

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 21

Representative Hambley

Cosponsors: Representatives Duffey, Hill, Riedel, Johnson, G., Miller, Rogers

A BILL

To amend section 3314.11 of the Revised Code 1
regarding verification of community school 2
enrollments. 3

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

Section 1. That section 3314.11 of the Revised Code be 4
amended to read as follows: 5

Sec. 3314.11. (A) ~~The board of education of each city,~~ 6
~~exempted village, and local school district governing authority~~ 7
~~of each community school established under this chapter~~ monthly 8
shall review enrollment for the residency records of students 9
~~enrolled in community schools established under this chapter and~~ 10
~~entitled to attend school in the district under section 3313.64~~ 11
~~or 3313.65 of the Revised Code~~ that community school. For each 12
student, the district governing authority shall verify to the 13
department of education ~~both of the following:~~ 14

- ~~(1) The community school in which the student is enrolled;~~ 15
- ~~(2) That the school district in which~~ the student is 16
entitled to attend school ~~in the district~~ under section 3313.64 17
or 3313.65 of the Revised Code. 18

(B) For purposes of ~~its initial reporting of~~ the school 19
districts in which its students are entitled to attend school, 20
the governing authority of a community school may adopt a policy 21
that prescribes the number of documents listed in division ~~(E)~~ 22
(D) of this section required to verify a student's residency. 23
~~This policy, if adopted, shall supersede any policy concerning~~ 24
~~the number of documents for initial residency verification~~ 25
~~adopted by the district the student is entitled to attend. If a~~ 26
~~community school does not adopt a policy under this division,~~ 27
~~the policy of the school district in which the student is~~ 28
~~entitled to attend shall prevail.~~ 29

(C) ~~In~~ For purposes of making the determinations 30
determination required under this section, the school district 31
in which a parent or child resides is the location the parent or 32
student has established as the primary residence and where 33
substantial family activity takes place. 34

(D) ~~If a district's determination under division (A) of~~ 35
~~this section of the school district a student is entitled to~~ 36
~~attend under section 3313.64 or 3313.65 of the Revised Code~~ 37
~~differs from a community school's determination under division~~ 38
~~(B) of this section, the community school shall provide the~~ 39
~~school district that made the determination under division (A)~~ 40
~~of this section with documentation of the student's residency~~ 41
~~and shall make a good faith effort to accurately identify the~~ 42
~~correct residence of the student.~~ 43

~~(E)~~ For purposes of this section, the following documents 44
may serve as evidence of primary residence: 45

(1) A deed, mortgage, lease, current home owner's or 46
renter's insurance declaration page, or current real property 47
tax bill; 48

(2) A utility bill or receipt of utility installation 49
issued within ninety days of enrollment; 50

(3) A paycheck or paystub issued to the parent or student 51
within ninety days of the date of enrollment that includes the 52
address of the parent's or student's primary residence; 53

(4) The most current available bank statement issued to 54
the parent or student that includes the address of the parent's 55
or student's primary residence; 56

(5) Any other official document issued to the parent or 57
student that includes the address of the parent's or student's 58
primary residence. The superintendent of public instruction 59
shall develop guidelines for determining what qualifies as an 60
"official document" under this division. 61

~~(F)~~ (E) When a student loses permanent housing and becomes 62
a homeless child or youth, as defined in 42 U.S.C. 11434a, or 63
when a child who is such a homeless child or youth changes 64
temporary living arrangements, the district in which the student 65
is entitled to attend school shall be determined in accordance 66
with division (F) (13) of section 3313.64 of the Revised Code and 67
the "McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et 68
seq. 69

~~(G) In the event of a disagreement as to which school 70
district a student is entitled to attend, the community school, 71
after complying with division (D) of this section, but not more 72
than sixty days after the monthly deadline established by the 73
department of education for reporting of community school 74
enrollment, may present the matter to the superintendent of 75
public instruction. Not later than thirty days after the 76
community school presents the matter, the state superintendent, 77~~

~~or the state superintendent's designee, shall determine which~~ 78
~~district the student is entitled to attend and shall direct any~~ 79
~~necessary adjustments to payments and deductions under section~~ 80
~~3314.08 of the Revised Code based on that determination.~~ 81

Section 2. That existing section 3314.11 of the Revised 82
Code is hereby repealed. 83