



**Department of  
Education &  
Workforce**

# COMPLIANCE WITH PUPIL TRANSPORTATION REQUIREMENTS

Ohio House Bill 33 of the 135th General Assembly created new compliance requirements for pupil transportation services effective October 3, 2023.



**OFFICE OF PUPIL TRANSPORTATION**

[Schoolbus@education.ohio.gov](mailto:Schoolbus@education.ohio.gov)



# SECTION 3327.021 OF THE OHIO REVISED CODE | COMPLIANCE WITH TRANSPORTATION REQUIREMENTS

**(A)** As used in this section, "out of compliance" means that, for a period of **five consecutive school days or ten school days within a school year**, at least one of the following has occurred on each of those days:

- (1)** Students transported to and from school by a school bus arrive more than thirty minutes late to school;
- (2)** Students transported to and from school by a school bus are picked up more than thirty minutes after the end of the school day;
- (3)** Students scheduled to be transported to and from school by a school bus are not transported by school bus at all due to the failure of the bus to arrive;
- (4) A school district has been noncompliant with any other transportation requirements under Chapter 3327. of the Revised Code.**

# ARE YOU FAMILIAR WITH CHAPTER 3327 OF THE OHIO REVISED CODE?



# CHAPTER 3327 OF THE OHIO REVISED CODE

Transportation requirements under Chapter 3327. of the Ohio Revised Code include all the following:

**3327.01** *Transportation of pupils.*

**3327.011** *Coordinators of school transportation.*

**3327.012** *Payments for transportation to be made on current basis-contract to provide transportation service.*

**3327.013** *Transportation for preschoolers.*

**3327.014** *Suspension from school bus riding privileges.*

**3327.015** *Reduction of student transportation prohibited.*

**3327.016** *Community and nonpublic school transportation plans.*



# CHAPTER 3327 OF THE OHIO REVISED CODE

- 3327.017** *Mass transit to transport community and nonpublic school students.*
- 3327.018** *Transportation contracts for bus use by outside entities.*
- 3327.02** *Resolution declaring impracticality of transportation-offer payment in lieu of transportation.*
- 3327.021** *Compliance with transportation requirements.*
- 3327.03** *Designation of depots.*
- 3327.04** *Contract for attendance of nonresident pupils.*
- 3327.05** *Transportation of nonresident pupils.*
- 3327.07** *Fee for transportation charged by chartered nonpublic schools.*
- 3327.08** *Purchase of school buses and other transportation equipment.*



# CHAPTER 3327 OF THE OHIO REVISED CODE

**3327.09** *Procurement of motor vehicle liability and accident insurance.*

**3327.10** *Qualifications of drivers.*

**3327.12** *Maintenance of school bus turn-around points.*

**3327.13** *Lease agreement for buses to transport nonpublic school pupils to and from school related activities.*

**3327.14** *Lease agreement for buses to transport senior citizens and adult education groups.*

**3327.15** *Use of vehicles outside state.*

**3327.16** *Volunteer bus rider assistance program- program for pupils offered school bus transportation.*

# SECTION 3327.021 OF THE OHIO REVISED CODE | COMPLIANCE WITH TRANSPORTATION REQUIREMENTS

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The Department monitors whether districts are “out of compliance.” The law specifies that this is based on these occurrences outlined in Section 3327.021(A) of the Ohio Revised Code.



The law provides one exception:

“Any school day on which noncompliance occurs due to “*inclement weather*,” is not counted toward the determination of noncompliance”.



**Department of  
Education &  
Workforce**



# WHAT IS THE DEPARTMENT'S RESPONSIBILITY ?

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**ORC 3327.021(B):** The department of education and workforce shall monitor whether each city, local, or exempted village school district is out of compliance.

The Department of Education and Workforce (the Department) investigates transportation-related concerns that are formally submitted using the Transportation Concern Form (TCF). The Department collects and reviews all information pertaining to a concern from the parties to ultimately reach a compliance determination. The Department must make a determination within 45 days of receiving a concern.



# THE DEPARTMENT'S RESPONSIBILITY

The Department reviews all pertinent information to determine if the District has met the threshold to be determined **out of compliance**, which is defined as noncompliance for a period of:

- Five consecutive school days, or
- Ten school days within a school year.

Other than the first finding of being out of compliance, a district's transportation funding will be withheld for identified dates that the district is out of compliance

# OUT OF COMPLIANCE DETERMINATIONS

First determination that the district is out of compliance – no funding is withheld; corrective action plan (CAP) required by the district.

The district must submit a CAP within one week of receiving the first notice of determination that they are out of compliance from the Department.

If the district is subsequently determined to be out of compliance after submitting the CAP, the second, third and fourth determinations will result in 25% of daily state transportation funding to be withheld.

Fifth and additional determinations that the district is out of compliance will result in 100% of daily state transportation funding to be withheld.

The Department will calculate and disburse the per pupil amount to the district or school in which the student(s) are enrolled. The district or school shall remit the funds to the parent, guardian, or person in charge of the student not receiving proper transportation.

# PARENT, GUARDIAN OR SCHOOL CONCERN PROCESS

## *Who can submit a transportation concern form to the Department?*

Any person who represents the interest of students attending a community school, chartered nonpublic school or students who are eligible for yellow school bus transportation services under Chapter 3327. of the Ohio Revised Code may submit a **Transportation Concern Form (TCF)**.

Formal reporting of concerns will be addressed in the following manner:

1. Parents, guardians, community schools or nonpublic schools may submit concerns by completing an TCF located on the Department's website and submitting supporting documentation by email to [TransportationCompliance@education.ohio.gov](mailto:TransportationCompliance@education.ohio.gov).

# PARENT, GUARDIAN OR SCHOOL CONCERN PROCESS

2. Upon receiving the TCF submission, the Department will review for completeness and, if applicable, assign for processing. If the form is incomplete, the Department will notify the sender that the submission is insufficient and explain how the sender should properly resubmit.
3. The system will automatically notify the complainant of the submission. Once the concern and all supporting documentation have been submitted and reviewed, the Department will contact the involved schools and districts via email within one business day to alert them an investigation has commenced and to provide the district an opportunity to respond.
4. Upon receipt of the district response, the investigators may follow up with one or more parties if additional information or documentation is required. Once the investigation is complete, finalized documents will be sent via email to all involved parties.
5. If there is an out of compliance determination with funding implications, a copy of the findings letter will be sent to the Office of Budget and School Funding.



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### QUICK LINKS

- » [Compliance with Pupil Transportation Requirements Corrective Action Plan Guidance](#)
- » [Transportation Enforcement Process](#)
- » [Improving Transportation Services for All Students](#)
- » [Driver Training](#)
- » [School Bus Purchase Program](#)

## Transportation Enforcement Process

[Ohio law](#) requires the Ohio Department of Education and Workforce to monitor each city, local and exempted village school district's compliance with the pupil transportation requirements outlined in Ohio Revised Code 3327.

### Parent/Guardian or School Concern Process

The Department will process documents that are submitted to formally report concerns regarding pupil transportation services by a yellow school bus. Formal reporting of concerns will be addressed in the following manner:



## LATEST NEWS

[February is Love the Bus Month](#)

[Ohio School Bus Driver REGIONAL ROAD-E-O Saturday, April 20, 2024](#)

[Ohio School Bus Driver STATE ROAD-E-O Saturday, May 4, 2024](#)

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administrative professional will contact via email all other individuals and schools involved within the next business day to alert them an investigation will begin with outreach to involved parties.

4. Once the investigation is completed, finalized documents will be sent via email to all involved parties.
5. If there is an out of compliance finding, a copy of the findings letter will be sent to the Office of Budget and School Funding.

Any person who represents the interest of a community school, chartered nonpublic school or students who are eligible for yellow school bus transportation services under Chapter 3327 of the Ohio Revised Code is eligible to submit a Transportation Concern Form.




**Department of  
Education &  
Workforce**

## Transportation Concern Form

This form should be used to report concerns for school bus student transportation that is not being provided as required by Ohio Revised Code (ORC) 3327. See ORC Section 3327.021.

Please fill the form out as completely as possible for each individual building location and submit it to the Ohio Department of Education and Workforce (DEW). Concerns that do not regard student transportation compliance should be addressed directly with the local school district.

# SUBMITTING A TRANSPORTATION CONCERN FORM

 **Department of Education & Workforce**

## Transportation Concern Form


This form should be used to report concerns for school bus student transportation that is not being provided as required by Ohio Revised Code (ORC) 3327. See ORC Section 3327.021.

Please fill the form out as completely as possible for each individual building location and submit it to the Ohio Department of Education and Workforce (DEW). Concerns that do not regard student transportation compliance should be addressed directly with the local school district.

Ohio Department of Education and Workforce | Transportation Enforcement

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 **Department of Education & Workforce**

## Transportation Concern Form

\* Required

### Contact Information

1. Date of submission \*

2/5/2024

2. Your Name \*

Heather Free

3. Your Relationship to the Affected Student(s). Please only include the affected student(s) on the Student Key at the end of the form - To Remain

3. Your Relationship to the Affected Student(s). Please only include the affected student(s) on the Student Key at the end of the form. - To Remain confidential and not subject to release according to FERPA. \*

Grandparent

4. Phone Number

614-981-9044

5. Email Address \*

Heather.free@education.ohio.gov

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# ALL REQUIRED FIELDS MUST BE FILLED IN

## School and District Information

6. District Responsible for Transportation (Name of Resident district - Please include IRN if known) \*

Any city schools

7. School of Attendance (Name of school - Please include IRN if known) \*

Elementary building

8. Address of School of Attendance \*

123 Main Street

9. School Bell Times (School morning start time and end of day release time)

9. School Bell Times (School morning start time and end of day release time) \*

7:00 am to 2:45 pm

10. **ORC 3327.021(A)(1)** - Did the student(s) arrive more than 30 minutes late to the school? \*

Yes

No

11. **ORC 3327.021(A)(2)** - Were students picked up from the school more than 30 minutes after the end of the school day? \*

Yes

No

10. **ORC 3327.021(A)(1)** - Did the student(s) arrive more than 30 minutes late to the school? \*

Yes

No

11. Please identify MORNING school bus routes and bus numbers with specific dates and times related to the transportation concern. Provide details related to the bus arriving more than 30 minutes late to the school building. **For Example:** 10/3/2023 Bus Number 1: arrived late at 08:27 a.m. (47 minutes) affecting 3 children. Student 1: John Doe, Student 2: Jane Doe, Student 3: James Doe \*

On 2/2/24, bus 55 arrived at the school at 7:45 am.

On 2/5/24, bus 55 arrived at the school at 7:40 am.

Heather Jr, grade 1

Heathermarie, grade 4





# ALL REQUIRED FIELDS MUST BE FILLED IN

12. **ORC 3327.021(A)(2)** - Were students picked up from the school more than 30 minutes after the end of the school day? \*

Yes

No

13. Please identify AFTERNOON school bus routes and bus numbers with specific dates and times related to the transportation concern. Provide details related to the bus picking up more than 30 minutes after dismissal from the school building. **For**

**Example:** 10/4/2023 Bus Number 2 arrived late at 4:17 p.m. (47 minutes) affecting 3 children. Student 1: John Doe, Student 2: Jane Doe, Student 3: James Doe

\*

On 2/1/24, bus 55 picked up at 3:20.  
On 1/30/24, bus 55 picked up at 3:35.  
On 1/28/24, bus 55 picked up at 3:25.

14. **ORC 3327.021(A)(3)** - Did the assigned school bus fail to arrive to transport the student(s) to and/or from school? \*

Yes

No

15. Please provide information of the assigned bus that did not arrive, if it was morning or afternoon. List the dates, the associated school bus route and bus number, and the number of affected students. **For**

**Example:** 10/4/2023 Bus Number 2 Route 4 did not arrive at all affecting 3 children. Student 1: John Doe, Student 2: Jane Doe, Student 3: James Doe \*

1/25 and 1/26 bus 55 was canceled all day for no driver

16. **ORC 3327.021(A)(4)** – Was the school district noncompliant with any other transportation requirements under Chapter 3327. of the Revised Code? If you know the Revised Code section, please provide and include available details, (dates, times).

Enter your answer

17. Describe your attempts to resolve your current transportation concerns with the responsible school district. \*

Called the transportation office

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# CONFIDENTIAL STUDENT KEY IS REQUIRED

## Student Key

To Remain Confidential and Not Subject to Disclosure Pursuant to the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g.

18. In summary, please list the students and grade levels affected by your concerns in the text box below. You may also submit as a separate attachment in an email to [TransportationCompliance@education.ohio.gov](mailto:TransportationCompliance@education.ohio.gov). Please share the title of the attachment including the school of attendance and responsible district in the comment box below.

Please list the dates, the associated school bus route and bus number, the name of the affected student(s) and grade level per example:

*Date: Bus Route/Bus Number*

*Student 1: John Doe, Grade 1*

*Student 2: Jane Doe, Grade 2*

*Student 3: James Doe, Grade 3*

Heather Jr, grade 1  
Heathermarie, grade 4

19. Do you have additional attachments. \*

Yes

No

20. If you have attachments or additional documents that you would like to include. Please send the information to [TransportationCompliance@education.ohio.gov](mailto:TransportationCompliance@education.ohio.gov).

Please list the title of the document you will be sending via email in the comment box below. Include your name and email address along with the name of the school of attendance and responsible district in your email. This will enable the Department to match the appropriate material to this concern. The concern will not be processed until the related document(s) and/or attachment(s) are received. Thank you.

Enter your answer

20. If you have attachments or additional documents that you would like to include. Please send the information to [TransportationCompliance@education.ohio.gov](mailto:TransportationCompliance@education.ohio.gov).

Please list the title of the document you will be sending via email in the comment box below. Include your name and email address along with the name of the school of attendance and responsible district in your email. This will enable the Department to match the appropriate material to this concern. The concern will not be processed until the related document(s) and/or attachment(s) are received. Thank you.

Enter your answer

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Submit

## WHY DOES THE DEPARTMENT REQUIRE A STUDENT KEY?

The Department must calculate and disburse to the school in which the affected student(s) are enrolled the per-student payment amount. The school is then required to remit the per-student payment amount to the parent, guardian or other person in charge of each student who did not receive proper transportation while the district was out of compliance.



# THE DEPARTMENT'S INVESTIGATION PROCESS

Once the TCF has been reviewed for completeness and accuracy, the Department will email the district's transportation director or supervisor:

- A copy of the TCF including the student key to verify, and any other attachment(s), if applicable, from the complainant.
- A District Transportation Response Form (DRF) for the district to respond to the complaint and provide clear and accurate supporting information to address or refute the concern(s).
- The District will be given five days to submit the DRF to ensure the Department can meet its statutorily mandated timeline of 45 days to render a determination.

# THE DEPARTMENT'S INVESTIGATION PROCESS

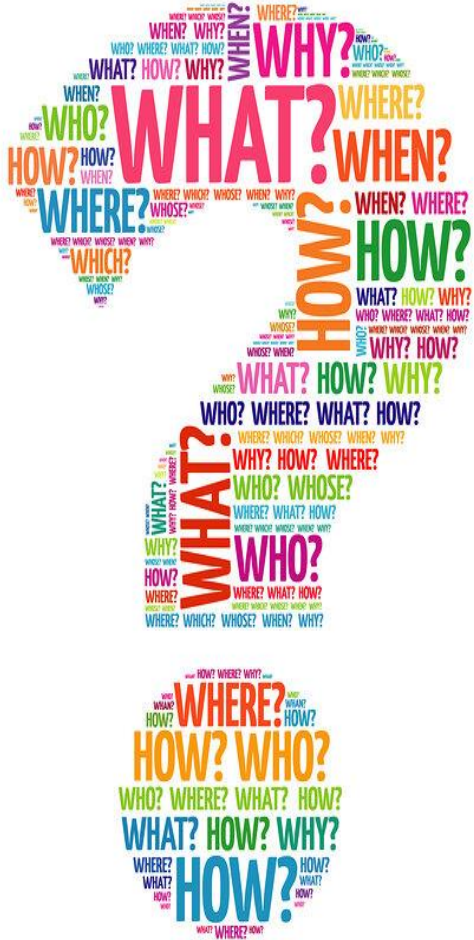
- The transportation director or supervisor will be directed to attach any relevant documents that support their response, with an explanation, via email. (i.e., route sheets, bell times, dispatch/school messenger logs, GPS data). The requested information will need to be emailed to their assigned investigator and the transportation compliance inbox within five days of the request, which will be identified in the request.
- If no response is received by the close of business on the assigned date, the claim(s) will be considered as substantiated dates which may result in a determination that the district is “out of compliance” for purposes of ORC 3327.021.

# THE DEPARTMENT'S INVESTIGATION PROCESS

- If any of the students provided on the student key were declared impractical, the transportation director or supervisor will be asked to provide a copy of the notification letter sent to the parent or guardian, and board resolution documents supporting the declaration, pursuant to ORC 3327.02.
- The compliance investigator will review all documentation provided by both the district and complainant. Once a determination has been made, a letter of determination will be sent to all parties involved in the investigation. The district will receive a findings report which will include a summary of the investigation and confirmation of dates found to be out of compliance.



# QUESTIONS?



Additional information can be found on the Department's website. To navigate, hover over **“Topics,”** select **“School Transportation.”**

You will find a number of resources of the Department of Education and Workforce transportation page.

# THANK YOU

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