A B I L L

To amend section 3327.01 of the Revised Code to exempt a school district from transporting students to a chartered nonpublic school or a community school under certain circumstances and to declare an emergency.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3327.01 of the Revised Code be amended to read as follows:

Sec. 3327.01. Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section and sections 3327.011, 3327.012, and 3327.02 of the Revised Code do not apply to any joint vocational or cooperative education school district.

In all city, local, and exempted village school districts where resident school pupils in grades kindergarten through eight live more than two miles from the school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code and to which they are assigned by the board of education of the district of residence or to and from the nonpublic or community
school which they attend, the board of education shall provide
transportation for such pupils to and from that school except as
provided in section 3327.02 of the Revised Code.

In all city, local, and exempted village school districts
where pupil transportation is required under a career-technical
plan approved by the state board of education under section
3313.90 of the Revised Code, for any student attending a career-
technical program operated by another school district, including
a joint vocational school district, as prescribed under that
section, the board of education of the student's district of
residence shall provide transportation from the public high
school operated by that district to which the student is
assigned to the career-technical program.

In all city, local, and exempted village school districts,
the board may provide transportation for resident school pupils
in grades nine through twelve to and from the high school to
which they are assigned by the board of education of the
district of residence or to and from the nonpublic or community
high school which they attend for which the state board of
education prescribes minimum standards pursuant to division (D)
of section 3301.07 of the Revised Code.

A board of education shall not be required to transport
elementary or high school pupils to and from a nonpublic or
community school where such transportation would require more
than thirty minutes of direct travel time as measured 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.

A board of education shall not be required to transport
elementary or high school pupils to and from a nonpublic or
community school that is located outside of the school
district's territory.

Where it is impractical to transport a pupil by school
conveyance, a board of education may offer payment, in lieu of
providing such transportation in accordance with section 3327.02
of the Revised Code.

A board of education shall not be required to transport
elementary or high school pupils to and from a nonpublic or
community school on Saturday or Sunday, unless a board of
education and a nonpublic or community school have an agreement
in place to do so before the first day of July of the school
year in which the agreement takes effect.

In all city, local, and exempted village school districts,
the board shall provide transportation for all children who are
so disabled that they are unable to walk to and from the school
for which the state board of education prescribes minimum
standards pursuant to division (D) of section 3301.07 of the
Revised Code and which they attend. In case of dispute whether
the child is able to walk to and from the school, the health
commissioner shall be the judge of such ability. In all city,
exempted village, and local school districts, the board shall
provide transportation to and from school or special education
classes for mentally disabled children in accordance with
standards adopted by the state board of education.

When transportation of pupils is provided the conveyance
shall be run on a time schedule that shall be adopted and put in
force by the board not later than ten days after the beginning
of the school term.

The cost of any transportation service authorized by this
section shall be paid first out of federal funds, if any, available for the purpose of pupil transportation, and secondly out of state appropriations, in accordance with regulations adopted by the state board of education.

No transportation of any pupils shall be provided by any board of education to or from any school which in the selection of pupils, faculty members, or employees, practices discrimination against any person on the grounds of race, color, religion, or national origin.

Section 2. That existing section 3327.01 of the Revised Code is hereby repealed.

Section 3. (A) As used in this section:

(1) "Native student" has the same meaning as in section 3314.09 of the Revised Code;

(2) "Qualifying school" means either of the following:

(a) A chartered nonpublic school;

(b) A community school established under Chapter 3314. of the Revised Code.

(B) Notwithstanding anything to the contrary in sections 3310.04, 3314.09, 3327.01, and 3327.02 of the Revised Code, for the 2020-2021 school year, a school district board of education shall not be required to provide transportation services to a native student of the district that is enrolled in a qualifying school if twenty or fewer of the district's native students are enrolled in that qualifying school.

Section 4. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to
address urgent needs of the state during the period of emergency arising from a COVID-19 outbreak. Therefore, this act shall go into immediate effect.