

2012 -- S 2791

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LC02246
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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: Senator Roger Picard

Date Introduced: March 21, 2012

Referred To: Senate Environment & Agriculture

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 provide suitable transportation to and from school for pupils
5 attending public and private schools of elementary and high school grades, except private schools
6 that are operated for profit, who reside so far from the public or private school which the pupil
7 attends as to make the pupil's regular attendance at school impractical and for any pupil whose
8 regular attendance would otherwise be impracticable on account of physical disability or
9 infirmity.

10 (b) The school committee of any town or city shall have discretion to utilize, authorize,
11 or employ school bus monitors other than or in addition to the school bus driver. ~~For~~
12 ~~transportation provided to children enrolled in grades kindergarten through five (5), school bus~~
13 ~~monitors, other than the school bus driver, shall be required on all school bound and home bound~~
14 ~~routes. Variances to the requirement for a school bus monitor may be granted by the~~
15 ~~commissioner of elementary and secondary education if he or she finds that an alternative plan~~
16 ~~provides substantially equivalent safety for children.~~ For the purposes of this section a "school
17 bus monitor" means any person sixteen (16) years of age or older who is not also the driver of the
18 school bus.

19 (c) No school committee shall negotiate, extend, or renew any transportation contract

1 unless such contract enables the district to participate in the statewide transportation system,
2 without penalty to the district, upon implementation of the statewide transportation system
3 described in RIGL sections 16-21.1-7 and 16-21.1-8. Notice of the implementation of the
4 statewide transportation system for in-district transportation shall be provided in writing by the
5 department of elementary and secondary education to the superintendent of each district upon
6 implementation. Upon implementation of the statewide system of transportation for all students,
7 each school committee shall purchase transportation services for their own resident students by
8 accessing the statewide system on a fee-for-service basis for each student; provided, however,
9 that any school committee that fulfills its transportation obligations primarily through the use of
10 district-owned buses or district employees may continue to do so. Variances to the requirement
11 for the purchase of transportation services through the statewide transportation system for non-
12 public and non-shared routes may be granted by the commissioner of elementary and secondary
13 education if the commissioner finds that an alternative system is more cost effective. All fees paid
14 for transportation services provided to students under the statewide system shall be paid into a
15 statewide student transportation services restricted receipt account within the department of
16 elementary and secondary education. Payments from the account shall be limited to payments to
17 the transportation service provider and transportation system consultants. This restricted receipt
18 account shall not be subject to the indirect cost recoveries provisions set forth in section 35-4-27.

19 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

1 This act would authorize school committees to use school bus monitors at the discretion
2 of the committee, and would remove the requirement that bus monitors in addition to the bus
3 driver be on certain school buses.

4 This act would take effect upon passage.

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