

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 21**

**Representative Hambley**

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

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**A BILL**

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

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

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

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

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~~(1) The community school in which the student is enrolled;~~

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~~(2) That the school district in which the student is~~  
entitled to attend school ~~in the district under section 3313.64~~  
or 3313.65 of the Revised Code.

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

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

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

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

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

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

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

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

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

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

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

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

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