

2012 -- H 8074

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Tanzi, Walsh, O'Neill, McLaughlin, and Blazejewski

Date Introduced: April 24, 2012

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-21-1 of the General Laws in Chapter 16-21 entitled "Health and  
2 Safety of Pupils" is hereby amended to read as follows:

3 **16-21-1. Transportation of public and private school pupils.** -- (a) The school  
4 committee of any town or city ~~shall~~ may provide suitable transportation to and from school for  
5 pupils attending public and nonprofit private schools of elementary and high school grades,  
6 except private schools that are operated for profit, who reside so far from the public or private  
7 school which the pupil attends as to make the pupil's regular attendance at school impractical and  
8 for any pupil whose regular attendance would otherwise be impracticable on account of physical  
9 disability or infirmity.

10 (b) For transportation provided to children enrolled in grades kindergarten through five  
11 (5), school bus monitors, other than the school bus driver, shall be required on all school bound  
12 and home bound routes. Variances to the requirement for a school bus monitor may be granted by  
13 the commissioner of elementary and secondary education if he or she finds that an alternative  
14 plan provides substantially equivalent safety for children. For the purposes of this section a  
15 "school bus monitor" means any person sixteen (16) years of age or older.

16 (c) No school committee shall negotiate, extend, or renew any transportation contract  
17 unless such contract enables the district to participate in the statewide transportation system,  
18 without penalty to the district, upon implementation of the statewide transportation system  
19 described in RIGL sections 16-21.1-7 and 16-21.1-8. Notice of the implementation of the

1 statewide transportation system for in-district transportation shall be provided in writing by the  
2 department of elementary and secondary education to the superintendent of each district upon  
3 implementation. Upon implementation of the statewide system of transportation for all students,  
4 each school committee shall purchase transportation services for their own resident students by  
5 accessing the statewide system on a fee-for-service basis for each student; provided, however,  
6 that any school committee that fulfills its transportation obligations primarily through the use of  
7 district-owned buses or district employees may continue to do so. Variances to the requirement  
8 for the purchase of transportation services through the statewide transportation system for non-  
9 public and non-shared routes may be granted by the commissioner of elementary and secondary  
10 education if the commissioner finds that an alternative system is more cost effective. All fees paid  
11 for transportation services provided to students under the statewide system shall be paid into a  
12 statewide student transportation services restricted receipt account within the department of  
13 elementary and secondary education. Payments from the account shall be limited to payments to  
14 the transportation service provider and transportation system consultants. This restricted receipt  
15 account shall not be subject to the indirect cost recoveries provisions set forth in section 35-4-27.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

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- 1           This act would relieve municipalities from the mandatory obligation of providing suitable
- 2   transportation for pupils of nonprofit private schools.
- 3           This act would take effect upon passage.

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