

2023 -- H 5473

LC000373

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- HEALTH AND SAFETY OF PUPILS

Introduced By: Representatives Tanzi, McGaw, Cortvriend, Spears, Cotter, and Donovan

Date Introduced: February 08, 2023

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 may
5 include, but is not limited to, pupil transportation vehicles as defined in § 31-22.1-1, to and from
6 school for pupils attending public and private schools of elementary and high school grades, except
7 private schools that are operated for profit, who reside so far from the public or private school that
8 the pupil attends as to make the pupil's regular attendance at school impractical and for any pupil
9 whose regular attendance would otherwise be impracticable on account of physical disability or
10 infirmity. Provided, effective July 1, 2023, the costs to the school committees for providing the
11 transportation services required by this section shall be reimbursed to the appropriate school
12 committees by the state.

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

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

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

22 (d) No school committee shall negotiate, extend, or renew any school transportation service
23 contract unless the contract provides for payments to school bus drivers, attendants, monitors, and
24 aides for one hundred and eighty (180) days or the length of the contracted-for school year,
25 whichever is longer.

26 (e) With respect to any contract entered into under this section, a school committee or local
27 education agency shall give a preference in contract and/or subcontract awards to the public
28 transportation provider that uses electric buses to the greatest extent. This preference shall be given
29 equal weight to any other preferences available to vendors.

30 (f) With respect to any contract entered into under this section, no school committee or
31 local education agency (“LEA”) shall take any adverse disciplinary action against any school bus
32 driver, attendant, monitor, or aide covered by a collective bargaining agreement prior to any
33 investigation or action taken by the contracting entity as provided for in the collective bargaining
34 agreement. Nor shall the school committee or LEA impose discipline in excess of what is provided

1 for in the governing collective bargaining agreement.

2 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

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

3 This act would take effect upon passage.

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