

*****DRAFT - NOT FOR FILING*****

3301-83-17 Authorized and unauthorized passengers.

(A) Authorized passengers:

- (1) Pupils enrolled in approved programs who are eligible for transportation services according to authorized ~~or required by~~ state and federal law and school bus owner policy.
- (2) Children attending an approved ~~pre-school~~ preschool program authorized and directed by a district or educational service center ~~the board of education,~~ governing board of a community school or chartered nonpublic school, or county board of developmental disabilities.
- (3) Resident ~~pre-school~~ preschool children and parent(s) or guardian(s) who are participating in school-sponsored special programs that demand ~~require~~ attendance of both, including participation. ~~This includes parent and child participating~~ in a graduation, reality, and dual-role skills (e.g., GRADS) or similar type program.
- (4) School officials may authorize transportation of a school-age visitor to the home of a regular school bus passenger upon proper parental authorization on a space-available basis which does not displace regular riders.
- (5) Resident preschool ~~pre-school~~ children and school age pupils may be transported to ~~pre-school~~ preschool programs and school-age child-care programs (for example, latchkey programs). ~~These extra miles are not reimbursable. School age pupils may be counted for reimbursement only once if eligible for routine transportation (see rule 3301-83-01 of the Administrative Code).~~
- (6) Resident ~~pre-school~~ preschool special needs children are to be transported to school district ~~pre-school~~ preschool special education programs within the district and outside the district if assigned by the school district of residence. If transportation is necessary for ~~pre-school~~ preschool special needs children to receive a free and appropriate education it will ~~must~~ be provided at no cost to the parent or guardian.
- (7) School districts may enter into contractual agreements to provide transportation service for latchkey programs under the provisions of sections 3313.207, 3313.208, and 3313.209 of the Revised Code; and to provide transportation service for ~~pre-school~~ preschool and ~~child care~~ childcare providers under provisions of division (C) of section 3313.646 of the Revised Code.
- (8) Ohio works first participants and the elderly, aged may be transported under the provisions of paragraphs (F)(1) to (F)(5) of rule 3301-83-16 of the Administrative Code and according to policy and procedure of the school bus owner.
- (9) School bus owners may establish a volunteer bus rider assistance program pursuant to section 3327.16 of the Revised Code. Qualified adults, including parents, or responsible older pupils may be authorized.
- (10) School employees may be authorized passengers on school buses used for non-routine trips according to rule 3301-83-16 of the Administrative Code.

(B) Unauthorized passengers:

For purposes of this paragraph, "approved programs" refers to programs discussed in paragraph (A) of this rule.

- (1) Family members of school bus drivers who are not enrolled in any ~~of the~~ approved ~~school~~ programs,

Commented [FH1]: Language in this rule has been updated according to SB 9 (134th GA)'s requirement that restrictive regulatory language be removed. Language has been reorganized for clarity and ease of reference, and to globally update "pre-school" to "preschool" consistent with other administrative rules.

Commented [FH2]: Paragraph (A)(2) is updated to capture all categories of authorized preschool passengers.

Commented [FH3]: Language in paragraph (A)(5) is moved to rule 3301-83-01(E)(8).

Commented [FH4]: The word "elderly" is changed to "aged" consistent with language changed in OAC Rule 3301-83-16 (eff. 5/23/2008).

Commented [FH5]: Internal comment: please review and advise if you want to add this language.

*****DRAFT - NOT FOR FILING*****

except for ~~unless~~ adults appointed as chaperones on non-routine trips.

(2) School employees, on routine bus routes, unless assigned by proper school officials as part of their duties.

(3) Adults not enrolled in any of the approved programs, ~~unless~~:

(a) ~~A~~ssigned by proper school officials as bus monitors; ~~or~~

(b) According to policies adopted by the district or educational service center board of education or governing body of the community or chartered nonpublic school, that owns the bus, authorizing its buses to be used in emergency situations to transport passengers.

Commented [FH6]: Language is added for flexibility at the local level to allow school buses to transport adult passengers in emergency situations.