



Ohio Administrative Code

Rule 3301-51-10 Transportation of children with disabilities.

Effective: December 1, 2023

(A) Definitions.

(1) Child with a disability means a child evaluated in accordance with rule 3301-51-06 of the Administrative Code as having an intellectual disability, a hearing impairment (including deafness), a speech or language impairment, a visual impairment (including blindness), a serious emotional disturbance (referred to in this rule as "emotional disturbance"), an orthopedic impairment, autism, traumatic brain injury, an other health impairment, a specific learning disability, deaf-blindness, a developmental delay (for a child between the ages of three and nine), or multiple disabilities, who by reason thereof, needs special education and related services..

(2) Special transportation means vehicle transportation service required by the individualized education program of a child with disabilities or any applicable state or federal law.

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

(a) 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 child's individualized education program.

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

(c) Fitting and/or retrofitting vehicles with specialized equipment, such as car seats, securement systems, and safety vests.

(d) Employment of transportation aides for particular special education vehicles if deemed necessary by the child's individualized education program.



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

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

(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.

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

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

(7) Department means the Ohio department of education.

(B) State residential schools.

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

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

(3) Reimbursement claims for weekend travel and/or daily travel shall be approved by the department for eligible children 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 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.

(2) School district transportation personnel shall be consulted in the preparation of the child's individualized education program based upon the unique needs of the child 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) A community school governing authority shall provide or arrange transportation free of any charge for any child with disabilities enrolled in the school for whom the child's individualized education program specifies transportation in accordance with section 3314.091 of the Revised Code.

(4) For transportation purposes, a child with disabilities that is parentally placed in a nonpublic school, shall be entitled to transportation the same as any child 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 district's board of education, and shall consider the following factors: age of the child, condition 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 with disabilities must comply with Chapter 3301-83 of the Administrative Code.

(3) Drivers and transportation aides must have access to appropriate information about the child to the degree that such information might affect safe transportation and medical wellbeing 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 child is not subject to Chapter 3301-83 of the Administrative Code or regulations other than that required by state law.