



Jim Kelly

Bill Analysis

Legislative Service Commission

H.B. 243

123rd General Assembly
(As Introduced)

**Reps. Stapleton, Gardner, Brading, Harris, Taylor, Corbin, Terwilleger,
Olman, Mottley, Clancy, Jolivette, Opfer, Hartnett**

BILL SUMMARY

- Eliminates the ability of a student to transfer to another school district upon agreement of the district superintendents "to deal with other extenuating circumstances deemed appropriate by the superintendents."
- Disqualifies a student from participating in extracurricular activities for the rest of a school year after the student has transferred districts (for the purpose of protecting the student's physical or mental well-being) more than one time in that school year.

CONTENT AND OPERATION

Current law

Under Ohio law, children generally are entitled to attend school without paying tuition only in the school district in which their parents reside. Generally, districts may choose to admit nonresident students to their schools only if the student pays tuition. But the law makes a number of exceptions to these general policies.

One of these exceptions, the "well-being clause," permits a student under age 21 to attend school without paying tuition in a school district other than the one in which his or her parents reside if:

(1) The superintendent of the district in which the student otherwise would attend school contacts the superintendent of the other school district regarding the student's attendance; and

(2) The superintendents of both districts enter into a written agreement that consents to the attendance and specifies that the purpose is to protect the student's

physical or mental well-being *or to deal with other extenuating circumstances deemed appropriate by the superintendents.*

Current law also requires that the student be allowed to participate in all student activities, including interscholastic athletics, at the school of attendance on the same basis as any student who has always attended that district.

The bill

The bill makes two changes. First, it eliminates the attendance in another school district for the purpose of dealing with other "extenuating circumstances deemed appropriate by the superintendents." As a result, nonresident attendance by agreement of the superintendents would be permitted only to protect the student's physical or mental well-being.

Second, it places a limitation on the student's ability to participate in extracurricular activities by prohibiting participation during the remainder of a school year once a student has transferred (for protection of the student's physical or mental well-being) more than one time in that school year. (Sec. 3313.64(F)(12).)

HISTORY

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Introduced	03-10-99	p. 286

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