§ 3622-a. Aidable regular transportation. For the computation of transportation aid pursuant to the requirements of subdivision seven of section thirty-six hundred two of this article and this part, aidable regular transportation shall include the following, provided that the school district shall have voted to furnish such transportation, as provided by law, or that the commissioner shall have directed that such transportation be furnished; and provided further that transportation aid shall not be paid in a case where the provision made for transportation is inadequate and is disapproved by the commissioner:

1. Transportation of pupils to and from school once daily, provided, however, in no case shall there be any deduction made in determining aidable regular transportation on the basis of bus mileage travelled in transporting children as part of a regional or joint transportation system;

2. For school districts that do not maintain a high school, transportation for its pupils who have completed the work of the sixth grade and are receiving instruction in another district;

3. Out-of-district transportation designed to relieve temporary overcrowding, subject to the approval of the commissioner;

4. Out-of-district transportation to nonpublic elementary or high schools;

5. Transportation of pupils during the school day to and from programs at a board of cooperative educational services or to or from approved shared programs at other school districts, which programs may lead to a diploma or a high school equivalency diploma or to or from career education programs operated within the district;

6. Transportation of pupils to and from approved summer school programs operated by a school district in the two thousand--two thousand one school year and thereafter, provided, however, that if the total statewide apportionment attributable to allowable transportation expenses incurred pursuant to this subdivision exceeds five million

dollars ($5,000,000), individual school district allocations shall be prorated to ensure that the apportionment for such summer transportation does not exceed five million dollars ($5,000,000), provided that such prorated apportionment computed and payable as of September one of the school year immediately following the school year for which such aid is claimed shall be deemed final and not subject to change;

7. Transportation provided pursuant to section thirty-six hundred thirty-five-b of this article;

8. Notwithstanding any inconsistent provision of law, transportation provided in the two thousand nineteen--two thousand twenty school year during the state disaster emergency declared pursuant to executive order 202 of 2020, provided that transportation was provided during the time period of school building closures ordered pursuant to executive order 202 of 2020. Such aidable transportation shall include transportation of meals, educational materials and supplies to students, and transportation to provide students with internet access; and

9. Notwithstanding any inconsistent provision of law, expenditures made for transportation during the period between the issuance of executive order 202.4 on March sixteenth, two thousand twenty and the issuance of executive order 202.28 on May seventh, two thousand twenty, without regard to whether such transportation was provided.