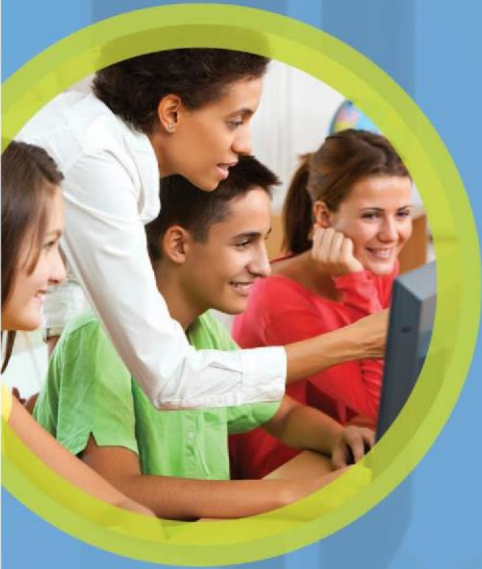


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Community School Transportation Funding

AUGUST 2022

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Community schools wishing to accept transportation responsibility for students attending their schools should reference [Ohio Revised Code \(ORC\) 3314.091](#) for the requirements to accept transportation responsibility. Community schools may own and operate their own yellow school buses or may contract for yellow school buses. A community school must use transportation payments solely to pay the costs of providing or arranging for the transportation of students who are eligible as specified in Ohio Revised Code 3327.01, which may include payments to a parent, guardian, or other person in charge of a child in lieu of transportation.

A school district is not required to provide transportation for any student enrolled in a community school if the district board of education has entered into an agreement with the community school's governing authority that designates the community school as responsible for providing or arranging for the transportation of the district's students to and from the community school.

A community school that accepts transportation responsibility is required to accept that responsibility for an entire school year. This acceptance remains in effect for subsequent school years unless the governing authority submits written notification to the district board of education that the governing authority is relinquishing the responsibility. However, a governing authority may not relinquish responsibility for transportation before the end of a school year and must submit the notice relinquishing responsibility by the thirty-first day of January. This allows the school district reasonable time to prepare transportation for its students enrolled in the community school.

Notification of Intent to Transport

Community schools approved by the Department of Education that are open and have students enrolled may provide transportation directly to their students rather than receive transportation services through the students' resident school districts ([ORC 3314.091](#)). To assume full responsibility for transportation and receive transportation funding, a community school (and/or governing authority) must follow the process outlined below. All documents and questions regarding the process should be submitted to the schoolbus@education.ohio.gov mailbox.

1. **Provide Written Notification to the Public Districts:** Send written notification to the resident districts that the community school accepts transportation responsibility for all native students enrolled in the community school for the subsequent year. If students from additional districts enroll after August 1, the community school will notify that district in writing that it assumes the responsibility for transportation.
 - a. For existing community schools, notification of intent to transport students in the following school year must be sent to the resident school districts by August 1.
 - b. For a community school planning to open in the current school year, notification of intent to transport students in the following school year must be sent to the resident school districts by April 15.
 - c. The community school must provide the Department an exact copy of each written district notification.
2. **Submit Written Agreement to the Department:** Execute and send to the Superintendent of Public Instruction a written agreement between the public district's board of education and the community school's governing authority that designates the community school as responsible for providing or

arranging for transportation of the district's students to and from the community school. The agreement must specify:

- a. Qualifications for transportation services to be provided or arranged, such as residing a minimum distance from the school.
 - i. The community school will provide transportation free of charge for each of its enrolled students who is required to be transported under [ORC 3327.01](#).
 - ii. The community school may provide or arrange for enrolled students who are not eligible for transportation and may charge a fee up to the actual cost of the transportation service.
- b. The transportation provided by the community school complies with all provisions of the Revised Code and all rules adopted under the Revised Code pertaining to pupil transportation.
- c. The sponsor of the community school consents by including the sponsor's signature on the agreement.

3. **Submit Request for Transportation Reimbursement to the Department:** Submit a letter to the Ohio Department of Education Pupil Transportation office requesting transportation reimbursement according to ORC 3314.091. The community school must inform the Department of the type of transportation that will be provided, whether using district owned yellow school buses or contractor services utilizing yellow school buses. The letter accepting transportation responsibility must be submitted to the district board of education by the first day of August.

- a. The community school will provide or arrange transportation free of any charge for any disabled student enrolled in the school for whom the student's individualized education program developed under Chapter 3323. of the Revised Code specifies transportation.

4. **Annually Report Ridership and Transportation Costs to the Department:** Following approval of the transportation request by the Department, the governing authority annually must report to the Department the number of students transported or for whom transportation is arranged in accordance with ORC 3314.091. The Department will provide more details following transportation approval including sample driver student count sheets, T-1 student reporting instructions and the community school funding booklet. The community school annually is responsible to submit T-1 student counts and T-2 transportation expenses in the School Foundation Payment System (SFPS). The community school will sign and submit the information electronically through the OH|ID application.

Relinquishing Transportation Responsibilities

Once approved by the Ohio Department of Education to provide or arrange transportation services, a community school (and/or governing authority) must provide transportation for all eligible students in subsequent school years.

Circumstances may change and a community school may relinquish its responsibility to provide transportation services in subsequent school years. In such instances, the governing authority of the community school shall not relinquish responsibility for transportation before the end of a school year and must notify the public school district in writing prior to Jan. 31 of the relinquishment of responsibility.

NOTE: If the community school relinquishes the responsibility to transport, it still will be responsible for transporting eligible students through the remainder of the current school year.

The governing authority shall submit a written copy of its intent to relinquish responsibility for transportation services to the Ohio Department of Education by Jan. 31 by email to:

schoolbus@education.ohio.gov

If a governing authority fails to notify the school district by the January 31 deadline, the community school remains responsible for providing transportation services for eligible students for the following school year. In subsequent years, the community school must notify the public school of any plans to reassume transportation services in the same manner as described previously. The public school district board of education must agree with the request for a community school to reassume transportation services.

Obligations to Adhere to Rules and Regulations

Except when arranged through payment to a parent, guardian, or person in charge of a child, transportation provided or arranged for by a community school and its governing authority pursuant to a transportation agreement with a public district is subject to all provisions of the Ohio Revised Code and all rules adopted under the Revised Code pertaining to the construction, design, equipment and operation of school buses and other vehicles transporting students to and from school. Contracting with a third party for provision of pupil transportation services does not relieve the community school from the responsibility of ensuring compliance with all rules and codes.

This may include, but is not limited to:

1. Purchasing and maintaining appropriate yellow school buses or purchasing appropriate contracted services.
2. Presenting school buses to the Ohio State Highway Patrol for annual and “spot” inspections.
3. Obtaining and maintaining a private pupil transportation license from the Office of Licensing and Commercial Standards of the Ohio State Highway Patrol.
4. Employing appropriately licensed, certified, and qualified drivers and transportation director/supervisor/coordinator; and
5. Reporting transportation information to the Ohio Department of Education as required.

All records pertaining to pupil transportation are subject to review by state agencies, not limited to the Ohio Department of Education, the Ohio Department of Public Safety/Ohio State Highway Patrol, and the Ohio Auditor of State.

Please remember the community school is obligated to comply with all Ohio laws and administrative codes (found in OAC 3301-83) governing pupil transportation. Failure to adhere to Ohio Revised Code and all rules (Ohio Administrative Code) adopted under the revised code pertaining to pupil transportation will result in a loss of funding for the community school.

If the school elects to provide transportation service by yellow school buses that are owned and operated by the school, the school also will need to maintain a current operating license with the Ohio Department of Public Safety.

Transportation services provided are subject to Ohio law (ORC 3314.091(A)(3)). Additionally, the drivers and mechanics of the vehicles are subject to all provisions of the Ohio Revised Code and all rules adopted under the Revised Code pertaining to drivers and mechanics of such vehicles. The community school also shall comply with sections 3313.201, 3327.09, 3327.10 and 3327.16(B) of the

Revised Code. Additionally, the community school is subject to sections 3327.01 and 3327.02 of the Revised Code as if it were a school district.

The Office of Licensing and Commercial Standards at the Ohio State Highway Patrol will address questions about private pupil transportation licensure. Contact the Ohio State Highway Patrol at (614) 466-4056.

The Ohio Department of Education's Pupil Transportation Office will address questions about pupil transportation operation and safety rules. Contact this office at (614) 466-4230 with any questions.

Student Count and Reporting Process

Once the Pupil Transportation Office receives appropriate notification from a community school (and/or governing authority) that the school wishes to assume the responsibility for providing or arranging transportation services, the community school will be required to comply with ridership and expenditure data report requests to receive funding.

Counting

The community school annually will certify the actual number of pupils transported and total daily miles traveled for routine school transportation. The data for this report shall be the average number of pupils enrolled and regularly transported to school during the first full week of October that school is in session.

The number of eligible students the community school transports to school each day during the first full week of October determines transportation funding. This count is for five consecutive days of actual riders during that period. The average daily ridership is reported to the Department of Education on the appropriate form as required. The count is to be taken either on the first conveyance (from home to school) or on the final conveyance (from school to home), whichever is the greater number. A school must submit a request to change the date of data collection if it does not have normal attendance during the first full week of October.

Enrolled students in grades preschool through 12 who ride the bus during count week are eligible. Community schools receive funding for students that are transported to the community schools they attend.

Reporting

The community school is responsible for reporting the ridership of each of its students as counted above through the School Foundation Payment System (SFPS) during the first full week of October. Through SFPS, community schools report:

1. If the community school provided transportation for the student during the first full week of October that school was in session by checking the appropriate box.
2. Which day(s) of the week the student was transported by checking the appropriate box(es); and
3. The distance the student was transported (less than one mile/greater than one mile).

Community schools must electronically complete data entry via the School Foundation Payment System by Nov. 1 of each year. This report collects required data including the type of transportation provided, grade levels and distances from school for each student.

Record Retention

Bus count records must be kept for a minimum of five years for auditing purposes.

Data Validation, Payment Calculation and Year-End Reporting

Process for Data Validation

The Pupil Transportation Office will review transportation data entered into SFPS. The review occurs before the data is processed for payment.

In an effort to share the process and promote fiscal responsibility, the Ohio Department of Education may request supporting documentation from public school districts and community schools (and/or governing authorities) when necessary.

If problems exist in the data or in the data collection, the Department will work with public school districts and community schools to correct the problems.

Calculation of Payment and Funding Distribution

The Ohio Department of Education will calculate transportation payment. The average number of actual bus riders as counted and reported during count week determines the calculation for payment.

Transportation funding will be calculated in accordance with [ORC 3317.0212](#). Students reported as transported by the community school will be funded directly to the school. The formula is calculated by the number of riders times the statewide average per-rider funding amount.

Transportation payments are included in the monthly community school payment. For the first year a community school provides transportation, payments will not begin until transportation data has been finalized in SFPS. In subsequent years, funding will continue as an estimated payment based on the prior year data until the current year data is made available.

Problems with data or service audits may delay transportation payments. Additionally, transportation provided in vehicles that do not meet standards for pupil transportation is prohibited and will not be funded. Funding will not be paid unless all requirements are met, including the provision of legal pupil transportation service (i.e., yellow school buses or purchasing appropriate contracted services). If it is determined that legal transportation service was not provided, funding may be reduced or prorated.

Year-End Reporting and Reconciliation

By Aug. 31 following the end of a school year, the community school is required to report actual pupil transportation expenditures to the Pupil Transportation Office through the T2 report by submitting it through the School Foundation Payment System. All transportation funding paid to the community school is required by law to be used for the transportation provided. Any funds paid that are not documented in the report will be recovered from the community school.