

Substituted by the House, as recommended by the committee on Bills in the Third Reading and as amended by Mrs. Hicks of Wayland, for a Bill to further authorize the transportation of students (Senate, No. 1733, amended). December 9.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT FURTHER REGULATING THE TRANSPORTATION OF STUDENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The first paragraph of section 7A of chapter 71
2 of the General Laws, as appearing in the 1986 Official Edition,
3 is hereby amended by striking out the first sentence and inserting
4 in place thereof the following two sentences: — The state treasurer
5 shall annually, on or before November twentieth, pay to the
6 several towns subject to appropriation, the sums required as
7 reimbursement for expenses approved by the commissioner of
8 education, incurred by any town for the transportation of pupils
9 not more than twice daily between any school within the town,
10 or in another town, and the pupil's home, a day care facility
11 licensed or registered by the office for children, or a day care
12 facility which is part of a public school system or a private,
13 organized educational system, in accordance with standards
14 approved by the school committee, in excess of five dollars per
15 annum per pupil in the net average membership of such town;
16 provided, however, that (a) no reimbursement for transporting a
17 pupil between school and home shall be made on account of any
18 pupil who resides less than one and one-half miles from the school
19 which he attends, measured by a commonly travelled route; (b)
20 no reimbursement for transporting a pupil between school and
21 a day care facility licensed or registered by the office for children
22 or a day care facility which is part of a public school system or
23 a private, organized educational system, shall be made if the

24 distance between the school and said facility is less than one and
25 one-half miles, measured by a commonly travelled route, nor for
26 transportation to a day care facility located outside the boundaries
27 of the school district; (c) the amount of grant, per pupil, for
28 transportation to private schools in towns which furnish such
29 transportation, shall not exceed the amount of grant per pupil for
30 transportation of public schools and (d) no contract shall be
31 awarded except upon the basis of prevailing wage rates, as
32 hereinafter provided, and of sealed bids, and the school committee
33 shall, in the event that a contract is awarded to other than the
34 lowest bidder, file with the department a written statement giving
35 its reasons therefor, which statement shall be open to public
36 inspection. Nothing in this paragraph shall be construed to mean
37 that, with the consent of a pupil's parent or guardian, a school
38 committee is in any way prohibited from providing transportation
39 for a pupil to any location.

1 SECTION 2. Section 16C of said chapter 71, as so appearing,
2 is hereby amended by striking out the first sentence and inserting
3 in place thereof the following sentence: — The regional school
4 district shall be subject to all laws pertaining to school
5 transportation; and when the agreement provides for the
6 furnishing of transportation by the regional school district, the
7 commonwealth shall reimburse such district to the full extent of
8 the amounts expended for such transportation; provided,
9 however, that no reimbursement for transportation between
10 school and home shall be made on account of any pupil who
11 resides less than one and one-half miles from the school of
12 attendance, measured by a commonly travelled route. The
13 commonwealth shall further reimburse such district to the full
14 extent of the amounts expended for the transportation of pupils
15 between school and a day care facility licensed or registered by
16 the office for children or a day care facility which is part of a public
17 school system or a private, organized educational system, in
18 accordance with standards approved by the school committee;
19 provided, however, that no reimbursement shall be made if the
20 distance between the school and said facility is less than one and
21 one-half miles, measured by a commonly traveled route, nor shall
22 reimbursement be provided for transportation to a day care

23 facility located outside the boundaries of the regional school
24 district.

1 SECTION 3. The provisions of this act relative to day care
2 transportation shall apply in a city, town or regional school
3 district after acceptance by a majority vote of the city council with
4 the approval of the mayor, in the case of a city with a Plan A,
5 Plan B or Plan F charter; by a majority vote of the city council,
6 in the case of a city with a Plan C, Plan D or Plan E charter;
7 by a majority vote of the annual town meeting or a special meeting
8 called for the purpose, in the case of a municipality with a town
9 meeting form of government; or by a majority vote of the town
10 council, in the case of a municipality with a town council form
11 of government; or by a majority vote of the school committee and
12 by majority vote of two-thirds of the appropriating authorities of
13 the member cities and towns, in the case of regional school district.

1 SECTION 4. Costs incurred by communities as a result of the
2 implementation of a program to transport students to day care
3 services licensed or registered by the office for children, or day
4 care services which are part of a public school system or a private
5 organized educational system in accordance with standards
6 approved by the school committee as provided by section one of
7 this act shall be fully reimbursed by the commonwealth.
8 Reimbursement shall not come from existing appropriations used
9 to fund the transportation of students to and from any school
10 within the school district.

