

3301-51-10 Transportation of ~~children~~ students with disabilities.

~~(A) Definitions:~~

~~(1) The term disabilities includes the following: autism, deaf-blindness, deafness, hearing impairment, cognitive disability, multiple disabilities, orthopedic impairment, other health impairment, serious emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, visual impairment including blindness, and any other conditions as identified in division (A) of section 3323.01 of the Revised Code.~~

Commented [KS1]: Duplicates OAC 3301-51-01 and 34 CFR 300.8

~~(A2) "Special transportation" means vehicle transportation service required by the individualized education program (IEP) of a student with disabilities or any applicable state or federal law, as in accordance with 34 C.F.R. 300.34, O.R.C. 3327.01 and O.A.C. Chapter 3301-83, including:-~~

~~(3) Transportation means travel to and from school, between schools, and in and around school buildings, and may include the following:~~

Commented [KS2]: Duplicates 34 CFR 300.34(c)(16)

~~(1a) Travel to and from school, between schools, and in and around school buildings during normal school hours and outside of normal school hours if included on the individual education program IEP.~~

Commented [KS3]: Duplicates 34 CFR 300.34(c)(16)

~~(2b) Specialized equipment, such as special or adapted vehicles, lifts, and ramps, if required to provide special transportation for a child-student with disabilities.~~

~~(3e) Fitting and/or retrofitting vehicles with specialized equipment, such as car seats, securement systems, and harnesses.~~

~~(4d) Employment of aides for particular special education vehicles if deemed necessary by the school district IEP team.~~

~~(5e) Alternative pick-up and drop-off locations, such as the curb, driveway, or front door of the child's-student's home, if determined to be appropriate based upon the individual needs of the child-student.~~

~~(6f) Other travel that may be arranged by the school district with no reimbursement from the state.~~

~~(7) Weekend travel on Saturday or Sunday for residential schools is permitted.~~

~~(4) School district means city, local, exempted village, educational service center, community school, STEM school, boarding school, or county board of developmental disabilities, for purposes of this rule.~~

Commented [KS4]: Duplicates OAC 3301-51-01

~~(5) Children with disabilities in this rule refers to those aged three through twenty-one.~~

Commented [KS5]: Duplicates ORC 3323.01

~~(6) Weekend travel on Saturday or Sunday for residential schools is permitted.~~

Commented [KS6]: (6) has been moved up to be (A)(7)

~~(7) Department means the Ohio department of education.~~

Commented [KS7]: Duplicates ORC 3323.01

(B) State residential schools.

~~_(1) This paragraph refers to the Ohio state school for the blind and the Ohio state school for the deaf.~~

(12) Reimbursement for transportation to and from the school district of residence shall be approved by the department for eligible ~~children-students~~ with disabilities placed in state residential schools, including the Ohio state school for the blind and the Ohio state school for the deaf.

(23) Reimbursement claims for weekend travel and/or daily travel shall be approved by the department for eligible ~~children-students~~ with disabilities placed in state residential schools, including the Ohio state school for the blind and the Ohio state school for the deaf.

(C) Eligibility.

(1) Reimbursement for special education transportation ~~shall be done may be approved by the department's office of pupil transportation for children with disabilities attending a special education program approved by the department's office for exceptional children, and/or attending a regular class in a public school, in accordance with O.A.C. 3301-83-01(D).~~

(2) School district transportation personnel shall be consulted in the preparation of the ~~individualized education program IEP based upon the unique needs of the student~~ when transportation is required as a related service ~~and when the child's needs are such that information to ensure the safe transportation and well being of the child is necessary to provide such transportation.~~

~~_(3) When required by the individualized education program, transportation will be provided based upon the unique needs of an individual child.~~

Commented [KS8]: Included in (C)(2)

(34) A community school governing ~~board authority~~ shall provide or arrange transportation free of any charge for any ~~disabled~~ student with disabilities enrolled in the school for whom the student's ~~individualized education program IEP~~ specifies transportation in accordance with O.R.C. 3314.091.

(45) For transportation purposes, a ~~child-student~~ with disabilities that is parentally placed in a attending a nonpublic school, ~~placed by parent, guardian, or others,~~ shall be entitled to transportation the same as any ~~child-student~~ without disabilities attending a nonpublic school in accordance with section 3327.01 of the Revised Code.

(D) General requirements.

(1) Each school district shall establish its own reasonable travel time. Travel time is defined as beginning at the initial pickup of the child and ending with the final arrival at the school destination.

The school district shall develop its travel time standard, approved by the ~~individual that district's~~ board of education, and shall consider the following factors: age of the child student, ~~condition type~~ of disability, geographic size of the school district, location of the special education class, traffic patterns, and roadway conditions.

(2) Those who transport eligible ~~children-students~~ with disabilities must comply with ~~the appropriate provisions of the rules 3301-83-03 to 3301-83-24 of the Administrative Code, O.A.C. Chapter 3301-83.~~

(3) Drivers and transportation aides must have access to appropriate information about the ~~child~~ student to the degree that such information might affect safe transportation and medical wellbeing ~~while being transported during transport~~. This information must be accessible in the school transportation office and is confidential.

(4) Emergency evacuation and other pertinent safety precautions must be considered by school districts deciding upon the appropriate transportation services for children with disabilities.

(5) All vehicles used must be authorized vehicles as defined in rule 3301-83-19 of the Administrative Code. A privately owned vehicle of the family utilized to transport a ~~pupil~~ student of the family is not subject to O.A.C. Chapter 3301-83 or regulations other than that required by state law.

Effective: 07/25/2013
 R.C. 119.032 review dates: 05/08/2013 and 07/25/2018
 Promulgated Under: 119.03
 Statutory Authority: 3301.07, 3327.01
 Rule Amplifies: 3327.01, 4511.76
 Prior Effective Dates: 6-30-73; 7-4-77; 1-1-95; 10-1-04, 3/25/2010