

**As Introduced**

**133rd General Assembly  
Regular Session  
2019-2020**

**H. B. No. 636**

**Representative Sobecki**

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**A BILL**

To amend section 3327.01 of the Revised Code to 1  
exempt a school district from transporting 2  
students to a chartered nonpublic school or a 3  
community school under certain circumstances and 4  
to declare an emergency. 5

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

**Section 1.** That section 3327.01 of the Revised Code be 6  
amended to read as follows: 7

**Sec. 3327.01.** Notwithstanding division (D) of section 8  
3311.19 and division (D) of section 3311.52 of the Revised Code, 9  
this section and sections 3327.011, 3327.012, and 3327.02 of the 10  
Revised Code do not apply to any joint vocational or cooperative 11  
education school district. 12

In all city, local, and exempted village school districts 13  
where resident school pupils in grades kindergarten through 14  
eight live more than two miles from the school for which the 15  
state board of education prescribes minimum standards pursuant 16  
to division (D) of section 3301.07 of the Revised Code and to 17  
which they are assigned by the board of education of the 18  
district of residence or to and from the nonpublic or community 19

school which they attend, the board of education shall provide 20  
transportation for such pupils to and from that school except as 21  
provided in section 3327.02 of the Revised Code. 22

In all city, local, and exempted village school districts 23  
where pupil transportation is required under a career-technical 24  
plan approved by the state board of education under section 25  
3313.90 of the Revised Code, for any student attending a career- 26  
technical program operated by another school district, including 27  
a joint vocational school district, as prescribed under that 28  
section, the board of education of the student's district of 29  
residence shall provide transportation from the public high 30  
school operated by that district to which the student is 31  
assigned to the career-technical program. 32

In all city, local, and exempted village school districts, 33  
the board may provide transportation for resident school pupils 34  
in grades nine through twelve to and from the high school to 35  
which they are assigned by the board of education of the 36  
district of residence or to and from the nonpublic or community 37  
high school which they attend for which the state board of 38  
education prescribes minimum standards pursuant to division (D) 39  
of section 3301.07 of the Revised Code. 40

A board of education shall not be required to transport 41  
elementary or high school pupils to and from a nonpublic or 42  
community school where such transportation would require more 43  
than thirty minutes of direct travel time as measured by school 44  
bus from the public school building to which the pupils would be 45  
assigned if attending the public school designated by the 46  
district of residence. 47

A board of education shall not be required to transport 48  
elementary or high school pupils to and from a nonpublic or 49

community school that is located outside of the school 50  
district's territory. 51

Where it is impractical to transport a pupil by school 52  
conveyance, a board of education may offer payment, in lieu of 53  
providing such transportation in accordance with section 3327.02 54  
of the Revised Code. 55

A board of education shall not be required to transport 56  
elementary or high school pupils to and from a nonpublic or 57  
community school on Saturday or Sunday, unless a board of 58  
education and a nonpublic or community school have an agreement 59  
in place to do so before the first day of July of the school 60  
year in which the agreement takes effect. 61

In all city, local, and exempted village school districts, 62  
the board shall provide transportation for all children who are 63  
so disabled that they are unable to walk to and from the school 64  
for which the state board of education prescribes minimum 65  
standards pursuant to division (D) of section 3301.07 of the 66  
Revised Code and which they attend. In case of dispute whether 67  
the child is able to walk to and from the school, the health 68  
commissioner shall be the judge of such ability. In all city, 69  
exempted village, and local school districts, the board shall 70  
provide transportation to and from school or special education 71  
classes for mentally disabled children in accordance with 72  
standards adopted by the state board of education. 73

When transportation of pupils is provided the conveyance 74  
shall be run on a time schedule that shall be adopted and put in 75  
force by the board not later than ten days after the beginning 76  
of the school term. 77

The cost of any transportation service authorized by this 78

section shall be paid first out of federal funds, if any, 79  
available for the purpose of pupil transportation, and secondly 80  
out of state appropriations, in accordance with regulations 81  
adopted by the state board of education. 82

No transportation of any pupils shall be provided by any 83  
board of education to or from any school which in the selection 84  
of pupils, faculty members, or employees, practices 85  
discrimination against any person on the grounds of race, color, 86  
religion, or national origin. 87

**Section 2.** That existing section 3327.01 of the Revised 88  
Code is hereby repealed. 89

**Section 3.** (A) As used in this section: 90

(1) "Native student" has the same meaning as in section 91  
3314.09 of the Revised Code; 92

(2) "Qualifying school" means either of the following: 93

(a) A chartered nonpublic school; 94

(b) A community school established under Chapter 3314. of 95  
the Revised Code. 96

(B) Notwithstanding anything to the contrary in sections 97  
3310.04, 3314.09, 3327.01, and 3327.02 of the Revised Code, for 98  
the 2020-2021 school year, a school district board of education 99  
shall not be required to provide transportation services to a 100  
native student of the district that is enrolled in a qualifying 101  
school if twenty or fewer of the district's native students are 102  
enrolled in that qualifying school. 103

**Section 4.** This act is hereby declared to be an emergency 104  
measure necessary for the immediate preservation of the public 105  
peace, health, and safety. The reason for such necessity is to 106

address urgent needs of the state during the period of emergency	107
arising from a COVID-19 outbreak. Therefore, this act shall go	108
into immediate effect.	109