

## **Title 6. Education**

### **Chapter III. Division of Public School Academic Facilities and Transportation, Department of Education**

#### **Subchapter A. Generally**

#### **Part 337. Rule Governing the Transportation Modernization Grant Program**

**Codification Notes.** This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"Effective date:"

#### **"1.00 PURPOSE AND AUTHORITY**

1.01 This rule is promulgated under the authority granted to the Commission for Arkansas Public School Academic Facilities and Transportation in Arkansas Code § 6-21-114 for the purpose of implementing the Transportation Modernization Grant Program created by Arkansas Code § 6-20-2701 et seq."

#### **Subpart 1. Generally**

##### **6 CAR § 337-101. Definitions.**

"Rural" or "remote" means a United States Census-defined rural territory that is:

- (1) More than twenty-five (25) miles from a city or town with a population of fifty thousand (50,000) or more; and
- (2) More than ten (10) miles from cities or towns with a population of at least two thousand five hundred (2,500) and fewer than fifty thousand (50,000).

**Authority.** Arkansas Code §§ 6-20-2703, 6-21-114.

##### **6 CAR § 337-102. Transportation modernization grants.**

(a) There is established the Transportation Modernization Grant Program for:

(1) Public school districts;  
(2) Open-enrollment public charter schools;  
(3) Early childhood care and education programs or their local early childhood coordinators;

- (4) Cities;
- (5) Towns;
- (6) Counties;
- (7) Education service cooperatives;
- (8) Non-profit organizations; and
- (9) Other entities deemed eligible by the:

- (A) Division of Public School Academic Facilities and Transportation; or
- (B) Division of Elementary and Secondary Education.

(b) Any one (1) or any combination of the entities under subsection (a) of this section may apply for a grant under this part.

(c) Entities interested in participating in the Transportation Modernization Grant Program shall complete an application developed by the Division of Public School Academic Facilities and Transportation explaining how the grant applicant would use grant moneys to:

- (1) Improve access to transportation for students attending:
  - (A) A public school district;
  - (B) An open-enrollment public charter school; or
  - (C) A licensed childcare center serving publicly funded students; and
- (2) Support transportation innovations and efficiency solutions.

(d) The Division of Public School Academic Facilities and Transportation shall rank applications for funding based on:

- (1) Cost effectiveness;
- (2) Student safety;
- (3) Innovativeness of proposed solution; and
- (4) Need and demand of the applicant.

(e)(1) At least twenty-five percent (25%) of grants under the Transportation

Modernization Grant Program, Arkansas Code § 6-20-2701 et seq., shall be awarded to support rural and remote public school districts.

(2) However, subsection (e)(1) of this section shall not apply if an insufficient number of proposals from qualified rural and remote public school districts is submitted.

(f) Grants under this part shall be used to support appropriately insured improvements that increase access to transportation for students or support transportation innovations and efficiency solutions, including without limitation:

(1) Transportation resource sharing with neighboring public school districts or open-enrollment public charter schools;

(2) Developing or contracting with rideshare programs or engaging neighborhood carpool strategies;

(3) Developing options for reducing costs and improving efficiencies, including without limitation:

(A) Exploring the use of fleet vehicles; or

(B) Using technology to lead to more efficient routing;

(4) Developing options to address personnel shortages or challenges;

(5)(A) Funding in lieu of grants given to parents.

(B) A public school district or an open-enrollment public charter school that uses funding in lieu of grants given to parents under this section shall give priority to enrolled students who:

(i) Meet the economic eligibility requirements established under the Child Nutrition Act of 1966, 42 U.S.C. § 1771 et seq., as in effect on January 1, 2023, and National School Lunch Act, 42 U.S.C. § 1751, as in effect on January 1, 2023, for free or reduced-price lunches; and

(ii) Are attending a public school district or an open-enrollment public charter school through open enrollment, if such information is available.

(C) A student who attends a school participating in a community eligibility program is eligible for priority under subdivision (f)(5)(B) of this section;

(6) Partnering with school districts and open-enrollment public charter schools and licensed childcare facilities that accept publicly funded students to reevaluate bus

routes to decrease ride time for students, with a priority on routes serving elementary and middle school grades;

(7) Developing collaborations with public schools, early childhood care and education programs, and community partners to identify solutions to ensure students' safe and effective passage to school and early childhood care and education programs; and

(8) Reducing chronic student absenteeism.

(g) Funding under this part is contingent on compliance with applicable Department of Education rules and Arkansas and federal law.

**Authority.** Arkansas Code §§ 6-20-2703, 6-21-114.

**6 CAR § 337-103. Reporting requirements.**

(a) A recipient of a grant under this part shall monitor a program that is funded by a grant for program efficacy.

(b) A recipient of a grant under this part shall report data collected by program monitoring to the Division of Public School Academic Facilities and Transportation, including without limitation:

- (1) Number of students served;
- (2) Geographic distance covered;
- (3) Use of grant funds;
- (4) Stakeholder involvement; and
- (5) Funds expended per student served.

(c) The division shall submit an annual report by June 30 to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and the Secretary of State, including without limitation:

(1) Best practices used by grant recipients to transport students to public school districts, open-enrollment public charter schools, or licensed childcare centers serving publicly funded students who are located outside of traditional attendance boundaries;

- (2) A list of the grant recipients and the amounts and purposes of the grants;
- and
- (3) The number of children impacted per grant recipient.

**Authority.** Arkansas Code §§ 6-20-2703, 6-21-114.