



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

OFFICE OF THE SUPERINTENDENT

November 21, 2017

TO: The Honorable Kenneth Uemura  
Chairperson, Committee on Finance and Infrastructure

FROM: Dr. Christina M. Kishimoto  
Superintendent

SUBJECT: **Committee Action on Amendments to Hawaii Administrative Rules,  
Chapter 8-27, Transportation of Students**

1. RECOMMENDATION

The Department of Education (Department) recommends approval of its proposed draft amendments to Hawaii Administrative Rules, Chapter 8-27 relating to Transportation of Students (copy attached for reference). Board approval is needed to enable the Department to proceed with public hearings on the matter.

2. RECOMMENDED EFFECTIVE DATE

The targeted effective date is July 1, 2018 in order to effectuate implementation of the revised rules at the start of the 2018-2019 school year.

3. RECOMMENDED COMPLIANCE DATE (if different from the effective date)

Not applicable

4. DISCUSSION (if different from the effective date)

a. Conditions leading to the recommendation:

The primary purpose for amending Hawaii Administrative Rules, Chapter 8-27 is to modify the administrative criteria for students who are eligible to receive free bus service because of their free lunch status.

Under current administrative rule, implementation and subsequent expansion of the federal Community Eligibility Provision (CEP) program which provides free meals to students inadvertently made bus service free to all students who are enrolled at a participating CEP school. The Department wishes to modify the administrative rule to state that only students who are eligible for free meals under the federal Supplemental Nutrition Assistance Program (SNAP) are eligible for free bus service. This action will prevent over-compensation of fare free school bus ridership at participating CEP schools.

The Department also wishes to add a new student demographic to the current free bus recipient categories. The Department is proposing to also include children of active military duty service members as free bus recipients. The majority of military families who enroll at Hawaii schools expect to receive free school bus service because most other school districts in the nation do not require students to pay a fare. The disparity unnecessarily causes strife and confusion for these families. Our proposed action will promote the Department's support of military service men and women in Hawaii.

NOTE: Bus riders in this category, as with all other free bus categories, must reside more than the minimum qualifying distance from their elementary or secondary school to eligible for service.

b. Previous action of the Board on the same or similar matter:

Not applicable.

c. Other policies affected:

None.

d. Arguments in support of the recommendation:

This action will provide greater controls over free bus qualification criteria.

e. Arguments against the recommendation:

None.

f. Other agencies or departments of the State of Hawaii involved in the action:

The free meals policy of the School Food Services Branch program may be affected by this action due to the use of the SNAP criteria as the free bus qualifier.

- g. Possible reaction of the public, professional organizations, unions, DOE staff and/or others to the recommendation:

This action will remove cost-free bus transportation privileges from students who received free bus service last year for being enrolled at a CEP participating school. However, most such riders were fare paying riders prior to the implementation of the CEP program.

- h. Educational implications:

None.

- i. Personnel implications:

None.

- j. Facilities implications:

None.

- k. Financial implications:

Implementation and expansion of the CEP program caused an approximate annual reduction of \$116,400 in bus fare collections. This action will restore most of that revenue stream.

5. OTHER SUPPLEMENTARY RECOMMENDATIONS

None.

CMK:cs  
Attachment

c: Office of School Facilities and Support Services

HAWAII ADMINISTRATIVE RULES

TITLE 8

DEPARTMENT OF EDUCATION

SUBTITLE 2

EDUCATION

PART 1

PUBLIC SCHOOL

CHAPTER 27

TRANSPORTATION OF STUDENTS

§8-27-2 Definitions.

"A mile or more," or any other term of distance shall be measured by the shortest walking distance between the closest public access to the student's residence to the closest accessible area of the school or the student's bus stop, as measured by the department;

"A student with physical and/or health problems" means a student with a temporary (ten or more school days) condition who, because of the condition is unable to walk to school as determined by the [complex area superintendent] department;

"Home school" means the school within the geographic attendance area which the student shall attend according to the student's legal residence.

"Redistricting" means a redefining of a public school attendance area;

§8-27-5 Eligibility. (a) Fare free riders shall include:

- (1) Elementary students who reside a mile or more from school, and secondary students who reside 1.5 miles or more from school, attend the

school in their public school attendance area, and are:

(A) A member of a family receiving [welfare] financial assistance pursuant to department of human services administrative rules; or

(B) A member of a family which [meets current income poverty guidelines of the U.S. Department of Agriculture criteria to receive free school lunch] has been certified eligible by the department of human services to participate in the Supplemental Nutrition Assistance Program;

(H) A child of a parent who is on active military duty as defined in U.S. Code Title 10, Subtitle A, Part I, Chapter 1, Section 101.

§8-27-8 Exemption from the one-mile and 1.5-mile qualifying distances. (a) An exemption from the one-mile and 1.5-mile distances required under section 8-27-5 may be granted by the assistant superintendent on a year to year basis if an exemption is necessary for the health and safety of students if other options that will mitigate hazards are not available or are not cost effective.

(b) Applications for exemptions shall be submitted to the assistant superintendent and shall state the specific exemption requested, the reasons why the exemption should be granted, the duration of the exemption, and any other pertinent information.

(c) The assistant superintendent shall advise the applicant of the decision within thirty calendar days after receiving an application.