



OHIO LEGISLATIVE SERVICE COMMISSION

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Fiscal Note & Local Impact Statement

Bill: H.B. 21 of the 132nd G.A.

Status: As Enacted

Sponsor: Rep. Hambley

Local Impact Statement Procedure Required: No

Subject: Community school enrollment verification; storm shelter building requirements for public and nonpublic schools; Education Management Information System Advisory Board; and state assessment exemptions for certain nonpublic schools

State & Local Fiscal Highlights

- The bill shifts administrative costs of conducting monthly reviews of residency records of community school students from traditional school districts to community schools.
- However, traditional school districts may continue to incur some administrative costs in this area. School districts are permitted to review and contest the residency determination made by the community school.
- The bill decreases school facilities project costs for some public schools by imposing a moratorium, until September 15, 2019, on a building code requirement that new school buildings contain a storm shelter. Any decrease in construction or renovation costs for affected school districts participating in the Classroom Facilities Assistance Program will be shared by the state and school districts depending on the district's relative wealth.
- The bill may minimally affect the Ohio Department of Education's (ODE's) costs in administering the state's high school assessment system by creating an exemption from high school testing and graduation requirements for high school students attending certain chartered nonpublic schools.
- The bill may increase ODE's administrative responsibilities with respect to the community school sponsor evaluation system and establishing a new Education Management Information System (EMIS) Advisory Council.

Detailed Fiscal Analysis

Community school enrollment verification

Current law requires school district boards of education to conduct monthly reviews of enrollment records of students in their districts who are enrolled in community schools. This review process includes verifying to the Ohio Department of Education (ODE) the community school at which a student attends and that the student

is entitled to attend school at that school district. Additionally, if there is a disagreement regarding a student's resident district, the community school must provide the student's resident district with documentation of the student's residency and make a good faith effort to correctly identify the student's residence. Furthermore, the community school may refer the matter to ODE. ODE is required to settle the dispute within 30 days and then make any necessary community school funding transfer adjustments.

Under the bill, the governing authority of a community school must conduct the monthly reviews of residency records of students enrolled in the community school. The governing authority must submit verification to ODE of the resident school district, which the bill specifies must take place upon enrollment of each student and on an annual basis. The bill will therefore shift administrative costs of verifying community school student residency from traditional school districts to community schools. However, traditional school districts may continue to incur some administrative costs in this area. The bill specifically permits the student's resident school district to review the determination made by the community school. If there is a disagreement, the bill maintains the current law procedures requiring a community school to provide the student's resident district with documentation of the student's residency, to make a good faith effort to correctly identify the student's residence, and, ultimately, to refer the matter to ODE if the district and school are unable to resolve the issue.

The bill also requires, rather than permits as under current law, the governing authority of a community school to adopt a policy that specifies the number of documents required to initially verify a student's residency. Under the bill, the community school must also adopt a policy specifying the information needed to annually verify a student's residency. Further, the bill requires a contract between a community school and its governing authority to include provisions requiring the governing authority to adopt policies that (1) require a student's parent to notify the community school when there is a change in the student's residency and (2) govern student residency and address verification for students enrolling in or attending the school.

Storm shelter requirements

The bill creates a one-year moratorium on the building code requirement for new public and nonpublic schools to have storm shelters. Specifically, the bill prohibits the storm shelter requirement from applying to any public or private school building either in operation or undergoing or about to undergo construction or renovation for which financing has been secured prior to September 15, 2019.

This provision will decrease construction project costs for public districts and schools that were slated to begin a facilities project before that date and would otherwise have needed to add a storm shelter to their facilities plans to comply with the building code requirement. If the school district's facilities project is funded under the Classroom Facilities Assistance Program (CFAP), the reduction in cost will be shared by the state and the district. CFAP provides state funding for school facilities based on

each district's relative wealth. Lower wealth districts receive a larger percentage of their total project funding from the state and are funded before higher wealth districts.

State assessment exemptions for students at certain nonpublic schools

The bill may minimally affect ODE's costs in administering the state's high school assessment system by creating an exemption from high school testing and graduation requirements for high school students attending chartered nonpublic schools that meet all of the following conditions: (1) at least 95% of students at the school are children with disabilities or have received a diagnosis as having a condition that impairs academic performance, (2) the school has solely served the student population described in (1) for at least ten years, and (3) the school must make available to ODE at least five years of records of internal testing conducted by the school. A similar provision in continuing law permits a chartered nonpublic school to apply for a waiver from administering the elementary state achievement assessments if they meet the same conditions. The state's assessment system costs are primarily funded by the GRF.

Community school sponsor evaluations

Current law requires ODE to develop and post on the Department's website the community school sponsor evaluation system to be used in each school year by July 15 of that year. The bill may increase ODE's administrative responsibilities by also requiring ODE to post the framework for the community school sponsor evaluation system, including technical documentation, on its website no later than February 1 of each year and solicit public comment on the evaluation system for 30 consecutive days. By April 1 of each year, ODE is required to compile and post on its website all public comments that were received during the public comment period. In practice, ODE performs many of these activities already, but may need to adjust the timelines in which they are fulfilled.

Education Management Information System Advisory Board

The bill repeals the Education Management Information System (EMIS) Advisory Board and replaces it with a new EMIS Advisory Council, established by ODE, with a similar function as the current Board. Currently, the EMIS Advisory Board consists of 13 voting members and four nonvoting members. The members of the Advisory Board receive no compensation. ODE's administrative workload may increase to create the new Council.