



# SCHOOL TRANSPORTATION UPDATE



*a service of the Ohio School Boards Association*

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This communication contains information on payment in lieu of transportation

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A number of district staff have contacted us in past weeks with questions regarding payment in lieu of transportation. This message is intended to clarify the status of this type of transportation service.

1. There have been no recent changes in the administrative code or the revised code that govern payment in lieu of transportation.
2. ORC 3327.02 is still in effect as it has been for a number of years, and stipulates when a resolution of impractical can be considered, and the process that a school district should follow if they believe this is an appropriate course of action. The process is detailed, and staff should carefully follow the requirements as identified in the code.
3. Districts are required to have signed parent agreement waivers on file to submit a claim on their T1 and T2 reports for payment-in-lieu (also known as Type IV transportation).
4. In cases where a parent does not agree with the resolution of impractical, districts should contact their area coordinator and request a fact-finding meeting in accordance with the revised code. The ODE coordinators do not rule on the merits of the case in these hearings, but do collect information from both parties, and then forward a report of the hearing to ODE's legal division for referral to the state board. Following state board action to refer the matter to a hearing officer, the parents will be given the opportunity to pursue the hearing – if they do not, the matter is closed and sent back to the state board for final action.
5. Payment to parents must be made in accordance with state budget law, which reads as follows: "In each of fiscal years 2014 and 2015, if the parent, guardian, or other person in charge of a pupil accepts the offer of payment in lieu of transportation, the school district shall pay that parent, guardian, or other person an amount that shall be not less than \$250 and not more than the amount determined by the Department as the average cost of pupil transportation for the previous school year. Payment may be prorated if the time period involved is only part of the school year."(Section 263.170, HB 59)
6. In the current biennium, the state budget established a set-aside amount for payment in lieu of transportation. ODE is not permitted to reimburse districts more than this set-aside amount. In FY14 that amount was 5,000,000. In FY15 that amount was 2,500,000.
7. At this time we have no idea what funding amounts or procedures will be in effect for the next biennium. The state budget process has just started, and will continue to progress through our legislature until a final budget is adopted and signed into law prior to July 1. It is premature to assume any level of funding or changes in process for next year until the budget process is completed.

Should you have additional questions, or if you would like assistance managing this process, please feel free to contact us at the Ohio School Boards Association.

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