



ROSENSTEIN, FIST & RINGOLD

RED BANNER UPDATE

Date: May 8, 2023

Re: HB 2314

Signed: May 2, 2023

Effective: July 1, 2023

Topic: **Transportation of Students**

Summary: This bill amends existing law (70 O.S. § 3-141) relating to transportation of *charter* school students by removing the provision which states that transportation shall be provided by a charter school only within the transportation boundaries of the school district in which the charter school is located.

This bill also amends existing law (70 O.S. § 9-101) relating to transportation of *public* school students by removing the provision that a district receiving a transfer student must only provide transportation within the boundaries of its district, and removing the prohibition that the district shall not cross district boundaries to transport K-8 grade students transferring pursuant to the Education Open Transfer Act.

This bill further amends existing law (70 O.S. § 9-105) to remove the provision that the State Board of Education may withhold state funds for a school district's failure or refusal to confine its transportation to the area/routes designated by the State Board or to comply with its rules and regulations. Also removed, with regard to withdrawal of state funds, were the two exceptions regarding (a) mutual agreement between two districts to transport special education students, and (b) a board resolution between two districts for transportation of a student based on that student's residency in a district where the student does not attend.

The amendment provides that a school district's board *may*, but is not required to, provide transportation to students living outside of its boundaries and routes established by the State Board.

For more information on this Act, please visit the firm's website to view the signed Act.

Legal counsel at the firm is currently reviewing this legislation and will be advising clients as to any recommended changes to existing district policies.