An Act relating to school transportation; amending 70 O.S. 2021, Section 3-141, which relates to transporting charter school students; deleting requirement limiting transportation to certain boundaries; amending 70 O.S. 2021, Sections 9-101 and 9-105, which relate to student transportation; removing restriction on where a receiving district can provide transportation to student transfers; deleting provision withholding state funding from district not adhering to transportation boundaries; authorizing transport of students living outside of certain boundaries and routes; 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 3-141, is amended to read as follows:

Section 3-141. A. Transportation shall be provided by the charter school in accordance with Sections 9-101 through 9-118 of Title 70 of the Oklahoma Statutes and only within the transportation boundaries of the school district in which the charter school is located this title.
B. A charter school shall provide the parent or guardian 
information regarding transportation at the time the student enrolls 
in the charter school.

SECTION 2. AMENDATORY 70 O.S. 2021, Section 9-101, is 
amended to read as follows:

Section 9-101. A. Any school district may provide 
transportation for any child who is participating in any 
prekindergarten or early childhood program operated by the school 
district or any child who is participating in any 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 of the 
student requests that the receiving district provide transportation 
for the student, and if the receiving district grants the transfer, 
then the receiving district may provide such transportation only 
within the boundaries of the receiving school district. A receiving 
school district shall not cross school district boundaries to 
transport a kindergarten through eighth-grade student transferred 
pursuant to the Education Open Transfer Act except as otherwise 
authorized in Section 9-105 of this title.

C. Any school district may provide transportation for each 
student who should attend any public elementary or secondary school 
when, and only when, transportation is necessary for accomplishment 
of one of the following purposes:
1. To provide adequate educational facilities and opportunities which otherwise would not be available, which shall include those purposes provided in the Education Open Transfer Act; and

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

SECTION 3. AMENDATORY 70 O.S. 2021, Section 9-105, is amended to read as follows:

Section 9-105. A. The State Board of Education shall determine and fix definite boundaries of the area in which each school district shall provide transportation for each school. When an elementary school district is surrounded by an independent school district, the independent school district must be designated as the transportation area for the high school students in the elementary school district.

B. The State Board of Education is authorized to establish definite routes in each transportation area, and it shall be the further duty of said Board to make rules and regulations as to the manner in which said area and routes may be established or changed. Except as otherwise provided in this section, state funds payable to a district shall be withheld for a failure or refusal to confine its
transportation to the area and routes designated by the State Board of Education or to comply with the rules and regulations of the State Board of Education. State funds payable to a school district shall not be withheld in the following circumstances:

1. When, based upon the mutual agreement of the two participating school districts, a school district offering special education classes extends its transportation program to include the transportation of students qualifying for special education in an adjacent school district which does not offer special education classes, for the purpose of offering its special education classes to said students; or

2. When, by resolutions of the boards of education of two participating districts, the districts agree that one or both of the districts may extend its transportation program into the other participating district to provide transportation for students who reside in such other participating district and who, by agreement of the participating districts, are, or will be, attending school in the district that has agreed to furnish transportation for the students. A board of education may provide transportation to students living outside of the boundaries and routes established by the State Board of Education.

C. The State Board shall promulgate rules as are necessary to implement the provisions of this section.

SECTION 4. This act shall become effective July 1, 2023.
SECTION 5. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 8th day of March, 2023.

[Signature]
Presiding Officer of the House of Representatives

Passed the Senate the ___ day of __________, 2023.

[Signature]
Presiding Officer of the Senate