Legislative Council,
General Assembly
State of Delaware

LAWS OF DELAWARE
VOLUME 85
CHAPTER 376
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 261
AS AMENDED BY
HOUSE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO TRANSPORTATION OF PUPILS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2905, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2905. ~~Transportation~~ Rules and regulations regarding the transportation of students of public and nonpublic, nonprofit elementary and high schools.

(a) The Department of Education shall make rules and regulations concerning the transportation of ~~pupils~~ students in ~~nonpublic, nonprofit~~ public elementary and secondary ~~(high)~~ schools in this State. ~~Such rules and regulations shall provide for at least the following:~~

(b) The Department shall make rules and regulations regarding the transportation of students in nonpublic, nonprofit elementary and secondary schools in this State. The rules and regulations shall provide for at least the following:

(1) All rules and regulations relative to ~~pupil~~ student transportation to nonpublic, nonprofit schools ~~shall be~~ are the same as those applicable to public ~~schools;~~ schools.

(2) ~~Such~~ The rules and regulations shall limit transportation of ~~pupils~~ students in nonpublic, nonprofit schools to the elementary and secondary schools, except as provisions of this title may assign ~~such~~ the transportation responsibility to the Department of Education on behalf of ~~pupils~~ students enrolled at other levels in a public school ~~system;~~ system.

~~(3) Pupils enrolled in nonpublic, nonprofit schools shall only be entitled to transportation within the described boundaries of a public school district and not beyond those boundaries.~~

(3) Out of district transportation for nonpublic, nonprofit school students is required in accordance with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, or any other State or federal law.

Approved July 23, 2026