

R.C. 3311.22
Transfer of Territory within an Educational Service Center
(Initiated by Voters in Territory to be Transferred)

Initiated by	Qualified electors in the territory to be transferred in a number equal to 55% of qualified electors in the territory voting at the last general election.
Prerequisite Findings	None
Procedure	<ul style="list-style-type: none"> • Qualified electors in the territory to be transferred in a number equal to 55% of qualified electors in the territory voting at the last general election file a petition proposing transfer with the Educational Service Center ("ESC") Superintendent. • The ESC Superintendent submits such petition to the Board of Elections ("BOE") to check the sufficiency of signatures on the petition. • Within 30 days of the receipt of the petition, the ESC Superintendent presents petition to ESC Governing Board ("ESC Board"), which certifies the petition to the BOE for placement on the ballot at the next election that is not less than 90 days from the date of such certification. <ul style="list-style-type: none"> • If a majority of qualified electors in the territory vote to approve the transfer, the ESC Board sets date of transfer any time prior to next succeeding July 1. • If a majority of qualified electors in the territory fail to approve the transfer, a transfer involving part of all of the area proposed to be transferred is barred for a minimum of two years.
Effective Date	As determined by ESC Board resolution, but prior to next succeeding July 1.
Referendum/Bars to Transfer	None
"Receiving" Board's Discretion to Accept Territory	Within 30 days of the election, the Board of Education of the receiving school district has discretion to accept or reject the transfer. If a school district's territory is being transferred to more than one district, refusal of any receiving Board to accept the territory voids the entire proposed transfer.
Contiguity Requirements	Transfers must be made to school districts adjoining the territory to be transferred <u>unless</u> the Board of the transferring school district has entered into an agreement to maintain a school jointly with a school district in another state under R.C. 3313.42.
School District Funds	"Divided equitably" by the ESC Board.
School District Property	Title to any property in transferred areas is vested in the Receiving School District.
Net Indebtedness	Apportioned among the Receiving School Districts and original district (if not all territory transferred) according to percentage of assessed valuation transferred.
Property Taxes	Statute is silent.
Foundation Payments	Guaranteed for 3 years at level of funding received in year of transfer.
Other Financial Considerations	Statute is silent.
Board of Education	<ul style="list-style-type: none"> • Abolished if the school district's entire territory is transferred. • In the case of a partial transfer, board members residing in the areas transferred from the school district cease to be board members of such school district.