

Student Transportation Advisory Council - AZPOST Boardroom - 2025/07/09 10:00 MST –

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Virtual Attendees

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Transcript

Captain Vernon Havens: Good morning, everybody this will be the first meeting of the Student Transportation Advisory Council today is July 9th, 2025. I'm going to get kind of started with a quick introduction. Thank you for being here both in person and joining us online and via the telephone connections. First and very quick housekeeping for those in the gallery please ensure your phones are on vibrate and those joining us via the webinar that your mics are muted.

As this is the inaugural meeting of the student transportation advisory council and with no chairperson yet appointed, I'll take the opportunity to formally open today's session and guide us through our planned agenda and the selection of a chairperson to direct this vital council. My name is Captain Vern Havens. I'm proud to represent the Arizona Department of Public Safety as an appointed member of this council. It is an honor to introduce the Arizona Student Transportation Advisory Council appointed by Governor Hobbs in its vital role in strengthening the safety, efficiency, and equity of student transportation across our state. Before we begin, I'd like to extend a sincere thank you to the Arizona Peace Officer Standards and Training Board for generously hosting this first stack meeting at their facility. Their support is deeply appreciated and helps set the tone for the collaborative work we're here to do.

The Arizona Student Transportation Advisory Council created under Arizona Rice Statute 28-3053 authorizes the establishment of this council to evaluate and recommend improvements to the Arizona part of public safety on school bus and vehicle safety and operations, school bus drivers and instructors, all with specific attention to Arizona school transportation safety. This council brings together a broad group of experts and stakeholders, including representatives from the public-school districts and charter schools.

The Arizona Department of Public Safety, the Arizona Department of Education, school bus manufacturers and private transport providers, rural and tribal communities, safety advocates, and other law enforcement officials. The need for this council is both clear and urgent. With the Student Transportation Advisory Council having been active for several years, Arizona's transportation systems, school districts, and the Arizona Department of Public Safety have continued to face mounting challenges that require coordinated and informed solutions. including widespread driver shortages continue to disrupt reliable and consistent student transportation services across the state. Many school

buses still lack modern safety technologies such as onboard cameras, GPS tracking, and other critical safety enhancements that are now standard in many districts. Rural and remote school districts face significant geographic and infrastructure barriers, limiting their access to the essential transportation resources and support.

The cost of student transportation, including vehicles, infrastructure, and maintenance, have risen sharply, even when supplemented by available grant funding. Recent legislative changes, including those related to ARS 15-925 driver qualifications, the use of the 11 and 15 passenger vehicles for student transport, must be integrated into updated policy and clearly reflected in the Arizona minimum standards and the minimum standards themselves are long overdue for a comprehensive review and update to reflect modern practices evolving technologies and regulatory changes. Lastly, there has been a rise in incident involving unsafe motors behavior particularly near bus stops along routes and its student loading and unloading zones putting students, drivers and aids at an unacceptable risk. The bottom line is this. Even a single incident resulting in the injury or loss of a student, school bus driver or an aid is one too many.

Reestablishing this council is essential to ensure Arizona's transportation systems are not only safe and reliable but are also future focused and responsive to the needs of communities. Through this council, we should be and are committed to identifying and recommending improvements in the areas such as school alternative vehicle driver and instructor safety standards, driver training, bus stop safety, and policy updates. All to ensure Arizona students travel to and from school safely every single day. This is not just a policy issue. is a student safety issue and no matter and a matter of public trust. I'm proud to be part of this council that is committed to the collaboration, innovation, and the students. Thank you for your time and to be able to provide you an introduction. Let's get into today's Agenda B is welcoming introductions beginning with number one, introduction of the newly selected stack members. If it's all right, I'll start on the very end.

Chuck Essigs: I'm Chuck Essigs and I'm the Arizona Association of School Business Officials. I'm their government relations person. I was the assistant superintendent for Business Services in the Mesa School District for almost 20 years. Transportation was one of the areas that were in my area or whatever. And I realize how important it is, and I agree with the comments about safety needs to be a major factor in looking at how we run our transportation programs. And I'm proud and happy to be part of this transportation program manager with the Arizona School Risk Retention Trust, also known as the trust. we obviously have a vested interest in most of the school districts their insurance pool program administrator.

Jason Nelson: I am Jason Nelson as the transportation program manager we're basically putting together a lot of the educational material and opportunities out there for school districts and operations. prior to that I was with Kyrene School District for eight years in Phoenix Elementary where I started as a school bus driver. so definitely played a critical role in school district operations and the school bus body and chassis work group during the previous school advisory council or formerly known school bus advisory council. So, looking forward to getting back to work up here on the committee.

Trace Tolby: My name is Trace Tolby with Gilbert Public Schools, director of transportation after 15 years on the dealership side, we kind of flipped on the other side of the fence and been with the school ever since then.

Nick Franklin: My name is Nick Franklin, Deer Valley Unified transportation director. I've been in school bus industry since 1989. I was on the last advisory council with Jason Nelson as well. So, I see an opportunity to get some stuff done, I am Super excited to be here.

Nicholas Lloyd: My name is Nicholas Lloyd. I'm with Liberty Elementary School District. I'm a driver trainer and I had previously been a driver. I've been there for about four years and before that I was with Andale Elementary quite a few years back and I was with them for a couple years just as a driver.

Sean Ross: Hi everybody. Sean Ross, executive director, Arizona State Board of Education.

Ashley Berg: Good morning, I'm Ashley Berg I'm the executive director for the Arizona State Board for Charter Schools and thank you for having me. I'm honored to be on the council with all of you.

Denise Hall: Good morning I am Denise Hall I am representing the White Mountain area. I have acted as transportation supervisor, trainer, and driver for over 28 years.

Thomas Hartman: Good morning, Tom Hartman I'm with RWC Group. I've been in the school bus industry for 31 years. represent at least two of the three major North American school bus manufacturers. looking forward to help with updating our standards. I agree safety needs to be our number one focus and look forward to working with the local dealers and our manufacturers and to make sure that whatever rule changes we decide that need to be updated that manufacturers can comply, and it makes fiscal sense. So, thank you.

Captain Vernon Havens: I'm going to take a moment to read a couple key points just to get the cadence going on the council. As I said before, it's a true honor to join you today as one of the newly appointed members of the council. We're finally here. again, my name is Captain Vern Havens and I'm a proud Arizona native and a veteran of the Department of Public Safety for the last 27 years. Throughout my career, I've remained deeply committed to the safety and being of Arizona motorists, vehicle occupants, and most importantly, our Arizona students. That commitment is not just part of my job. It's been a lifelong pursuit. Whether serving on patrol, leading criminal interdiction efforts, or interacting with students through presentations, challenges, or even unfortunately some roadside traffic stops, I've always believed that every assignment is ultimately about protecting lives and rights. My current role, I'm the operational commander of the DPS commercial vehicle enforcement district where I oversee a wide range of critical safety operations, including four commercial vehicle squads, statewide criminal addiction unit, and our state regulated vehicle squad and school bus student transportation unit, which are all vital and required tasks of inspecting, certifying, and investigating collision incidents involving school buses and school bus drivers. My personnel take on these responsibilities with urgency and a significant importance. Their commitment is to ensure the safety of all children and of adults who ride buses. From either managing the complex large-scale events or helping to shape statewide enforcement transportation policies, I've come to understand that meaningful lasting safety is never achieved in isolation. It requires teamwork, coordination, vigilance, openness, self-reflection, and a forward-thinking mindset. It'd be my goal as we move forward together as a student transportation advisory council. I recognize there will be moments of differing perspectives, whether driven by individual or group interest. That's natural. But I hope that throughout our work, we maintain a foundation of mutual respect, for each other's expertise, and the values of diverse viewpoints. Let our cadence approach be deliberate and purposeful. That our decisions be guided by facts, science, and trusted data sources. And above all, let's always without exception air on the side of student and passenger safety. This must remain our north star. As I take on this role with the advisory council, I do so with the same dedication I brought to every

day of my service with the goal of ensuring every student is transported safely and every motorist returns home without incident. I look forward to listening, learning, and contributing to solutions that will make a lasting impact for generations to come. I'd like to introduce our Arizona Assistant Attorney General.

Eric Cooper: I'm representing STAC on behalf of the Attorney General's office as their legal counsel.

Captain Vernon Havens: I'd like to introduce some of our supporting staff that'll be sitting on the sidelines through most of the student transportation advisory council meetings.

Paul Swietek: My name is Paul Sweet with the Department of Public Safety. I work out of the director's office. I'm the AY's administrative rule writer. I have 27 years in the law enforcement environment, 24 DPS and three at another agency.

Kimberly Thomas: Good morning I am Kimberly Thomas. I'm the administrative supervisor over the student transportation unit with the Department of Public Safety.

Captain Vernon Havens: Did I miss anybody? We'll move on to agenda item C, which is the student transportation advisory council chairperson selection. The way that we've chosen to do this today, Miss Thomas will be passing out ballots. I guess in the essence that if you're not looking to be nominated so that we're not voting for members that aren't looking to be the chairperson, but we'll pass all ballots. If you're not looking to be the chairperson, if you could say your name and that you're not looking, we can cross off Sean Ross, Ashley Berg, Thomas Hartman, Chuck Essigs. So, just to make sure that everybody's on the same page.

Kela Powers: Hi there, Kela Powers. I'm also not looking to be the chairperson. I'm on virtual.

Captain Vernon Havens: Perfect. before we get doing this, do you want to take a moment to introduce yourself? I apologize.

Kela Powers: That's okay. I wasn't sure if I should hop in, but hi everyone. My name is Kela Powers. I am with Vista College Prep. I was our founding director of operations and have been with Vista for overseeing transportation all those 12 years and have grown and scaled our model. I'm just really looking forward to continuing to think strategically about how to increase safety across transportation models for students.

Captain Vernon Havens: Thank you.

Captain Vernon Havens: So, going back through the ballot to make sure that we're all on the same page on who is submitting their names to be the chairperson of the student transportation advisory council. Starting at the top, I have Jason Nelson, Nicholas Franklin, Trace Tolby, Denise Hall. Oops and take my name off, please. If everyone is on the same page, we'll take a moment. Everybody can put in their vote. I don't know how we do with our phone call.

Kimberly Thomas: I was going to email the ballot over to Kela Powers and then if you could just select one and email it back to me, that would be great.

Kela Powers: Perfect. Thank you so much.

Captain Vernon Havens: You can select and then fold the paper in half. Miss Thomas will take and collect them. They'll tally up the votes and we'll announce the chairperson.

Kimberly Thomas: Thank you, I was able to get your email, so we're going to go ahead and tell you the votes.

Kimberly Thomas: Okay, so it looks like Nick Franklin has won the vote with four votes, Jason Nelson three votes, Vernon Havens two votes, Nick Llyod two votes.

Captain Vernon Havens: This seems like a perfect opportunity for me to relinquish my talking duties to Mr. Franklin.

Nick Franklin: moving to agenda item by AG Cooper for the open meeting law and parliamentary procedure training.

Assistant Attorney General: Thank I just will say that prepared a presentation for you all today a slide to help follow along because some of the things we will discuss are a little bit dry, but I have a few general things to start. Any comments I make on this are my own and aren't reflective of the attorney general's opinion. and this is just a training. This is to help us understand what we're going to be doing going forward and make sure we comply with open meeting law. This is not actually legal advice currently and we'll go over the detail about how legal advice will work later. Then also for the people following along on the slides we may have a delay as I am not moving the slides. So, if we have any issue just know that it's my fault because I might not tell our wonderful staff to move to the next slide. We will move on to the introduction just the next slide.

So basically, the core principle of open meeting law is that the public needs to see any business that is taken by the council and has an opportunity to be informed and can participate. We conduct meetings openly and the law always will be in favor of openness. that is going to be the big lesson through all the rest of these is that if there is some sort of confusion or discussion about what to do the law will always view it as the public needs to witness it and see it and it needs to be informed and they had to have a chance to understand what was going to happen before it actually does. So, there's a couple of purposes here protecting the public. Obviously, we want to prevent decisions being made in private and to promote accountability should decisions lead to unfortunate consequences. but also at the same time, it does protect the council members themselves, protects officials. because good faith decisions made in open meetings are protected from independent ability and it just sets a clear framework for compliance and how we keep things organized when we move forward. It just encourages public participation as well that's knowledgeable. Feel free that if there is just a general question at any time through this that you can just speak up and if you do just announce who you are for the people so for open meeting law it applies to all public bodies. If you are statutorily created and you have a duty for the public and you're a group, open media law is likely going to apply. In a very much and I think our council is specifically named as an advisory committee under the statute. So, we don't have really any questions about whether open meeting law applies to this council, but the bigger question is on to the next slide. The general rule of thumb is if you have a quorum, you have a meeting. in this case as there are 11 members of this council six or more is enough for a quorum in this case. sometimes in other statutes the number set is 3/4 or 1/3 but, in this case, a simple majority it meets the quorum requirement. The biggest thing with these is if you have series of emails or other series of communications or hop onto a zoom call the biggest issue with that is that it can be what's called a walking quorum. You didn't notice it; you didn't put it on agenda out and the public couldn't watch. But if a quorum's present, it's a meeting. So then that would be a violation of open meeting law. The advice there is to just be very careful with large communications. you're free to talk with council members. but if you recognize that a lot of people are attached to it, then it's likely going to meet the definition of a meeting and then what's also is not a large social gathering where no business

is discussed. So, if you guys all want to talk about weekend plans, that no legal action can really happen from that. It wouldn't meet the definition of a meeting, but again, if you have a quorum, you must be very careful with what you talk about. and it covers all forms of communication, phone, email and as well as Zoom calls or Teams as well.

I'll move on to so the next follow-up to that is obviously what is actually legal action, and I have the full definition listed here, and I'm going to read it off. Legal action means a collective decision, commitment or promise made by a majority of the members of a public body pursuant to the constitution, their charter, bylaws, or specified scope of appointment and authority. So, this essentially means that you don't need the word final vote does not appear in that statute. If you don't take a vote, that you did not take a legal action. So then moving on to the next slide, I have a few examples of what that includes. This does include obviously voting on motions, resolutions or policies. but even just agreeing to act later. So just saying that, hey, we want to push this rule. let's do that at the next meeting. That's legal action, even though you haven't taken a vote, and you noticed in an agenda and put on an agenda for another meeting, the fact that you had that discussion and a quorum was present, that's a legal action. Like that, promising to act in a certain way and then any sort of discussions that led to that decision will count and I think I mentioned we talk about things that aren't included. just yeah, social event where no discussion happens. It's not legal action. It may be a meeting; you wouldn't have a legal action casual conversation and then just individual opinion sharing. If you guys aren't working together, those things aren't going to count as legal action most of the time all legal actions will be done here, if you're careful about a quorum or a meeting, you're also going to be being very careful about what things would count as a legal action. So going to move on to next slide. One of the bigger issues when you have a meeting and when you're about to take legal action the biggest thing is that the public needs to know about that and 24-hour rule we want the agenda posted in a public conspicuous place 24 hours before at least. It's much better practices as much as soon as you have an agenda that's settled on you should get it out as soon as possible. If you need to amend it then that gives you time so long as it didn't have a legal action beforehand but for these I think we've definitely done well so we just have the simple site that's been used that most other boards and committees have been using so then that's okay but we just want definitely the time the physical location and how to people can call in or how they can attend electronically. Basically, make it as easy as possible for the public to know when it's going to happen and how they can show up. That's what we like to do with notice and then as to the substance, I think we'll talk about it a little bit more in the agenda portion, but we usually want to have all things that are going to be discussed with is with some solid detail to appear in that notice so people know where to go and they know what's going to be discussed and what comments they might want to make. So then that's kind of important why we want as much detail as possible and an organized agenda for notice. It's notice to the public and to the officials themselves.

So, I'm going to move on to the next one. Agenda flows in nicely any specific matters to be discussed, considered or decided? So, we're going to put in even things as inconspicuous as introductions any sort of notable events that can be included in the agenda, but we want to avoid here any sort of broad or vague notices. We want specific detail and ideally, we have something noticed there in the agenda item that kind of talks about the statute and goes through specific elements of the discussion. This is important because when the discussion goes a certain way there are times where the details could be moving on to something that wasn't put on the agenda and if the public didn't know about that and wanted to comment on it then we would be worried about being able to act on it. It's just important to put detail to inform the public and so that both the discussion from the council follows a specific track and

the public can add their comments to it at the public call later and the says we try and avoid surprise with the agenda items and in the strict interpretation of the requirements.

So then moving on to the public call it is all meetings should have an opportunity for the public to participate and make comments. but having said that the councils are allowed to impose reasonable what are called time place and manner restrictions. It's a famous first amendment sort of pace law point where so normally what we do and what's been done in this agenda always have an item that says the call to the public and this is where people are going to be able to come up to a microphone and be able to say their opinion on things that have been addressed in the meeting so far and identified on the agenda but there will be times with this, it is important to note that you will have a person comment on something that wasn't in the agenda and it wasn't discussed. Unnoticed items a lot of times these are criticisms, you should be doing more, you didn't do enough for this one specific instance. and with these, it is okay to respond to the criticism like an acknowledgement. You or we understand their concerns, but this is limited. I have a note there we do not want to have a bunch of council members acknowledge the comment of criticism because then it turns into a discussion and if it is something that's been not noticed, then, the public didn't really have a chance to participate on that issue and we're going outside of the scope of the meeting. It's just important to say we hear you and the best practice would be to direct staff to look at the matter and then that it be placed on the future agenda so you can have an open informed discussion with public participation. So, then we just use this we have that safeguard in there so that we don't have to circumvent notice requirements because someone could come up and say what is this and then if there's a full discussion then it could lead to legal action that wasn't fully informed or noticed. This is going to be probably the bulk of this presentation, and these are executive sessions. There are times in open meeting law where you will have a quorum, and the public won't be present. Now these exceptions are limited. They are set out by statute I have the section listed there and in in sessions the publics not allowed to attend or listen. At the same time no final action voting or conducting or polling can be done in these executive sessions. These are usually limited to legal advice consultation. I think I have a full laundry list of things later. There are nine exceptions. things like contracts, real estate intergovernmental negotiations, those things are included. if they pop up, we will know about it long beforehand before we put it on the agenda. but it's noticed. But the big thing with executive sessions is this is the time where the public is not present and then we can have advice, and the information is confidential.

I have a few more slides on this on the next one, to go into an executive session, there needs to be a vote. and I have a few examples. I'm just going to read this one. I move that we go into executive session to obtain legal advice from our attorney regarding item six of the agenda. So, you can see on this example, we have an item that is listed from the agenda. We have a reason why we are motioning to go into executive session and then if there are obviously with parliamentary procedures we go on in the second part of this meeting if it moves on into executive session, we will ask the public to kindly leave after that. The big thing with this is you identify an agenda item and usually the agenda itself should identify the statute the specific reason why you're going into executive session and then the motion following that will inform the public that is the reason what the discussions will entail in executive session even if they don't continuing with executive sessions after that motion and before the public has left it's important to read off and minutes of discussion held in executive session must be kept confidential. this is because if the minutes were released three days after the executive session there would be no reason to go into executive session. The only people who can be at the meeting or the session include board members, staff, anyone who is the subject of a personnel decision if it's applicable. the auditor general if they appear, they are the ones who investigate and then council, which would be me in this case. so then

moving on to what's covered in an executive session and what our restrictions are we want to avoid roving discussions. So, it should stick to the specific statutory exception, so your executive session is for legal advice. We don't want to be talking about something that could have been included on the agenda we want to be asking specific questions from council and then council will provide advice we would want to keep it on the topic. Another example if it's going in to executive session to discuss confidential records we would stick to the discussion on records no actions taken but it is very limited to making sure that we have the confidential record being discussed and from that list also if the board wants to go into executive session for legal advice and for some reason I'm not here then there will be no executive session for legal advice. This brings me to I had specific carveout so this one is going to apply to this council and it's going to probably be the most confusing thing so in that statute which has a list of exceptions to the open meeting requirement for executive session we have A8 which states that the discussion or consideration of matters relating to school safety operations or school safety plans or programs are eligible for executive session. That is a direct quote, and I think immediately what comes to mind is if we're discussing anything for school buses and making them safer is it arguable? Can we go into executive session immediately? and the courts have not interpreted it that openly they are very strict in their interpretation. So, we're always going to favor the public being able to see what is being discussed and can participate. I have a few examples in my mind of things that would probably be justifiable for executive session, and these would be detailed security blueprints for transportation hubs or busy yards or you're discussing proprietary security technology where software vulnerabilities are exposed. then that would be something for executive session. General discussions for the need for safer buses or how to achieve that is not going in my opinion to be for executive session under this statute even though it does relate to school safety plans or programs. In general, the rule of thumb I think that for executive sessions to think about the council should ask itself would revealing this information make the transportation system less safe. A lot of your items are going to relate to safety, but it is promoting and making them safer. If disclosing it to the public would negatively impact safety, then it is something to consider for executive session. Just as a quick note on these, I think I might have a slide on it, but councils usually don't know when they'll need executive session, legal advice confidential records that could pop up on its own. So, it's important to do as it's been done in this agenda for today's meeting to just say before that the council may go into executive session on any of the agenda items. and usually when we do that again, we still want to move for the executive session and state the reason why. So even though an issue may pop up and it wasn't specifically known by the council before it is still important to say hey, I move to go into executive session to discuss confidential records as if you can spot it or I move to go into executive session to discuss legal advice. So then that' be how we would proceed with again the big takeaway is we favor open meetings. We shouldn't use executive sessions unless it is going to negatively impact transportation safety or pending litigation, which this council is not facing any pending litigation at this time. So, it's not relevant. and I hope it never does. So, that concludes my long speech on executive session. So, we'll move on to the minutes specifically. We need to have written minutes or a recording of all meetings including The executive session isn't going to be given out to the public unless there's a public records request. But the minutes must include the date, the time, and the name of the members present or general description of the matters considered accurate description of all legal actions proposed, discussed or taken including how each member voted, the names of members who propose each motion and the names of public speakers and reference to their topic. I list off every single item in that presentation because it is important when people who did not attend a meeting are reading what happened that they know that it followed a specific order, and it happened at these specific places. It protects the board as much as it does the public and keeps everyone knowledgeable and informed. Then if an executive session does take place, these minutes must include the date, the time, and names of all members present or absent. The general description of the matters. I see that that's plural, but most of

the time it'll be description of all instructions given and then other matters deemed appropriate. Not too much about extra for that one. the accessibility of them to the recording or the physical paper as a note the trend has been towards recording but the best practice is still posting in a paper. If I think the recording is in good shape, there isn't too much of an issue for not having one in paper, even if it is best practice. we like to have them available for public inspection later than three working days after the meeting and you want to post a statement of legal actions or the recording. There's a separate requirement for larger cities and towns. It shrinks down to two working days. but basically, the idea with this one is that we want to give out what happened at the meeting just the recording as soon as possible so the public knows what has happened. I have a quick slide here on investigation enforcement. While you see me here as your representative, if there are any sort of complaints or allegations that the council did not follow open meeting law, the attorney general is tasked to investigate that, I will be completely shielded from that litigation. Also, county attorneys can issue initiate investigations this one is a state council under a statute. This is not an elections board with Maricopa County for example so, I don't expect a county attorney to have jurisdiction to appropriate this to investigate this council. It'll only be the AG's office. The ombudsman is also another significant investigatory body we have any complaints they are the ones that distribute most of the guides for open meeting law and they are the experts on it. They also can investigate any complaints. Then my role is I am here to just ensure that the meetings are conducted in compliance with open meeting law. Any time the board can ask basic procedural questions both to me or staff about how to proceed and I can give instruction on that as well. But as a note I represent the council not individual members. This is a body created by statute and I represent the concept, not the person. Unfortunately, I can't provide any specific legal advice for that. I think we're now moving on to these are general tips. I believe these might overlap with the next item on the agenda. These are just best practices in general so I apologize if it does become redundant, but each person should be recognized by the chair before speaking. This is just for the purposes if someone wants to speak you say council member Berg for example and then said Thank you Acknowledge the chair and then discuss whatever comments or questions, we like to avoid side conversations and whispering. It helps with minutes and recording as well. It's like a sub even if we have a quorum or meeting present, you're having a sub discussion and the public doesn't know about that and if it's not caught in the recording, it doesn't have the best look either. We try and have only one person speak at a time after being acknowledged by the chair, avoid eating. I put this one in there because it happens more than you think, and it doesn't look that great. Then for the public, we have a few members of the public here virtually and in present they have the right to attend and take photographs and record themselves, but they can't be disruptive. There are a lot of cases in the news if people follow open meeting law of people bringing up just general protests or criticisms and it wasn't their turn to speak, we handle this disruptive person with verbal warnings. We don't technically want to have them excluded immediately because we want them to participate, and we want an open meeting and if we air on the side of letting them have a chance, we don't risk violating open meeting law. But on the flip side, if we exclude members of the public for bad behavior very quickly, it could look as if we're trying to keep the discussions in secretive or private. Again, if the council absolutely has reasonable time place and manner restrictions that's where that kind of comes in. the public has an opportunity in the public call to speak. So, if a council member is speaking and someone from the public is trying to also speak it is completely within the council's rights to tell them to stop talking and then they will have their chance to have any public comments. and then we have a few other presentations that we've given and that you can bring law enforcement if you think that someone is going to be disruptive or if they've made threats as many council members are related to DPS, I don't think that will be a problem finding such law enforcement. Again, we would just want to air on the side of just having warnings and keeping them present as long as possible unless they become disruptive that we can't do business anymore. So, I have a few more helpful tips. follow the agenda it is a road map, and

it keeps things organized and it's just the public and is aware that we're moving on to a specific item of discussion. It's okay to go back but we would just try and get all that discussion out on the first items on the agenda before moving on to the next one and adding something to the agenda. I think I brought this up during the public participation section, but this is important because if you acknowledge something or if something comes up in discussion and it wasn't fully on the agenda the best practice is to just add it to the next one. So then that way all council members prepared, and the public can participate at that one. so that is I think a very good piece of advice going forward is if you think you've missed something just add it to the next agenda and we'll notice it and schedule a new meeting. keep motion simple and clear. this is going to take a little bit of practice I think for any council members that are new. but the prevailing practice is to just do one decision at a time. I move to say nominate council member Lloyd as the vice chair if that would just as opposed to things like I move to table the discussion for a later date on school buses and then move up the discussion from into agenda item C or A so basically just keep it simple one agenda item at a time.

It just makes it easier to make a final action from it as well. Then I think I've mentioned this one when in doubt just ask anyone here can clarify the procedures that need to be followed as well. So, I think the big tip that the main takeaway for all of this has just been acknowledge one person at a time and then just follow the agenda and I think a lot of the issues especially the more specific issues won't come up but we'll be prepared to handle them going forward and on the final slide this is a quote that past AEGs have used and I stole it.

So just be prepared, be fair, and you cannot help but do good work. I think it's self-explanatory, but we favor just keeping everything open. That's the whole purpose of open meeting law. and if there's any sort of question or tough decision, we should always air on the side of letting the public know. I put my contact information there. I will be at all these meetings, but all council persons are able to contact me at that information, but don't be surprised if I never reply just to avoid that serial email communication. I think this would be the best time for any council person to address any specific questions they have from this training, and I'll happily try and my best to answer them.

Captain Vernon Havens: I just had a couple different questions. Is there a time limit on the amount of time that either staff or public can speak?

Assistant Attorney General: I would say that you can place a reasonable restriction on it. We don't want to get it too long the best practice I think for this one is to have a list of people that would want to speak. This is usually done by staff before a meeting and that way we have an idea, and you can also accept comments beforehand at any time they can be sent directly to the council. The purpose of that is because there are times, I've seen it before where you could have 100 people are there for only a single agenda item and all the comments are going to be tailored to that one.

I think the best practice for that would create a list, have an idea of how long it's going to take, and then limit it reasonably the public call to make sure that we avoid anything that repetitive, redundant. I would just say if we have time, we make it a little long to give everyone a chance to speak. Hopefully the ability to send in and send in comments beforehand to be discussed on the agenda and noticed is the best practice. For specific substantive items that are put on the agenda and addressed by the council, I think that we just have an agenda, and it goes long. You want to if everyone's here and we have a quorum, this is the best time to deal with everything that's on the agenda.

Jason Nelson: Can you address communications to council persons from out either the public or how they might have questions fielded towards them as far as potential agenda items or things that have to do with the stack as part of business or via text, email, phone calls, any of that.

Assistant Attorney General: Yeah, I would just say stick to acknowledging receipt. Substantive answers we should really avoid.

Jason Nelson: The big thing as with the public call is if there is a new issue that is coming up and it wasn't addressed by the council, we're going to put it as a future item on the agenda. and we have had in past councils that I've worked with; we've had a lot of comments on specific ones, and you acknowledge receipt.

Assistant Attorney General: Then you can have an agenda item for a specific discussion. "Hey, we've received a lot of comments on this one and we'll address it at agenda item F going forward." So, I would try to avoid specifically responding to public communications that are sent directly to you as an individual council person.

Jason Nelson: Is that speaking on behalf of the council or I'm just thinking some of us if I don't want to speak for Tom but some of us have business outside of school district public entities that were providing knowledge and information about the general school bus industry or best practices.

Assistant Attorney General: You can have individual opinions are okay, but if it looks like a discussion on which final action would be taken, we want to talk about it in the meeting. The rule of thumb is that we do favor open communication, it is fine to give an individual opinion. I would just avoid making it look like you're going to do a final action and go a certain way before a discussion's happened at a meeting. General opinions on the state of the things that are within your authority to regulate I think that's fine to the public. Again, you can also just be repetitive and discuss it in the future meeting as well as we go through this there's probably going to be a lot of sections, in here whether we have body, butt, chassis, special needs. We'd probably want to get some industry experts that kind of their specific, fast ball for just that section of any recommendations on creating subcommittees for those groups? So then just for open meetings specifically, then is so the authority to make subcommittees is usually set by statute.

We obviously want to review the authority to do that before giving a recommendation. but having a person listed to come in and speak and field questions from the council is a definite item that is usually listed on a lot of agendas. So, we're going to field testimony and so to speak about wheel hub bearings on school buses. I just trying to think of a specific one, but yeah, if it's listed in the agenda, you can ask questions of that person, but subcommittees,

I think, is a separate authority issue, and I would have to get back to you to the council specifically on their authority for subcommittees, that may be an item future on the agenda.

I may request that we motion to put that on a future agenda. But for open meeting law specifically subcommittees are a separate one if they don't you can't make a subcommittee and then not and then have them do something outside of because it's less than a quorum and then leads to a final action and then you just acknowledge the subcommittee's made a final decision at a meeting. we would want a full discussion about what the subcommittee found if there is a subcommittee before final actions taken.

Nick Franklin: That makes sense. I would think that'd be more of a recommendation to the council and then they would make the vote. So then again it would just be, but subcommittees usually must be the

members themselves. So, then they could just express what individual council members could find what they've said or discussed and then that finding it just would overlap.

Assistant Attorney General: I think but yeah employing people outside of the council to give any of that info needs to be done through open meeting in compliance with open meeting law. If there are no other questions, I appreciate the time and again I am free for feel free to reach out or ask any follow-up questions. I'll give you council members I'll give the council detailed answers after that.

Ryan Boyd: Morning Ryan Morning Mr. Chair and members. I've been asked if I would help with a very quick overview on Robert's rules for order. I will defer if you want to continue with that agenda, but for the background and for the record, my name is Ryan Boyd. I'm the government liaison for the Arizona Department of Public Safety. So, have a little bit of experience handling fund legislative discussions and all the fund rules. Wonderful. Thank you. All right. if I may then, Mr. Chair, I'll continue so I'll be brief you all seem to be quite seasoned professionals at this fun deliberative body.

Many of you are veterans of other boards that have met. Robert's rules of order really end up being a way to self-organize your internal discussion within compliance of the open meeting law that you just heard there. So, we'll get you written materials after this meeting to give you a cheat sheet and things like that. We'll keep this pretty high level. You can find lots of great information online as well, but I will be open to questions at any time, including at the end. really the key thing about Robert's rules of order as an organizing function here is that the chair controls the meeting. You all have selected your That chair will now go ahead and be the one that everything discussion wise comes through every time that you need to basically make a point or try to basically engage in discussion. You need to get the attention of the chair, and the chair will basically recognize you at that time.

The chair's decisions on almost all matters are final unless you as a body collectively appeal that decision. when it comes to taking actions as this body, we're going to be using motions for the Robert's rules of order, which require a second just to ensure that there's adequate interest by the body. That's just not one person essentially saying, " I want to talk about this." you need to have a second member basically back you up and say yes this is the discussion that we want to have during those discussions you can further amend what that motion is but you can only amend it through two levels we don't want to go down the rabbit hole of non-stop people trying to word motions frankly I'm going to be honest you probably want to make that motion right the first time.

Cooper said or keep it to about one amendment and try and reduce it. But at the end of the day, you're not allowed to do more than an amendment to the amendment. So, you can have your motion which is I move to recess this body until after lunch at 1:00 p.m. Somebody else will second. Then somebody else will say, " no. I want to amend that motion so that we recess until 1:30 p.m. and they have required a second as well." And then a third person can say, I want us to also bring in lunch instead of having lunch brought out. So, I'm going to amend the amendment to say it'll be 1:30 and with lunch." Can't go any f further than that. And honestly, keeping it simple is the best way to do it.

So, try to just basically have that discussion and remove those and provide those motions and amendments as needed after a hardy discussion so you don't have to go through all these fun little nooks and crannies of Robert's rules of order. there are a few things that don't require a second. So, when it comes to personal requests for information or for enforcement of the rules, you can do things called Point of information is something you can interrupt somebody even potentially speaking just be saying, "Hey, point of information, Mr. Chair. I don't know which agenda item we're on." That's supposed to be just

a very simple question that the chair is supposed to be able to then give you a very simple response just to keep all the members on the same page of what's going on.

If you are having trouble hearing because there's a large amount of very engaged people about student transportation issues back there and there's some talking in the gallery, you may want to use a point of order, which is to ask the chair to enforce the rules. Point of order. Mr. Chair, I'm not able to hear the discussion right now. Could you ask that the gallery be a little bit quieter and take conversations outside of the room? when you issue a point of order, the chair makes a ruling on that order. So, the chair can say yes, I agree. members of the public, please keep your conversations down just so the body can hear and so we can all basically know what's going on in the discussion. or the chair can say no, I don't think they're loud right now. We're just going to address that later.

The fun part about that exception of the chair's gigantic amount of power is that you didn't like how the chair ruled on that point of order, you can then request to appeal the ruling of the chair. It requires a second and then you as a body will vote on whether the chair made the right ruling to tell the folks to take the conversation outside or not that requires a majority. That's just a check and balance to make sure that whatever the chair is doing is the will of most of this council that is the simplest basics. There are a lot of other ways you can get deep into things. The last thing I will note quickly that you can do things like Tabling or postponing is one of the motions that can happen.

So, hey, we want to jump, out of order here we're going to table this motion because we don't have, a guest speaker or is late because of traffic, we can table the basically item till a certain time or table it indefinitely and then the chair can bring that back when the guest speaker comes in after being through traffic. That's just a normal type of motion you can recess a meeting. Again, this is when you temporarily break, and you come back. And the key thing here is a recess motion would be we're going to take 5 minutes because we've been at this for 3 hours and allow people to use the restroom and things like that. that is different than A motion to adjourn, you're ending the meeting. You are not coming back.

Another meeting will need to have an agenda and all that good open meeting stuff you just heard about will have to go out again and you'll have to have that pro published at least 24 hours if not hopefully a lot longer than that the last note I will make is that if a discussion is going very long and I would not recommend this but this is within your rights as members you can move to try to force a vote on something through a motion called a previous question. That's a separate motion.

So, if you're debating the same thing for three hours straight and you are gung-ho about forcing the vote happening right now, then you can essentially move to call the question or move the previous question. That will trigger a vote after you get a second to have it to decide whether you're going to end the discussion right then and there. a key point to this is that Robert's rules by itself doesn't have any time limit. So, you guys will have to self-police yourselves as to how you want to basically have these discussions. I would recommend allowing everyone to speak as long as is necessary and if they feel it is to basically keep yourselves involved. But just keep that in mind that if the discussion gets repetitive and things like that, you can call that question.

If the motion to call the question succeeds, then you immediately move into voting on the issue itself. Otherwise, when the chair feels that there's no more discussion and y'all are just staring at each other, "Is anybody else got something left to do?" Then the chair will call for a vote and that can be done either sometimes by voice votes or sometimes we will be going roll calling each of you so we can make sure that we have an accurate record of the votes that are taken here and the will of this body. With that, I will

open it up for any questions. there's a lot more they can get into, but that should be the basics to get you guys going to talk about the fun about the stuff you're here for. So, thank you so much.

Nick Franklin: Good afternoon, everybody. Hopefully, it might be a little bit bumpy the first few times out. We'll get this figured out. looks like we're on to new business, discussion of future topics is what I'm understanding. that do the agenda responsibilities underwear and authority. yeah. All right Looks like guys, we're going to go back to section introduction to the review of the stack mission and statutory authority under the ARS 28-3053.

Does everybody have time today? I think we can go through this. Not very long. It's about a page and a half. We'll kind of go through so everybody understands where we're at for under section A, the student transportation advisory council is established consisting of the following members appointed by representing the Department of Public Safety. One member representing the state board of education. One member representing the state board of charter schools. One member of a school district with a student count of less than 600 in county with population less than 300 or 300, Less than 300,000 persons.

Number five, one member from a school district with a student with 600 or more but less than 3,000. Number six, one member from a schoolboard district with a district count of more than 3,000. One member representing transportation administration. One member who is a certified a school bus driver instructor. One member representing a private charter school bus provider or a private sector student transportation service provider. One member from a public charter school with a student One member from a charter school with a student count of less than 600. One member with expertise in electric fleet vehicles, vehicle charging, infrastructure, or charging management services. Two public members. The member shall be staggered three-year terms unless the member vacates the position.

Appointments to fill a vacancy resulting other than from expiration of a term is for the expert unexpired portion of the term only. The student transportation advisory council shall meet at least twice annually. I hope everybody on the council wants to meet a little more than that. I've got some expectations on what we want to do up here. we've already selected a chairperson from its members. We've already completed that. Advise and assist the Department of Public Safety in developing the rules required under 28900 and 28-3228. Recommended curricula for school bus drivers' safety and training courses required by section 28-3228.

Advise and consult with the Department of Public Safety concerning matters related to the certificate certification of the school bus drivers and the safety of school buses and vehicles described under 15-925. Advise and consult with the Department of Public Safety concerning matters related to modernizing and innovating K through2 student transportation to reduce transportation barriers for students. Increase access to public school option and provide more transportation options for school districts and charters in including electric Advise and consult with the public department of administration concerning purchasing strategies to maximize transportation resources and find a fight efficiencies to modernize and properly size transportation vehicle and systems. Number eight, establish a mailing list that includes any party expressing any interest in the council's activities.

The council shall provide written notice to each person on that list at least 15 days before the date in which the meeting is. The notice shall be sent by email and electronic means to the party's last email address on record with the council to be any other method reasonably calculated to affect actual notice

to any party expressing interest in the council's activities. Written notice by electronic means effective when transmitted.

For other words, written notice is effective on receipt within five days from the date shown on the postmark stamped on the envelope, whichever is earlier. Number nine, pre-approved contract carriers and private parties as prescribed in section 15-923 subsection B. Members of the student transportation advisory council are not eligible to receive compensation or reimbursement for any expenses. Does anybody have any questions for that statement?

Sean Ross: I was just wondering if we could receive a copy of that.

Nick Franklin: Absolutely. I believe after the meeting we're probably going to get copies of everybody's emails. I believe Kimberly Thomas has it and then we can send that out to everybody, so everybody gets a copy of it.

Jason Nelson: do we have a list or when you called out of what position each person is representing up here on this? when we did the introductions earlier, each person talked about who they were, where they were, but I guess it probably wasn't represented on what section they represent.

Nick Franklin: So, I guess we can probably actually go through so everybody's aware of who's up here and what section within this council they represent.

Jason Nelson: Was it listed somewhere that I don't know that it's what's the word? I'm thinking email communication. And when the original email sent out that when it went out to everybody on who wanted to be on council, it was listed as of who were going to be, each person had to be a represent from that group.

Captain Vernon Havens: Mr. Chairperson, Vern Haven, Department of Public Safety. I believe the Department of Public Safety will be able to provide an email list to the council members regarding that list.

Nick Franklin: Any other questions regarding that? All right, moving on to discussion of future topics for consideration.

Captain Vernon Havens: I guess I'll start this off and we're probably going through territory. We haven't been around, but Mr. Chair, I'd like to move, and I said in my introduction that and I believe you said it as well. I think the council has a lot of important work to do and I think our cadence should be deliberate and purposeful. I think there's going to be times that the chairperson himself is not going to be available to attend council meetings.

Nick Franklin: So, I move that in our next meeting that we select a vice chairperson who could sit in your seat so that business for the council could continue. I second that motion.

Ryan Boyd: It may be advisable to take a vote on each of these motions as you're going forward after they're seconded and after discussion is All in favor on secondary council all opposed. Motion passes unanimously that was a little bit late.

Captain Vernon Havens: Maybe I'm going to be the boisterous one here. Mr. Chair, I move to have the next and at the next meeting that we open discussion or have a discussion point regarding the formation

of committees to discuss the much-needed work that needs to be done with minimum standards as well as alternative vehicles and the 15 925. I'd second that.

Nick Franklin: All in favor? I. Any opposed? Motion carries unanimously.

Sean Ross: This is just more procedural. I am speaking for myself; I might be speaking for a couple of others who are sort of lay people on the committee, or this isn't necessarily area of expertise. just as a part of procedure when a new topic is going to be discussed if we could have a sort of presentation from some expert in that area to lay the groundwork and the background information. I know I would find that very helpful. So that was kind of the discussion of we're talking about the subcommittee. So, each of us up here we all have our expertise that we're in but there is a lot of people in the industry that have a lot more information than just us up here.

Nick Franklin: So my thought process is Vern mentioned to get subcommittees to bring people that are experts in that section not just on the big yellow bus but on maybe special needs maybe on chassis maybe on body and that's where we want to bring those committees together to have experts in just that section when we're discussing certain parts of it and then the expectation be that when those folks come before the whole of the board they would provide that background information as part of their that is correct great thank since we've already voted to elect vice chair, Miss Kimberly, do we have the option with more sheets to elect vice chair right now?

Captain Vernon Havens: Mr. Chair, I don't think we can do that because it's not on the agenda that's I got the official not up front.

Nick Franklin: I told you it's going to be a little bumpy, but we'll get figured out. We'll put that on the next agenda. We will add that to the following agenda.

Captain Vernon Havens: Mr. Chair, I'd like to make one more motion. Vern Havens, DPS. my previous motion regarded the discussion regarding the formation of committees, but I believe that we are at a point due to previous actions recently the rescission of substantial policy statements with the Department of Public Safety regarding the 15925 buses. And I believe that with the schools coming into play here in the next month or so that we must talk with the AD's office of how to move forward but I think we need to have a deep discussion regarding the 15925s how we move forward to get that resource to the school districts. That's a motion. I move to a deep discussion regarding the 15 925s at our next meeting and make that add that to our next agenda. I'll second that.

Nick Franklin: All opposed? Motion carries unanimously.

Ryan Boyd: Mr. Chair, we do have one member online. I just want to make sure that that member successfully votes. Yeah. Now we're unanimous. Mr. Chair, do we need to go back and revisit the prior two motions regarding Miss Taylor's vote?

Nick Franklin: Yes, we probably do. Miss Kela

Kela Powers: Hi. Yes.

Nick Franklin: how would you like to vote on the vice chair? Okay, that was only two, right? And the discussion regarding the vice chair and then the council and the 925s. And you already voted on the 925. Is that correct, Kayla?

Kela Powers: Yes. And then on the committee's I as well. Thank you.

Nick Franklin: All before we get to setting the next meeting dates, is there any unfinished business that anybody like to bring up right now?

Ashley Berg: Mr. Chair, member Berg, as one of the members I don't have a lot of experience with transportation as being the executive director of the state board of charter schools. In looking at the charge of this board, it would be helpful for me to better understand the timeline and what we're looking to accomplish in the next year or two just so I have a better understanding of what to look forward to. I don't know if that's possible from staff to be I know we have three topics that we're going to be looking at for subcommittees, but if there is any additional information as to where we're headed would be helpful for me.

Nick Franklin: So just speaking myself I think it's not a large document we're looking at. I think it's 83 pages or something like that as I go through but there's a lot of information that has been this stuff I've been in this business for I don't know 40 years and a lot of it is old stuff that needs to be rewritten. So, I don't expect a lot of it will take a lot of time. This is just my opinion. Everybody else can chime in afterwards. But we obviously have some low hanging fruit that we need to address. That's kind of a big deal with the 925. That's a low hanging fruit that we need to address right now. We need to do something about it because it's going to be affecting some people right now. The other stuff as far as general knowledge and updates and wording and verbiage and current emerging technologies, that's something we can work on. I think that's the 925 something we must address right now. I don't think we have time to wait. We must do something with that even if it's a temporary stay I guess is the word.

Ashley Berg: And chairman absolutely understand that. I think if there is any opportunity to better understand the priorities like going on so we can be informed ahead of schedule would be helpful for me if that's a possibility

Nick Franklin: Yeah, I believe that would probably fall under we as council. We probably need to set those expectations on what we would like to see and it's not just up to me all the time. I certainly want to get everybody's input on, what we need to do, but obviously I believe in the 925s right now. Low hanging fruit. Obviously, there's hours of service and That's all-important stuff, but we need to get to the low hanging fruit right away. Any other questions? For dates and times, does anybody have preference for dates and times on when they'd like to do it?

I would like to for the first couple meetings if everybody's not opposed, I would like to do weekly for the first couple meetings to kind of get this stuff rolling. That's my recommendation is do a weekly until we get some of this stuff in place because it's going to take a bit of paperwork to get this stuff in process. Does anybody have specific dates that work or do not work?

Jason Nelson: Mr. Chair, are you proposing two weeks from today the 23rd or week of the 21st? Does anybody have any acceptance of the 21st or the 23rd?

Sean Ross: Mr. Chair, I have a state board event, I won't be in town. Certainly, obviously the committee can meet without me. Thank you very much.

Nick Franklin: I think on the first one I'd like another in-person meeting. I think there's a lot of information that could be shared. It might get a little muddled up until we get all the procedures, figured out too to make sure we get the procedures down.

Trace Tolby: Mr. Chair, I think that that week a lot of schools go back to school on that the week. I mean, we go back on the 22nd, but I think Chandler and Higley are right in there, too. Did we have a motion to move it right after the start of school? Maybe in the first or second week of Motion for that.

Captain Vernon Havens: Mr. Chair, I've already reserved this building if we want to meet in person. The second Wednesday of each month. I don't know whether it works for the rest of the council or if this is a convenient location, but AZ post has offered if nothing else pops up.

Kela Powers: That does work.

Nick Franklin: So, what's the second Wednesday in August? It's like the August 13th will this work for everybody.

Sean Ross: I'm going to be out of town at that time, but we have the option where we could log in to Participate.

Nick Franklin: Yeah. I'm thinking just for the first one or two until we get all the procedures down, we get everybody, on how we're supposed to run the meeting, everything. I guess it just be nice to do an in-person meeting for the first one or two. But if for some reason you were going to be out of town, whatever, it'd be better to do that than to not participate at all. I think I have a motion to do set the first meeting for August 13th at 10 a.m. I have a first and a second for August 13th, 10 a.m. for the first meeting.

Kela Powers: I.

Nick Franklin: All I thank you for the opportunity to serve you. I'm really excited about this as I was on the last committee and when we had already gone through and done a lot of the homework as Jason and Mr. Sweet Tech over here. We had done a lot of work many years ago. So, it's a great opportunity to kind of dig this thing up and get this thing across the finish line. Super excited. I've been doing this a lot of years. So, there's a lot of people in the industry that are talking about it right now to see what we do. So, all our eyes are on us. So, I thank you guys for the opportunity. Any other questions? Mr. Chairman. Yes. Nicholas Lloyd with Liberty. that's going to be at the same time. That is correct. 10 a.m. Does any of the community have any comments they'd like to state right now? All right. Thank you very much. We need to Make sure check online. Kayla, do you have any?

Kela Powers: No, thank you.

Captain Vernon Havens: Miss Kimberly, do you have anybody online to say anything?

Kimberly Thomas: Nobody raised their hand.

Nick Franklin: All right, wonderful. Thank you, guys, for a very successful first meeting to get this thing out of the gate.

Kela Powers: Thank you all.

Nick Franklin: Meeting adjourned. Thank you.

Meeting adjourned at 11:38am