

# Office of Community Schools

## Proof and Verification of Student Residency

### OVERVIEW OF CHANGES IN HOUSE BILL 21

House Bill 21, which becomes effective Sept. 28, 2018, creates new requirements for community schools regarding student enrollment and residency. Under HB 21, the governing board of a community school is now required to complete the following:

- Review monthly the residency records of students enrolled in the community school;<sup>1</sup>
- Verify annually to the Ohio Department of Education the school district in which the student is entitled to attend school;<sup>2</sup>
- Adopt a policy that prescribes the number of documents required to verify a student's residency for purposes of the community school's initial reporting of school districts in which its students are entitled to attend;<sup>3</sup>
- Adopt a policy that prescribes the information required to verify a student's residency for purposes of the community school's annual reporting;<sup>4</sup>
- Adopt an enrollment and attendance policy requiring a student's parent to notify the community school when there is a change of residence;<sup>5</sup> and
- Adopt a student residence and address verification policy.<sup>6</sup>

### ENROLLMENT IN A COMMUNITY SCHOOL

Community schools are public schools of choice, part of the education program in Ohio. The governing authority of each community school is required to properly adopt policies for the admission of students that do one of the following:

- Prohibit the enrollment of students who reside outside the district in which the community school is located;<sup>7</sup>
- Permit the enrollment of students who reside in districts adjacent to the district in which the community school is located;<sup>8</sup> or
- Permit the enrollment of students who reside in any district in the state.<sup>9</sup>

Ohio law ([Ohio Revised Code 3313.672](#)) specifies the documentation that must be provided during the enrollment process. Documentation includes the birth certificate or proof of birthdate plus any pertinent court orders. Proof of residency also is needed to establish where a student is entitled to attend school under ORC [3313.64](#) and [3313.65](#). The traditional school district where a student is entitled to attend public school is the resident district.

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<sup>1</sup> ORC 3314.11(A).

<sup>2</sup> ORC 3314.11(A).

<sup>3</sup> ORC 3314.11(B)(1), which prior to HB 21 was permitted rather than mandated.

<sup>4</sup> ORC 3314.11(B)(2).

<sup>5</sup> ORC 3314.03(A)(32).

<sup>6</sup> ORC 3314.03(A)(33).

<sup>7</sup> ORC 3314.03(A)(19)(a).

<sup>8</sup> ORC 3314.03(A)(19)(b).

<sup>9</sup> ORC 3314.03(A)(19)(c).

## COMMUNITY SCHOOL ENROLLMENT AND ATTENDANCE POLICY

The community school must obtain proof of residency when it enrolls a child. **Effective Sept. 28, 2018, the governing authority of each community school must adopt policies that address all the following requirements:**

- Specify the process used to verify the residence and address for students enrolling in or attending the school;<sup>10</sup>
- Require that a student's district of residence be verified upon initial enrollment and the information and number of documents required to verify a student's residence upon initial enrollment;<sup>11</sup>
- Require that a student's district of residence be verified by the governing authority on an annual basis and the information used for annual verification of residency;<sup>12</sup>
- Require a monthly review by the governing authority of the residency records of students enrolled in that community school;<sup>13</sup> and
- Require parents, guardians or emancipated students age 18 and older to notify the community school in which they are enrolled when a change in the location of the parent's or student's primary residence occurs.<sup>14</sup>

**Effective Sept. 28, 2018, the community school must use the documentation outlined in the policies adopted by the governing authority to verify residence of students.** The policies may include the following documents:

- A deed, mortgage, lease, current homeowner's or renter's insurance declaration page, or current real property tax bill;
- A utility bill or receipt of utility installation issued within 90 days of enrollment;
- A paycheck or paystub issued to the parent or student within 90 days of the date of enrollment that includes the address of the parent's or student's primary residence;
- 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;
- Documented affirmation of address of student's parent(s) from district of residence where parent(s) currently resides;
- Notarized affirmation from parent(s) or student(s) if over 18-years of age of current residence address;
- USPS return receipt from certified letter sent to parent(s) by district of residence;
- Written confirmation from the Department of Job and Family Services of current address of the parent(s); or
- Written confirmation from a local law enforcement agency of the current address of the parent(s).

For governing authorities making monthly determinations of residency and annual verification to the Department, a community school student's district of residence is the school district in which the parent or student has established his or her primary residence and where substantial family activity takes place.<sup>15 16</sup>

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<sup>10</sup> ORC 3314.03(A)(33).

<sup>11</sup> ORC 3314.11(B)(1).

<sup>12</sup> ORC 3314.11(A); 3314.11(B)(2).

<sup>13</sup> ORC 3314.11(A).

<sup>14</sup> ORC 3314.03(A)(32).

<sup>15</sup> OAC 3314.11(C).

<sup>16</sup> All districts and community schools are reminded that when a student loses permanent housing and becomes a homeless child or youth, as defined in 42 U.S.C. 11434a, or when a child who is such a homeless child or youth changes temporary living arrangements, the district in which the student is entitled to attend school shall be determined in accordance with division (F)(13) of section [3313.64](#) of the Revised Code and the "McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et seq.

## REVIEW BY SCHOOL DISTRICTS

ORC 3314.11(A) expressly provides that the school district may review the determination made by the community school.

## DISAGREEMENT REGARDING DISTRICT OF RESIDENCE

If a community school's determination of a student's district of residence differs from a district's determination, the community school that made the determination shall provide the school district with documentation of the student's residency and shall make a good faith effort to accurately identify the correct residence of the student.<sup>17</sup>

## MODIFICATION TO SPONSOR-SCHOOL CONTRACT

Effective Sept. 28, 2018, a contract between a community school and its sponsor must include requirements to: (1) adopt an enrollment and attendance policy requiring a student's parent to notify the school of changes in the parent's or student's residence; and (2) an address verification policy for students. The Office of Community Schools recommends sponsors work with their community schools to take steps to implement these changes within a reasonable time, understanding that it takes time to develop and implement the policies and procedures.

Additional information is available in the [FY 2019 Community School Full-Time Equivalency \(FTE\) Manual](#) or by contacting the Office of Community Schools at [Community.Schools@education.ohio.gov](mailto:Community.Schools@education.ohio.gov).

## REFERENCES

[ORC 3314.03](#)

[ORC 3314.11](#)

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<sup>17</sup> ORC 3314.11(D).