

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 58**

**Senators Craig, Reynolds**

**Cosponsors: Senators Weinstein, Ingram, DeMora, Smith**



**A BILL**

To amend sections 3109.51, 3109.52, 3109.53, 1  
3109.54, 3109.59, 3109.60, 3109.65, 3109.66, 2  
3109.67, 3109.69, 3109.70, 3109.71, 3109.74, 3  
3109.76, 3310.51, 3313.64, 3313.649, and 4  
3313.672 of the Revised Code to expand who is 5  
eligible to execute a grandparent power of 6  
attorney or a caretaker authorization affidavit. 7

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

**Section 1.** That sections 3109.51, 3109.52, 3109.53, 8  
3109.54, 3109.59, 3109.60, 3109.65, 3109.66, 3109.67, 3109.69, 9  
3109.70, 3109.71, 3109.74, 3109.76, 3310.51, 3313.64, 3313.649, 10  
and 3313.672 of the Revised Code be amended to read as follows: 11

**Sec. 3109.51.** As used in sections 3109.52 to 3109.80 of 12  
the Revised Code: 13

(A) "Caretaker" means any of the following who is eighteen 14  
years of age or older, is caring for a child in place of the 15  
child's parents, and does not have legal custody or guardianship 16  
of the child: 17

(1) Any of the following relatives by blood, adoption, or 18

marriage: the child's stepparent, grandparent, stepgrandparent, 19  
uncle, aunt, sibling, stepsibling, half sibling, nephew, niece, 20  
first cousin, or any relative denoted by the prefix "grand" or 21  
"great"; 22

(2) A nonrelative adult who has a relationship or bond 23  
with the child or the child's family. 24

(B) "Child" means a person under eighteen years of age. 25

~~(B)~~(C) "Custodian" means an individual with legal custody 26  
of a child. 27

~~(C)~~(D) "Guardian" means an individual granted authority by 28  
a probate court pursuant to Chapter 2111. of the Revised Code to 29  
exercise parental rights over a child to the extent provided in 30  
the court's order and subject to the residual parental rights, 31  
privileges, and responsibilities of the child's parents. 32

~~(D)~~(E) "Legal custody" and "residual parental rights, 33  
privileges, and responsibilities" have the same meanings as in 34  
section 2151.011 of the Revised Code. 35

**Sec. 3109.52.** The parent, guardian, or custodian of a 36  
child may create a power of attorney that grants to a 37  
~~grandparent~~caretaker of the child with whom the child is 38  
residing any of the parent's, guardian's, or custodian's rights 39  
and responsibilities regarding the care, physical custody, and 40  
control of the child, including the ability to enroll the child 41  
in school, to obtain from the school district educational and 42  
behavioral information about the child, to consent to all 43  
school-related matters regarding the child, and to consent to 44  
medical, psychological, or dental treatment for the child. The 45  
power of attorney may not grant authority to consent to the 46  
marriage or adoption of the child. The power of attorney does 47

not affect the rights of the parent, guardian, or custodian of 48  
the child in any future proceeding concerning custody of the 49  
child or the allocation of parental rights and responsibilities 50  
for the care of the child and does not grant legal custody to 51  
the attorney in fact. 52

**Sec. 3109.53.** To create a power of attorney under section 53  
3109.52 of the Revised Code, a parent, guardian, or custodian 54  
shall use a form that is identical in form and content to the 55  
following: 56

POWER OF ATTORNEY 57

I, the undersigned, residing at \_\_\_\_\_, in the county 58  
of \_\_\_\_\_, state of \_\_\_\_\_, hereby appoint the child's 59  
~~grandparent~~ caretaker, \_\_\_\_\_, residing at \_\_\_\_\_, in the 60  
county of \_\_\_\_\_, in the state of Ohio, with whom the child 61  
of whom I am the parent, guardian, or custodian is residing, my 62  
attorney in fact to exercise any and all of my rights and 63  
responsibilities regarding the care, physical custody, and 64  
control of the child, \_\_\_\_\_, born \_\_\_\_\_, having social 65  
security number (optional) \_\_\_\_\_, except my authority to 66  
consent to marriage or adoption of the child \_\_\_\_\_, and to 67  
perform all acts necessary in the execution of the rights and 68  
responsibilities hereby granted, as fully as I might do if 69  
personally present. The rights I am transferring under this 70  
power of attorney include the ability to enroll the child in 71  
school, to obtain from the school district educational and 72  
behavioral information about the child, to consent to all 73  
school-related matters regarding the child, and to consent to 74  
medical, psychological, or dental treatment for the child. This 75  
transfer does not affect my rights in any future proceedings 76  
concerning the custody of the child or the allocation of the 77

parental rights and responsibilities for the care of the child 78  
and does not give the attorney in fact legal custody of the 79  
child. This transfer does not terminate my right to have regular 80  
contact with the child. 81

I hereby certify that I am transferring the rights and 82  
responsibilities designated in this power of attorney because 83  
one of the following circumstances exists: 84

(1) I am: (a) Seriously ill, incarcerated, or about to be 85  
incarcerated, (b) Temporarily unable to provide financial 86  
support or parental guidance to the child, (c) Temporarily 87  
unable to provide adequate care and supervision of the child 88  
because of my physical or mental condition, (d) Homeless or 89  
without a residence because the current residence is destroyed 90  
or otherwise uninhabitable, or (e) In or about to enter a 91  
residential treatment program for substance abuse; 92

(2) I am a parent of the child, the child's other parent 93  
is deceased, and I have authority to execute the power of 94  
attorney; or 95

(3) I have a well-founded belief that the power of 96  
attorney is in the child's best interest. 97

I hereby certify that I am not transferring my rights and 98  
responsibilities regarding the child for the purpose of 99  
enrolling the child in a school or school district so that the 100  
child may participate in the academic or interscholastic 101  
athletic programs provided by that school or district. 102

If there is a court order naming me the residential parent 103  
and legal custodian of the child who is the subject of this 104  
power of attorney and I am the sole parent signing this 105  
document, I hereby certify that one of the following is the 106

case: 107

(1) I have made reasonable efforts to locate and provide 108  
notice of the creation of this power of attorney to the other 109  
parent and have been unable to locate that parent; 110

(2) The other parent is prohibited from receiving a notice 111  
of relocation; or 112

(3) The parental rights of the other parent have been 113  
terminated by order of a juvenile court. 114

This POWER OF ATTORNEY is valid until the occurrence of 115  
whichever of the following events occurs first: (1) I revoke 116  
this POWER OF ATTORNEY in writing and give notice of the 117  
revocation to the ~~grandparent~~ caretaker designated as attorney 118  
in fact and the juvenile court with which this POWER OF ATTORNEY 119  
was filed; (2) the child ceases to reside with the ~~grandparent~~ 120  
caretaker designated as attorney in fact; (3) this POWER OF 121  
ATTORNEY is terminated by court order; (4) the death of the 122  
child who is the subject of the power of attorney; or (5) the 123  
death of the ~~grandparent~~ caretaker designated as the attorney in 124  
fact. 125

WARNING: DO NOT EXECUTE THIS POWER OF ATTORNEY IF ANY 126  
STATEMENT MADE IN THIS INSTRUMENT IS UNTRUE. FALSIFICATION IS A 127  
CRIME UNDER SECTION 2921.13 OF THE REVISED CODE, PUNISHABLE BY 128  
THE SANCTIONS UNDER CHAPTER 2929. OF THE REVISED CODE, INCLUDING 129  
A TERM OF IMPRISONMENT OF UP TO 6 MONTHS, A FINE OF UP TO 130  
\$1,000, OR BOTH. 131

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ 132

\_\_\_\_\_ 133

Parent/Custodian/Guardian's signature 134

_____	135
Parent's signature	136
_____	137
<del>Grandparent</del> <u>Caretaker</u> designated as	138
attorney in fact	139
State of Ohio )	140
) ss:	141
County of _____)	142
Subscribed, sworn to, and acknowledged before me this _____ day	143
of _____, _____	144
_____	145
Notary Public	146
Notices:	147
1. A power of attorney may be executed only if one of the	148
following circumstances exists: (1) The parent, guardian, or	149
custodian of the child is: (a) Seriously ill, incarcerated, or	150
about to be incarcerated; (b) Temporarily unable to provide	151
financial support or parental guidance to the child; (c)	152
Temporarily unable to provide adequate care and supervision of	153
the child because of the parent's, guardian's, or custodian's	154
physical or mental condition; (d) Homeless or without a	155
residence because the current residence is destroyed or	156
otherwise uninhabitable; or (e) In or about to enter a	157
residential treatment program for substance abuse; (2) One of	158
the child's parents is deceased and the other parent, with	159
authority to do so, seeks to execute a power of attorney; or (3)	160
The parent, guardian, or custodian has a well-founded belief	161

that the power of attorney is in the child's best interest.	162
2. The signatures of the parent, guardian, or custodian of the	163
child and the <del>grandparent</del> <u>caretaker</u> designated as the attorney	164
in fact must be notarized by an Ohio notary public.	165
3. A parent, guardian, or custodian who creates a power of	166
attorney must notify the parent of the child who is not the	167
residential parent and legal custodian of the child unless one	168
of the following circumstances applies: (a) the parent is	169
prohibited from receiving a notice of relocation in accordance	170
with section 3109.051 of the Revised Code of the creation of the	171
power of attorney; (b) the parent's parental rights have been	172
terminated by order of a juvenile court pursuant to Chapter	173
2151. of the Revised Code; (c) the parent cannot be located with	174
reasonable efforts; (d) both parents are executing the power of	175
attorney. The notice must be sent by certified mail not later	176
than five days after the power of attorney is created and must	177
state the name and address of the person designated as the	178
attorney in fact.	179
4. A parent, guardian, or custodian who creates a power of	180
attorney must file it with the juvenile court of the county in	181
which the attorney in fact resides, or any other court that has	182
jurisdiction over the child under a previously filed motion or	183
proceeding. The power of attorney must be filed not later than	184
five days after the date it is created and be accompanied by a	185
receipt showing that the notice of creation of the power of	186
attorney was sent to the parent who is not the residential	187
parent and legal custodian by certified mail.	188
5. This power of attorney does not affect the rights of the	189
child's parents, guardian, or custodian regarding any future	190
proceedings concerning the custody of the child or the	191

allocation of the parental rights and responsibilities for the care of the child and does not give the attorney in fact legal custody of the child.

6. A person or entity that relies on this power of attorney, in good faith, has no obligation to make any further inquiry or investigation.

7. This power of attorney terminates on the occurrence of whichever of the following occurs first: (1) the power of attorney is revoked in writing by the person who created it and that person gives written notice of the revocation to the ~~grandparent caretaker~~ who is the attorney in fact and the juvenile court with which the power of attorney was filed; (2) the child ceases to live with the ~~grandparent caretaker~~ who is the attorney in fact; (3) the power of attorney is terminated by court order; (4) the death of the child who is the subject of the power of attorney; or (5) the death of the ~~grandparent caretaker~~ designated as the attorney in fact.

If this power of attorney terminates other than by the death of the attorney in fact, the ~~grandparent caretaker~~ who served as the attorney in fact shall notify, in writing, all of the following:

(a) Any schools, health care providers, or health insurance coverage provider with which the child has been involved through the ~~grandparent caretaker~~;

(b) Any other person or entity that has an ongoing relationship with the child or ~~grandparent caretaker~~ such that the other person or entity would reasonably rely on the power of attorney unless notified of the termination;

(c) The court in which the power of attorney was filed



after its creation;	221
(d) The parent who is not the residential parent and legal	222
custodian of the child who is required to be given notice of its	223
creation. The <del>grandparent caretaker</del> shall make the notifications	224
not later than one week after the date the power of attorney	225
terminates.	226
8. If this power of attorney is terminated by written	227
revocation of the person who created it, or the revocation is	228
regarding a second or subsequent power of attorney, a copy of	229
the revocation must be filed with the court with which that	230
power of attorney was filed.	231
Additional information:	232
To the <del>grandparent caretaker</del> designated as attorney in fact:	233
1. If the child stops living with you, you are required to	234
notify, in writing, any school, health care provider, or health	235
care insurance provider to which you have given this power of	236
attorney. You are also required to notify, in writing, any other	237
person or entity that has an ongoing relationship with you or	238
the child such that the person or entity would reasonably rely	239
on the power of attorney unless notified. The notification must	240
be made not later than one week after the child stops living	241
with you.	242
2. You must include with the power of attorney the following	243
information:	244
(a) The child's present address, the addresses of the	245
places where the child has lived within the last five years, and	246
the name and present address of each person with whom the child	247
has lived during that period;	248

(b) Whether you have participated as a party, a witness, 249  
or in any other capacity in any other litigation, in this state 250  
or any other state, that concerned the allocation, between the 251  
parents of the same child, of parental rights and 252  
responsibilities for the care of the child and the designation 253  
of the residential parent and legal custodian of the child or 254  
that otherwise concerned the custody of the same child; 255

(c) Whether you have information of any parenting 256  
proceeding concerning the child pending in a court of this or 257  
any other state; 258

(d) Whether you know of any person who has physical 259  
custody of the child or claims to be a parent of the child who 260  
is designated the residential parent and legal custodian of the 261  
child or to have parenting time rights with respect to the child 262  
or to be a person other than a parent of the child who has 263  
custody or visitation rights with respect to the child; 264

(e) Whether you previously have been convicted of or 265  
pleaded guilty to any criminal offense involving any act that 266  
resulted in a child's being an abused child or a neglected child 267  
or previously have been determined, in a case in which a child 268  
has been adjudicated an abused child or a neglected child, to be 269  
the perpetrator of the abusive or neglectful act that was the 270  
basis of the adjudication. 271

3. If you receive written notice of revocation of the power of 272  
attorney or the parent, custodian, or guardian removes the child 273  
from your home and if you believe that the revocation or removal 274  
is not in the best interest of the child, you may, within 275  
fourteen days, file a complaint in the juvenile court to seek 276  
custody. You may retain physical custody of the child until the 277  
fourteen-day period elapses or, if you file a complaint, until 278

the court orders otherwise.	279
To school officials:	280
1. Except as provided in section 3313.649 of the Revised Code,	281
this power of attorney, properly completed and notarized,	282
authorizes the child in question to attend school in the	283
district in which the <del>grandparent</del> - <u>caretaker</u> designated as	284
attorney in fact resides and that <del>grandparent</del> - <u>caretaker</u> is	285
authorized to provide consent in all school-related matters and	286
to obtain from the school district educational and behavioral	287
information about the child. This power of attorney does not	288
preclude the parent, guardian, or custodian of the child from	289
having access to all school records pertinent to the child.	290
2. The school district may require additional reasonable	291
evidence that the <del>grandparent</del> - <u>caretaker</u> lives in the school	292
district.	293
3. A school district or school official that reasonably and in	294
good faith relies on this power of attorney has no obligation to	295
make any further inquiry or investigation.	296
To health care providers:	297
1. A person or entity that acts in good faith reliance on a	298
power of attorney to provide medical, psychological, or dental	299
treatment, without actual knowledge of facts contrary to those	300
stated in the power of attorney, is not subject to criminal	301
liability or to civil liability to any person or entity, and is	302
not subject to professional disciplinary action, solely for such	303
reliance if the power of attorney is completed and the	304
signatures of the parent, guardian, or custodian of the child	305
and the <del>grandparent</del> - <u>caretaker</u> designated as attorney in fact are	306
notarized.	307

2. The decision of a ~~grandparent~~ caretaker designated as attorney in fact, based on a power of attorney, shall be honored by a health care facility or practitioner, school district, or school official.

**Sec. 3109.54.** A power of attorney created pursuant to section 3109.52 of the Revised Code must be signed by the parent, guardian, or custodian granting it and by the ~~grandparent~~ caretaker designated as the attorney in fact. For the power of attorney to be effective, the signatures must be notarized. The child's social security number need not appear on the power of attorney for the power of attorney to be effective.

**Sec. 3109.59.** (A) A power of attorney created under section 3109.52 of the Revised Code terminates on the occurrence of whichever of the following events occurs first:

(1) The power of attorney is revoked in writing by the person who created it, and that person gives written notice of the revocation to the ~~grandparent~~ caretaker designated as the attorney in fact and to the juvenile court with which the power of attorney was filed.

(2) The child ceases to reside with the ~~grandparent~~ caretaker designated as the attorney in fact.

(3) The power of attorney is terminated by court order.

(4) The death of the child who is the subject of the power of attorney.

(5) The death of the ~~grandparent~~ caretaker designated as the attorney in fact.

(B) Not later than five days after a power of attorney is revoked, a copy of the revocation of the power of attorney must

be filed with the court with which the power of attorney is 336  
filed pursuant to section 3109.74 of the Revised Code. 337

**Sec. 3109.60.** When a power of attorney created pursuant to 338  
section 3109.52 of the Revised Code terminates pursuant to 339  
division (A) (1), (2), (3), or (4) of section 3109.59 of the 340  
Revised Code, the ~~grandparent~~-caretaker designated as the 341  
attorney in fact shall notify, in writing, all of the following: 342

(A) The school district in which the child attends school; 343

(B) The child's health care providers; 344

(C) The child's health insurance coverage provider; 345

(D) The court in which the power of attorney was filed 346  
under section 3109.74 of the Revised Code; 347

(E) The parent who is not the residential parent and legal 348  
custodian and who is required to be given notice under section 349  
3109.55 of the Revised Code; 350

(F) Any other person or entity that has an ongoing 351  
relationship with the child or ~~grandparent~~-caretaker such that 352  
the person or entity would reasonably rely on the power of 353  
attorney unless notified of the termination. 354

The ~~grandparent~~-caretaker shall make the notifications not 355  
later than one week after the date the power of attorney 356  
terminates. 357

**Sec. 3109.65.** (A) Except as provided in division (B) of 358  
this section, if a child is living with a ~~grandparent~~-caretaker 359  
who has made reasonable attempts to locate and contact both of 360  
the child's parents, or the child's guardian or custodian, but 361  
has been unable to do so, the ~~grandparent~~-caretaker may obtain 362  
authority to exercise care, physical custody, and control of the 363

child including authority to enroll the child in school, to 364  
discuss with the school district the child's educational 365  
progress, to consent to all school-related matters regarding the 366  
child, and to consent to medical, psychological, or dental 367  
treatment for the child by executing a caretaker authorization 368  
affidavit in accordance with section 3109.67 of the Revised 369  
Code. 370

(B) The ~~grandparent~~-caretaker may execute a caretaker 371  
authorization affidavit without attempting to locate the 372  
following parent: 373

(1) If paternity has not been established with regard to 374  
the child, the child's father. 375

(2) If the child is the subject of a custody order, the 376  
following parent: 377

(a) A parent who is prohibited from receiving a notice of 378  
relocation in accordance with section 3109.051 of the Revised 379  
Code; 380

(b) A parent whose parental rights have been terminated by 381  
order of a juvenile court pursuant to Chapter 2151. of the 382  
Revised Code. 383

**Sec. 3109.66.** The caretaker authorization affidavit that a 384  
~~grandparent~~-caretaker described in section 3109.65 of the 385  
Revised Code may execute shall be identical in form and content 386  
to the following: 387

CARETAKER AUTHORIZATION AFFIDAVIT 388

Use of this affidavit is authorized by sections 3109.65 to 389  
3109.73 of the Ohio Revised Code. 390

Completion of items 1-7 and the signing and notarization of this 391

affidavit is sufficient to authorize the ~~grandparent~~ caretaker 392  
signing to exercise care, physical custody, and control of the 393  
child who is its subject, including authority to enroll the 394  
child in school, to discuss with the school district the child's 395  
educational progress, to consent to all school-related matters 396  
regarding the child, and to consent to medical, psychological, 397  
or dental treatment for the child. 398

The child named below lives in my home, I am 18 years of age or 399  
older, and I am the child's ~~grandparent~~ caretaker. 400

1. Name of child: 401

2. Child's date and year of birth: 402

3. Child's social security number (optional): 403

4. My name: 404

5. My home address: 405

6. My date and year of birth: 406

7. My Ohio driver's license number or identification card 407  
number: 408

8. Despite having made reasonable attempts, I am either: 409

(a) Unable to locate or contact the child's parents, or 410  
the child's guardian or custodian; or 411

(b) I am unable to locate or contact one of the child's 412  
parents and I am not required to contact the other parent 413  
because paternity has not been established; or 414

(c) I am unable to locate or contact one of the child's 415  
parents and I am not required to contact the other parent 416  
because there is a custody order regarding the child and one of 417  
the following is the case: 418

(i) The parent has been prohibited from receiving notice 419  
of a relocation; or 420

(ii) The parental rights of the parent have been 421  
terminated. 422

9. I hereby certify that this affidavit is not being executed 423  
for the purpose of enrolling the child in a school or school 424  
district so that the child may participate in the academic or 425  
interscholastic athletic programs provided by that school or 426  
district. 427

WARNING: DO NOT SIGN THIS FORM IF ANY OF THE ABOVE STATEMENTS 428  
ARE INCORRECT. FALSIFICATION IS A CRIME UNDER SECTION 2921.13 OF 429  
THE REVISED CODE, PUNISHABLE BY THE SANCTIONS UNDER CHAPTER 430  
2929. OF THE REVISED CODE, INCLUDING A TERM OF IMPRISONMENT OF 431  
UP TO 6 MONTHS, A FINE OF UP TO \$1,000, OR BOTH. 432

I declare that the foregoing is true and correct: 433

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ 434

~~Grandparent~~Caretaker 435

State of Ohio ) 436

) ss: 437

County of \_\_\_\_\_) 438

Subscribed, sworn to, and acknowledged before me this \_\_\_\_\_ day 439  
of \_\_\_\_\_, \_\_\_\_\_ 440

\_\_\_\_\_ 441

Notary Public 442

Notices: 443

1. The ~~grandparent's~~caretaker's signature must be notarized by 444



an Ohio notary public. 445

2. The ~~grandparent~~-caretaker who executed this affidavit must 446  
file it with the juvenile court of the county in which the 447  
~~grandparent~~-caretaker resides or any other court that has 448  
jurisdiction over the child under a previously filed motion or 449  
proceeding not later than five days after the date it is 450  
executed. 451

3. This affidavit does not affect the rights of the child's 452  
parents, guardian, or custodian regarding the care, physical 453  
custody, and control of the child, and does not give the 454  
~~grandparent~~-caretaker legal custody of the child. 455

4. A person or entity that relies on this affidavit, in good 456  
faith, has no obligation to make any further inquiry or 457  
investigation. 458

5. This affidavit terminates on the occurrence of whichever of 459  
the following occurs first: (1) the child ceases to live with 460  
the ~~grandparent~~-caretaker who signs this form; (2) the parent, 461  
guardian, or custodian of the child acts to negate, reverse, or 462  
otherwise disapprove an action or decision of the ~~grandparent~~- 463  
caretaker who signed this affidavit, and the ~~grandparent~~- 464  
caretaker either voluntarily returns the child to the physical 465  
custody of the parent, guardian, or custodian or fails to file a 466  
complaint to seek custody within fourteen days; (3) the 467  
affidavit is terminated by court order; (4) the death of the 468  
child who is the subject of the affidavit; or (5) the death of 469  
the ~~grandparent~~-caretaker who executed the affidavit. 470

A parent, guardian, or custodian may negate, reverse, or 471  
disapprove a ~~grandparent's~~-caretaker's action or decision only 472  
by delivering written notice of negation, reversal, or 473

disapproval to the ~~grandparent caretaker~~ and the person acting 474  
on the ~~grandparent's caretaker's~~ action or decision in reliance 475  
on this affidavit. 476

If this affidavit terminates other than by the death of the 477  
~~grandparent caretaker~~, the ~~grandparent caretaker~~ who signed this 478  
affidavit shall notify, in writing, all of the following: 479

(a) Any schools, health care providers, or health 480  
insurance coverage provider with which the child has been 481  
involved through the ~~grandparent caretaker~~; 482

(b) Any other person or entity that has an ongoing 483  
relationship with the child or ~~grandparent caretaker~~ such that 484  
the person or entity would reasonably rely on the affidavit 485  
unless notified of the termination; 486

(c) The court in which the affidavit was filed after its 487  
creation. 488

The ~~grandparent caretaker~~ shall make the notifications not 489  
later than one week after the date the affidavit terminates. 490

6. The decision of a ~~grandparent caretaker~~ to consent to or to 491  
refuse medical treatment or school enrollment for a child is 492  
superseded by a contrary decision of a parent, custodian, or 493  
guardian of the child, unless the decision of the parent, 494  
guardian, or custodian would jeopardize the life, health, or 495  
safety of the child. 496

Additional information: 497

To caretakers: 498

1. If the child stops living with you, you are required to 499  
notify, in writing, any school, health care provider, or health 500  
care insurance provider to which you have given this affidavit. 501

You are also required to notify, in writing, any other person or 502  
entity that has an ongoing relationship with you or the child 503  
such that the person or entity would reasonably rely on the 504  
affidavit unless notified. The notifications must be made not 505  
later than one week after the child stops living with you. 506

2. If you do not have the information requested in item 7 (Ohio 507  
driver's license or identification card), provide another form 508  
of identification such as your social security number or 509  
medicaid number. 510

3. You must include with the caretaker authorization affidavit 511  
the following information: 512

(a) The child's present address, the addresses of the 513  
places where the child has lived within the last five years, and 514  
the name and present address of each person with whom the child 515  
has lived during that period; 516

(b) Whether you have participated as a party, a witness, 517  
or in any other capacity in any other litigation, in this state 518  
or any other state, that concerned the allocation, between the 519  
parents of the same child, of parental rights and 520  
responsibilities for the care of the child and the designation 521  
of the residential parent and legal custodian of the child or 522  
that otherwise concerned the custody of the same child; 523

(c) Whether you have information of any parenting 524  
proceeding concerning the child pending in a court of this or 525  
any other state; 526

(d) Whether you know of any person who has physical 527  
custody of the child or claims to be a parent of the child who 528  
is designated the residential parent and legal custodian of the 529  
child or to have parenting time rights with respect to the child 530

or to be a person other than a parent of the child who has 531  
custody or visitation rights with respect to the child; 532

(e) Whether you previously have been convicted of or 533  
pleaded guilty to any criminal offense involving any act that 534  
resulted in a child's being an abused child or a neglected child 535  
or previously have been determined, in a case in which a child 536  
has been adjudicated an abused child or a neglected child, to be 537  
the perpetrator of the abusive or neglectful act that was the 538  
basis of the adjudication. 539

4. If the child's parent, guardian, or custodian acts to 540  
terminate the caretaker authorization affidavit by delivering a 541  
written notice of negation, reversal, or disapproval of an 542  
action or decision of yours or removes the child from your home 543  
and if you believe that the termination or removal is not in the 544  
best interest of the child, you may, within fourteen days, file 545  
a complaint in the juvenile court to seek custody. You may 546  
retain physical custody of the child until the fourteen-day 547  
period elapses or, if you file a complaint, until the court 548  
orders otherwise. 549

To school officials: 550

1. This affidavit, properly completed and notarized, authorizes 551  
the child in question to attend school in the district in which 552  
the ~~grandparent~~-caretaker who signed this affidavit resides and 553  
the ~~grandparent~~-caretaker is authorized to provide consent in 554  
all school-related matters and to discuss with the school 555  
district the child's educational progress. This affidavit does 556  
not preclude the parent, guardian, or custodian of the child 557  
from having access to all school records pertinent to the child. 558

2. The school district may require additional reasonable 559

evidence that the ~~grandparent caretaker~~ lives at the address 560  
provided in item 5 of the affidavit. 561

3. A school district or school official that reasonably and in 562  
good faith relies on this affidavit has no obligation to make 563  
any further inquiry or investigation. 564

4. The act of a parent, guardian, or custodian of the child to 565  
negate, reverse, or otherwise disapprove an action or decision 566  
of the ~~grandparent caretaker~~ who signed this affidavit 567  
constitutes termination of this affidavit. A parent, guardian, 568  
or custodian may negate, reverse, or disapprove a ~~grandparent's-~~ 569  
~~caretaker's~~ action or decision only by delivering written notice 570  
of negation, reversal, or disapproval to the ~~grandparent-~~ 571  
~~caretaker~~ and the person acting on the ~~grandparent's caretaker's~~ 572  
action or decision in reliance on this affidavit. 573

To health care providers: 574

1. A person or entity that acts in good faith reliance on a 575  
CARETAKER AUTHORIZATION AFFIDAVIT to provide medical, 576  
psychological, or dental treatment, without actual knowledge of 577  
facts contrary to those stated in the affidavit, is not subject 578  
to criminal liability or to civil liability to any person or 579  
entity, and is not subject to professional disciplinary action, 580  
solely for such reliance if the applicable portions of the form 581  
are completed and the ~~grandparent's caretaker's~~ signature is 582  
notarized. 583

2. The decision of a ~~grandparent caretaker~~, based on a CARETAKER 584  
AUTHORIZATION AFFIDAVIT, shall be honored by a health care 585  
facility or practitioner, school district, or school official 586  
unless the health care facility or practitioner or educational 587  
facility or official has actual knowledge that a parent, 588

guardian, or custodian of a child has made a contravening 589  
decision to consent to or to refuse medical treatment for the 590  
child. 591

3. The act of a parent, guardian, or custodian of the child to 592  
negate, reverse, or otherwise disapprove an action or decision 593  
of the ~~grandparent-caretaker~~ who signed this affidavit 594  
constitutes termination of this affidavit. A parent, guardian, 595  
or custodian may negate, reverse, or disapprove a ~~grandparent's-~~ 596  
~~caretaker's~~ action or decision only by delivering written notice 597  
of negation, reversal, or disapproval to the ~~grandparent-~~ 598  
~~caretaker~~ and the person acting on the ~~grandparent's-~~ 599  
~~caretaker's~~ action or decision in reliance on this affidavit. 600

**Sec. 3109.67.** A caretaker authorization affidavit 601  
described in section 3109.66 of the Revised Code is executed 602  
when the affidavit is completed, signed by a ~~grandparent-~~ 603  
~~caretaker~~ described in section 3109.65 of the Revised Code, and 604  
notarized. 605

**Sec. 3109.69.** Once a caretaker authorization affidavit has 606  
been executed under section 3109.67 of the Revised Code, the 607  
~~grandparent-caretaker~~ may exercise care, physical custody, and 608  
control of the child, including enrolling the child in school, 609  
discussing with the school district the child's educational 610  
progress, consenting to all school-related matters regarding the 611  
child, and consenting to medical, psychological, or dental 612  
treatment for the child. The affidavit does not affect the 613  
rights and responsibilities of the parent, guardian, or 614  
custodian regarding the child, does not grant legal custody to 615  
the ~~grandparent-caretaker~~, and does not grant authority to the 616  
~~grandparent-caretaker~~ to consent to the marriage or adoption of 617  
the child. 618

**Sec. 3109.70.** An executed caretaker authorization 619  
affidavit shall terminate on the occurrence of whichever of the 620  
following comes first: 621

(A) The child ceases to reside with the 622  
~~grandparent~~caretaker. 623

(B) The parent, guardian, or custodian of the child who is 624  
the subject of the affidavit acts, in accordance with section 625  
3109.72 of the Revised Code, to negate, reverse, or otherwise 626  
disapprove an action or decision of the ~~grandparent~~caretaker 627  
who signed the affidavit with respect to the child, and the 628  
~~grandparent~~caretaker either voluntarily returns the child to 629  
the physical custody of the parent, guardian, or custodian or 630  
fails to file a complaint to seek custody within fourteen days 631  
after the delivery of written notice of negation, reversal, or 632  
other disapproval. 633

(C) The affidavit is terminated by court order. 634

(D) The death of the child who is the subject of the 635  
affidavit. 636

(E) The death of the ~~grandparent~~caretaker who executed 637  
the affidavit. 638

**Sec. 3109.71.** When a caretaker authorization affidavit 639  
terminates pursuant to division (A), (B), (C), or (D) of section 640  
3109.70 of the Revised Code, the ~~grandparent~~caretaker shall 641  
notify, in writing, the school district in which the child 642  
attends school, the child's health care providers, the child's 643  
health insurance coverage provider, the court in which the 644  
affidavit was filed under section 3109.74 of the Revised Code, 645  
and any other person or entity that has an ongoing relationship 646  
with the child or ~~grandparent~~caretaker such that the person or 647

entity would reasonably rely on the affidavit unless notified of 648  
the termination. The ~~grandparent~~-caretaker shall make the 649  
notifications not later than one week after the date the 650  
affidavit terminates. 651

**Sec. 3109.74.** (A) A person who creates a power of attorney 652  
under section 3109.52 of the Revised Code or executes a 653  
caretaker authorization affidavit under section 3109.67 of the 654  
Revised Code shall file the power of attorney or affidavit with 655  
the juvenile court of the county in which the ~~grandparent~~- 656  
caretaker designated as attorney in fact or ~~grandparent~~-who 657  
executed the affidavit resides or any other court that has 658  
jurisdiction over the child under a previously filed motion or 659  
proceeding. The power of attorney or affidavit shall be filed 660  
not later than five days after the date it is created or 661  
executed and may be sent to the court by certified mail. 662

(B) A power of attorney filed under this section shall be 663  
accompanied by a receipt showing that the notice of creation of 664  
the power of attorney was sent to the parent who is not the 665  
residential parent and legal custodian by certified mail under 666  
section 3109.55 of the Revised Code. 667

(C) (1) The ~~grandparent~~-caretaker designated as attorney in 668  
fact or ~~the grandparent~~-who executed the caretaker authorization 669  
affidavit shall include with the power of attorney or ~~the~~ 670  
~~caretaker authorization~~-affidavit the information described in 671  
section 3109.27 of the Revised Code. 672

(2) If the ~~grandparent~~-caretaker provides information that 673  
the ~~grandparent~~-caretaker previously has been convicted of or 674  
pleaded guilty to any criminal offense involving any act that 675  
resulted in a child being an abused child or a neglected child 676  
or previously has been determined, in a case in which a child 677



has been adjudicated an abused child or a neglected child, to be 678  
the perpetrator of the abusive or neglectful act that was the 679  
basis of the adjudication, the court may report that information 680  
to the public children services agency pursuant to section 681  
2151.421 of the Revised Code. Upon the receipt of that 682  
information, the public children services agency shall initiate 683  
an investigation pursuant to section 2151.421 of the Revised 684  
Code. 685

(3) If the court has reason to believe that a power of 686  
attorney or caretaker authorization affidavit is not in the best 687  
interest of the child, the court may report that information to 688  
the public children services agency pursuant to section 2151.421 689  
of the Revised Code. Upon receipt of that information, the 690  
public children services agency shall initiate an investigation 691  
pursuant to section 2151.421 of the Revised Code. The public 692  
children services agency shall submit a report of its 693  
investigation to the court not later than thirty days after the 694  
court reports the information to the public children services 695  
agency or not later than forty-five days after the court reports 696  
the information to the public children services agency when 697  
information that is needed to determine the case disposition 698  
cannot be compiled within thirty days and the reasons are 699  
documented in the case record. 700

(D) The court shall waive any filing fee imposed for the 701  
filing of the power of attorney or caretaker authorization 702  
affidavit. 703

**Sec. 3109.76.** (A) A ~~grandparent~~ caretaker who has physical 704  
custody of a child under a power of attorney, within fourteen 705  
days after the child's parent, guardian, or custodian gives 706  
written notice of revocation of the power of attorney to the 707

~~grandparent caretaker~~ and files a written notice of revocation 708  
of the power of attorney with the juvenile court or within 709  
fourteen days after removal of the child from the ~~grandparent's-~~ 710  
~~caretaker's~~ home, may file a complaint under division (A) (2) of 711  
section 2151.23 or division (D) of section 2151.27 of the 712  
Revised Code seeking a determination of custody if the 713  
~~grandparent caretaker~~ believes that the revocation or removal is 714  
not in the best interest of the child. 715

(B) A ~~grandparent caretaker~~ who has physical custody of a 716  
child under a caretaker authorization affidavit, within fourteen 717  
days after a parent, guardian, or custodian terminates the 718  
affidavit by delivering a written notice of negation, reversal, 719  
or disapproval of an action or decision of the ~~grandparent-~~ 720  
~~caretaker~~ or within fourteen days after removal of the child 721  
from the ~~grandparent's caretaker's~~ home, may file a complaint 722  
under division (A) (2) of section 2151.23 or division (D) of 723  
section 2151.27 of the Revised Code seeking a determination of 724  
custody if the ~~grandparent caretaker~~ believes that the 725  
termination or removal is not in the best interest of the child. 726

(C) Pending a hearing and decision on a complaint filed 727  
under division (A) or (B) of this section, the juvenile court, 728  
in accordance with section 2151.33 of the Revised Code, may make 729  
any temporary disposition of any child that it considers 730  
necessary to protect the best interest of the child. 731

(D) If a parent, guardian, or custodian revokes a power of 732  
attorney or terminates a caretaker authorization affidavit, the 733  
~~grandparent caretaker~~ may retain custody of the child until the 734  
fourteen-day period for filing a complaint under division (A) or 735  
(B) of this section has expired or, if the ~~grandparent caretaker~~ 736  
files a complaint, until the court orders otherwise. 737

<b>Sec. 3310.51.</b> As used in sections 3310.51 to 3310.64 of	738
the Revised Code:	739
(A) "Alternative public provider" means either of the	740
following providers that agrees to enroll a child in the	741
provider's special education program to implement the child's	742
individualized education program and to which the eligible	743
applicant owes fees for the services provided to the child:	744
(1) A school district that is not the school district in	745
which the child is entitled to attend school or the child's	746
school district of residence, if different;	747
(2) A public entity other than a school district.	748
(B) "Child with a disability" and "individualized	749
education program" have the same meanings as in section 3323.01	750
of the Revised Code.	751
(C) "Eligible applicant" means any of the following:	752
(1) Either of the natural or adoptive parents of a	753
qualified special education child, except as otherwise specified	754
in this division. When the marriage of the natural or adoptive	755
parents of the student has been terminated by a divorce,	756
dissolution of marriage, or annulment, or when the natural or	757
adoptive parents of the student are living separate and apart	758
under a legal separation decree, and a court has issued an order	759
allocating the parental rights and responsibilities with respect	760
to the child, "eligible applicant" means the residential parent	761
as designated by the court. If the court issues a shared	762
parenting decree, "eligible applicant" means either parent.	763
"Eligible applicant" does not mean a parent whose custodial	764
rights have been terminated.	765
(2) The custodian of a qualified special education child,	766

when a court has granted temporary, legal, or permanent custody 767  
of the child to an individual other than either of the natural 768  
or adoptive parents of the child or to a government agency; 769

(3) The guardian of a qualified special education child, 770  
when a court has appointed a guardian for the child; 771

(4) The ~~grandparent-caretaker~~ of a qualified special 772  
education child, when the ~~grandparent-caretaker~~ is the child's 773  
attorney in fact under a power of attorney executed under 774  
sections 3109.51 to 3109.62 of the Revised Code or ~~when the~~ 775  
~~grandparent~~ has executed a caretaker authorization affidavit 776  
under sections 3109.65 to 3109.73 of the Revised Code; 777

(5) The surrogate parent appointed for a qualified special 778  
education child pursuant to division (B) of section 3323.05 and 779  
section 3323.051 of the Revised Code; 780

(6) A qualified special education child, if the child does 781  
not have a custodian or guardian and the child is at least 782  
eighteen years of age. 783

(D) "Entitled to attend school" means entitled to attend 784  
school in a school district under sections 3313.64 and 3313.65 785  
of the Revised Code. 786

(E) "Formula ADM" has the same meaning as in section 787  
3317.02 of the Revised Code. 788

(F) "Qualified special education child" is a child for 789  
whom all of the following conditions apply: 790

(1) The child is at least five years of age and less than 791  
twenty-two years of age. 792

(2) The school district in which the child is entitled to 793  
attend school, or the child's school district of residence if 794

different, has identified the child as a child with a 795  
disability. 796

(3) The school district in which the child is entitled to 797  
attend school, or the child's school district of residence if 798  
different, has developed an individualized education program 799  
under Chapter 3323. of the Revised Code for the child. 800

(4) The child either: 801

(a) Was enrolled in the schools of the school district in 802  
which the child is entitled to attend school in any grade from 803  
kindergarten through twelve in the school year prior to the 804  
school year in which a scholarship is first sought for the 805  
child; 806

(b) Is eligible to enter school in any grade kindergarten 807  
through twelve in the school district in which the child is 808  
entitled to attend school in the school year in which a 809  
scholarship is first sought for the child. 810

(5) The department of education and workforce has not 811  
approved a scholarship for the child under the educational 812  
choice scholarship pilot program, under sections 3310.01 to 813  
3310.17 of the Revised Code, the autism scholarship program, 814  
under section 3310.41 of the Revised Code, or the pilot project 815  
scholarship program, under sections 3313.974 to 3313.979 of the 816  
Revised Code for the same school year in which a scholarship 817  
under the Jon Peterson special needs scholarship program is 818  
sought. 819

(6) The child and the child's parents are in compliance 820  
with the state compulsory attendance law under Chapter 3321. of 821  
the Revised Code. 822

(G) "Registered private provider" means a nonpublic school 823

or other nonpublic entity that has been registered by the 824  
superintendent of public instruction under section 3310.58 of 825  
the Revised Code prior to ~~the effective date of this amendment~~ 826  
October 3, 2023, or the department of education and workforce on 827  
or after that date. 828

(H) "Scholarship" means a scholarship awarded under the 829  
Jon Peterson special needs scholarship program pursuant to 830  
sections 3310.51 to 3310.64 of the Revised Code. 831

(I) "School district of residence" has the same meaning as 832  
in section 3323.01 of the Revised Code. A community school 833  
established under Chapter 3314. of the Revised Code is not a 834  
"school district of residence" for purposes of sections 3310.51 835  
to 3310.64 of the Revised Code. 836

(J) "School year" has the same meaning as in section 837  
3313.62 of the Revised Code. 838

(K) "Special education program" means a school or facility 839  
that provides special education and related services to children 840  
with disabilities. 841

**Sec. 3313.64.** (A) As used in this section and in section 842  
3313.65 of the Revised Code: 843

(1) (a) Except as provided in division (A) (1) (b) of this 844  
section, "parent" means either parent, unless the parents are 845  
separated or divorced or their marriage has been dissolved or 846  
annulled, in which case "parent" means the parent who is the 847  
residential parent and legal custodian of the child. When a 848  
child is in the legal custody of a government agency or a person 849  
other than the child's natural or adoptive parent, "parent" 850  
means the parent with residual parental rights, privileges, and 851  
responsibilities. When a child is in the permanent custody of a 852

government agency or a person other than the child's natural or 853  
adoptive parent, "parent" means the parent who was divested of 854  
parental rights and responsibilities for the care of the child 855  
and the right to have the child live with the parent and be the 856  
legal custodian of the child and all residual parental rights, 857  
privileges, and responsibilities. 858

(b) ~~When a child is the subject of a power of attorney~~ 859  
~~executed under sections 3109.51 to 3109.62 of the Revised Code,~~ 860  
~~"parent"~~ "Parent" means the grandparent designated as a child's 861  
caretaker when the caretaker is the attorney in fact under the a 862  
power of attorney. When a child is the subject of a executed 863  
under sections 3109.51 to 3109.62 of the Revised Code or has 864  
executed a caretaker authorization affidavit ~~executed under~~ 865  
~~sections 3109.64 3109.65 to 3109.73 of the Revised Code,~~ 866  
~~"parent"~~ means the grandparent that executed the affidavit. 867

(2) "Legal custody," "permanent custody," and "residual 868  
parental rights, privileges, and responsibilities" have the same 869  
meanings as in section 2151.011 of the Revised Code. 870

(3) "School district" or "district" means a city, local, 871  
or exempted village school district and excludes any school 872  
operated in an institution maintained by the department of youth 873  
services. 874

(4) Except as used in division (C)(2) of this section, 875  
"home" means a home, institution, foster home, group home, or 876  
other residential facility in this state that receives and cares 877  
for children, to which any of the following applies: 878

(a) The home is licensed, certified, or approved for such 879  
purpose by the state or is maintained by the department of youth 880  
services. 881

(b) The home is operated by a person who is licensed, 882  
certified, or approved by the state to operate the home for such 883  
purpose. 884

(c) The home accepted the child through a placement by a 885  
person licensed, certified, or approved to place a child in such 886  
a home by the state. 887

(d) The home is a children's home created under section 888  
5153.21 or 5153.36 of the Revised Code. 889

(5) "Agency" means all of the following: 890

(a) A public children services agency; 891

(b) An organization that holds a certificate issued by the 892  
department of children and youth in accordance with the 893  
requirements of section 5103.03 of the Revised Code and assumes 894  
temporary or permanent custody of children through commitment, 895  
agreement, or surrender, and places children in family homes for 896  
the purpose of adoption; 897

(c) Comparable agencies of other states or countries that 898  
have complied with applicable requirements of section 2151.39 of 899  
the Revised Code or as applicable, sections 5103.20 to 5103.22 900  
or 5103.23 to 5103.237 of the Revised Code. 901

(6) A child is placed for adoption if either of the 902  
following occurs: 903

(a) An agency to which the child has been permanently 904  
committed or surrendered enters into an agreement with a person 905  
pursuant to section 5103.16 of the Revised Code for the care and 906  
adoption of the child. 907

(b) The child's natural parent places the child pursuant 908  
to section 5103.16 of the Revised Code with a person who will 909



care for and adopt the child.	910
(7) "Preschool child with a disability" has the same meaning as in section 3323.01 of the Revised Code.	911 912
(8) "Child," unless otherwise indicated, includes preschool children with disabilities.	913 914
(9) "Active duty" means active duty pursuant to an executive order of the president of the United States, an act of the congress of the United States, or section 5919.29 or 5923.21 of the Revised Code.	915 916 917 918
(B) Except as otherwise provided in section 3321.01 of the Revised Code for admittance to kindergarten and first grade, a child who is at least five but under twenty-two years of age and any preschool child with a disability shall be admitted to school as provided in this division.	919 920 921 922 923
(1) A child shall be admitted to the schools of the school district in which the child's parent resides.	924 925
(2) Except as provided in division (B) of section 2151.362 and section 3317.30 of the Revised Code, a child who does not reside in the district where the child's parent resides shall be admitted to the schools of the district in which the child resides if any of the following applies:	926 927 928 929 930
(a) The child is in the legal or permanent custody of a government agency or a person other than the child's natural or adoptive parent.	931 932 933
(b) The child resides in a home.	934
(c) The child requires special education.	935
(3) A child who is not entitled under division (B) (2) of	936

this section to be admitted to the schools of the district where 937  
the child resides and who is residing with a resident of this 938  
state with whom the child has been placed for adoption shall be 939  
admitted to the schools of the district where the child resides 940  
unless either of the following applies: 941

(a) The placement for adoption has been terminated. 942

(b) Another school district is required to admit the child 943  
under division (B) (1) of this section. 944

Division (B) of this section does not prohibit the board 945  
of education of a school district from placing a child with a 946  
disability who resides in the district in a special education 947  
program outside of the district or its schools in compliance 948  
with Chapter 3323. of the Revised Code. 949

(C) A district shall not charge tuition for children 950  
admitted under division (B) (1) or (3) of this section. If the 951  
district admits a child under division (B) (2) of this section, 952  
tuition shall be paid to the district that admits the child as 953  
provided in divisions (C) (1) to (3) of this section, unless 954  
division (C) (4) of this section applies to the child: 955

(1) If the child receives special education in accordance 956  
with Chapter 3323. of the Revised Code, the school district of 957  
residence, as defined in section 3323.01 of the Revised Code, 958  
shall pay tuition for the child in accordance with section 959  
3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code 960  
regardless of who has custody of the child or whether the child 961  
resides in a home. 962

(2) For a child that does not receive special education in 963  
accordance with Chapter 3323. of the Revised Code, except as 964  
otherwise provided in division (C) (2) (d) of this section, if the 965

child is in the permanent or legal custody of a government 966  
agency or person other than the child's parent, tuition shall be 967  
paid by: 968

(a) The district in which the child's parent resided at 969  
the time the court removed the child from home or at the time 970  
the court vested legal or permanent custody of the child in the 971  
person or government agency, whichever occurred first; 972

(b) If the parent's residence at the time the court 973  
removed the child from home or placed the child in the legal or 974  
permanent custody of the person or government agency is unknown, 975  
tuition shall be paid by the district in which the child resided 976  
at the time the child was removed from home or placed in legal 977  
or permanent custody, whichever occurred first; 978

(c) If a school district cannot be established under 979  
division (C) (2) (a) or (b) of this section, tuition shall be paid 980  
by the district determined as required by section 2151.362 of 981  
the Revised Code by the court at the time it vests custody of 982  
the child in the person or government agency; 983

(d) If at the time the court removed the child from home 984  
or vested legal or permanent custody of the child in the person 985  
or government agency, whichever occurred first, one parent was 986  
in a residential or correctional facility or a juvenile 987  
residential placement and the other parent, if living and not in 988  
such a facility or placement, was not known to reside in this 989  
state, tuition shall be paid by the district determined under 990  
division (D) of section 3313.65 of the Revised Code as the 991  
district required to pay any tuition while the parent was in 992  
such facility or placement; 993

(e) If the department of education and workforce has 994

determined, pursuant to division (A)(2) of section 2151.362 of the Revised Code, that a school district other than the one named in the court's initial order, or in a prior determination of the department, is responsible to bear the cost of educating the child, the district so determined shall be responsible for that cost.

(3) If the child is not in the permanent or legal custody of a government agency or person other than the child's parent and the child resides in a home, tuition shall be paid by one of the following:

(a) The school district in which the child's parent resides;

(b) If the child's parent is not a resident of this state, the home in which the child resides.

(4) Division (C)(4) of this section applies to any child who is admitted to a school district under division (B)(2) of this section, resides in a home that is not a foster home, a home maintained by the department of youth services, a detention facility established under section 2152.41 of the Revised Code, or a juvenile facility established under section 2151.65 of the Revised Code, and receives educational services at the home or facility in which the child resides pursuant to a contract between the home or facility and the school district providing those services.

If a child to whom division (C)(4) of this section applies is a special education student, a district may choose whether to receive a tuition payment for that child under division (C)(4) of this section or to receive a payment for that child under section 3323.14 of the Revised Code. If a district chooses to

receive a payment for that child under section 3323.14 of the Revised Code, it shall not receive a tuition payment for that child under division (C) (4) of this section.

If a child to whom division (C) (4) of this section applies is not a special education student, a district shall receive a tuition payment for that child under division (C) (4) of this section.

In the case of a child to which division (C) (4) of this section applies, the total educational cost to be paid for the child shall be determined by a formula approved by the department of education and workforce, which formula shall be designed to calculate a per diem cost for the educational services provided to the child for each day the child is served and shall reflect the total actual cost incurred in providing those services. The department shall certify the total educational cost to be paid for the child to both the school district providing the educational services and, if different, the school district that is responsible to pay tuition for the child. The department shall deduct the certified amount from the state basic aid funds payable under Chapter 3317. of the Revised Code to the district responsible to pay tuition and shall pay that amount to the district providing the educational services to the child.

(D) Tuition required to be paid under divisions (C) (2) and (3) (a) of this section shall be computed in accordance with section 3317.08 of the Revised Code. Tuition required to be paid under division (C) (3) (b) of this section shall be computed in accordance with section 3317.081 of the Revised Code. If a home fails to pay the tuition required by division (C) (3) (b) of this section, the board of education providing the education may

recover in a civil action the tuition and the expenses incurred 1054  
in prosecuting the action, including court costs and reasonable 1055  
attorney's fees. If the prosecuting attorney or city director of 1056  
law represents the board in such action, costs and reasonable 1057  
attorney's fees awarded by the court, based upon the prosecuting 1058  
attorney's, director's, or one of their designee's time spent 1059  
preparing and presenting the case, shall be deposited in the 1060  
county or city general fund. 1061

(E) A board of education may enroll a child free of any 1062  
tuition obligation for a period not to exceed sixty days, on the 1063  
sworn statement of an adult resident of the district that the 1064  
resident has initiated legal proceedings for custody of the 1065  
child. 1066

(F) In the case of any individual entitled to attend 1067  
school under this division, no tuition shall be charged by the 1068  
school district of attendance and no other school district shall 1069  
be required to pay tuition for the individual's attendance. 1070  
Notwithstanding division (B), (C), or (E) of this section: 1071

(1) All persons at least eighteen but under twenty-two 1072  
years of age who live apart from their parents, support 1073  
themselves by their own labor, and have not successfully 1074  
completed the high school curriculum or the individualized 1075  
education program developed for the person by the high school 1076  
pursuant to section 3323.08 of the Revised Code, are entitled to 1077  
attend school in the district in which they reside. 1078

(2) Any child under eighteen years of age who is married 1079  
is entitled to attend school in the child's district of 1080  
residence. 1081

(3) A child is entitled to attend school in the district 1082

in which either of the child's parents is employed if the child 1083  
has a medical condition that may require emergency medical 1084  
attention. The parent of a child entitled to attend school under 1085  
division (F) (3) of this section shall submit to the board of 1086  
education of the district in which the parent is employed a 1087  
statement from the child's physician certifying that the child's 1088  
medical condition may require emergency medical attention. The 1089  
statement shall be supported by such other evidence as the board 1090  
may require. 1091

(4) Any child residing with a person other than the 1092  
child's parent is entitled, for a period not to exceed twelve 1093  
months, to attend school in the district in which that person 1094  
resides if the child's parent files an affidavit with the 1095  
superintendent of the district in which the person with whom the 1096  
child is living resides stating all of the following: 1097

(a) That the parent is serving outside of the state in the 1098  
armed services of the United States; 1099

(b) That the parent intends to reside in the district upon 1100  
returning to this state; 1101

(c) The name and address of the person with whom the child 1102  
is living while the parent is outside the state. 1103

(5) Any child under the age of twenty-two years who, after 1104  
the death of a parent, resides in a school district other than 1105  
the district in which the child attended school at the time of 1106  
the parent's death is entitled to continue to attend school in 1107  
the district in which the child attended school at the time of 1108  
the parent's death for the remainder of the school year, subject 1109  
to approval of that district board. 1110

(6) A child under the age of twenty-two years who resides 1111

with a parent who is having a new house built in a school 1112  
district outside the district where the parent is residing is 1113  
entitled to attend school for a period of time in the district 1114  
where the new house is being built. In order to be entitled to 1115  
such attendance, the parent shall provide the district 1116  
superintendent with the following: 1117

(a) A sworn statement explaining the situation, revealing 1118  
the location of the house being built, and stating the parent's 1119  
intention to reside there upon its completion; 1120

(b) A statement from the builder confirming that a new 1121  
house is being built for the parent and that the house is at the 1122  
location indicated in the parent's statement. 1123

(7) A child under the age of twenty-two years residing 1124  
with a parent who has a contract to purchase a house in a school 1125  
district outside the district where the parent is residing and 1126  
who is waiting upon the date of closing of the mortgage loan for 1127  
the purchase of such house is entitled to attend school for a 1128  
period of time in the district where the house is being 1129  
purchased. In order to be entitled to such attendance, the 1130  
parent shall provide the district superintendent with the 1131  
following: 1132

(a) A sworn statement explaining the situation, revealing 1133  
the location of the house being purchased, and stating the 1134  
parent's intent to reside there; 1135

(b) A statement from a real estate broker or bank officer 1136  
confirming that the parent has a contract to purchase the house, 1137  
that the parent is waiting upon the date of closing of the 1138  
mortgage loan, and that the house is at the location indicated 1139  
in the parent's statement. 1140



The district superintendent shall establish a period of 1141  
time not to exceed ninety days during which the child entitled 1142  
to attend school under division (F) (6) or (7) of this section 1143  
may attend without tuition obligation. A student attending a 1144  
school under division (F) (6) or (7) of this section shall be 1145  
eligible to participate in interscholastic athletics under the 1146  
auspices of that school, provided the board of education of the 1147  
school district where the student's parent resides, by a formal 1148  
action, releases the student to participate in interscholastic 1149  
athletics at the school where the student is attending, and 1150  
provided the student receives any authorization required by a 1151  
public agency or private organization of which the school 1152  
district is a member exercising authority over interscholastic 1153  
sports. 1154

(8) A child whose parent is a full-time employee of a 1155  
city, local, or exempted village school district, or of an 1156  
educational service center, may be admitted to the schools of 1157  
the district where the child's parent is employed, or in the 1158  
case of a child whose parent is employed by an educational 1159  
service center, in the district that serves the location where 1160  
the parent's job is primarily located, provided the district 1161  
board of education establishes such an admission policy by 1162  
resolution adopted by a majority of its members. Any such policy 1163  
shall take effect on the first day of the school year and the 1164  
effective date of any amendment or repeal may not be prior to 1165  
the first day of the subsequent school year. The policy shall be 1166  
uniformly applied to all such children and shall provide for the 1167  
admission of any such child upon request of the parent. No child 1168  
may be admitted under this policy after the first day of classes 1169  
of any school year. 1170

(9) A child who is with the child's parent under the care 1171

of a shelter for victims of domestic violence, as defined in 1172  
section 3113.33 of the Revised Code, is entitled to attend 1173  
school free in the district in which the child is with the 1174  
child's parent, and no other school district shall be required 1175  
to pay tuition for the child's attendance in that school 1176  
district. 1177

The enrollment of a child in a school district under this 1178  
division shall not be denied due to a delay in the school 1179  
district's receipt of any records required under section 1180  
3313.672 of the Revised Code or any other records required for 1181  
enrollment. Any days of attendance and any credits earned by a 1182  
child while enrolled in a school district under this division 1183  
shall be transferred to and accepted by any school district in 1184  
which the child subsequently enrolls. The department of 1185  
education and workforce shall adopt rules to ensure compliance 1186  
with this division. 1187

(10) Any child under the age of twenty-two years whose 1188  
parent has moved out of the school district after the 1189  
commencement of classes in the child's senior year of high 1190  
school is entitled, subject to the approval of that district 1191  
board, to attend school in the district in which the child 1192  
attended school at the time of the parental move for the 1193  
remainder of the school year and for one additional semester or 1194  
equivalent term. A district board may also adopt a policy 1195  
specifying extenuating circumstances under which a student may 1196  
continue to attend school under division (F)(10) of this section 1197  
for an additional period of time in order to successfully 1198  
complete the high school curriculum for the individualized 1199  
education program developed for the student by the high school 1200  
pursuant to section 3323.08 of the Revised Code. 1201

(11) As used in this division, "grandparent" means a parent of a parent of a child. A child under the age of twenty-two years who is in the custody of the child's parent, resides with a grandparent, and does not require special education is entitled to attend the schools of the district in which the child's grandparent resides, provided that, prior to such attendance in any school year, the board of education of the school district in which the child's grandparent resides and the board of education of the school district in which the child's parent resides enter into a written agreement specifying that good cause exists for such attendance, describing the nature of this good cause, and consenting to such attendance.

In lieu of a consent form signed by a parent, a board of education may request the grandparent of a child attending school in the district in which the grandparent resides pursuant to division (F) (11) of this section to complete any consent form required by the district, including any authorization required by sections 3313.712, 3313.713, 3313.716, and 3313.718 of the Revised Code. Upon request, the grandparent shall complete any consent form required by the district. A school district shall not incur any liability solely because of its receipt of a consent form from a grandparent in lieu of a parent.

Division (F) (11) of this section does not create, and shall not be construed as creating, a new cause of action or substantive legal right against a school district, a member of a board of education, or an employee of a school district. This section does not affect, and shall not be construed as affecting, any immunities from defenses to tort liability created or recognized by Chapter 2744. of the Revised Code for a school district, member, or employee.

(12) A child under the age of twenty-two years is entitled 1232  
to attend school in a school district other than the district in 1233  
which the child is entitled to attend school under division (B), 1234  
(C), or (E) of this section provided that, prior to such 1235  
attendance in any school year, both of the following occur: 1236

(a) The superintendent of the district in which the child 1237  
is entitled to attend school under division (B), (C), or (E) of 1238  
this section contacts the superintendent of another district for 1239  
purposes of this division; 1240

(b) The superintendents of both districts enter into a 1241  
written agreement that consents to the attendance and specifies 1242  
that the purpose of such attendance is to protect the student's 1243  
physical or mental well-being or to deal with other extenuating 1244  
circumstances deemed appropriate by the superintendents. 1245

While an agreement is in effect under this division for a 1246  
student who is not receiving special education under Chapter 1247  
3323. of the Revised Code and notwithstanding Chapter 3327. of 1248  
the Revised Code, the board of education of neither school 1249  
district involved in the agreement is required to provide 1250  
transportation for the student to and from the school where the 1251  
student attends. 1252

A student attending a school of a district pursuant to 1253  
this division shall be allowed to participate in all student 1254  
activities, including interscholastic athletics, at the school 1255  
where the student is attending on the same basis as any student 1256  
who has always attended the schools of that district while of 1257  
compulsory school age. 1258

(13) All school districts shall comply with the "McKinney- 1259  
Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et seq., for 1260

the education of homeless children. Each city, local, and 1261  
exempted village school district shall comply with the 1262  
requirements of that act governing the provision of a free, 1263  
appropriate public education, including public preschool, to 1264  
each homeless child. 1265

When a child loses permanent housing and becomes a 1266  
homeless person, as defined in 42 U.S.C.A. 11481(5), or when a 1267  
child who is such a homeless person changes temporary living 1268  
arrangements, the child's parent or guardian shall have the 1269  
option of enrolling the child in either of the following: 1270

(a) The child's school of origin, as defined in 42 1271  
U.S.C.A. 11432(g) (3) (C); 1272

(b) The school that is operated by the school district in 1273  
which the shelter where the child currently resides is located 1274  
and that serves the geographic area in which the shelter is 1275  
located. 1276

(14) A child under the age of twenty-two years who resides 1277  
with a person other than the child's parent is entitled to 1278  
attend school in the school district in which that person 1279  
resides if both of the following apply: 1280

(a) That person has been appointed, through a military 1281  
power of attorney executed under section 574(a) of the "National 1282  
Defense Authorization Act for Fiscal Year 1994," 107 Stat. 1674 1283  
(1993), 10 U.S.C. 1044b, or through a comparable document 1284  
necessary to complete a family care plan, as the parent's agent 1285  
for the care, custody, and control of the child while the parent 1286  
is on active duty as a member of the national guard or a reserve 1287  
unit of the armed forces of the United States or because the 1288  
parent is a member of the armed forces of the United States and 1289

is on a duty assignment away from the parent's residence. 1290

(b) The military power of attorney or comparable document 1291  
includes at least the authority to enroll the child in school. 1292

The entitlement to attend school in the district in which 1293  
the parent's agent under the military power of attorney or 1294  
comparable document resides applies until the end of the school 1295  
year in which the military power of attorney or comparable 1296  
document expires. 1297

(G) A board of education, after approving admission, may 1298  
waive tuition for students who will temporarily reside in the 1299  
district and who are either of the following: 1300

(1) Residents or domiciliaries of a foreign nation who 1301  
request admission as foreign exchange students; 1302

(2) Residents or domiciliaries of the United States but 1303  
not of Ohio who request admission as participants in an exchange 1304  
program operated by a student exchange organization. 1305

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 1306  
3323.04, 3327.04, and 3327.06 of the Revised Code, a child may 1307  
attend school or participate in a special education program in a 1308  
school district other than in the district where the child is 1309  
entitled to attend school under division (B) of this section. 1310

(I) (1) Notwithstanding anything to the contrary in this 1311  
section or section 3313.65 of the Revised Code, a child under 1312  
twenty-two years of age may attend school in the school district 1313  
in which the child, at the end of the first full week of October 1314  
of the school year, was entitled to attend school as otherwise 1315  
provided under this section or section 3313.65 of the Revised 1316  
Code, if at that time the child was enrolled in the schools of 1317  
the district but since that time the child or the child's parent 1318

has relocated to a new address located outside of that school 1319  
district and within the same county as the child's or parent's 1320  
address immediately prior to the relocation. The child may 1321  
continue to attend school in the district, and at the school to 1322  
which the child was assigned at the end of the first full week 1323  
of October of the current school year, for the balance of the 1324  
school year. Division (I)(1) of this section applies only if 1325  
both of the following conditions are satisfied: 1326

(a) The board of education of the school district in which 1327  
the child was entitled to attend school at the end of the first 1328  
full week in October and of the district to which the child or 1329  
child's parent has relocated each has adopted a policy to enroll 1330  
children described in division (I)(1) of this section. 1331

(b) The child's parent provides written notification of 1332  
the relocation outside of the school district to the 1333  
superintendent of each of the two school districts. 1334

(2) At the beginning of the school year following the 1335  
school year in which the child or the child's parent relocated 1336  
outside of the school district as described in division (I)(1) 1337  
of this section, the child is not entitled to attend school in 1338  
the school district under that division. 1339

(3) Any person or entity owing tuition to the school 1340  
district on behalf of the child at the end of the first full 1341  
week in October, as provided in division (C) of this section, 1342  
shall continue to owe such tuition to the district for the 1343  
child's attendance under division (I)(1) of this section for the 1344  
lesser of the balance of the school year or the balance of the 1345  
time that the child attends school in the district under 1346  
division (I)(1) of this section. 1347

(4) A pupil who may attend school in the district under 1348  
division (I)(1) of this section shall be entitled to 1349  
transportation services pursuant to an agreement between the 1350  
district and the district in which the child or child's parent 1351  
has relocated unless the districts have not entered into such 1352  
agreement, in which case the child shall be entitled to 1353  
transportation services in the same manner as a pupil attending 1354  
school in the district under interdistrict open enrollment as 1355  
described in division (E) of section 3313.981 of the Revised 1356  
Code, regardless of whether the district has adopted an open 1357  
enrollment policy as described in division (B)(1)(b) or (c) of 1358  
section 3313.98 of the Revised Code. 1359

(J) This division does not apply to a child receiving 1360  
special education. 1361

A school district required to pay tuition pursuant to 1362  
division (C)(2) or (3) of this section or section 3313.65 of the 1363  
Revised Code shall have an amount deducted under division (C) of 1364  
section 3317.023 of the Revised Code equal to its own tuition 1365  
rate for the same period of attendance. A school district 1366  
entitled to receive tuition pursuant to division (C)(2) or (3) 1367  
of this section or section 3313.65 of the Revised Code shall 1368  
have an amount credited under division (C) of section 3317.023 1369  
of the Revised Code equal to its own tuition rate for the same 1370  
period of attendance. If the tuition rate credited to the 1371  
district of attendance exceeds the rate deducted from the 1372  
district required to pay tuition, the department of education 1373  
and workforce shall pay the district of attendance the 1374  
difference from amounts deducted from all districts' payments 1375  
under division (C) of section 3317.023 of the Revised Code but 1376  
not credited to other school districts under such division and 1377  
from appropriations made for such purpose. The treasurer of each 1378



school district shall, by the fifteenth day of January and July, 1379  
furnish the director of education and workforce a report of the 1380  
names of each child who attended the district's schools under 1381  
divisions (C) (2) and (3) of this section or section 3313.65 of 1382  
the Revised Code during the preceding six calendar months, the 1383  
duration of the attendance of those children, the school 1384  
district responsible for tuition on behalf of the child, and any 1385  
other information that the director requires. 1386

Upon receipt of the report the director, pursuant to 1387  
division (C) of section 3317.023 of the Revised Code, shall 1388  
deduct each district's tuition obligations under divisions (C) 1389  
(2) and (3) of this section or section 3313.65 of the Revised 1390  
Code and pay to the district of attendance that amount plus any 1391  
amount required to be paid by the state. 1392

(K) In the event of a disagreement, the director of 1393  
education and workforce shall determine the school district in 1394  
which the parent resides. 1395

(L) Nothing in this section requires or authorizes, or 1396  
shall be construed to require or authorize, the admission to a 1397  
public school in this state of a pupil who has been permanently 1398  
excluded from public school attendance by the director pursuant 1399  
to sections 3301.121 and 3313.662 of the Revised Code. 1400

(M) In accordance with division (B) (1) of this section, a 1401  
child whose parent is a member of the national guard or a 1402  
reserve unit of the armed forces of the United States and is 1403  
called to active duty, or a child whose parent is a member of 1404  
the armed forces of the United States and is ordered to a 1405  
temporary duty assignment outside of the district, may continue 1406  
to attend school in the district in which the child's parent 1407  
lived before being called to active duty or ordered to a 1408

temporary duty assignment outside of the district, as long as 1409  
the child's parent continues to be a resident of that district, 1410  
and regardless of where the child lives as a result of the 1411  
parent's active duty status or temporary duty assignment. 1412  
However, the district is not responsible for providing 1413  
transportation for the child if the child lives outside of the 1414  
district as a result of the parent's active duty status or 1415  
temporary duty assignment. 1416

**Sec. 3313.649.** (A) As used in this section: 1417

(1) "Power of attorney" means a power of attorney created 1418  
under section 3109.52 of the Revised Code. 1419

(2) "Caretaker authorization affidavit" means an affidavit 1420  
executed under section 3109.67 of the Revised Code. 1421

(B) The ~~grandparent~~caretaker who is the attorney in fact 1422  
under a power of attorney or ~~the grandparent that who~~ executed a 1423  
caretaker authorization affidavit may enroll the child who is 1424  
the subject of the power of attorney or affidavit in a school in 1425  
the school district in which the ~~grandparent~~caretaker resides. 1426  
Unless another reason exists under the Revised Code to exclude 1427  
the child, the child may attend the schools of the school 1428  
district in which the ~~grandparent~~caretaker resides. 1429

**Sec. 3313.672.** (A) (1) At the time of initial entry to a 1430  
public or nonpublic school, a pupil shall present to the person 1431  
in charge of admission any records given the pupil by the public 1432  
or nonpublic elementary or secondary school the pupil most 1433  
recently attended; a certified copy of an order or decree, or 1434  
modification of such an order or decree allocating parental 1435  
rights and responsibilities for the care of a child and 1436  
designating a residential parent and legal custodian of the 1437

child, as provided in division (B) of this section, if that type 1438  
of order or decree has been issued; a copy of a power of 1439  
attorney or caretaker authorization affidavit, if either has 1440  
been executed with respect to the child pursuant to sections 1441  
3109.51 to 3109.80 of the Revised Code; and a certification of 1442  
birth issued pursuant to Chapter 3705. of the Revised Code, a 1443  
comparable certificate or certification issued pursuant to the 1444  
statutes of another state, territory, possession, or nation, or 1445  
a document in lieu of a certificate or certification as 1446  
described in divisions (A) (1) (a) to (e) of this section. Any of 1447  
the following shall be accepted in lieu of a certificate or 1448  
certification of birth by the person in charge of admission: 1449

(a) A passport or attested transcript of a passport filed 1450  
with a registrar of passports at a point of entry of the United 1451  
States showing the date and place of birth of the child; 1452

(b) An attested transcript of the certificate of birth; 1453

(c) An attested transcript of the certificate of baptism 1454  
or other religious record showing the date and place of birth of 1455  
the child; 1456

(d) An attested transcript of a hospital record showing 1457  
the date and place of birth of the child; 1458

(e) A birth affidavit. 1459

(2) If a pupil requesting admission to a school of the 1460  
school district in which the pupil is entitled to attend school 1461  
under section 3313.64 or 3313.65 of the Revised Code has been 1462  
discharged or released from the custody of the department of 1463  
youth services under section 5139.51 of the Revised Code just 1464  
prior to requesting admission to the school, no school official 1465  
shall admit that pupil until the records described in divisions 1466

(D) (4) (a) to (d) of section 2152.18 of the Revised Code have 1467  
been received by the superintendent of the school district. 1468

(3) No public or nonpublic school official shall deny a 1469  
protected child admission to the school solely because the child 1470  
does not present a birth certificate described in division (A) 1471  
(1) of this section, a comparable certificate or certification 1472  
from another state, territory, possession, or nation, or another 1473  
document specified in divisions (A) (1) (a) to (e) of this section 1474  
upon registration for entry into the school. However, the 1475  
protected child, or the parent, custodian, or guardian of that 1476  
child, shall present a birth certificate or other document 1477  
specified in divisions (A) (1) (a) to (e) of this section to the 1478  
person in charge of admission of the school within ninety days 1479  
after the child's initial entry into the school. 1480

(4) Except as otherwise provided in division (A) (2) or (3) 1481  
of this section, within twenty-four hours of the entry into the 1482  
school of a pupil described in division (A) (1) of this section, 1483  
a school official shall request the pupil's official records 1484  
from the public or nonpublic elementary or secondary school the 1485  
pupil most recently attended. If the public or nonpublic school 1486  
the pupil claims to have most recently attended indicates that 1487  
it has no record of the pupil's attendance or the records are 1488  
not received within fourteen days of the date of request, or if 1489  
the pupil does not present a certification of birth described in 1490  
division (A) (1) of this section, a comparable certificate or 1491  
certification from another state, territory, possession, or 1492  
nation, or another document specified in divisions (A) (1) (a) to 1493  
(e) of this section, the principal or chief administrative 1494  
officer of the school shall notify the law enforcement agency 1495  
having jurisdiction in the area where the pupil resides of this 1496  
fact and of the possibility that the pupil may be a missing 1497

child, as defined in section 2901.30 of the Revised Code. 1498

(B) (1) Whenever an order or decree allocating parental 1499  
rights and responsibilities for the care of a child and 1500  
designating a residential parent and legal custodian of the 1501  
child, including a temporary order, is issued resulting from an 1502  
action of divorce, alimony, annulment, or dissolution of 1503  
marriage, and the order or decree pertains to a child who is a 1504  
pupil in a public or nonpublic school, the residential parent of 1505  
the child shall notify the school of those allocations and 1506  
designations by providing the person in charge of admission at 1507  
the pupil's school with a certified copy of the order or decree 1508  
that made the allocation and designation. Whenever there is a 1509  
modification of any order or decree allocating parental rights 1510  
and responsibilities for the care of a child and designating a 1511  
residential parent and legal custodian of the child that has 1512  
been submitted to a school, the residential parent shall provide 1513  
the person in charge of admission at the pupil's school with a 1514  
certified copy of the order or decree that makes the 1515  
modification. 1516

(2) Whenever a power of attorney is executed under 1517  
sections 3109.51 to 3109.62 of the Revised Code that pertains to 1518  
a child who is a pupil in a public or nonpublic school, the 1519  
attorney in fact shall notify the school of the power of 1520  
attorney by providing the person in charge of admission with a 1521  
copy of the power of attorney. Whenever a caretaker 1522  
authorization affidavit is executed under sections ~~3109.64~~ 1523  
3109.65 to 3109.73 of the Revised Code that pertains to a child 1524  
who is in a public or nonpublic school, the ~~grandparent~~ 1525  
caretaker who executed the affidavit shall notify the school of 1526  
the affidavit by providing the person in charge of admission 1527  
with a copy of the affidavit. 1528

(C) If, at the time of a pupil's initial entry to a public 1529  
or nonpublic school, the pupil is under the care of a shelter 1530  
for victims of domestic violence, as defined in section 3113.33 1531  
of the Revised Code, the pupil or the pupil's parent shall 1532  
notify the school of that fact. Upon being so informed, the 1533  
school shall inform the elementary or secondary school from 1534  
which it requests the pupil's records of that fact. 1535

(D) Whenever a public or nonpublic school is notified by a 1536  
law enforcement agency pursuant to division (D) of section 1537  
2901.30 of the Revised Code that a missing child report has been 1538  
filed regarding a pupil who is currently or was previously 1539  
enrolled in the school, the person in charge of admission at the 1540  
school shall mark that pupil's records in such a manner that 1541  
whenever a copy of or information regarding the records is 1542  
requested, any school official responding to the request is 1543  
alerted to the fact that the records are those of a missing 1544  
child. Upon any request for a copy of or information regarding a 1545  
pupil's records that have been so marked, the person in charge 1546  
of admission immediately shall report the request to the law 1547  
enforcement agency that notified the school that the pupil is a 1548  
missing child. When forwarding a copy of or information from the 1549  
pupil's records in response to a request, the person in charge 1550  
of admission shall do so in such a way that the receiving 1551  
district or school would be unable to discern that the pupil's 1552  
records are marked pursuant to this division but shall retain 1553  
the mark in the pupil's records until notified that the pupil is 1554  
no longer a missing child. Upon notification by a law 1555  
enforcement agency that a pupil is no longer a missing child, 1556  
the person in charge of admission shall remove the mark from the 1557  
pupil's records in such a way that if the records were forwarded 1558  
to another district or school, the receiving district or school 1559

would be unable to discern that the records were ever marked.	1560
(E) As used in this section:	1561
(1) "Protected child" means a child placed in a foster home, as that term is defined in section 5103.02 of the Revised Code, or in a residential facility.	1562 1563 1564
(2) "Residential facility" means a group home for children, children's crisis care facility, children's residential center, residential parenting facility that provides twenty-four-hour child care, county children's home, or district children's home.	1565 1566 1567 1568 1569
<b>Section 2.</b> That existing sections 3109.51, 3109.52, 3109.53, 3109.54, 3109.59, 3109.60, 3109.65, 3109.66, 3109.67, 3109.69, 3109.70, 3109.71, 3109.74, 3109.76, 3310.51, 3313.64, 3313.649, and 3313.672 of the Revised Code are hereby repealed.	1570 1571 1572 1573