



What's New for Payment in-lieu

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Webinar format

To ask questions:

- Please place the question in the Q&A feature
- We will try to answer questions LIVE
- For very specific questions please contact a panelist-- our emails are listed on the final slide

Thank you



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Today's agenda

- Impractical – When, Why, and How
- Appealed? - What to Do
- Timelines and Tasks
- Odds, Ends, and Wrap-up



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Who is entitled to service?

ORC 3327.01 - Students residing more than 2 miles from the school the student attends

- Grades K-8
- Chartered (approved State supported) Nonpublic and Community Schools (CNP) (3301-35-08 H)
- Vocational



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Eligibility – the school

State board approved

Chartered, or holds a letter of intent

Grade levels – Same basis as district

Source of information

- Area coordinator’s office
- Internet – ODE



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Q Search Organizations
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Eligibility . . . continued

Appropriate grade for that school

Legitimate enrollment address

For CNP schools:

- Within 30 minutes travel time

2 mile walk eligibility

- Or same as your public service



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30 Minute Rule

Based upon law (RC 3327.10)

Run it:

- In a school bus
- On a normal school day
- On the most direct route
- At a time of day when the bus would normally be running
- From the designated collection point



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Collection point

Defined by the Ohio Department of Education as the public school the child would be assigned to in the public-school attendance area if the child attended public school.

May have multiple collection points in a district for a given
CNP school

Not a “pick-up point”



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Measurement of distance

Measuring the most direct route, which may include the interstate, by school bus from the public-school building to which the pupils would be assigned if attending the public school designated by the district of residence to the school bus loading area nearest and opposite the entrance door used by pupils transported at the attending non-public or community school

[OAC 3301-83-05 \(D\) \(1\)](#)



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30-minute rule timing procedures

Run the route locally first in a bus – unofficial timing

If accepted by parents – No transportation or PILOT

If parents reject your results:

- Contact ODE for Official Timing
- Invite parents to assist in the planning of the route
- Invite parents to ride on bus
- On a school day for both schools at arrival time for CNP



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30-minute – continued...

If over 30 minutes:

- ODE will send a letter to district
- District must notify parent
- Normal day or must be re-done
- One and done unless major street changes

Schools over 30-minuter travel time NOT eligible for transportation or PILOT



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Define district eligibility

Your board policy sets eligibility

- Not just for your public-school students
- It applies to **all resident** students
- Eligibility zone distance
- Grade (high school)
 - If collection depots are used for public HS students then same basis for CNP HS students



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What to do if they are not eligible?

No service is required; don't start it due to ORC [3327.015](#)

If service is provided . . .

- It is not reimbursable-do not report it
- The same level of service must be provided for other students in a similar situation

Ineligible students can not be released to another school district



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What to do if they are eligible?

If a CNP pupil meets all requirements, the district of residence has the responsibility to provide transportation.

Transportation may be provided in any of the legal means of school transportation.

[ORC 3327.017](#) limits TYPE III options – CNP schools must be in agreement

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Access to transportation

Students who are eligible for school bus transportation must be provided with a stop within ½ mile of their residence

Calamity days: If a district declares a calamity day due to hazardous road conditions, that shall apply to all transportation provided by that district if the BOE has designated the authority to the superintendent

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Approved service - options

Vehicles

- Buses Type I, IA, II
- Transit CNP agreement in place
- Vans Type V and VI
 - Limited use only for routine routes
- Taxicabs



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What if you can't transport?

First answer the question: why not?

- Cost?
- No buses available?
- Conflict in schedules?

Then per RC 3327.02

- Consider impracticality
- Case by case
- In accordance with reasons listed in code



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Special Education sidebar

If a student has an IEP and transportation is included as a related service,

- **Transportation cannot be impractical**

Districts can contract with the parent for service

- Considered Type VI – privately owned vehicle other than a bus
- Limited to just familial service, or OAC 3301-83-19 applies



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3327.02 – workbook tabs

Factors to be considered:

1. Time and distance required
2. Number of pupils to be transported
3. Cost of providing transportation
4. Similar or equivalent service provided to others?
5. To what extent does it unavoidably disrupt existing service?
6. Other reimbursable service available?



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The cost issue (or what if there is no bus?)

Factors to consider:

- District average cost per student
- Forecast cost per the identified student
- District average cost per bus
- What is the displacement cost of a bus for the identified student (s)

DON'T TELL "MOM" yet



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The parent offer

Inform the parent of - telling "mom":

- BOE's resolution of impractical
- Parent's right to accept or reject the offer
- Opportunity to request mediation

Issue a contract or form to allow the parent to accept or reject the offer



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Parent rejection

ODE must conduct mediation

Documents prepared will be used at next level

If not resolved at first level, SBOE shall intervene

District shall transport during pendency



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3327.02 continued

Establishes payment amount = 50% of the cost of providing transportation (\$1,077.09) as determined by the board or governing authority under division (A)(3) of this section, and not more than \$2,500

Manage payment at end of year after validation of attendance



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3327.02 concluded

If district defaults

- Must pay parent

If district defaults on paying parent

- ODE shall deduct from district and pay nonpublic or community school



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Implementing the process

What comes first . . .

Use the [PILOT handbook](#) and the workbook handouts

Who do you get information from . . .

And then what . . .



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The nonpublic request . . .

Initiated upon request

- No knowledge - - - no service

Public school guidance

- Ask for the transportation requests
- Ask for best information
- Let them know your process

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Source of information

CNP schools

- Minimized communication
- Not always best information
- Will not work for payment in lieu contracts

Parent

- Eliminates the 'middle-man'
- Necessary for address verification
- Necessary for problem resolution

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What is the request for?

Parents should be asking for transportation

- At a time when you can consider your options and provide it . . . If possible

Consider the request at the end of the year is for funding, not service!

- How can you possibly offer a bus?



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Establish eligibility

Grade?

Distance from school?

Eligible school?

Timing?

Never gone there before, but only because never asked?



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Miracles . . .

If getting them there is only a minor miracle, you probably need to do it.

If it is a major miracle, then consider the impractical process and follow the process

- DO NOT TELL MOM YET !



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Establish the facts

Evaluate each reason in the code

Look for overwhelming evidence in each item that support impracticality

Document well

If you cannot find overwhelming evidence in most items, go back to figuring out how to transport.

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Moving forward with impractical

Superintendents can declare students impractical

- Must be declared 30-days before start of school
- Late enrollment within 14 days

School board will pass resolution at next meeting

Board resolution must

- Include the name of the students
- The CNP school name



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#EachChildOurFuture

Appendix I: Information to include in a Payment in Lieu of Transportation Board Resolution

Board Resolution declaring transportation to be impractical

School Year

Name of Student(s)

School of attendance

Reason(s) for impracticality

Follow guidance listed in ORC 3327.02

Payment to be offered

Date of acceptance or rejection

Parents rights to request mediation

Process for mediation and who to contact

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More Questions

Please contact us

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