



Ohio Administrative Code

Rule 3302-89-02 Procedures of the state board of education in a request for transfer of territory under section 3311.06 or 3311.24 of the Revised Code.

Effective: April 20, 2026

(A) Initial requests by school district or a board of education

(1) A school district may request a transfer of certain territory for school purposes under section 3311.06 of the Revised Code by sending an initial letter requesting the land transfer to the state board of education and including copies of:

(a) The resolution of the requesting board of education;

(b) Each annexation ordinance identified by number;

(c) A map showing the area(s) being considered for transfer;

(d) Evidence that good faith negotiations occurred or requesting board of education made good faith efforts to host negotiations; and

(e) If negotiations occurred and the parties did not reach an agreement, a statement signed by all participating boards listing the terms agreed on and the points on which no agreement could be reached.

(2) Under the provisions of section 3311.24 of the Revised Code, if the board of education of a city or exempted village school district deems it advisable to transfer territory from such district to an adjoining city, exempted village, or county school district, then the board of education of the district in which the proposal originates shall file the request, along with a map showing the boundaries of the territory proposed to be transferred, with the state board of education prior to the first day of April in any even-numbered year.

The board of education must file copies of the documents set forth in paragraphs (A)(1)(a) to (A)(1)(e) of this rule when it files the proposal.

(3) Upon receipt of a negotiated agreement, the state board of education shall determine whether to approve the agreement and adopt a resolution. The state board of education may conduct a hearing before determining whether to approve or disapprove the negotiated agreement.

(B) Request by person(s)

(1) A person(s) interested in requesting a transfer of territory from one school district to another, for school purposes, pursuant to section 3311.24 of the Revised Code, may petition to do so through the resident board of education.



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- (2) The board of education of the district in which such a proposal originates, regardless of its position on the proposed transfer, shall file the proposal, together with a map showing the boundaries of the territories proposed to be transferred, with the state board of education prior to the first day of April in any even-numbered year.
- (3) The board of education of the district in which the proposal originates by petition of qualified electors residing within the portion of the school district proposed to be transferred shall cause the board of elections to check the sufficiency of signatures on the petition and shall notify the state board of education of such determination.
- (C) A school district or a party initiating a request for transfer of territory shall serve a copy of the request on the school district(s) affected by the proposed transfer and shall indicate such service on the request which is filed with the state board of education.
- (D) Upon receipt of the initial request for a transfer of territory under section 3311.06 or division (A) of section 3311.24 of the Revised Code, or upon determination by the state board of education that negotiations pursuant to rule 3301-89-04 of the Administrative Code have failed to produce an agreement, the state board of education shall send to each of the school districts involved in the proposed land transfer a notice of the opportunity to submit a position statement within thirty days of the parties receiving the notice . Additionally, the state board of education will obtain the most recent district-level report cards developed pursuant to section 3302.03 of the Revised Code from the department of education and workforce for each of the involved school districts.
- (E) After the involved school districts and petitioner(s) complete and send it to the state board of education, the state board of education will serve copies on the other school district(s) and petitioner(s) affected by the proposed transfer . The state board of education will then provide the parties with the opportunity to supplement their position statements within ten days of receiving copies of all the parties' position statements .
- (F) The board will notify the parties of the opportunity for hearing. If a request for a hearing is subsequently received by the state board of education, a hearing officer shall be appointed and a hearing date shall be established by the hearing officer and the parties interested in participating in the hearing.. If a hearing is not requested, any position statements received by the state board of education, as well as the report card and five-year forecast obtained in paragraph (D) of this rule, will be presented to the board at its next regularly



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scheduled meeting, and the board will make a determination whether to approve the proposed transfer based on an evidentiary review.

(G) The data and documents received by the state board of education under this chapter shall become part of the record of the hearing for consideration by the hearing officer.

(H) In making a report and recommendation to the state board of education, the hearing officer shall be governed by the provisions of Chapter 3301-89 of the Administrative Code. Within thirty days after the conclusion of the hearing on the proposed transfer, the hearing officer should submit to the state board of education a report and recommendation.

(1) Upon receipt of the hearing officer's report and recommendation, the state board of education shall mail it to the school districts and any other affected parties.

(2) Upon receipt of the hearing officer's report and recommendation, the affected parties will have ten days to submit written objections to the report to the state board of education.

Any party that files objections shall serve a copy of the objections on all affected parties.

(3) Any affected party may file a response to the objections. Such response must be filed with the state board of education within ten days after the objections are mailed to the state board of education, and a copy must be served on all other affected parties.

(I) After the time for filing objections and responses has ended, the state board education will then consider the hearing officer's report and recommendation, objections, and responses, and adopt a resolution which approves, disapproves, or modifies the recommendation of the hearing officer. The decision of the state board of education will be made solely on the record of the hearing, the report of the hearing officer and any objections or responses filed by the parties.

(J) When a determination concerning a transfer of territory will be made by the state board of education, the state board of education shall notify the school districts and other affected parties of the time and place the matter will be considered by the state board of education.