainwater, Executive Director