

4 AAC 06.120(a)(2) is amended to read:

(2) [FOR FISCAL YEARS BEGINNING ON OR AFTER JULY 1, 1998 AND ENDING BEFORE JULY 1, 2001, THE ALASKA DEPARTMENT OF EDUCATION UNIFORM CHART OF ACCOUNTS AND ACCOUNT CODE DESCRIPTIONS FOR PUBLIC SCHOOL DISTRICTS, 1996 EDITION;] for fiscal years beginning on or after July 1, 2001, and ending before July 1, 2013, the Alaska Department of Education and Early Development Uniform Chart of Accounts and Account Code Descriptions for Public School Districts, 2000 Edition; for fiscal years beginning on or after July 1, 2013 **and ending before July 1, 2014**, the Alaska Department of Education and Early Development Uniform Chart of Accounts and Account Code Descriptions for Public School Districts, 2012 Edition; **for fiscal years beginning on or after July 1, 2014, the Alaska Department of Education and Early Development Uniform Chart of Accounts and Account Code Descriptions for Public School Districts, 2014 Edition;**

(Eff. 1/1/76, Register 56; am 1/22/81, Register 77; am 8/2/81, Register 79; am 2/10/83, Register 85; am 3/24/85, Register 93; am 8/29/85, Register 95; am 4/12/86, Register 97; am 6/28/87, Register 102; am 12/23/88, Register 108; am 8/5/90, Register 115; am 12/20/97, Register 144; am 5/17/2001, Register 158; am 3/23/2006, Register 177; am **12/2/2012** [12/02/2012], Register 204; am 7/25/2014, Register 211)

**Authority:**    AS 14.07.020                      AS 14.07.170                      AS 14.14.050

AS 14.07.060

4 AAC 27 is amended by adding a new section to read:

**4 AAC 27.006. Program requirements.** (a) The purpose of the pupil transportation program is to provide basic to- and from-school transportation services.

(b) Districts shall use the most cost efficient methods when developing and establishing both regular and special education routes, procuring contractor services or equipment, and other services related to basic to- and from-school transportation services.

(c) Eligible expenditures that may be charged to the pupil transportation program include only those direct costs for operating and transporting pupils under the provisions of AS 14.09 and this chapter, and must be reported in accordance with 4 AAC 06.121(4). (Eff. 7/ 25/ 2014, Register 211)

**Authority:** AS 14.07.020

AS 14.07.030

AS 14.07.060

AS 14.09.010

4 AAC 27 is amended by adding a new section to read:

**4 AAC 27.011. Establishment of regular routes.** (a) A district may establish a regular pupil transportation route if:

(1) eight or more pupils reside more than one and one-half miles from the attendance center to be served by the route, measured from the closest point of the school property to the closest point of the residence property; and

(2) the entire route is over regularly maintained roads, having at least a gravel surface, that are under the supervision and all-weather maintenance of the Department of Transportation and Public Facilities, a public utility district, a municipality, a borough service



4 AAC 27 is amended by adding a new section to read:

**4 AAC 27.032. In-lieu-of agreements.** (a) A district may establish agreements with parents to provide reimbursement for transporting their children to the nearest attendance center or bus pickup in place of extending an existing route or establishing a new route.

(b) The following limitations apply to in-lieu-of agreements entered under (a) of this section:

(1) unless the child is a special education pupil, the pupil's residence must be more than one and one-half miles from both the nearest regular bus route and the pupil's attendance center;

(2) the per-mile rate may not exceed the maximum rate paid by the district for the travel of its administrative employees when using their private vehicles for school business; and

(3) reimbursements must be based on the actual miles traveled and not the number of pupils transported. (Eff. 7/ 25/ 2014, Register 211)

**Authority:**    AS 14.07.020                    AS 14.07.060                    AS 14.09.010

4 AAC 27 is amended by adding a new section to read:

**4 AAC 27.036. Hazardous routes.** (a) Those routes that are within one and one-half miles of an attendance center and that cannot be safely traveled by children because of traffic, weather, or other hazards may be designated by the governing body of the district as hazardous routes.

(b) A resolution by the governing body designating a hazardous route must state the nature and anticipated duration of the hazard. A hazardous-route designation applies only during

the period the hazard exists and for a maximum of one school year. (Eff. 7/ 25/ 2014, Register 211)

**Authority:**    AS 14.07.020                    AS 14.07.060                    AS 14.09.010  
                         AS 14.07.030

**4 AAC 27.056. Required transportation reports and documents.** Each district that receives pupil transportation funds from the department shall submit the following pupil transportation reports to the department on forms prescribed by the department:

(1) the pupil transportation program annual report shall be submitted to the department not later than October 1 each year;

(2) the pupil transportation program quarterly report shall be submitted to the department not later than 15 days after the end of each quarter of the fiscal year of the report; the final quarterly report is due to the department not later than July 15 of each year, except that if the district is offering summer school transportation services, the final quarterly report is due to the department not later than August 15 of each year;

(3) the school bus accident report shall be submitted to the department immediately following a reportable accident and must be completed by the owner or leaseholder of a school bus when a school bus

(A) on off-terminal premises

(i) makes contact with another vehicle, object, or person; or

(ii) leaves a roadway or parking area; and

(B) on on-terminal premises makes contact that results in injury to a pupil passenger, whether the pupil is inside or outside the bus;

(4) the accident summary report shall be submitted not later than 10 days after the end of each month in which a reportable school bus accident occurs; if a reportable accident does not occur during a month, the form shall be completed and submitted not later than 10 days after the end of each quarter. (Eff. 7/ 25/ 2014, Register 211)

**Authority:**    AS 14.07.020            AS 14.07.060            AS 14.09.030  
                  AS 14.07.030            AS 14.09.010

4 AAC 27 is amended by adding a new section to read:

**4 AAC 27.086. Competitive pupil transportation proposals.** (a) All contracts for pupil transportation awarded by a district school board must be based on the competitive proposal process. A request for proposals must, at a minimum, contain the following:

- (1) a general description of the
  - (A) required service areas;
  - (B) number of routes and runs;
  - (C) number, size, and age limitation of school buses required;
  - (D) approximate mileage to be run; and
  - (E) approximate number of pupils to be transported;
- (2) contract terms of not less than three years, if feasible, and not more than five years;
- (3) a statement that the contract is governed by AS 14.09 and this chapter;
- (4) a statement that if a cancellation or termination of a contract occurs due to deficiencies in performance by the contractor,

(A) the district, upon cancellation or termination of the contract, may exercise the district's option to buy or lease from the contractor; and

(B) the contractor agrees to sell or lease to the district any or all school buses and spare buses that, as of the date of delivery or the date when the district gives 30 days' notice of cancellation from the district to the contractor, are being used by the contractor for to- and from-school transportation services;

(5) any reporting and document submittal requirements, including the tracking of ridership and mileage;

(6) a liquidated damage clause due to lack of performance; and

(7) fuel adjustments.

(b) The request for proposal for the basic to- and from-school transportation services may include activity bus services and optional equipment if the activity bus services and optional equipment costs are not included in the base costs of the basic to- and from-school transportation services and the request for proposals clearly itemizes contract costs as follows:

(1) costs of the basic to- and from-school transportation services required to meet the minimum standards for Alaska school buses adopted by reference under 4 AAC 27.110;

(2) costs of activity bus services; those costs must be provided on a cost-per-bus, per-day, per-hour, and per-half-hour basis; and

(3) costs of optional equipment; those costs must be provided on a cost-per-bus basis.

(c) The district shall ensure that all requests for proposals commence six months before the expiration date of the current contract. Pre-bid conferences shall be held 30 days after the

release of the request for proposals. All requests for proposals must be due to the district 14 days after the pre-bid conference and opened on that same day in public at the hour and place stated in the request for proposals.

(d) After the district’s school board action to offer a transportation contract, and following any board actions on petitions for reconsideration by proposers, the district school board shall forward a copy of the written proposed contract and successful proposal to the department not later than April 15 of the fiscal year preceding the first year of the contract. In addition, a copy of the final signed written contract shall be forwarded to the department not later than the first day of the contract.

(e) Notwithstanding (c) of this section, each district with an average daily membership of 4,500 or more shall work with the department to align, bid, and remain on the same five-year term cycle. (Eff. 7/ 25/ 2014, Register 211)

**Authority:** AS 14.07.020 AS 14.07.060 AS 14.09.010  
AS 14.07.030

4 AAC 27 is amended by adding a new section to read:

**4 AAC 27.951. Measurement of distance to attendance center.** For purposes of this chapter, in determining whether a pupil resides at least a specified distance from the pupil’s attendance center or nearest transportation route pickup point, the distance to be measured is the shortest route, measured from the closest point of the residence property, by which a pupil could actually walk to the location while not crossing private property without the permission of the property owner. (Eff. 7/ 25/ 2014, Register 211)

**Authority:** AS 14.07.020 AS 14.07.060 AS 14.09.010



AS 14.07.030

4 AAC 27.990 is repealed and readopted to read:

4 AAC 27.990 Definitions. In AS 14.09 and this chapter, unless the context requires otherwise,

(1) “activity bus” means a bus owned, leased, or contracted by a district and regularly used to transport pupils on field trips, athletic trips, and extracurricular and other non-instructional activities;

(2) “attendance center” means the neighborhood school within a district to which a pupil is to be transported for educational purposes;

(3) “bus route” or “route”

(A) means the shortest distance necessary to transport a given group of pupils from a pickup point nearest their homes to their attendance center and back;

(B) does not include the distance from where a transportation vehicle is garaged to the start of its route;

(4) “commissioner” means the commissioner of education and early development or the commissioner’s designee;

(5) “duplicate mileage” means any portion of a route that travels both directions on the same street or roadway;

(6) “eligible expenditure”

(A) means only a cost associated with operating the basic to- and from-school transportation services;

(B) includes direct administrative and staff salaries and benefits, contracted services, supplies, and equipment.

(7) “IEP” means an individualized education program as set out in AS 14.30.278 and 4 AAC 52.140.

(8) “optional equipment” means any equipment not required in the most current edition of the minimum standards for Alaska school buses adopted by reference under 4 AAC 27.110;

(9) “pupil” means a person eligible under the laws of this state for free public education and who is attending school;

(10) “school bus” means a type of bus specially designed and manufactured for the transporting of pupils to and from school and school events;

(11) “school district” or “district” includes borough and city school districts and regional educational attendance areas;

(12) “spare buses” means those buses used by a district for to- and from-school transportation services in the event of a mechanical failure in the primary bus fleet;

(13) “to- and from-school transportation services” means transporting a pupil from the pupil’s scheduled pickup point to and from school on regular scheduled school days.

(Eff. 5/30/71, Register 38; am 9/14/77, Register 63; am 7/8/99, Register 151; am 7/23/99, Register 151; am 6/4/2004, Register 170; am 7/25/2014, Register 211)

**Authority:**    AS 14.07.020                    AS 14.07.060                    AS 14.09.010  
                  AS 14.07.030