# Transfer of Territory to an Adjoining District

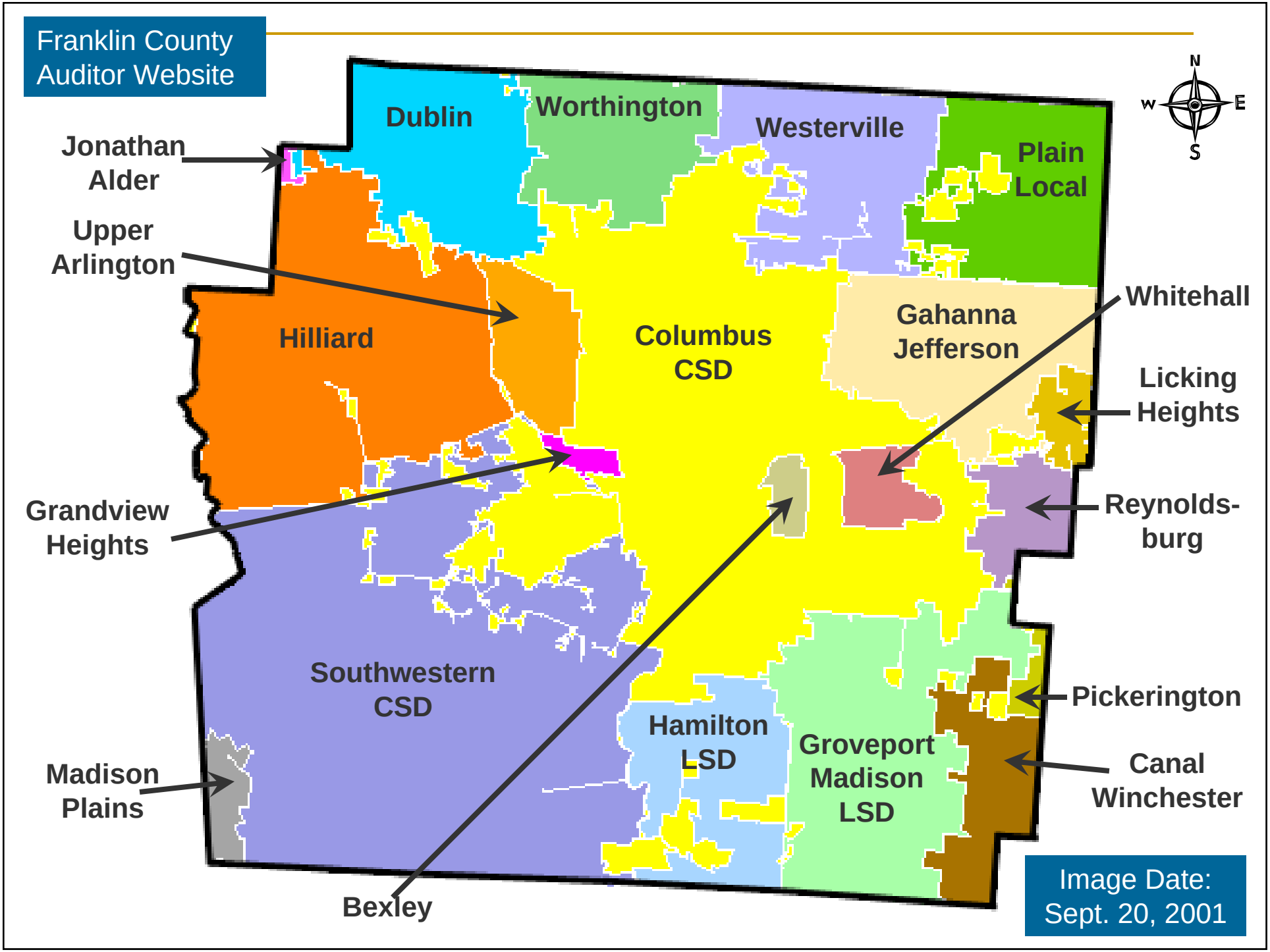
Hilliard City School District

# Ohio Administrative Code Chapter 3301-89

- Applies to request for transfer of territory following municipal annexation under ORC 3311.06 or a petition for transfer of territory under ORC 3311.24.
- Does not apply to the transfer of territory following municipal annexation when the district in which the territory is located is a party to an annexation agreement with a city school district under ORC 3311.06.

# Annexation Agreement Sept. 24, 1986 (Win Win Agreement)

- Territory in suburban school districts annexed to the City of Columbus municipality prior to the date of the agreement would remain in the suburban district.
- Territory annexed to the City of Columbus after the date of the agreement would transfer to the Columbus City Schools.
- Some unincorporated territory was “grandfathered” to remain in the suburban school district because it was in existing residential communities.
- Territory within HCSD and the City of Dublin municipality are **not** affected by this agreement.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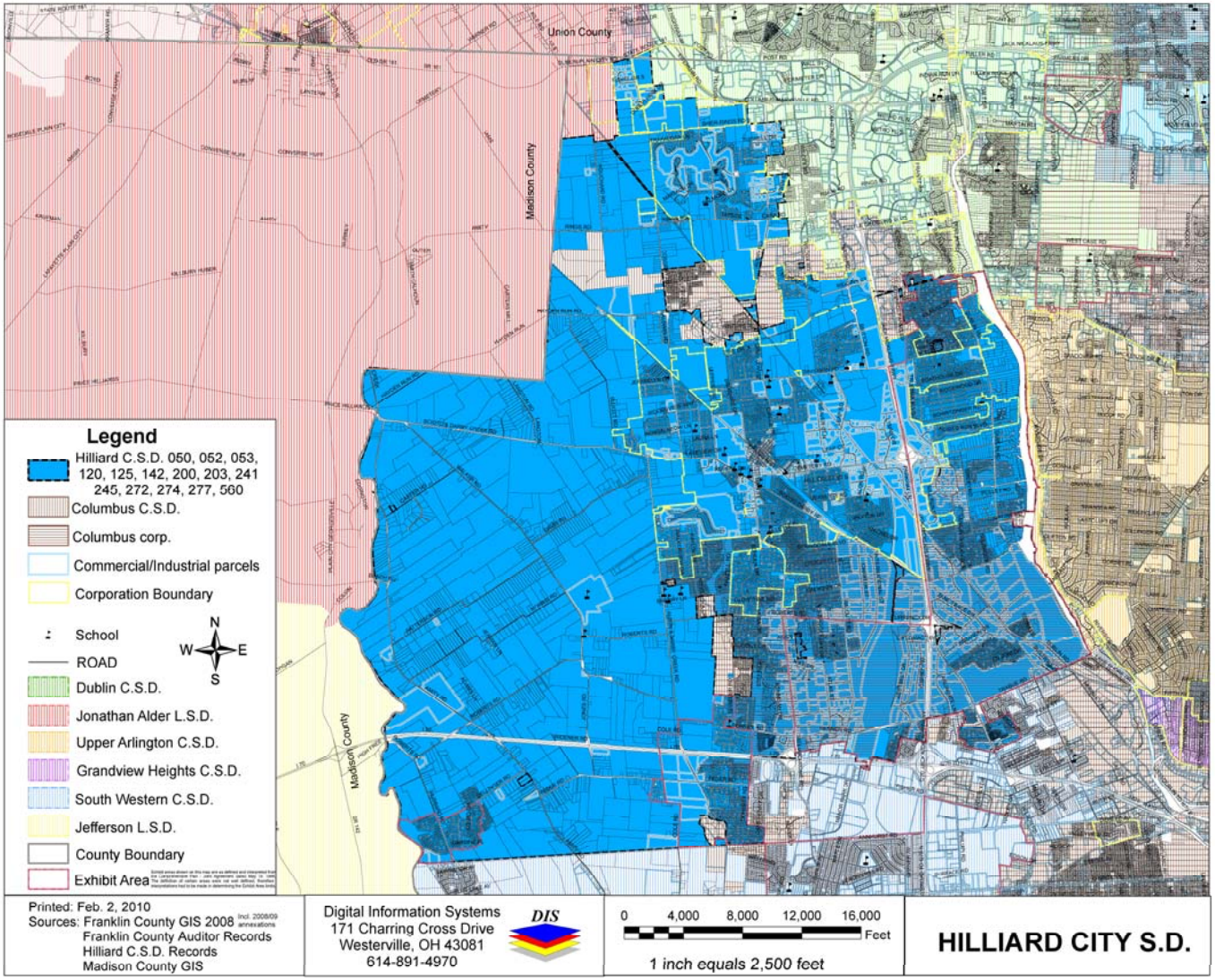
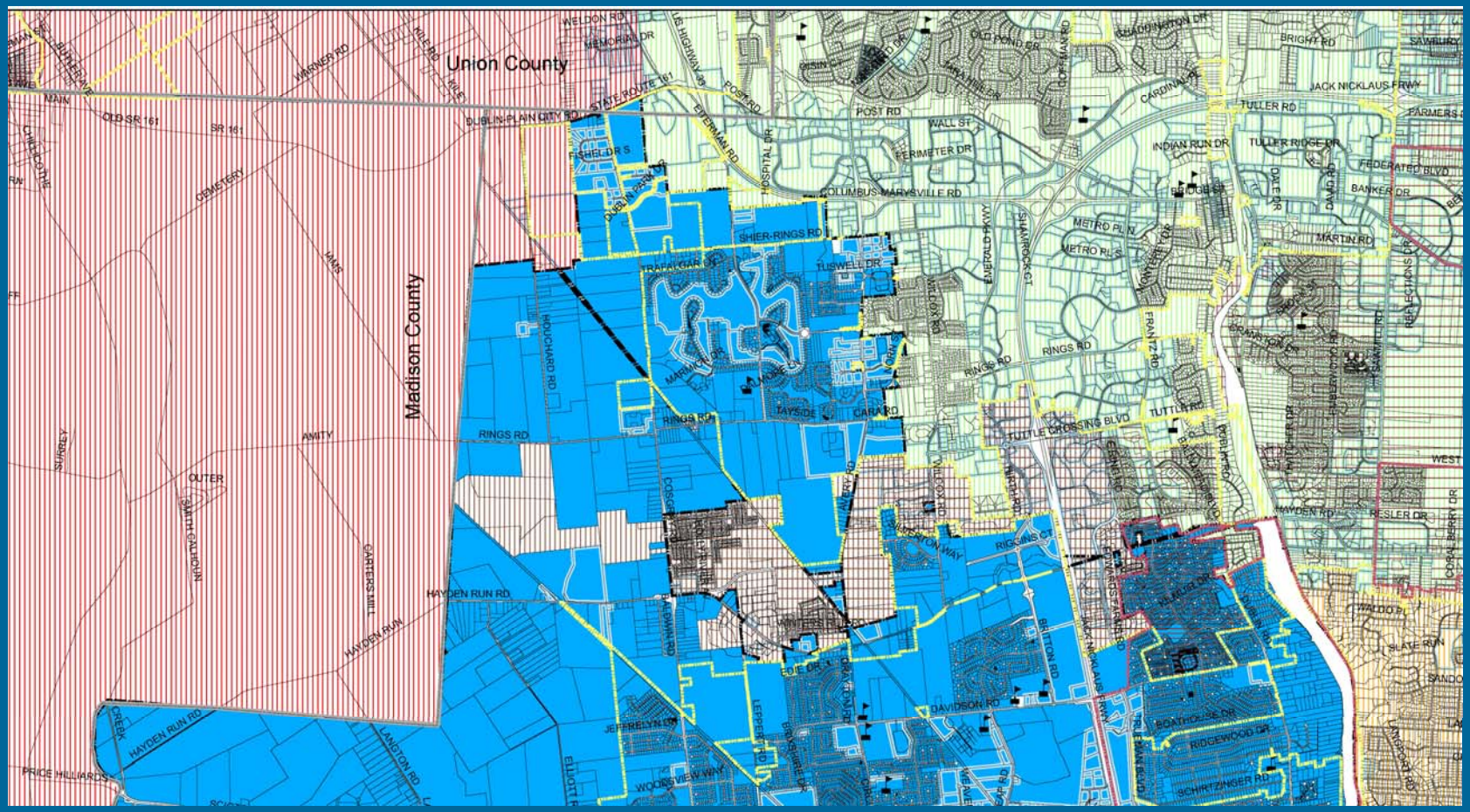
# Hilliard City School District
# Columbus Annexation (Win-Win)



# Hilliard City School District
# Northern Section



# Initial Request

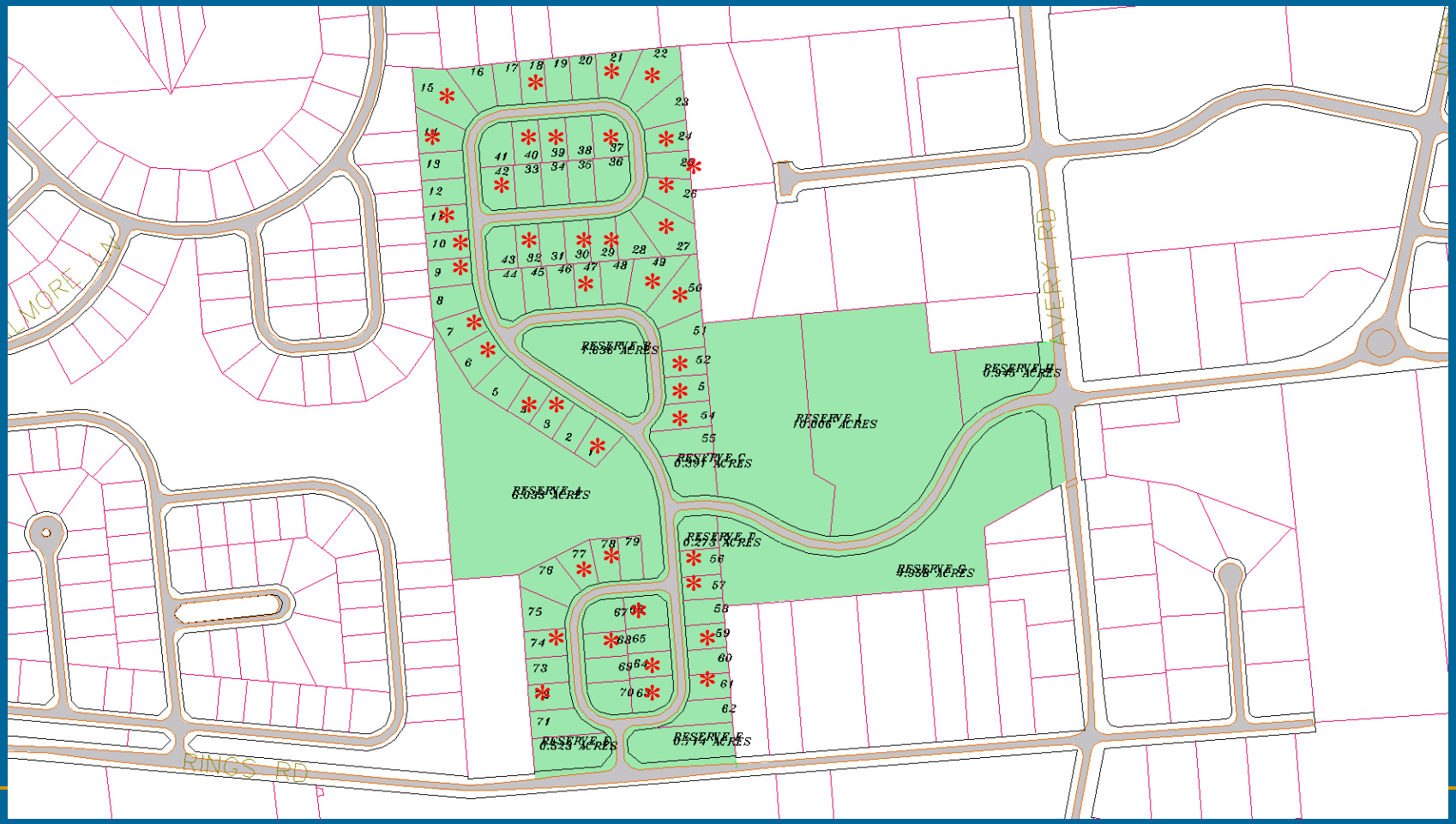
- Under ORC 3311.24, if a board of education deems it advisable to transfer territory then that board of education shall file the request to the state board of education prior to the 1st day of April in any even-numbered year.
- An individual interested in requesting a transfer may petition to do so through the resident board of education – the board of education shall file the request, regardless of its position on the proposal, to the state board of education prior to the 1st day of April in any even-numbered year.

# Individual’s Request for Transfer

- Submit a petition, signed by 75% of the qualified electors residing in the proposed area to be transferred, to the resident board of education
- The board of education shall then request the board of elections to check the sufficiency of signatures
- The board of education shall then forward the board of election’s verification to the state board of education

# Cramer’s Crossing

* Qualified Electors (for illustration purposes only)



# State Board of Education Procedures

- Will send a questionnaire to the relinquishing & receiving school districts that must be completed & returned within 30 days
- The petition is then submitted for consideration (state board must approve an intent resolution)
- An offer for a hearing is sent to both school districts and the petitioner. If a hearing is requested:
  - A hearing officer will be selected
  - All sides may present testimony & question the other participants

# State Board of Education Procedures

- The hearing officer will make a recommendation
- The recommendation is then voted on by the state board
- If the state board approves the transfer, the receiving district then has to vote on whether or not to accept the transfer
- The state board's decision can be appealed to the court of common pleas
- The common pleas court decision can be appealed to the 10th district court of appeals

# Transfer Request Summary

- March 2010 Residents of an individual parcel (1 of only 2 lots in development in HCSD) requested to be transferred to Dublin Schools – State Board of Education denied the request.
- March 1996 Mid States Development (on behalf of residents) requested that 130 acres be transferred to Dublin Schools – State Board of Education denied the request.
- January 1994 Developer (on behalf of 3 property owners) requested that 38.5 acres be transferred to Dublin Schools – State Board of Education approved based on 1) land not developed so no student disruption & 2) Dublin's neighborhood school philosophy.

# Questions & Answers

# Thank you!