



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 208  
135<sup>th</sup> General Assembly

## Bill Analysis

[Click here for S.B. 208's Fiscal Note](#)

**Version:** As Passed by the Senate

**Primary Sponsor:** Sen. Roegner

Holly Gilman, Attorney

### SUMMARY

- Requires school districts to include an exception for military children in open enrollment policies.

### DETAILED ANALYSIS

#### Open enrollment for military children

Under current law, each city, local, and exempted village school district in Ohio must adopt a resolution establishing an interdistrict open enrollment policy that does one of the following:<sup>1</sup>

1. Entirely prohibits open enrollment, with the exception of students who pay tuition;
2. Permits open enrollment only of students from adjacent districts; or
3. Permits open enrollment of students from any other districts.

The bill creates an additional exception that applies to districts that otherwise entirely prohibit open enrollment or only accept open enrollment of students from adjacent districts. The bill requires these districts to permit a student who is not a native student of the district to open enroll in the district if the student's parent is an active duty member of the armed forces of the United States who is stationed in Ohio and who provides the district a copy of the parent's official written order verifying the parent's status as an active duty member of the armed forces.<sup>2</sup> A "native student" is a student who is entitled under law, generally based on residence in a school

<sup>1</sup> R.C. 3313.98(B)(1).

<sup>2</sup> R.C. 3313.98(I)(1).

district, to attend school in that district.<sup>3</sup> Under the bill, an active duty member of the armed forces is a member of the United States Army, Navy, Air Force, Space Force, Marine Corps, or Coast Guard who is on full-time duty.<sup>4</sup>

The bill requires districts enrolling a military child under the new exception to comply with the same procedures required by law for other open enrollments. Additionally, the bill prohibits districts from charging tuition for military children who enroll under the exception.<sup>5</sup>

The bill also sets requirements for the classification of students who open enroll in a district under the bill, for purposes of enrollment reporting and transportation services. If a student who is not a native student of the district enrolls in a district that otherwise prohibits open enrollment, then the student must be classified as an “other district student.”<sup>6</sup> A student who is not a native student of the district or an adjacent district and who enrolls in a district with an open enrollment policy only for students from an adjacent district must be considered an “adjacent district student” for purposes of enrollment reporting and transportation services.<sup>7</sup>

---

## HISTORY

Action	Date
Introduced	12-19-23
Reported, S. Education	05-22-24
Passed Senate (31-0)	05-22-24

---

ANSB0208PS-135/ts

---

<sup>3</sup> R.C. 3313.98(A)(2); see also R.C. 3313.64 and 3313.65, not in the bill.

<sup>4</sup> R.C. 3313.98(A)(11) and (12).

<sup>5</sup> R.C. 3313.98(I)(2).

<sup>6</sup> R.C. 3313.98(I)(3); see also R.C. 3313.981, 3315.18, and 3317.03, not in the bill.

<sup>7</sup> R.C. 3313.98(I)(4).