

2018 -- H 8100

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Tanzi, McEntee, and Fogarty

Date Introduced: April 13, 2018

Referred To: House Finance

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.**

4 (a) The school committee of any town or city shall provide suitable transportation, that  
5 may include, but is not limited to, pupil transportation vehicles as defined in § 31-22.1-1, to and  
6 from school for pupils attending public and private schools of elementary and high school grades,  
7 except private schools that are operated for profit, who reside so far from the public or private  
8 school that the pupil attends as to make the pupil's regular attendance at school impractical and  
9 for any pupil whose regular attendance would otherwise be impracticable on account of physical  
10 disability or infirmity. Provided, effective July 1, 2018, the costs to the school committees for  
11 providing the transportation services required by this section shall be reimbursed to the  
12 appropriate school committees by the state.

13 (1) The school committee of any town or city using a pupil transportation vehicle as  
14 defined in § 31-22.1-1 shall comply with the requirements of subsection (b) of this section,  
15 notwithstanding the provisions of § 31-22.1-3(6).

16 (b) For transportation provided to children enrolled in grades kindergarten through five  
17 (5), school bus monitors, other than the school bus driver, shall be required on all school-bound  
18 and home-bound routes. Variances to the requirement for a school bus monitor may be granted by  
19 the commissioner of elementary and secondary education if he or she finds that an alternative

1 plan provides substantially equivalent safety for children. For the purposes of this section a  
2 "school bus monitor" means any person sixteen (16) years of age or older.

3 (c) No school committee shall negotiate, extend, or renew any transportation contract  
4 unless such contract enables the district to participate in the statewide transportation system,  
5 without penalty to the district, upon implementation of the statewide transportation system  
6 described in §§ 16-21.1-7 [repealed] and 16-21.1-8. Notice of the implementation of the statewide  
7 transportation system for in-district transportation shall be provided in writing by the department  
8 of elementary and secondary education to the superintendent of each district upon  
9 implementation. Upon implementation of the statewide system of transportation for all students,  
10 each school committee shall purchase transportation services for its own resident students by  
11 accessing the statewide system on a fee-for-service basis for each student; provided, however,  
12 that any school committee that fulfills its transportation obligations primarily through the use of  
13 district-owned buses or district employees may continue to do so. Variances to the requirement  
14 for the purchase of transportation services through the statewide transportation system for non-  
15 public and non-shared routes may be granted by the commissioner of elementary and secondary  
16 education if the commissioner finds that an alternative system is more cost effective. All fees paid  
17 for transportation services provided to students under the statewide system shall be paid into a  
18 statewide student transportation services restricted receipt account within the department of  
19 elementary and secondary education. Payments from the account shall be limited to payments to  
20 the transportation service provider and transportation system consultants. This restricted receipt  
21 account shall not be subject to the indirect cost recoveries provisions set forth in § 35-4-27.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION - HEALTH AND SAFETY OF PUPILS

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1           This act would provide that the state would reimburse the school committees for the costs  
2 of providing student transportation services to public and private school pupils.

3           This act would take effect July 1, 2018.

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