



# Ohio Legislative Service Commission

## Bill Analysis

Carol Napp

### H.B. 556

131st General Assembly  
(As Introduced)

**Reps.** Duffey and Bishoff

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## BILL SUMMARY

- Specifies that, on or after the bill's effective date, the boundaries of any school district that is a party to an annexation ("win/win") agreement on that date "shall not be changed" if the district board passes a resolution to that effect.

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## CONTENT AND OPERATION

### Boundaries of school districts that are parties to an annexation agreement

The bill specifies that, on or after its effective date, the boundaries of any school district that is a party to an annexation ("win/win") agreement on that date "shall not be changed" if the district board passes a resolution to that effect. In other words, the board of a district that is a party to a "win/win" agreement on or after the bill's effective date must pass a resolution in order for its boundaries to become permanent under the bill's provisions.<sup>1</sup>

### Background – annexation ("win/win") agreements

Under continuing law, when part of the territory of a school district is annexed by a city or village, the determination of whether the territory is also transferred to the school district serving that city or village is subject to the approval of the State Board of Education, unless the districts have entered into an "annexation agreement."<sup>2</sup> Such an agreement is specifically authorized between an "urban school district" and its neighboring suburban school districts. An "urban school district," under the statute, is a "city" school district with an average daily membership (student count for state funding

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<sup>1</sup> R.C. 3311.06(J).

<sup>2</sup> R.C. 3311.06(C)(2).

purposes) for the 1985-1986 school year in excess of 20,000.<sup>3</sup> The terms of the agreement, instead of statutory law or the State Board, control the transfer of territory that is annexed by the city served by the urban school district. If the agreement does not specify how a particular portion of annexed territory is to be dealt with, the statute requires the boards of education of the district in which the territory is located and the urban school district to negotiate the transfer of the territory. If the boards cannot agree on how the territory is to be transferred, within 90 days after the effective date of municipal annexation, the territory is to be transferred to the urban school district.<sup>4</sup>

Under an annexation agreement, the suburban school districts may retain some of the annexed territory but may make a payment to the urban school district in exchange for tax revenue that the urban school district would have received as a result of improvements if all of the annexed territory had transferred to it. The urban district, too, might make payments to suburban districts in exchange for their costs associated with municipal annexation.<sup>5</sup> Since all of the parties presumably benefit from the terms of the annexation agreement, which is negotiated among the parties, the agreement is frequently called a "win/win" agreement. The only such agreement is one between the Columbus City School District and most of its surrounding suburban school districts. It was entered into initially in 1986 and is renewable under its own terms every six years.

An annexation agreement may be altered, modified, or terminated only by agreement of all school districts that are parties to the agreement. On the other hand, if any provision affects only the urban school district and one of the other districts that is a party, that district and the urban district may modify or alter that provision of the agreement. Alterations, modifications, terminations, and extensions of an agreement do not have to be approved by the State Board, but they must be filed with the State Board after execution by the parties.<sup>6</sup>

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## HISTORY

ACTION	DATE
Introduced	05-10-16

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<sup>3</sup> R.C. 3311.06(A)(3).

<sup>4</sup> R.C. 3311.06(E) and (F).

<sup>5</sup> R.C. 3311.06(F).

<sup>6</sup> R.C. 3311.06(F).

