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Senate Education Committee
Senate Bill 350 Opponent Testimony
September 16, 2020

Chair Lehner, Vice Chair Brenner, Ranking Member Fedor, and Members of the Senate Education Committee thank you for the opportunity to bring the concerns of Cincinnati Public Schools (CPS) regarding the proposed Senate Bill 350 sponsored by Senator Andrew O. Brenner -19th District.

I am Loren Michael Johnson, Director of Pupil Transportation Services for Cincinnati Public Schools, the third largest public district within the state and most notably the fastest growing public district. I come before you representing a district that is committed to providing the safest, legal, least restrictive, viable modes of transportation service available within our region to support the approximately 40,000 eligible students accessing the educational opportunities throughout our 90 square mile district.

CPS as the district of residence recognizes transportation services are an essential part of ensuring our students academic success regardless of their school of attendance. CPS Board of Education has adopted policies that uphold the very laws that govern pupil transportation services. CPS has safely transported students attending our high schools in grades 7th through 12th utilizing public transit for decades.

On September 2, 2020 testimony was provided to the committee that referenced some of the current laws one of which was [3327.01 Transportation of Pupils](#).

CPS as the district of residence would like the members of this committee to recognize that like many other public districts within Ohio CPS has gone beyond the state minimums prescribed in law. CPS provides transportation services for students who reside one mile from their school of attendance. In addition, CPS provides transportation services for grades 9th through 12th who reside 1.25 miles from their school of attendance which is not required by state law. The following expansion of our transportation services to all eligible students within our district is provided at additional cost that is not supported by state funds.

CPS does not own or operate any vehicles authorized under Chapter 3301-83-01 Calculation of Pupil Transportation Operation Payments. Therefore as a district of residence we solely rely on a network of six (6) authorized vendors (ALC Schools, First Student Inc., Petermann Inc, Queen City Transportation, Southwest Ohio Regional Transit Authority (SORTA), and Universal Transportation Systems) to safely transport the eligible 40,000 students. Approximately 12,000 students are transported through a contract with our regional public transit provider SORTA which includes 7th thru 12th graders attending CPS High Schools, and students attending chartered nonpublic and community schools. The proposed adoption of Senate Bill 350 will

adversely effect approximately 6,300 students currently receiving services on public transit. This will be counterproductive to CPS's commitment to making student centered decisions to aid in the success of every student.

CPS is in consensus with Senator Brenner on the understanding of the word "shall" however when the word is followed by "except" it means that the following law recognizes its infeasibility to be upheld in all cases. CPS for decades has provided transportation in full accordance of the law. CPS feels it is imperative that the committee and the public is not misled by the framework of the current law that allows the district the authority to execute transportation services for eligible students.

*"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.**"*

CPS feels the law as written within [Section 3327.02 Resolution Declaring Impracticality of Transportation - offer of payment in lieu of transportation](#) clearly outlines acceptable exceptions to transporting eligible pupils to and from school under section 3327.01 Transportation of Pupils as written. CPS has with good conscience provided services to eligible students throughout the years by law. However, the district recognizes that the current "pandemic" has redefined the operations of the great educational institutions that have served as pillars of hope, and resource centers within our communities. CPS disagrees on the notion that public school districts are circumventing the laws based on the novel COVID-19 disease. The pupil transportation industry has been operating amidst a series of compounding "pandemics" for decades with no legislative support to address the national school bus driver shortage, the defunding of school bus replacement programs, and unfunded mandates to transport students experiencing homelessness under Mckenny Vento statues. The onset of the global COVID-19 pandemic has only highlighted the systemic degenerative practices that have been deteriorating the foundation of pupil transportation services for years within Ohio.

Cincinnati Public Schools is directly opposing the adoptions of Senate Bill 350 as it is a singular impractical solution to complex systemic issues within our industry. Senate Bill 350 will circumvent local authority of a Board of Education to make local decisions that will support the equitable determination of the safest, legal, least restrictive, viable mode of service available to eligible students. The implication of the proposed Senate Bill 350 will also negate a public schools district's ability to apply district general funds that are not supported by Federal or State appropriations to allocate the proper legal mode(s) of transportation service at their discretion.

Cincinnati Public Schools wants the Senate Education Committee to fully understand the ramifications the proposed Senate Bill 350 will have on our current and future operations. CPS is willing and able to work with Senator Brenner and the Senate Education Committee on developing a task force of key stakeholders to properly propose improvements to current laws to ensure the safety of our most valuable resources as a State... our students!

Thank you for the opportunity to testify before you today. I am happy to answer any questions.

A handwritten signature in black ink, appearing to read "Loren Michael Johnson". The signature is fluid and cursive, with a large initial "L" and "M".

Loren Michael Johnson,
Director of Pupil Transportation
Cincinnati Public Schools