

School Transportation

August 13, 2021





Current Law and Rules

HB 110 Changes

Handling Problems, Getting Answers

Final Thoughts

Current Transportation Requirements



Nothing in state law allows a school district to prioritize the needs of its own students over the needs community school or chartered nonpublic school students.

---- *Superintendent DeMaria, July 8, 2020*

letter to school district superintendents



Did You Know?

- Districts must provide transportation to resident students enrolled in charter and nonpublic schools on the “same basis” as district-enrolled students
- Districts must determine resident students’ eligibility for transportation irrespective of which school a student attends
- Districts cannot dictate charter or nonpublic school calendar or start and end times

Did You Know? Part 2

- Districts must provide transportation to resident students enrolled in charter and nonpublic schools when schools are open and not based on when the district is open
- Different modes of transportation can be used, but mode of transportation cannot be determined based on school attended
- Public transit is an option, but routes must take into consideration students' use

Impracticality

- Determinations of impracticability must be done on an individual student basis and not based on the school attended
- Determinations of impracticality should only be used in exceptional circumstances
- Determinations can be appealed; mediation requested
- Transportation must be provided while mediation is ongoing

Current ORC and OAC Sections

State law – Ohio Revised Code Chapter 3327

<https://codes.ohio.gov/ohio-revised-code/chapter-3327>

Administrative rules – Ohio Administrative Code 3301-83

<https://codes.ohio.gov/ohio-administrative-code/chapter-3301-83>

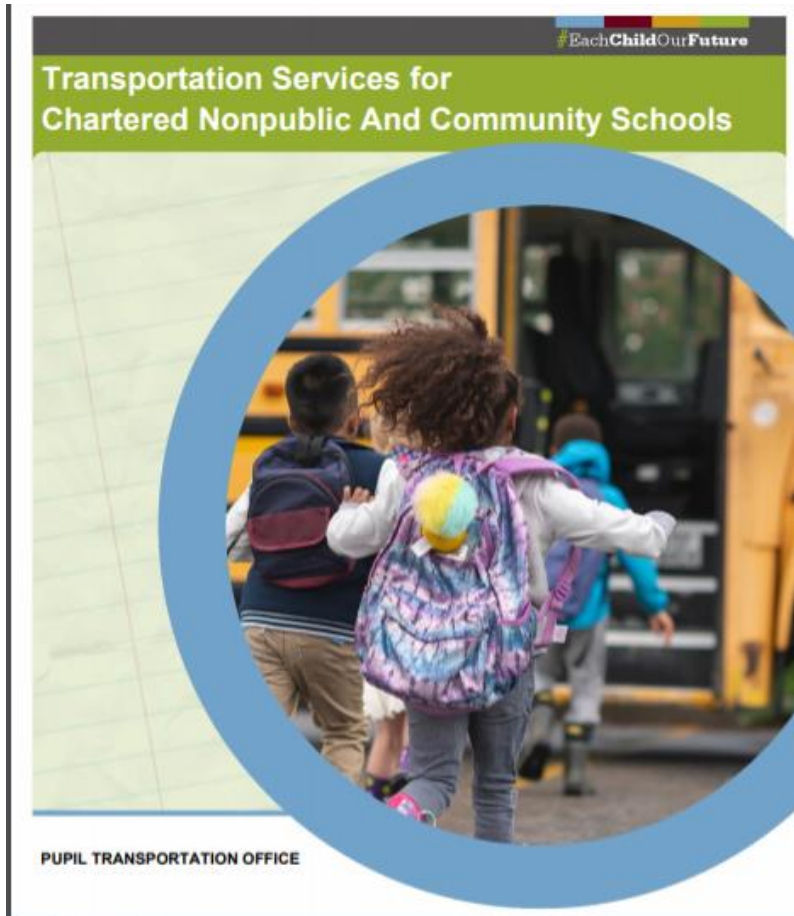


Transportation Services for Chartered Nonpublic And Community Schools

<http://education.ohio.gov/getattachment/Topics/Finance-and-Funding/School-Transportation/Transportation-Rules-and-Regulations/PILO-Trans-Services-Chartered-and-Community-Schools-Revised-2021-2.pdf.aspx?lang=en-US>



Transportation Services for Chartered Nonpublic And Community Schools



- General Information
- Timings
- Impracticality
- Mediation
- Forms
- OAC References

HB 110 Changes



HB 110 School Transportation Provisions

- HB 110 Provisions effective September 30
 - Focus on deadlines/ timelines
 - Clarification to impracticality/Payment in Lieu
 - Oversight by the Department of Education

Key Deadlines/Timelines

- Community and nonpublic schools should establish calendar and start/end times for the upcoming year by April 1
- April 1 deadline for schools to notify districts regarding school calendar and start/end times; requires district to provide transportation plan within 60 days
- Notice to districts after April 1 but before July 1, districts will try to provide transportation plan by August 1
- When students enroll after July 1 and request for transportation is made, districts have 14 business days to provide a transportation plan for the student

Impracticality/Payment in Lieu

- Students enrolled 30 days or more prior to the first day of instruction, the determination of impracticality and payment in lieu must be made 30 calendar days prior to the first day of instruction.
- Student enrolling later, determination must be made within 14 calendar days of enrollment.
- Prompt notification of determination
- “Detailed” description regarding rationale for the determination
- Schools are able to act on behalf of families, and receive notifications, students names and addresses
- Payment in lieu increased

Other Changes

- Use of public transit for students in grades K-8 is prohibited
- Department of Education is required to monitor and determine if there is “prolonged” and “persistent” noncompliance by districts
 - Financial penalties can be levied against districts

Handling Problems, Getting Answers



Communication, Collaboration and Compliance

- Make sure your school is meeting all requirements and deadlines
- Make sure parents understand their responsibility and request transportation in a timely manner
- Identify your district point of contact and regularly meet/talk with them
- Try to make it work

What Do You Do When It's Not Working?

- Make sure your ducks are in a row
- Compile complete record
- Document everything
- Have parents authorize you to act on their behalf
- Contact the Department and SCO

Contact

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Contact

Area Coordinators Directory

<http://education.ohio.gov/Topics/Finance-and-Funding/Finance-Related-Data/School-Finance-Area-Coordinators-Fiscal-Consult/Area-Coordinators-Directory>



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Other Resources

State Board of Education

<http://education.ohio.gov/State-Board/State-Board-Members>

General Assembly Members

<https://www.legislature.ohio.gov/>



Do

- Include all relevant details
 - Dates/times
 - Detailed description of the problem
 - If possible, identify specific noncompliance
 - Share who you spoke with at the district; copies of all communications
 - Explain how you've tried to work out the issue
 - Share applicable documents

Don't

- Editorialize – Just the facts
- Share student names with the Department
 - Use parent names and student grade levels
- Leave out important details
- Wait to let people know when there's a problem
 - Try to solve the problem but don't wait forever
- Go it alone

Final Thoughts



Questions



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