



Community Schools Residency Issues

To: Resident District staff, Community School staff, ODE-Office of Community Schools, ODE-Office of Quality School Choice & Funding, ODE-Area Coordinators

From: The Office for Quality School Choice and Funding-Policy & Payments

Subject: Community School Proof of Residency

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Community schools are public schools of choice, part of Ohio's program of education (Ohio Revised Code (ORC) Section 3314.01). Community schools are required to adopt a policy regarding the admission of students that does one of the following:

- a) Prohibits the enrollment of students who reside outside the district in which the community school is located;
- b) Permits the enrollment of students who reside in districts adjacent to the district in which the community school is located; or
- c) Permits the enrollment of students who reside in any district in the state. [ORC 3314.03(A)(19)]

A community school's admission policy must also declare that it is open to any student entitled to attend school per ORC Section 3313.64 or 3313.65; will not discriminate in admission; will not exceed the capacity of the school's programs, classes, grade levels or facilities; and shall admit students by law if the number of applicants exceeds the school's capacity. The only exceptions to admission by lot are that preference shall be given to students attending school the previous year, or who reside in the district in which the school is located; and preference may be given to siblings of students who attended in the previous year.

For the purpose of this guidance, admission and enrollment have the same meaning – that is, students attend a traditional district building or community school where they receive educational instruction and count for funding.

Ohio law addresses different factors in determining where a child is entitled to attend school, which can be complicated in individual cases. (ORC 3313.084 ((B)(1)) Such factors include legal custody; proof of district residency; homelessness; and court ordered placements, to name a few. The traditional public

school district in which a student is entitled to attend public school is referred to as the resident district. The community school should ensure that it is referencing the resident district when it enters enrollment information in SOES.

Each traditional public school district and each community school is responsible for applying its own enrollment policy to students attending school in the resident district or community school. Where there are differences with regards to proof of residency (POR), then the policy of the traditional district or community school in which the student is enrolled prevails. For example, if a student for whom district A is the resident district enrolls in a community school whose admission policy permits enrollment from district A, district A must accept the documentation required by the community school's admission policy as sufficient for establishing that the student is entitled to lawfully enroll in the community school.

ODE, traditional districts and community schools all have an obligation to make sure the law is followed in each particular case. Traditional public school districts and community schools have valid reasons for investigating residency issues that may involve more than the "standard" POR, and cooperation from all parties is desired. It is not acceptable to "flag" students as non-residents unless the resident district can document information to dispute the residency determination of the community school. Resident districts are not to impose flags on students in SOES for lack of a POR consistent with the resident district's policy. It is perfectly reasonable for the resident district to ask for a copy of a community school's enrollment policy, if not already provided by the community school.

ODE's area coordinators are available to help with district residency determinations. Examples of appropriate POR's for verification of a student's entitlement to attend either a community school or a traditional public school district building are items such as those listed below. These items must be current and include a street address; a P.O. Box address cannot be used to validate residency records:

1. Voter registration card
2. Lease agreement
3. Mortgage statement
4. Utility statement
5. Bank statement
6. Rent receipt

ODE advocates cooperative relationships and open lines of communication between community schools and resident districts to ensure that all of Ohio's students are well prepared for academic success in our 21st Century learning environments.

Transportation note:

Establishing residency for transportation is different in that PORs for transportation purposes follow that of the resident district's policy. Resident districts may require the same POR from community school students as required of students attending the traditional district's schools.

If you have any questions please contact Cris Gulacy-Worrel at 614-466-0070 or cris.gulacy-worrel@ode.state.oh.us .