



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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Sub. H.B. 21*

132nd General Assembly
(As Reported by S. Education)

Reps. Hambley, Duffey, Hill, Riedel, Miller, Rogers, Brenner, Fedor, Cupp, Galonski, Ingram, Manning, Patterson, Anielski, Antonio, Barnes, Boyd, Brown, Celebrezze, Clyde, Craig, Edwards, Faber, Ginter, Greenspan, Holmes, Howse, Hughes, Johnson, Kelly, Kick, Koehler, Lang, Leland, Lepore-Hagan, Perales, Ramos, Rezabek, Ryan, Schaffer, Sheehy, K. Smith, R. Smith, Stein, Strahorn, Sweeney, West, Young

BILL SUMMARY

Verification of community school enrollment and residency records

- Requires community schools, instead of school districts, to verify the resident school district of its students on an annual basis and upon the enrollment of a student.
- Requires community schools, instead of school districts, to conduct monthly reviews of the residency records of its students.
- Permits school districts to review a community school's residency records and enrollment verifications.
- Requires, instead of permits as under current law, community schools to adopt a policy that prescribes the number of documents needed to initially verify a student's residency.
- Requires community schools to adopt a policy that prescribes the information needed to annually verify a student's residency.
- Specifies that the contract between the sponsor and governing authority of a community school must include policies regarding changes in residence and address verification.

* This analysis was prepared before the report of the Senate Education Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

Community school sponsor evaluation system public comment period

- Requires the Department of Education to post on its website the framework for the sponsor evaluation system and solicit public comment on that framework for 30 consecutive days.

State assessment administration and graduation requirements for certain chartered nonpublic schools

- Prohibits administration of state high school assessments to students enrolled in a chartered nonpublic school where at least 95% of the students are children with disabilities or have other learning differences and satisfy other requirements.

Education Management Information System (EMIS) Advisory Council

- Eliminates the current Education Management System (EMIS) Advisory Board.
- Requires the Department to establish a new EMIS Advisory Council.

Storm shelters

- Prohibits the Board of Building Standards from requiring the installation of storm shelters in public or private schools prior to September 15, 2019.

CONTENT AND OPERATION

Verification and review of community school enrollment and residency records

Under current law, school districts must conduct monthly reviews of the enrollment records of district students who attend community schools. Districts also must verify to the Department of Education (1) the community school in which each student is enrolled and (2) whether the student is entitled to attend school in the district.¹

The bill places these duties solely on the community school, instead of the district. Additionally, it requires each community school to submit its verification to the Department both upon the enrollment of a student and on an annual basis.

Finally, the bill specifically permits school districts to review these residency records and enrollment verifications.

¹ R.C. 3314.11(A).

Policy on documents and information for residency verification

Current law permits the governing authority of a community school to adopt a policy that prescribes the number of documents needed to initially verify a student's residency.

The bill makes this provision mandatory instead of permissive.²

The bill also requires community schools to adopt a policy that prescribes the information needed to annually verify a student's residency. This information may be obtained through any type of document, including any authorized document under current law, or any type of communication with a government official authorized to provide such information.³ Current law, unchanged by the bill, specifies the following documents that may be used as evidence of a student's primary residence:

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

(2) A utility bill or receipt of utility installation issued within 90 days of the student's enrollment;

(3) A paycheck or paystub issued to the parent or student within 90 days of the student's enrollment that includes the address of the parent's or student's primary residence;

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

(5) Any other official document issued to the parent or student that includes the address of the parent's or student's primary residence. The law directs the Superintendent of Public Instruction to develop guidelines for determining what qualifies as an "official document" for this purpose.⁴

Community school sponsor contract specifications

The bill requires the contract between the sponsor and governing authority of a community school to include the following:

² R.C. 3314.11(B)(1).

³ R.C. 3314.11(B)(2).

⁴ R.C. 3314.11(E).



(1) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence; and

(2) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.⁵

Community school sponsor evaluation system public comment period

The bill requires the Department of Education to post on its website the framework for the community school sponsor evaluation system not later than February 1 of each year. The framework must include technical documentation that the Department intends to use to rate sponsors for the next school year. The bill requires the Department to solicit public comment on the evaluation system for 30 consecutive days. Not later than April 1 of each year, the Department must compile and post on its website all public comments received during the comment period.⁶

State assessment and graduation requirements for certain chartered nonpublic schools

The bill prohibits chartered nonpublic schools from administering state high school assessments to students if the school meets all of the following conditions:

(1) At least 95% of the students enrolled in the school are children with disabilities or have received a diagnosis as having a condition that impairs academic performance. Other conditions include dyslexia, dyscalculia, attention deficit hyperactivity disorder, or Asperger's syndrome.

(2) The school has solely served a student population described above for at least ten years; and

(3) The school makes available at least five years of internal testing records to the Department. Those records must be on testing conducted by the school and affords the Department data required for accountability purposes, including growth in student achievement in reading or math, or both, as measured by nationally norm-referenced assessments that have developed appropriate standards for students.

⁵ R.C. 3314.03(A)(32) and (33).

⁶ R.C. 3314.016.

The testing exemption applies to any student who attends the school, regardless of whether the student receives special education or related services and regardless of whether the student is attending the school under a state scholarship program.⁷

State high school assessments include the college and career ready assessment, which consists of a nationally standardized assessments that measure college and career readiness and are used for college admission and seven end-of-course examinations,⁸ and an alternative assessment approved by the Department and selected by the school's governing authority which a student may take to earn a high school diploma in lieu of assessments required under state graduation requirements.⁹

Education Management Information System (EMIS) Advisory Council

The bill eliminates the Education Management Information System (EMIS) Advisory Board. Instead, the bill requires the Department to establish an EMIS Advisory Council. The new council must make recommendations to the Superintendent of Public Instruction to improve the operation of EMIS. The council also must provide a forum for communication and collaboration between the Department and parties affected by the collection, reporting, and use of EMIS data. The members of the council include Department staff and representatives of school districts and other entities that regularly interact with EMIS data.¹⁰

Storm shelter requirement

The bill prohibits the Board of Building Standards from requiring the installation of a storm shelter in any school building operated by a public or private school prior to September 15, 2019. The bill further prohibits the Board from requiring such an installation in any applicable school building that is undergoing or about to undergo construction, alteration, repair, or maintenance for which financing has been secured prior to that date. Any rule adopted by the Board prior to September 15, 2019, that conflicts with the provision of the bill will not be effective until that date.¹¹

Under current rules, educational buildings must generally have a storm shelter that is constructed in accordance with the International Building Code and capable housing the total occupancy of the structure when all of the following apply:

⁷ R.C. 3301.0711(L)(4); conforming changes in R.C. 3310.522 and 3313.612.

⁸ R.C. 3301.0712, not in the bill.

⁹ R.C. 3313.619, not in the bill.

¹⁰ R.C. 3301.0713.

¹¹ R.C. 3781.1010.

(1) The building serves kindergarten through grade 12;

(2) The building has an aggregate occupancy of 50 or more; and

(3) The building is in an area where the shelter, in accordance with the International Building Code, must be designed for tornado wind speeds of 250 miles per hour.¹²

HISTORY

ACTION	DATE
Introduced	02-01-17
Reported, H. Education & Career Readiness	11-29-17
Passed House (94-0)	12-13-17
Reported, S. Education	--

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¹² Ohio Administrative Code Section 305 of 4101:1-3-01 and Section 432 of 4101:1-4-01.

