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CHEROKEE NATION®

Office of the Chief

Bill John Baker
Principal Chief

S. Joe Crittenden
Deputy Principal Chief

January 13, 2012

Attn: Cherokee Nation Transit Providers

Subject: Guidance on School Transportation

Dear Transit Providers:

Due to the number of calls we have received requesting transportation for school children we contacted the Federal Transit Administration (FTA) to seek further guidance on this issue.

Ms. Lorna Wilson, Tribal Liaison, with the FTA indicated that it is appropriate to transport school children attending Sequoyah High School in Tahlequah because it is a “private” school with no available transportation; our routes are not used exclusively for transporting school children, and they are open to the general public. Therefore, you have our permission to provide school children with either fixed-route or demand response services to this facility. Transportation to head start facilities, colleges, adult education, vocational training, and other technical schools are also exempt and considered appropriate.

However, the transportation of school children to a “public” K-12 school is another matter. This type of service requires an agreement with the FTA Administrator even if your service is not used exclusively for school transportation and will not be executed if the transportation service competes with a school district. Therefore, you may not transport school children to a public K-12 school using either fixed-route or demand response transit funding from Cherokee Nation.

If you have any questions about this guidance, please contact me at (918) 453-5396.

Sincerely,

Michael Lynn,
Director of Roads and Transit Programs