

OFFICE OF FIELD SERVICES AND TRANSPORTATION

Transportation Compliance Monitoring Process

[Ohio law](#) requires the Ohio Department of Education to monitor each city, local and exempted village school district's compliance with the pupil transportation requirements outlined in Ohio Revised Code [3327.01](#), [3327.016](#) and division (B) of [3327.017](#).

To carry out this requirement, the Department's Office of Field Services and Transportation is using a new compliance monitoring system. A module specific to transportation compliance currently is being developed and will allow school districts to access monitoring documents beginning April 1, 2022. These documents will be used by the Office of Field Services and Transportation to determine if school districts are in compliance with relevant sections of ORC.

Completion of the List of Assurances

Each year by Aug. 1, school districts will be required to complete the List of Assurances following the completion of their transportation routing plans. The List of Assurances requires the school district to review the relevant transportation requirements outlined in state law and confirm that the district will meet its obligations for the upcoming school year. The transportation director and superintendent or treasurer will be required to sign the document. The following sections will be monitored for compliance by the Ohio Department of Education.

ORC 3327.01

- Districts provide transportation to eligible K-8 students who live more than two miles from the schools they attend:
 - Unless transportation is declared impractical, and the student's parent or guardian is offered payment in lieu pursuant to [ORC 3327.02](#);
 - Unless a K-8 community school or chartered nonpublic school student lives more than a 30-minute drive from the school the student would attend if the student were attending the district of residence.
- Districts of residence provide transportation from the public high school to the joint vocational school district or compact agreement career-technical education program (collectively, these are referred to as career technical planning districts or CTPDs) if this transportation is part of the CTPD plan submitted under ORC [3313.90](#).
- Districts provide transportation for eligible community school and chartered nonpublic school students each day the school is open, regardless of whether the district is open, except for Saturdays and Sundays unless there is an agreement between the district and community school or chartered nonpublic school.
- Districts provide transportation to all children who are so disabled that they are unable to walk to and from school.
- Districts provide transportation to students with disabilities in accordance with State Board of Education operating standards as outlined in OAC [3301-51-10](#).
- The district's time schedule must be adopted and in effect no later than 10 days after the beginning of the school term.
- Districts must deliver eligible students to their respective school buildings no earlier than 30 minutes prior to the start of school and pick up students no later than 30 minutes after school ends.
- Payment for transportation must first come out of applicable federal funds and then state funds.
- Districts cannot discriminate in the selection of pupils, faculty, or employees on grounds of race, color, religion, or national origin.

ORC 3327.016

- Districts that receive start and end times from community schools and chartered nonpublic schools by April 1 prior to the school year for which they are effective must use the start and end times to develop transportation plans, including routes and schedules, for eligible students and provide the plans to community schools and chartered nonpublic schools within 60 days of receiving the start and end times.
- Districts that receive start and end times from community schools and chartered nonpublic schools after April 1 but before July 1 prior to the school year for which they are effective must attempt to provide transportation plans, including routes and schedules, for eligible students by Aug. 1.
- For any eligible student enrolled after July 1, the district must develop a transportation plan, including routes and schedules, within 14 days of receiving a request for transportation services from the student's parent or guardian.

ORC 3327.017(B)

- Districts cannot use mass transit as a means to transport eligible community school or chartered nonpublic school students in grades K-8 unless the district enters into an agreement with the school authorizing such transportation.

The List of Assurances will contain the above language and will be accessible through the Transportation Compliance Module which will be available to districts beginning April 1, 2022. It must be submitted by Aug. 1 to the Office of Field Services and Transportation and retained for that school year.

Parent or School Complaint Process

The Office of Field Services and Transportation will monitor transportation-related complaints and concerns. A Non-Compliance Investigation Document is available to formally report complaints. This document is available on the [Department's website](#).

The Office of Field Services and Transportation will address complaints or concerns in the following manner:

- A. Parents or community or nonpublic schools may submit complaints by completing and submitting the Non-Compliance Investigation Document by email to TransportationCompliance@education.ohio.gov. The Non-Compliance Investigation Document identifies the specific *legal requirements* with which the district may be out of compliance.
- B. Upon written submission, the Office of Field Services and Transportation will review the information provided and contact via email all individuals and schools involved within three business days. The Office of Field Services and Transportation will make appropriate phone calls and gather necessary information to determine if the school district may be out of compliance with the above-mentioned Ohio Revised Code sections. The Office of Field Services and Transportation will review all pertinent information measured against the standard for consistent or prolonged non-compliance and determine if a school district is out of compliance or not within 10 business days.
 - **"Prolonged"** is defined as 10 consecutive school days of non-compliance.
 - **"Consistent"** is defined as 10 total school days of non-compliance in any given semester.
- C. The Office of Field Services and Transportation will review the Non-Compliance Investigation Document to determine if the information provided, and any additional information compiled from the investigation (such as phone calls or emails), meets the criteria for non-compliance of transportation responsibilities as referenced in ORC [3327.01](#), [3327.016](#) and division (B) of [3327.017](#).

- D. The Non-Compliance Investigation Document will be marked accordingly as follows:
- **No Evidence of Non-Compliance** – This means the complaint or concern does not violate ORC [3327.01](#), [3327.016](#) or division (B) of [3327.017](#).
 - **Non-Compliance** – This means the complaint or concern is confirmed and the district has failed to meet one or more of ORC [3327.01](#), [3327.016](#) or division (B) of [3327.017](#).
- E. For non-compliance to be determined, the following details will be analyzed from the Non-Compliance Investigation Document:
- Written submission of non-compliance to the Department (Refer to Section 2B to determine if this document is eligible to be completed):
 1. What date did the non-compliance start?
 2. How long has the non-compliance been taking place?
 3. Is there a current resolution in place?
 4. Is a Pupil Transportation Compliance Monitoring Review Required?
- F. Specific communication with the school district Superintendent or designee will take place to review the findings and next steps.
3. If there is a finding of non-compliance for a consistent and prolonged period of time, the Office of Field Services and Transportation will submit to the Office of Budget and School Finance the number of days that shall be deducted from the school district's transportation funds in accordance with [ORC 3327.021](#).

A letter detailing the reason for the determination of non-compliance, along with the specific dates and times, will be sent to the school district superintendent and treasurer with notification of the reduction in transportation funds. A copy of the letter will be retained by the Office of Field Services and Transportation.

4. Any district that is found to be non-compliant may be required to undergo additional review. The district may be required to complete the Pupil Transportation Compliance Monitoring Review document. This document will allow the Office of Field Services and Transportation to review detailed compliance processes and best practices to identify any additional issues.