CHAPTER 290

SENATE BILL 1630

AN ACT

AMENDING SECTIONS 15-383, 15-746 AND 15-922, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 9, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-925; AMENDING SECTIONS 15-945, 28-900, 28-3053 AND 28-3228, ARIZONA REVISED STATUTES; RELATING TO TRANSPORTATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-383, Arizona Revised Statutes, is amended to read:

15-383. Insurance on school bus and other vehicle operators; authority of the governing board to purchase

A. The governing board may purchase public liability and property damage insurance covering school bus drivers while driving school buses and operators of vehicles described in Section 15-925 while driving those vehicles.

B. The governing board of any school district may require the operator of a school bus or vehicle described in Section 15-925 used for transportation of pupils attending schools in the district to carry public liability insurance in amounts not to exceed twenty thousand dollars for personal injury to any one person, and one hundred thousand dollars for personal injuries arising out of any one accident, covering any liability to which the operator may be subject on account of personal injuries to a passenger or other person caused or contributed to by an act of the operator while operating a school bus or a vehicle described in Section 15-925. If the policy of insurance is filed with and approved by the governing board of the school district, the governing board may increase the compensation otherwise payable to the operator by an amount equal to the cost to the operator of the insurance.

Sec. 2. Section 15-746, Arizona Revised Statutes, is amended to read:

15-746. School report cards

A. Each school shall distribute an annual report card that contains at least the following information:

1. A description of the school's regular, magnet and special instructional programs.

2. A description of the school's current academic goals.

3. A summary of each of the following:

   (a) The results achieved by pupils enrolled at the school during the prior three school years as measured by the statewide assessment and the nationally standardized norm-referenced achievement test as designated by the state board and as reported in the annual report prescribed by section 15-743.

   (b) Pupil progress on an ongoing and annual basis, showing the trends in gain or loss in pupil achievement over time in reading, language arts and mathematics for all years in which pupils are enrolled in the school district for an entire school year and for which this information is available.

   (c) Pupil progress for pupils who are not enrolled in a district for an entire school year.
4. The attendance rate of pupils enrolled at the school as reflected in the school's average daily membership as defined in section 15-901.

5. The total number of incidents that occurred on the school grounds, at school bus stops, AT STOPS FOR VEHICLES DESCRIBED IN SECTION 15-925, on school buses, ON VEHICLES DESCRIBED IN SECTION 15-925 and at school-sponsored events and that required the contact of a local, county, tribal, state or federal law enforcement officer pursuant to section 13-3411, subsection F, section 13-3620, section 15-341, subsection A, paragraph 30 or section 15-515. The total number of incidents reported shall only include reports that law enforcement officers report to the school AND that are supported by probable cause. For the purposes of this paragraph, a certified peace officer who serves as a school resource officer is a law enforcement officer. A school may provide clarifying information if the school has a school resource officer on campus.

6. The percentage of pupils who have either graduated to the next grade level or graduated from high school.

7. A description of the social services available at the school site.

8. The school calendar, including the length of the school day and hours of operations.

9. The total number of pupils enrolled at the school during the previous school year.

10. The transportation services available.

11. A description of the responsibilities of parents of children enrolled at the school.

12. A description of the responsibilities of the school to the parents of the children enrolled at the school, including dates the report cards are delivered to the home.

13. A description of the composition and duties of the school council as prescribed in section 15-351 if such a school council exists.

14. For the most recent year available, the average current expenditure per pupil for administrative functions compared to the predicted average current expenditure per pupil for administrative functions according to an analysis of administrative cost data by the joint legislative budget committee staff.

15. If the school provides instruction to pupils in kindergarten programs and grades one through three, the ratio of pupils to teachers in each classroom where instruction is provided in kindergarten programs and grades one through three.

16. The average class size per grade level for all grade levels, kindergarten programs and grades one through eight. For the purposes of this paragraph, "average class size" means the weighted average of each class.
B. The department of education shall develop a standardized report card format that meets the requirements of subsection A of this section. The department shall modify the standardized report card as necessary on an annual basis. The department shall distribute to each school in this state a copy of the standardized report card that includes the required test scores for each school. Additional copies of the standardized report card shall be available on request.

C. After each school has completed the report card distributed to it by the department of education, the school, in addition to distributing the report card as prescribed in subsection A of this section, shall send a copy of the report card to the department. The department shall prepare an annual report that contains the report card from each school in this state.

D. The school shall distribute report cards to parents of pupils enrolled at the school, not later than the last day of school of each fiscal year, and shall present a summary of the contents of the report cards at an annual public meeting held at the school. The school shall give notice at least two weeks before the public meeting that clearly states the purposes, time and place of the meeting.

E. Beginning in fiscal year 2021-2022, the school report card prescribed by this section shall include a link to access the information required by section 15-747.

Sec. 3. Section 15-922, Arizona Revised Statutes, is amended to read:

15-922. Reporting duties of the school district; definition
A. Each school district, shall within twelve days after the first one hundred days or two hundred days in session, as applicable, SHALL certify to the superintendent of public instruction, in an electronic format as prescribed by the department of education, the following:
1. The daily route mileage of the school district in the current year. The route mileage shall not include more than twenty THIRTY miles each way to and from the school of attendance or to and from a pickup point on a regular transportation route to transport eligible students who reside in nonadjacent school districts.
2. The route mileage of the school district in the current year transporting eligible students for extended school year services in accordance with section 15-881.
3. The number of eligible students transported during the current year.
B. A school district shall meet the requirements of this section to receive state aid. The superintendent of public instruction may withhold a school district's apportionment of state aid if it is determined by the superintendent of public instruction that the school district is not complying with the requirements of this section. A school district may include in the calculation of daily route mileage any vehicle that
meets the definition of a school bus prescribed in this section or any motor vehicle described in section 15-925. The department of education shall not deny transportation funding or state aid for a school district that transports pupils in any vehicle that meets the definition of a school bus prescribed in this section or any motor vehicle described in section 15-925.

C. For the purposes of this article and section 15-901, "school bus" or "bus" means a school bus as defined in section 28-101, except that the passenger capacity standards prescribed in that section do not apply.

Sec. 4. Title 15, chapter 9, article 2, Arizona Revised Statutes, is amended by adding section 15-925, to read:

15-925. School transportation; allowable vehicles

Notwithstanding any other law, a school district or charter school in this state or a privately owned and operated entity that is contracted for compensation with a school district or charter school in this state may use a motor vehicle that is designed to carry at least eleven and not more than fifteen passengers or a motor vehicle that is designed as a type A school bus or type B school bus as defined by the department of public safety to carry at least eleven and up to fifteen passengers to transport students to or from home or school on a regularly scheduled basis in accordance with the safety rules adopted by the department of public safety pursuant to sections 28-900 and 28-3228.

Sec. 5. Section 15-945, Arizona Revised Statutes, is amended to read:

15-945. Transportation support level

A. The support level for to and from school for each school district for the current year shall be computed as follows:

1. Determine the approved daily route mileage of the school district for the fiscal year prior to the current year.

2. Multiply the figure obtained in paragraph 1 of this subsection by one hundred eighty, or for a school district that elects to provide two hundred days of instruction pursuant to section 15-902.04, multiply the figure obtained in paragraph 1 of this subsection by two hundred.

3. Determine the number of eligible students transported in the fiscal year prior to the current year.

4. Divide the amount determined in paragraph 1 of this subsection by the amount determined in paragraph 3 of this subsection to determine the approved daily route mileage per eligible student transported.

5. Determine the classification in column 1 of this paragraph for the quotient determined in paragraph 4 of this subsection. Multiply the product obtained in paragraph 2 of this subsection by the corresponding state support level for each route mile as provided in column 2 of this paragraph.
### Column 1

<table>
<thead>
<tr>
<th>Approved Daily Route</th>
<th>Column 2</th>
<th>State Support Level per Mileage per Eligible Route for Fiscal Year 2021-2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.5 or less</td>
<td></td>
<td>2.77</td>
</tr>
<tr>
<td>More than 0.5 through 1.0</td>
<td>2.27</td>
<td></td>
</tr>
<tr>
<td>More than 1.0</td>
<td></td>
<td>2.77</td>
</tr>
</tbody>
</table>

6. Add the amount spent during the prior fiscal year for bus tokens and bus passes for students who qualify as eligible students as defined in section 15-901.

B. The support level for academic education, career and technical education, vocational education and athletic trips for each school district for the current year is computed as follows:

1. Determine the classification in column 1 of paragraph 2 of this subsection for the quotient determined in subsection A, paragraph 4 of this section.

2. Multiply the product obtained in subsection A, paragraph 5 of this section by the corresponding state support level for academic education, career and technical education, vocational education and athletic trips as provided in column 2, 3 or 4 of this paragraph, whichever is appropriate for the type of district.

<table>
<thead>
<tr>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved Daily Route</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mileage per Eligible Student Transported</td>
<td>District Type 02 or 03</td>
<td>District Type 04</td>
<td>District Type 05</td>
</tr>
<tr>
<td>0.5 or less</td>
<td>0.15</td>
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<td>0.25</td>
</tr>
<tr>
<td>More than 0.5 through 1.0</td>
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<td>0.30</td>
</tr>
</tbody>
</table>

For the purposes of this paragraph, “district type 02” means a unified school district or an accommodation school that offers instruction in grades nine through twelve, “district type 03” means a common school district not within a high school district, “district type 04” means a common school district within a high school district or an accommodation school that does not offer instruction in grades nine through twelve and “district type 05” means a high school district.

C. The support level for extended school year services for pupils with disabilities is computed as follows:

1. Determine the sum of the following:

   (a) The total number of miles driven by all buses of a school district while transporting eligible pupils with disabilities on scheduled routes from their residence to the school of attendance and from the school of attendance to their residence on routes for extended school year services in accordance with section 15-881.
(b) The total number of miles driven on routes approved by the superintendent of public instruction for which a private party, a political subdivision or a common or a contract carrier is reimbursed for bringing an eligible pupil with a disability from the place of the pupil's residence to a school transportation pickup point or to the school facility of attendance and from the school transportation scheduled return point or from the school facility to the pupil's residence for extended school year services in accordance with section 15-881.

2. Multiply the sum determined in paragraph 1 of this subsection by the state support level for the district determined as provided in subsection A, paragraph 5 of this section.

D. The transportation support level for each school district for the current year is the sum of the support level for to and from school as determined in subsection A of this section, the support level for academic education, career and technical education, vocational education and athletic trips as determined in subsection B of this section and the support level for extended school year services for pupils with disabilities as determined in subsection C of this section.

E. The state support level for each approved route mile, as provided in subsection A, paragraph 5 of this section, shall be adjusted by the growth rate prescribed by law, subject to appropriation.

F. School districts must provide the odometer reading for each bus as of the end of the current year and the total bus mileage during the current year.

G. A SCHOOL DISTRICT MAY INCLUDE ROUTE MILEAGE AND THE NUMBER OF RIDERS TO CALCULATE FUNDING PURSUANT TO THIS SECTION FOR TRANSPORTING ELIGIBLE STUDENTS USING MOTOR VEHICLES DESCRIBED IN SECTION 15-925.

Sec. 6. Section 28-900, Arizona Revised Statutes, is amended to read:

28-900. School transportation rules
A. The department of public safety in consultation with the school bus STUDENT TRANSPORTATION advisory council established by section 28-3053 shall adopt rules as necessary to improve the safety and welfare of school bus STUDENT passengers by minimizing the probability of accidents involving school buses and school bus STUDENT passengers and by minimizing the risk of serious bodily injury to school bus STUDENT passengers in the event of an accident.

B. The rules may include:
1. Minimum standards for the design and equipment of school buses THAT ARE DESIGNED FOR SIXTEEN OR MORE PASSENGERS.
2. Minimum standards for the periodic inspection and maintenance of school buses THAT ARE DESIGNED FOR SIXTEEN OR MORE PASSENGERS.
3. Procedures for the operation of school buses THAT ARE DESIGNED FOR SIXTEEN OR MORE PASSENGERS.
4. MINIMUM STANDARDS FOR THE DESIGN AND EQUIPMENT OF MOTOR VEHICLES DESCRIBED IN SECTION 15-925 THAT ARE SUBSTANTIALLY DIFFERENT THAN THE MINIMUM STANDARDS PRESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION.

5. MINIMUM STANDARDS FOR THE PERIODIC INSPECTION AND MAINTENANCE OF MOTOR VEHICLES DESCRIBED IN SECTION 15-925.

6. PROCEDURES FOR THE OPERATION OF MOTOR VEHICLES DESCRIBED IN SECTION 15-925.

7. Other criteria as deemed by the department of public safety and the school bus STUDENT TRANSPORTATION advisory council to be necessary and appropriate to ensure the safe operation of school buses AND MOTOR VEHICLES THAT ARE DESCRIBED IN SECTION 15-925. ANY RULES ADOPTED PURSUANT TO THIS SECTION SHALL ALLOW FOR A VARIETY OF VEHICLES TO BE USED TO MEET THE NEEDS OF STUDENTS AND SYSTEMS OF VARYING SIZES AND LOCATIONS.

C. The rules shall provide, if applicable, minimum standards equal to or more restrictive than those adopted by the United States department of transportation in accordance with 23 United States Code and rules adopted pursuant to 23 United States Code.

D. Notwithstanding a rule adopted by the department of public safety with respect to exterior color of a school bus THAT IS DESIGNED FOR SIXTEEN OR MORE PASSENGERS, in order to reduce the interior temperature of a school bus, the exterior top of a school bus may be painted white, but the white area shall not extend beyond the center clearance lights, front and rear, and shall not extend below a line five inches above the top of the side windows.

E. An officer or employee of any school district OR CHARTER SCHOOL who violates any of the rules or who fails to include the obligation to comply with the rules in any contract executed by the officer or employee on behalf of the school district OR CHARTER SCHOOL is guilty of misconduct and is subject to removal from office or employment. Any person who operates a school bus OR MOTOR VEHICLE under contract with a school district OR CHARTER SCHOOL and who fails to comply with any of the rules is in breach of contract, and the school district OR CHARTER SCHOOL shall cancel the contract after notice and a hearing by the responsible officers of the school district OR CHARTER SCHOOL.

F. The department of public safety shall enforce the rules adopted pursuant to this section.

Sec. 7. Section 28-3053, Arizona Revised Statutes, is amended to read:

28-3053. Student transportation advisory council

A. The school bus STUDENT TRANSPORTATION advisory council is established consisting of nine THE FOLLOWING members appointed by the governor. The governor shall appoint the members as follows:

1. One member representing the department of public safety.
2. One member representing the state board of education.
3. ONE MEMBER REPRESENTING THE STATE BOARD FOR CHARTER SCHOOLS.

4. One member from a school district with a student count of
   less than six hundred IN A COUNTY WITH A POPULATION OF LESS THAN THREE
   HUNDRED THOUSAND PERSONS.

5. One member from a school district with a student count of
   six hundred or more but less than three thousand.

6. One member from a school district with a student count of
   MORE THAN three thousand or more but less than ten thousand.

7. One member representing transportation administrators.

8. One member who is a certified school bus driver or school bus
driver instructor.

9. One member representing a private sector school bus service
   provider OR A PRIVATE SECTOR STUDENT TRANSPORTATION SERVICE PROVIDER.

10. ONE MEMBER FROM A CHARTER SCHOOL WITH A STUDENT COUNT OF LESS
    THAN SIX HUNDRED.

11. ONE MEMBER FROM A CHARTER SCHOOL WITH A STUDENT COUNT OF MORE
    THAN SIX HUNDRED.

12. ONE MEMBER WITH EXPERTISE IN ELECTRIC VEHICLE FLEETS, ELECTRIC
    VEHICLE CHARGING INFRASTRUCTURE OR CHARGING MANAGEMENT SERVICES.

13. TWO PUBLIC MEMBERS.

B. The members shall serve staggered three-year terms unless a
   member vacates the position. Appointment to fill a vacancy resulting
   other than from expiration of a term is for the unexpired portion of the
   term only.

C. The school bus STUDENT TRANSPORTATION advisory council shall:

1. Meet at least TWICE annually.

2. Select a chairperson from its members.

3. Advise and assist the department of public safety in developing
   the rules required by sections 28-900 and 28-3228.

4. Recommend curricula for school bus driver safety and training
   courses required by section 28-3228.

5. Advise and consult with the department of public safety
   concerning matters related to the certification of school bus drivers and
   the safety of school buses AND VEHICLES DESCRIBED IN SECTION 15-925.

6. ADVISE AND CONSULT WITH THE DEPARTMENT OF PUBLIC SAFETY
   CONCERNING MATTERS RELATED TO MODERNIZING AND INNOVATING K-12 STUDENT
   TRANSPORTATION TO REDUCE TRANSPORTATION BARRIERS FOR STUDENTS, INCREASE
   ACCESS TO PUBLIC SCHOOL OPTIONS AND PROVIDE MORE TRANSPORTATION OPTIONS
   FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS, INCLUDING ELECTRIC
   TRANSPORTATION.
7. ADVISE AND CONSULT WITH THE DEPARTMENT OF ADMINISTRATION CONCERNING PURCHASING STRATEGIES TO MAXIMIZE TRANSPORTATION RESOURCES AND FIND EFFICIENCIES TO MODERNIZE AND PROPERLY SIZE TRANSPORTATION VEHICLES AND SYSTEMS.

8. Establish a mailing list that includes any party expressing an interest in the council's activities. The council shall provide written notice to each person on the list at least fifteen days before the date on which the meeting is to be held. The notice shall be sent by mail or electronic means to the party's last address of record with the council or by any other method reasonably calculated to effect actual notice to any party expressing interest in the council's activities. Written notice by electronic means is effective when transmitted. For other methods written notice is effective on receipt or five days after the date shown on the postmark stamped on the envelope, whichever is earlier.

D. Members of the school—bus STUDENT TRANSPORTATION advisory council are not eligible to receive compensation or reimbursement for expenses.

Sec. 8. Section 28-3228, Arizona Revised Statutes, is amended to read:

28-3228. School bus drivers; student transportation requirements; rules; cancellation of certificate

A. A person shall not operate a school bus transporting THAT IS DESIGNED FOR SIXTEEN OR MORE PASSENGERS AND THAT TRANSPORTS school children unless the person possesses the appropriate license class for the size of school bus being operated that is issued by the department of transportation, a bus endorsement that is issued by the department of transportation and a school bus certificate that is issued by the department of public safety. A PERSON SHALL NOT OPERATE A VEHICLE DESCRIBED IN SECTION 15-925 TO TRANSPORT SCHOOL CHILDREN UNLESS THE PERSON POSSESSES THE APPROPRIATE LICENSE CLASS FOR THE SIZE OF THE VEHICLE BEING OPERATED, A SCHOOL BUS DRIVER CERTIFICATE THAT IS ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY AND A VALID FINGERPRINT CLEARANCE CARD AS REQUIRED BY SUBSECTION D OF THIS SECTION.

B. To be certified as a school bus driver FOR A VEHICLE THAT IS DESIGNED FOR SIXTEEN OR MORE PASSENGERS, a person shall do both of the following:

1. Meet and maintain the minimum standards prescribed by this section and rules adopted by the department of public safety in consultation with the school—bus STUDENT TRANSPORTATION advisory council established by section 28-3053.

2. Complete an initial instructional course on school bus driver safety and training, including behind the wheel training.
C. The department of public safety in consultation with the school bus STUDENT TRANSPORTATION advisory council established by section 28-3053 shall adopt rules that establish minimum standards for the certification of school bus drivers AND DRIVERS OF OTHER VEHICLES DESCRIBED IN SECTION 15-925. In cooperation with local school districts AND CHARTER SCHOOLS, the department of public safety shall provide for school bus TRANSPORTATION safety and training courses. The standards established shall:

1. Include requirements concerning moral character, knowledge of school bus operation OPERATING A SCHOOL BUS OR A VEHICLE DESCRIBED IN SECTION 15-925, pupil and motor vehicle safety, physical impairments that might affect the applicant's ability to safely operate a school bus OR VEHICLE DESCRIBED IN SECTION 15-925 or that might endanger the health or safety of school bus passengers, knowledge of first aid, establishment of school bus AND OTHER VEHICLE safety and training courses, a refresher course to be completed on at least a biennial basis and other matters as the department of public safety and the school bus STUDENT TRANSPORTATION advisory council established by section 28-3053 prescribe for the protection of the public.

2. Require tests to detect the presence of alcohol or the use of a drug in violation of title 13, chapter 34 that may adversely affect the ability of the applicant to safely operate a school bus OR VEHICLE DESCRIBED IN SECTION 15-925.

3. Authorize the performance of hearing tests with or without the use of a hearing aid as provided in 49 Code of Federal Regulations section 391.41.

4. Require the applicant to possess a commercial driver license issued by the department, except that:
   (a) Notwithstanding subsection A of this section the applicant may possess a commercial driver license issued by another state if the applicant will be driving a school bus for a school district that is adjacent to that state.
   (b) AN APPLICANT TO DRIVE A VEHICLE DESCRIBED IN SECTION 15-925 DOES NOT NEED TO POSSESS OR OBTAIN A COMMERCIAL DRIVER LICENSE. THIS SUBDIVISION APPLIES ONLY IF A COMMERCIAL DRIVER LICENSE IS NOT REQUIRED BY STATE OR FEDERAL LAW TO OPERATE THE VEHICLE BASED ON THE VEHICLE'S GROSS VEHICLE WEIGHT RATING OR OCCUPANCY.

D. Each person who applies for a school bus driver certificate shall have a valid fingerprint clearance card that is issued pursuant to title 41, chapter 12, article 3.1 and shall submit an identity verified fingerprint card as described in section 15-106 that the department of public safety shall use to process the fingerprint clearance card as outlined in section 15-106.
E. A person who is issued a school bus driver certificate shall maintain a valid identity verified fingerprint clearance card for the duration of any school bus driver certification period.

F. The department of public safety shall suspend a school bus driver certificate if the fingerprint clearance card is invalid, suspended, canceled or revoked.

G. The department of public safety shall issue a school bus driver certificate to an applicant who meets the requirements of this section. The certificate is valid if the applicant maintains the minimum standards established by this section.

H. The department of public safety may cancel the certificate if the person's license to drive is suspended, canceled, revoked or disqualified. The department of public safety shall cancel the certificate if the person fails to maintain the minimum standards established pursuant to this section. A person whose application for a certificate is refused or whose certificate is canceled for failure to meet or maintain the minimum standards may request and receive a hearing from the department of public safety.

I. The department of public safety shall enforce the rules adopted pursuant to this section.

APPROVED BY THE GOVERNOR JUNE 13, 2022.