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February 15, 2022

By: Pugh

An Act relating to school transportation; amending 70 O.S. 2021, Section 9-101, which relates to school district provision of transportation; updating references; removing language restricting transportation within certain boundaries; removing language prohibiting a receiving school district from crossing certain boundaries; amending 70 O.S. 2021, Section 3-141, which relates to charter school provision of transportation; removing language restricting transportation within certain boundaries; updating reference; repealing 70 O.S. 2021, Section 9-105, which relates to school district transportation boundaries; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2021, Section 9-101, is amended to read as follows:

Section 9-101. A. ~~Any~~ A school district may provide transportation for ~~any~~ a child who is participating in ~~any~~ a prekindergarten or early childhood program operated by the school district or ~~any~~ a child who is participating in ~~any~~ a Head Start program offered within the school district.

B. Upon a request for a student transfer pursuant to the provisions of the Education Open Transfer Act, if the parent or

1 legal guardian of the student requests that the receiving district  
2 provide transportation for the student, and if the receiving  
3 district grants the transfer, then the receiving district may  
4 provide such transportation ~~only within the boundaries of the~~  
5 ~~receiving school district. A receiving school district shall not~~  
6 ~~cross school district boundaries to transport a kindergarten through~~  
7 ~~eighth-grade student transferred pursuant to the Education Open~~  
8 ~~Transfer Act except as otherwise authorized in Section 9-105 of this~~  
9 ~~title.~~

10 C. ~~Any~~ A school district may provide transportation for each  
11 student ~~who should attend any~~ enrolled in a public elementary or  
12 secondary school when, and only when, transportation is necessary  
13 for accomplishment of one of the following purposes:

14 1. To provide adequate educational facilities and opportunities  
15 which otherwise would not be available, which shall include those  
16 purposes provided in the Education Open Transfer Act; and

17 2. To transport students whose homes are more than a reasonable  
18 walking distance, as defined by regulations of the State Board of  
19 Education, from the school attended by such student. Provided, that  
20 no state funds shall be paid for the transportation of a student  
21 whose residence is within one and one-half (1 1/2) miles from the  
22 school attended by such student.

23 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-141, is  
24 amended to read as follows:

1       Section 3-141. A. Transportation shall be provided by the  
2 charter school in accordance with Sections 9-101 through 9-118 of  
3 ~~Title 70 of the Oklahoma Statutes and only within the transportation~~  
4 ~~boundaries of the school district in which the charter school is~~  
5 ~~located~~ this title.

6       B. A charter school shall provide the parent or legal guardian  
7 information regarding transportation at the time the student enrolls  
8 in the charter school.

9       SECTION 3.       REPEALER       70 O.S. 2021, Section 9-105, is  
10 hereby repealed.

11       SECTION 4. This act shall become effective July 1, 2022.

12       SECTION 5. It being immediately necessary for the preservation  
13 of the public peace, health, or safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

16 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
17 February 15, 2022 - DO PASS  
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