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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**S.B. 350**  
**133<sup>rd</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Sen. Brenner

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### SUMMARY

- Prohibit school districts from providing vouchers for public transportation to students enrolled in grades K-8 for the 2020-2021 school year.
- Requires the Department of Education, if it determines that a district is not in compliance with the bill's provisions, to deduct from the district's payment for student transportation the total daily amount of that payment for each day the district is not in compliance.
- Declares an emergency.

### DETAILED ANALYSIS

#### Student transportation for the 2020-2021 school year

The bill prohibits a city, local, or exempted village school district from providing vouchers for public transportation to students enrolled in grades K-8 that the district is required to transport for the 2020-2021 school year. It states that a district instead must provide transportation for those students in accordance with current law. However, it also specifies that the bill's provisions do not affect a district's existing authority to provide a payment in lieu of transportation.<sup>1</sup>

The Department of Education must monitor compliance with the bill's provisions. If it determines that a district is not in compliance, it must deduct from the district's payment for student transportation the total daily amount of that payment, as computed by the Department, for each day the district is not in compliance.<sup>2</sup>

<sup>1</sup> Section 1, first and third paragraphs.

<sup>2</sup> Section 1, second paragraph.

## Student transportation – background

Current law requires a school district to provide transportation to all students who live in the district and reside more than two miles from the school in which they are enrolled. This includes students attending the district’s own schools, private schools, community schools, and science, technology, engineering, and mathematics (STEM) schools. However, a district is not obligated to transport any private, community, or STEM school student if the direct travel time exceeds 30 minutes, by school bus, between (1) the district school building to which the student otherwise would be assigned and (2) the student’s school, regardless of distance. The 30-minute rule does not apply to students attending the district’s own schools. A district may choose to transport students it is not required to transport.<sup>3</sup>

A district may receive a state payment for providing transportation to students in *all* grades K-12 who live more than *one mile* from their schools. Generally, a district provides transportation for students either on its own school buses or on buses operated by private firms under contract with the district. By rule of the State Board of Education, regional transit buses also are one of the approved types of student transportation for which a district might receive a payment.<sup>4</sup>

A school district may offer a payment in lieu of transportation if it determines that transporting a particular student is impractical. In making this determination, it must consider all of the following factors: (1) time and distance involved in the transport, (2) number of students to be transported, (3) cost of equipment, personnel, maintenance, and administration, (4) whether similar or equivalent service is provided to other students, (5) whether and to what extent the additional service unavoidably disrupts current transportation schedules, and (6) whether other reimbursable types of transportation are available.<sup>5</sup>

For more information about student transportation, see the LSC *Members Brief*, volume 133, issue 14, at <https://www.lsc.ohio.gov/documents/reference/current/membersonlybriefs/133%20Transportation%20of%20Students.pdf>.

## HISTORY

Action	Date
Introduced	08-06-20

S0350-I-133/ks

<sup>3</sup> R.C. 3327.01, not in the bill.

<sup>4</sup> R.C. 3317.0212, not in the bill and Ohio Administrative Code 3301-83-01(A)(3)(a).

<sup>5</sup> R.C. 3327.02, not in the bill.