



OHIO CHRISTIAN EDUCATION NETWORK

A Network of Center for Christian Virtue

November 18, 2021

To: Trent Bowers and Worthington City Schools Board

From: Ohio Christian Education Network

Re: Resolution of Impracticality

Dear Superintendent Bowers and Worthington City Schools Board,

It has come to our attention that the Worthington City Schools Board of Education passed a resolution of impracticality that will deprive students of transportation at Columbus Academy, Wellington, Bishop Watterson, St. Charles Preparatory, St. Andrew, St. Timothy, Columbus School for Girls, and Metro School.

The Board's actions are in direct violation of Ohio law, will cause incredible hardships on these students, and will impede their education. This is made all the more egregious considering what every child endured in the last year due to school closures throughout the pandemic, and that you are implementing this illegal policy as the winter is approaching, literally leaving students out in the cold.

We call on you to reverse your decision immediately.

Ohio Revised Code 3327.02 provides the exclusive method for determining whether transporting a student is impractical and provides for mediation upon request in the event of a dispute. Your actions have failed to meet these standards. The resolution passed by the Worthington School Board violates the Revised Code for the following reasons:

First, the Ohio Revised Code requires a district to make a determination of impracticality not later than 30 days prior to the first day of instruction. This resolution was passed November 10, 2021, significantly beyond the deadline for declaring impracticality.

Second, a determination of impracticality can be made by evaluating six factors. Only three of these factors are mentioned in the resolution. The fourth factor is, "Whether similar or equivalent service is provided to other pupils eligible for transportation." ORC 3327.02(a)(4).

Messages from Superintendent Trent Bowers to multiple stakeholders stated, "We have a responsibility to make sure we can provide transportation to the students enrolled in Worthington Schools," and "I feel like it is my fiduciary responsibility to recommend that we no longer transport to several schools so that we can continue to transport to district schools."

Dr. Bowers is advocating for inequitable treatment between district and nonpublic school students. The school district is required to provide transportation on an equitable basis to **all** students in the district, regardless of which school they attend.



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In addition, a letter from the State Superintendent of Public Instruction on July 8, 2020, stipulated, “Nothing in state law allows a school district to prioritize the needs of its own students over the needs of community school or chartered nonpublic school students.” These messages illustrate that the Board’s resolution of impracticality was not fairly determined in accordance with the Ohio Revised Code and instead evidences an illegal bias against private and religious schools.

We demand that Worthington City Schools Board repeal its impracticality resolution so that it may remain compliant with its statutory obligations. The bus service for the affected students should continue. If the Board does not reverse course, we will consider all available legal remedies to ensure Ohio law is upheld, and every student has the transportation to the school of their choice as guaranteed by the Ohio Revised Code.

Respectfully,

Corrinne Vidales, Esq.
Ohio Christian Education Network