

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

H. B. No. 686

Representative Barnes

A BILL

To amend sections 133.06, 3302.036, 3302.042, 1
3302.12, 3302.16, 3302.17, 3302.18, 3310.03, 2
3311.29, and 3314.102; to enact new section 3
3302.10 and sections 3301.132, 3301.41, 4
3313.361, and 3333.27; and to repeal sections 5
3302.10 and 3302.11 of the Revised Code; to 6
amend Sections 265.10, 265.210, and 265.323 of 7
H.B. 49 of the 132nd General Assembly and to 8
repeal Sections 4, 5, and 6 of H.B. 70 of the 9
131st General Assembly to enact the "Student 10
Transformative Academic Restoration Act" to 11
abolish academic distress commissions and to 12
instead require the creation of community 13
learning centers for poor performing districts, 14
to establish an office of grants and 15
philanthropic gestures within the Department of 16
Education, to create the State Business 17
Intervention Fund, to create a teacher education 18
advancement program, and to modify earmarked 19
appropriations for academic distress 20
commissions. 21

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 133.06, 3302.036, 3302.042, 22
3302.12, 3302.16, 3302.17, 3302.18, 3310.03, 3311.29, and 23
3314.102 be amended and new section 3302.10 and sections 24
3301.132, 3301.41, 3313.361, and 3333.27 of the Revised Code be 25
enacted to read as follows: 26

Sec. 133.06. (A) A school district shall not incur, 27
without a vote of the electors, net indebtedness that exceeds an 28
amount equal to one-tenth of one per cent of its tax valuation, 29
except as provided in divisions (G) and (H) of this section and 30
in division (D) of section 3313.372 of the Revised Code, or as 31
prescribed in section 3318.052 or 3318.44 of the Revised Code, 32
or as provided in division (J) of this section. 33

(B) Except as provided in divisions (E), (F), and (I) of 34
this section, a school district shall not incur net indebtedness 35
that exceeds an amount equal to nine per cent of its tax 36
valuation. 37

(C) A school district shall not submit to a vote of the 38
electors the question of the issuance of securities in an amount 39
that will make the district's net indebtedness after the 40
issuance of the securities exceed an amount equal to four per 41
cent of its tax valuation, unless the superintendent of public 42
instruction, acting under policies adopted by the state board of 43
education, and the tax commissioner, acting under written 44
policies of the commissioner, consent to the submission. A 45
request for the consents shall be made at least one hundred 46
twenty days prior to the election at which the question is to be 47
submitted. 48

The superintendent of public instruction shall certify to 49
the district the superintendent's and the tax commissioner's 50
decisions within thirty days after receipt of the request for 51

consents. 52

If the electors do not approve the issuance of securities 53
at the election for which the superintendent of public 54
instruction and tax commissioner consented to the submission of 55
the question, the school district may submit the same question 56
to the electors on the date that the next special election may 57
be held under section 3501.01 of the Revised Code without 58
submitting a new request for consent. If the school district 59
seeks to submit the same question at any other subsequent 60
election, the district shall first submit a new request for 61
consent in accordance with this division. 62

(D) In calculating the net indebtedness of a school 63
district, none of the following shall be considered: 64

(1) Securities issued to acquire school buses and other 65
equipment used in transporting pupils or issued pursuant to 66
division (D) of section 133.10 of the Revised Code; 67

(2) Securities issued under division (F) of this section, 68
under section 133.301 of the Revised Code, and, to the extent in 69
excess of the limitation stated in division (B) of this section, 70
under division (E) of this section; 71

(3) Indebtedness resulting from the dissolution of a joint 72
vocational school district under section 3311.217 of the Revised 73
Code, evidenced by outstanding securities of that joint 74
vocational school district; 75

(4) Loans, evidenced by any securities, received under 76
sections 3313.483, 3317.0210, and 3317.0211 of the Revised Code; 77

(5) Debt incurred under section 3313.374 of the Revised 78
Code; 79

(6) Debt incurred pursuant to division (B) (5) of section 3313.37 of the Revised Code to acquire computers and related hardware;	80 81 82
(7) Debt incurred under section 3318.042 of the Revised Code;	83 84
(8) Debt incurred under section 5705.2112 or 5705.2113 of the Revised Code by the fiscal board of a qualifying partnership of which the school district is a participating school district.	85 86 87
(E) A school district may become a special needs district as to certain securities as provided in division (E) of this section.	88 89 90
(1) A board of education, by resolution, may declare its school district to be a special needs district by determining both of the following:	91 92 93
(a) The student population is not being adequately serviced by the existing permanent improvements of the district.	94 95
(b) The district cannot obtain sufficient funds by the issuance of securities within the limitation of division (B) of this section to provide additional or improved needed permanent improvements in time to meet the needs.	96 97 98 99
(2) The board of education shall certify a copy of that resolution to the superintendent of public instruction with a statistical report showing all of the following:	100 101 102
(a) The history of and a projection of the growth of the tax valuation;	103 104
(b) The projected needs;	105
(c) The estimated cost of permanent improvements proposed	106

to meet such projected needs. 107

(3) The superintendent of public instruction shall certify 108
the district as an approved special needs district if the 109
superintendent finds both of the following: 110

(a) The district does not have available sufficient 111
additional funds from state or federal sources to meet the 112
projected needs. 113

(b) The projection of the potential average growth of tax 114
valuation during the next five years, according to the 115
information certified to the superintendent and any other 116
information the superintendent obtains, indicates a likelihood 117
of potential average growth of tax valuation of the district 118
during the next five years of an average of not less than one 119
and one-half per cent per year. The findings and certification 120
of the superintendent shall be conclusive. 121

(4) An approved special needs district may incur net 122
indebtedness by the issuance of securities in accordance with 123
the provisions of this chapter in an amount that does not exceed 124
an amount equal to the greater of the following: 125

(a) Twelve per cent of the sum of its tax valuation plus 126
an amount that is the product of multiplying that tax valuation 127
by the percentage by which the tax valuation has increased over 128
the tax valuation on the first day of the sixtieth month 129
preceding the month in which its board determines to submit to 130
the electors the question of issuing the proposed securities; 131

(b) Twelve per cent of the sum of its tax valuation plus 132
an amount that is the product of multiplying that tax valuation 133
by the percentage, determined by the superintendent of public 134
instruction, by which that tax valuation is projected to 135

increase during the next ten years.	136
(F) A school district may issue securities for emergency purposes, in a principal amount that does not exceed an amount equal to three per cent of its tax valuation, as provided in this division.	137 138 139 140
(1) A board of education, by resolution, may declare an emergency if it determines both of the following:	141 142
(a) School buildings or other necessary school facilities in the district have been wholly or partially destroyed, or condemned by a constituted public authority, or that such buildings or facilities are partially constructed, or so constructed or planned as to require additions and improvements to them before the buildings or facilities are usable for their intended purpose, or that corrections to permanent improvements are necessary to remove or prevent health or safety hazards.	143 144 145 146 147 148 149 150
(b) Existing fiscal and net indebtedness limitations make adequate replacement, additions, or improvements impossible.	151 152
(2) Upon the declaration of an emergency, the board of education may, by resolution, submit to the electors of the district pursuant to section 133.18 of the Revised Code the question of issuing securities for the purpose of paying the cost, in excess of any insurance or condemnation proceeds received by the district, of permanent improvements to respond to the emergency need.	153 154 155 156 157 158 159
(3) The procedures for the election shall be as provided in section 133.18 of the Revised Code, except that:	160 161
(a) The form of the ballot shall describe the emergency existing, refer to this division as the authority under which the emergency is declared, and state that the amount of the	162 163 164

proposed securities exceeds the limitations prescribed by 165
division (B) of this section; 166

(b) The resolution required by division (B) of section 167
133.18 of the Revised Code shall be certified to the county 168
auditor and the board of elections at least one hundred days 169
prior to the election; 170

(c) The county auditor shall advise and, not later than 171
ninety-five days before the election, confirm that advice by 172
certification to, the board of education of the information 173
required by division (C) of section 133.18 of the Revised Code; 174

(d) The board of education shall then certify its 175
resolution and the information required by division (D) of 176
section 133.18 of the Revised Code to the board of elections not 177
less than ninety days prior to the election. 178

(4) Notwithstanding division (B) of section 133.21 of the 179
Revised Code, the first principal payment of securities issued 180
under this division may be set at any date not later than sixty 181
months after the earliest possible principal payment otherwise 182
provided for in that division. 183

(G) (1) The board of education may contract with an 184
architect, professional engineer, or other person experienced in 185
the design and implementation of energy conservation measures 186
for an analysis and recommendations pertaining to installations, 187
modifications of installations, or remodeling that would 188
significantly reduce energy consumption in buildings owned by 189
the district. The report shall include estimates of all costs of 190
such installations, modifications, or remodeling, including 191
costs of design, engineering, installation, maintenance, 192
repairs, measurement and verification of energy savings, and 193

debt service, forgone residual value of materials or equipment 194
replaced by the energy conservation measure, as defined by the 195
Ohio facilities construction commission, a baseline analysis of 196
actual energy consumption data for the preceding three years 197
with the utility baseline based on only the actual energy 198
consumption data for the preceding twelve months, and estimates 199
of the amounts by which energy consumption and resultant 200
operational and maintenance costs, as defined by the commission, 201
would be reduced. 202

If the board finds after receiving the report that the 203
amount of money the district would spend on such installations, 204
modifications, or remodeling is not likely to exceed the amount 205
of money it would save in energy and resultant operational and 206
maintenance costs over the ensuing fifteen years, the board may 207
submit to the commission a copy of its findings and a request 208
for approval to incur indebtedness to finance the making or 209
modification of installations or the remodeling of buildings for 210
the purpose of significantly reducing energy consumption. 211

The facilities construction commission, in consultation 212
with the auditor of state, may deny a request under division (G) 213
(1) of this section by the board of education of any school 214
district that is in a state of fiscal watch pursuant to division 215
(A) of section 3316.03 of the Revised Code, if it determines 216
that the expenditure of funds is not in the best interest of the 217
school district. 218

No district board of education of a school district that 219
is in a state of fiscal emergency pursuant to division (B) of 220
section 3316.03 of the Revised Code shall submit a request 221
without submitting evidence that the installations, 222
modifications, or remodeling have been approved by the 223

district's financial planning and supervision commission 224
established under section 3316.05 of the Revised Code. 225

~~No board of education of a school district for which an 226
academic distress commission has been established under section 227
3302.10 of the Revised Code shall submit a request without first 228
receiving approval to incur indebtedness from the district's 229
academic distress commission established under that section, for 230
so long as such commission continues to be required for the 231
district. 232~~

(2) The board of education may contract with a person 233
experienced in the implementation of student transportation to 234
produce a report that includes an analysis of and 235
recommendations for the use of alternative fuel vehicles by 236
school districts. The report shall include cost estimates 237
detailing the return on investment over the life of the 238
alternative fuel vehicles and environmental impact of 239
alternative fuel vehicles. The report also shall include 240
estimates of all costs associated with alternative fuel 241
transportation, including facility modifications and vehicle 242
purchase costs or conversion costs. 243

If the board finds after receiving the report that the 244
amount of money the district would spend on purchasing 245
alternative fuel vehicles or vehicle conversion is not likely to 246
exceed the amount of money it would save in fuel and resultant 247
operational and maintenance costs over the ensuing five years, 248
the board may submit to the commission a copy of its findings 249
and a request for approval to incur indebtedness to finance the 250
purchase of new alternative fuel vehicles or vehicle conversions 251
for the purpose of reducing fuel costs. 252

The facilities construction commission, in consultation 253

with the auditor of state, may deny a request under division (G) 254
(2) of this section by the board of education of any school 255
district that is in a state of fiscal watch pursuant to division 256
(A) of section 3316.03 of the Revised Code, if it determines 257
that the expenditure of funds is not in the best interest of the 258
school district. 259

No district board of education of a school district that 260
is in a state of fiscal emergency pursuant to division (B) of 261
section 3316.03 of the Revised Code shall submit a request 262
without submitting evidence that the purchase or conversion of 263
alternative fuel vehicles has been approved by the district's 264
financial planning and supervision commission established under 265
section 3316.05 of the Revised Code. 266

~~No board of education of a school district for which an 267
academic distress commission has been established under section 268
3302.10 of the Revised Code shall submit a request without first 269
receiving approval to incur indebtedness from the district's 270
academic distress commission established under that section, for 271
so long as such commission continues to be required for the 272
district. 273~~

(3) The facilities construction commission shall approve 274
the board's request provided that the following conditions are 275
satisfied: 276

(a) The commission determines that the board's findings 277
are reasonable. 278

(b) The request for approval is complete. 279

(c) If the request was submitted under division (G)(1) of 280
this section, the installations, modifications, or remodeling 281
are consistent with any project to construct or acquire 282

classroom facilities, or to reconstruct or make additions to 283
existing classroom facilities under sections 3318.01 to 3318.20 284
or sections 3318.40 to 3318.45 of the Revised Code. 285

Upon receipt of the commission's approval, the district 286
may issue securities without a vote of the electors in a 287
principal amount not to exceed nine-tenths of one per cent of 288
its tax valuation for the purpose specified in division (G) (1) 289
or (2) of this section, but the total net indebtedness of the 290
district without a vote of the electors incurred under this and 291
all other sections of the Revised Code, except section 3318.052 292
of the Revised Code, shall not exceed one per cent of the 293
district's tax valuation. 294

(4) (a) So long as any securities issued under division (G) 295
(1) of this section remain outstanding, the board of education 296
shall monitor the energy consumption and resultant operational 297
and maintenance costs of buildings in which installations or 298
modifications have been made or remodeling has been done 299
pursuant to that division. Except as provided in division (G) (4) 300
(b) of this section, the board shall maintain and annually 301
update a report in a form and manner prescribed by the 302
facilities construction commission documenting the reductions in 303
energy consumption and resultant operational and maintenance 304
cost savings attributable to such installations, modifications, 305
or remodeling. The resultant operational and maintenance cost 306
savings shall be certified by the school district treasurer. The 307
report shall be submitted annually to the commission. 308

(b) If the facilities construction commission verifies 309
that the certified annual reports submitted to the commission by 310
a board of education under division (G) (4) (a) of this section 311
fulfill the guarantee required under division (B) of section 312

3313.372 of the Revised Code for three consecutive years, the 313
board of education shall no longer be subject to the annual 314
reporting requirements of division (G) (4) (a) of this section. 315

(5) So long as any securities issued under division (G) (2) 316
of this section remain outstanding, the board of education shall 317
monitor the purchase of new alternative fuel vehicles or vehicle 318
conversions pursuant to that division. The board shall maintain 319
and annually update a report in a form and manner prescribed by 320
the facilities construction commission documenting the purchase 321
of new alternative fuel vehicles or vehicle conversions, the 322
associated environmental impact, and return on investment. The 323
resultant fuel and operational and maintenance cost savings 324
shall be certified by the school district treasurer. The report 325
shall be submitted annually to the commission. 326

(H) With the consent of the superintendent of public 327
instruction, a school district may incur without a vote of the 328
electors net indebtedness that exceeds the amounts stated in 329
divisions (A) and (G) of this section for the purpose of paying 330
costs of permanent improvements, if and to the extent that both 331
of the following conditions are satisfied: 332

(1) The fiscal officer of the school district estimates 333
that receipts of the school district from payments made under or 334
pursuant to agreements entered into pursuant to section 725.02, 335
1728.10, 3735.671, 5709.081, 5709.082, 5709.40, 5709.41, 336
5709.45, 5709.62, 5709.63, 5709.632, 5709.73, 5709.78, or 337
5709.82 of the Revised Code, or distributions under division (C) 338
of section 5709.43 or division (B) of section 5709.47 of the 339
Revised Code, or any combination thereof, are, after accounting 340
for any appropriate coverage requirements, sufficient in time 341
and amount, and are committed by the proceedings, to pay the 342

debt charges on the securities issued to evidence that 343
indebtedness and payable from those receipts, and the taxing 344
authority of the district confirms the fiscal officer's 345
estimate, which confirmation is approved by the superintendent 346
of public instruction; 347

(2) The fiscal officer of the school district certifies, 348
and the taxing authority of the district confirms, that the 349
district, at the time of the certification and confirmation, 350
reasonably expects to have sufficient revenue available for the 351
purpose of operating such permanent improvements for their 352
intended purpose upon acquisition or completion thereof, and the 353
superintendent of public instruction approves the taxing 354
authority's confirmation. 355

The maximum maturity of securities issued under division 356
(H) of this section shall be the lesser of twenty years or the 357
maximum maturity calculated under section 133.20 of the Revised 358
Code. 359

(I) A school district may incur net indebtedness by the 360
issuance of securities in accordance with the provisions of this 361
chapter in excess of the limit specified in division (B) or (C) 362
of this section when necessary to raise the school district 363
portion of the basic project cost and any additional funds 364
necessary to participate in a project under Chapter 3318. of the 365
Revised Code, including the cost of items designated by the 366
facilities construction commission as required locally funded 367
initiatives, the cost of other locally funded initiatives in an 368
amount that does not exceed fifty per cent of the district's 369
portion of the basic project cost, and the cost for site 370
acquisition. The commission shall notify the superintendent of 371
public instruction whenever a school district will exceed either 372

limit pursuant to this division. 373

(J) A school district whose portion of the basic project 374
cost of its classroom facilities project under sections 3318.01 375
to 3318.20 of the Revised Code is greater than or equal to one 376
hundred million dollars may incur without a vote of the electors 377
net indebtedness in an amount up to two per cent of its tax 378
valuation through the issuance of general obligation securities 379
in order to generate all or part of the amount of its portion of 380
the basic project cost if the controlling board has approved the 381
facilities construction commission's conditional approval of the 382
project under section 3318.04 of the Revised Code. The school 383
district board and the Ohio facilities construction commission 384
shall include the dedication of the proceeds of such securities 385
in the agreement entered into under section 3318.08 of the 386
Revised Code. No state moneys shall be released for a project to 387
which this section applies until the proceeds of any bonds 388
issued under this section that are dedicated for the payment of 389
the school district portion of the project are first deposited 390
into the school district's project construction fund. 391

Sec. 3301.132. (A) The department of education shall 392
establish an office of grants and philanthropic gestures. The 393
office shall do all of the following: 394

(1) Assemble information, and serve as a clearinghouse 395
making information available to the public, regarding each 396
grant, and the criteria for applying to receive each grant, that 397
may be available from this state and from the federal 398
government, and all sources of private, philanthropic 399
assistance, financial or otherwise, that are available to 400
residents of this state; 401

(2) Solicit private donations to provide grants and 402

<u>assistance, financial or otherwise, for economic development,</u>	403
<u>health, safety, and morals;</u>	404
<u>(3) Identify barriers to, and suggest ways of removing</u>	405
<u>barriers to, entry into business, including entry into foreign</u>	406
<u>markets, for residents of this state;</u>	407
<u>(4) Establish a liaison in each big-eight school district,</u>	408
<u>as defined by division (A)(4) of section 3314.02 of the Revised</u>	409
<u>Code, who will work to disseminate information and resources</u>	410
<u>developed by the department at the local level;</u>	411
<u>(5) Create public-private partnerships to eradicate at-</u>	412
<u>risk factors for students in the schools of this state that</u>	413
<u>include, but are not limited to, the following:</u>	414
<u>(a) Hunger;</u>	415
<u>(b) Single-parent households;</u>	416
<u>(c) Poverty;</u>	417
<u>(d) Undiagnosed physiological issues;</u>	418
<u>(e) Neglect;</u>	419
<u>(f) Substance abuse;</u>	420
<u>(g) Undiagnosed learning disabilities;</u>	421
<u>(h) Medical issues;</u>	422
<u>(i) Literacy problems;</u>	423
<u>(j) Truancy;</u>	424
<u>(k) Teen pregnancy;</u>	425
<u>(l) Harassment, intimidation, and bullying;</u>	426
<u>(m) Lack of parental support;</u>	427

(n) Lack of early childhood education; 428

(o) Neighborhood and gang violence. 429

The partnerships should focus on career-technical and 430
vocational education strategies for both long- and short-term 431
business needs of the community. 432

(B) If a grant or assistance is based on a private 433
donation solicited by the office, the office shall ensure that 434
the grant or assistance is provided in cooperation with the 435
donor, and that any instructions the donor may have given with 436
regard to the donation are complied with to the extent permitted 437
by state law, including section 3313.36 of the Revised Code. 438

(C) The office may receive and accept gifts, grants, 439
donations, and similar funds from any lawful source to be used 440
for purposes of this section. The funds shall be deposited in 441
the state treasury to the credit of the office of grants and 442
philanthropic gestures, gifts and grants fund, which is hereby 443
created. 444

(D) The office may contract with, retain the services of, 445
or designate, and fix the compensation of, consultant, advisers, 446
and other independent contractors as may be necessary or 447
desirable to carry out this section. The office shall create a 448
registry of these consultants, advisers, and other independent 449
contractors and shall make the registry available to the public. 450

Sec. 3301.41. There is hereby created in the state 451
treasury the state business intervention fund. Unexpended and 452
unencumbered funds appropriated to the department of education 453
for the operation of academic distress commissions under former 454
section 3302.10 of the Revised Code, as it existed prior to the 455
effective date of this section, shall be deposited into the 456

fund. All investment earnings of the fund shall be credited to 457
the fund. The department shall use the money in the fund to 458
engage business intervention teams or individuals trained in 459
business origination and analysis to help school districts deal 460
with administrative issues and issues affecting at-risk 461
students. 462

Sec. 3302.036. (A) Notwithstanding anything in the Revised 463
Code to the contrary, the department of education shall not 464
assign an overall letter grade under division (C) (3) of section 465
3302.03 of the Revised Code for any school district or building 466
for the 2014-2015, 2015-2016, or 2016-2017 school years, may, at 467
the discretion of the state board of education, not assign an 468
individual grade to any component prescribed under division (C) 469
(3) of section 3302.03 of the Revised Code, and shall not rank 470
school districts, community schools established under Chapter 471
3314. of the Revised Code, or STEM schools established under 472
Chapter 3326. of the Revised Code under section 3302.21 of the 473
Revised Code for those school years. The report card ratings 474
issued for the 2014-2015, 2015-2016, or 2016-2017 school years 475
shall not be considered in determining whether a school district 476
or a school is subject to sanctions or penalties. However, the 477
report card ratings of any previous or subsequent years shall be 478
considered in determining whether a school district or building 479
is subject to sanctions or penalties. Accordingly, the report 480
card ratings for the 2014-2015, 2015-2016, or 2016-2017 school 481
years shall have no effect in determining sanctions or 482
penalties, but shall not create a new starting point for 483
determinations that are based on ratings over multiple years. 484

(B) The provisions from which a district or school is 485
exempt under division (A) of this section shall be the 486
following: 487

(1) Any restructuring provisions established under this chapter, except as required under the "No Child Left Behind Act of 2001";	488 489 490
(2) Provisions for the Columbus city school pilot project under section 3302.042 of the Revised Code;	491 492
(3) Provisions for academic distress commissions under former section 3302.10 of the Revised Code as it existed prior to the effective date of this amendment. The provisions of this section do not apply to academic distress commissions under the version of that section as it exists on or after the effective date of this amendment.	493 494 495 496 497 498
(4) Provisions prescribing new buildings where students are eligible for the educational choice scholarships under section 3310.03 of the Revised Code;	499 500 501
(5) <u>(4)</u> Provisions defining "challenged school districts" in which new start-up community schools may be located, as prescribed in section 3314.02 of the Revised Code;	502 503 504
(6) <u>(5)</u> Provisions prescribing community school closure requirements under section 3314.35 or 3314.351 of the Revised Code.	505 506 507
(C) Notwithstanding anything in the Revised Code to the contrary and except as provided in Section 3 of H.B. 7 of the 131st general assembly, no school district, community school, or STEM school shall utilize at any time during a student's academic career a student's score on any assessment administered under division (A) of section 3301.0710 or division (B) (2) of section 3301.0712 of the Revised Code in the 2014-2015, 2015-2016, or 2016-2017 school year as a factor in any decision to promote or to deny the student promotion to a higher grade level	508 509 510 511 512 513 514 515 516

or in any decision to grant course credit. No individual student 517
score reports on such assessments administered in the 2014-2015, 518
2015-2016, or 2016-2017 school years shall be released, except 519
to a student's school district or school or to the student or 520
the student's parent or guardian. 521

Sec. 3302.042. (A) This section shall operate as a pilot 522
project that applies to any school that has been ranked 523
according to performance index score under section 3302.21 of 524
the Revised Code in the lowest five per cent of all public 525
school buildings statewide for three or more consecutive school 526
years and is operated by the Columbus city school district. The 527
pilot project shall commence once the department of education 528
establishes implementation guidelines for the pilot project in 529
consultation with the Columbus city school district. 530

(B) Except as provided in division (D), (E), or (F) of 531
this section, if the parents or guardians of at least fifty per 532
cent of the students enrolled in a school to which this section 533
applies, or if the parents or guardians of at least fifty per 534
cent of the total number of students enrolled in that school and 535
the schools of lower grade levels whose students typically 536
matriculate into that school, by the thirty-first day of 537
December of any school year in which the school is subject to 538
this section, sign and file with the school district treasurer a 539
petition requesting the district board of education to implement 540
one of the following reforms in the school, and if the validity 541
and sufficiency of the petition is certified in accordance with 542
division (C) of this section, the board shall implement the 543
requested reform in the next school year: 544

(1) Reopen the school as a community school under Chapter 545
3314. of the Revised Code; 546

(2) Replace at least seventy per cent of the school's personnel who are related to the school's poor academic performance or, at the request of the petitioners, retain not more than thirty per cent of the personnel;

(3) Contract with another school district or a nonprofit or for-profit entity with a demonstrated record of effectiveness to operate the school;

(4) Turn operation of the school over to the department;

(5) Any other major restructuring of the school that makes fundamental reforms in the school's staffing or governance.

(C) Not later than thirty days after receipt of a petition under division (B) of this section, the district treasurer shall verify the validity and sufficiency of the signatures on the petition and certify to the district board whether the petition contains the necessary number of valid signatures to require the board to implement the reform requested by the petitioners. If the treasurer certifies to the district board that the petition does not contain the necessary number of valid signatures, any person who signed the petition may file an appeal with the county auditor within ten days after the certification. Not later than thirty days after the filing of an appeal, the county auditor shall conduct an independent verification of the validity and sufficiency of the signatures on the petition and certify to the district board whether the petition contains the necessary number of valid signatures to require the board to implement the requested reform. If the treasurer or county auditor certifies that the petition contains the necessary number of valid signatures, the district board shall notify the superintendent of public instruction and the state board of education of the certification.

(D) The district board shall not implement the reform 577
requested by the petitioners in any of the following 578
circumstances: 579

(1) The district board has determined that the request is 580
for reasons other than improving student academic achievement or 581
student safety. 582

(2) The state superintendent has determined that 583
implementation of the requested reform would not comply with the 584
model of differentiated accountability described in section 585
3302.041 of the Revised Code. 586

(3) The petitioners have requested the district board to 587
implement the reform described in division (B) (4) of this 588
section and the department has not agreed to take over the 589
school's operation. 590

(4) When all of the following have occurred: 591

(a) After a public hearing on the matter, the district 592
board issued a written statement explaining the reasons that it 593
is unable to implement the requested reform and agreeing to 594
implement one of the other reforms described in division (B) of 595
this section. 596

(b) The district board submitted its written statement to 597
the state superintendent and the state board along with evidence 598
showing how the alternative reform the district board has agreed 599
to implement will enable the school to improve its academic 600
performance. 601

(c) Both the state superintendent and the state board have 602
approved implementation of the alternative reform. 603

(E) If the provisions of this section conflict in any way 604

with the requirements of federal law, federal law shall prevail 605
over the provisions of this section. 606

(F) If a school is restructured under this section, or 607
~~section 3302.10~~ or 3302.12 of the Revised Code, or federal law, 608
the school shall not be required to restructure again under 609
state law for three consecutive years after the implementation 610
of that prior restructuring. 611

(G) Beginning not later than six months after the first 612
petition under this section has been resolved, the department of 613
education shall annually evaluate the pilot program and submit a 614
report to the general assembly under section 101.68 of the 615
Revised Code. Such reports shall contain its recommendations to 616
the general assembly with respect to the continuation of the 617
pilot program, its expansion to other school districts, or the 618
enactment of further legislation establishing the program 619
statewide under permanent law. 620

Sec. 3302.10. (A) (1) An academic distress commission 621
organized for a school district under former section 3302.10 of 622
the Revised Code, as it existed prior to the effective date of 623
the enactment of this new section, is hereby dissolved. 624

(2) Each building operated by a school district for which 625
an academic distress commission was created shall begin 626
transitioning to a community learning center model under the 627
mandatory process described in this section. 628

(B) In addition to buildings subject to division (A) (2) of 629
this section, each district board of education shall initiate a 630
community learning center process for any school building to 631
which any of the following applies: 632

(1) The building receives an overall grade of "F" under 633

division (C) (3) of section 3302.03 of the Revised Code for three 634
consecutive years. 635

(2) The building is operated by a municipal school 636
district, as defined by division (A) (1) of section 3311.71 of 637
the Revised Code. 638

(3) The building is operated by a school district that has 639
an average daily membership, as reported under division (A) of 640
section 3317.03 of the Revised Code, greater than sixty thousand 641
and of which the majority of the district's territory is located 642
in a city with a population greater than seven hundred thousand 643
according to the most recent federal decennial census. 644

(C) The school district board of education shall conduct a 645
public information hearing at each school building to which this 646
section applies to inform the community of the community 647
learning center process. The board may do all of the following 648
with regard to the public information hearing: 649

(1) Announce the meeting not less than forty-five days in 650
advance at the school and on the school's or district's web site 651
and use tools to ensure effective communication with individuals 652
with disabilities; 653

(2) Schedule the meeting for an evening or weekend time; 654

(3) Provide interpretation services and written materials 655
in all languages spoken by five per cent or more of the students 656
enrolled in the school; 657

(4) Provide child care services for parents attending the 658
meeting; 659

(5) Provide parents, students, teachers, nonteaching 660
employees, and community members with the opportunity to speak 661

at the meeting; 662

(6) Comply with section 149.43 of the Revised Code. 663

In preparing for the public information hearing, the board 664
or governing authority shall ensure that information about the 665
hearing is broadly distributed throughout the community. 666

The board may enter into an agreement with any civic 667
engagement organizations, community organizations, or employee 668
organizations to support the implementation of the community 669
learning center process. 670

The board shall conduct a follow-up hearing at least once 671
annually until action is further taken under this section with 672
respect to the school building or until the conditions described 673
in division (A) of this section no longer apply to the school 674
building. 675

(D) If a community learning center process is initiated 676
under this section, the board shall create a school action team 677
under section 3302.18 of the Revised Code. Within thirty days 678
upon selection, the school action team shall conduct and 679
complete, in consultation with community partners, a performance 680
audit of the school and review, with parental input, the needs 681
of the school with regard to restructuring under section 3302.12 682
or 3302.042 of the Revised Code, or federal law. 683

The school action team shall provide quarterly updates of 684
its work in a public hearing that complies with the same 685
specifications prescribed in division (C) of this section. 686

(E) Upon completion of the audit and review, the school 687
action team shall present its findings at a public hearing that 688
complies with the same specifications prescribed in division (C) 689
of this section. After the school action team presents its 690

findings at the public hearing, it shall create a community 691
learning center improvement plan that designates appropriate 692
interventions, which may be based on the recommendations 693
developed by the department under division (G)(1)(a) of this 694
section. 695

If there is a federally mandated school improvement 696
planning process, the team shall coordinate its work with that 697
plan. 698

The school action team shall approve the plan by a 699
majority vote. 700

(F) Upon approval of the plan by the school action team, 701
the team shall submit the community learning center improvement 702
plan to the district board of education. 703

The board or governing authority shall evaluate the plan 704
and adopt it in full or adopt portions of the plan. If the board 705
or governing authority does not adopt the plan in full, it shall 706
provide a written explanation of why portions of the plan were 707
rejected. The action team shall then redevelop those portions of 708
the plan in conjunction with the suggestions of the board or 709
governing authority and present those changes within thirty 710
days. 711

(G)(1) The department shall do all of the following with 712
respect to this section: 713

(a) Develop appropriate interventions for a community 714
learning center improvement plan that may be used by a school 715
action team under division (E) of this section; 716

(b) Publish a menu of programs and services that may be 717
offered by community learning centers. The information shall be 718
posted on the department's web site. To compile this 719

information, the department shall solicit input from resource 720
coordinators of existing community learning centers. 721

(c) Provide information regarding implementation of 722
comprehensive community-based programs and supportive services 723
including the community learning center model to school 724
buildings meeting any of the following conditions: 725

(i) The building is in improvement status as defined by 726
the "No Child Left Behind Act of 2001" or under an agreement 727
between the department of education and the United States 728
secretary of education. 729

(ii) The building is a secondary school that is among the 730
lowest achieving fifteen per cent of secondary schools 731
statewide, as determined by the department. 732

(iii) The building is a secondary school with a graduation 733
rate of sixty per cent or lower for three or more consecutive 734
years. 735

(iv) The building is a school that the department 736
determines is persistently low performing. 737

(2) The department may do the following with respect to 738
this section: 739

(a) Provide assistance, facilitation, and training to 740
school action teams in the conducting of the audit required 741
under this section; 742

(b) Provide opportunities for members of school action 743
teams from different schools to share school improvement 744
strategies with parents, teachers, and other relevant 745
stakeholders in higher performing schools; 746

(c) Provide financial support in a school action team's 747

planning process and create a grant program to assist in the 748
implementation of a qualified community learning center plan. 749

(H) Notwithstanding any provision to the contrary in 750
Chapter 4117. of the Revised Code, the requirements of this 751
section prevail over any conflicting provisions of a collective 752
bargaining agreement entered into on or after the effective date 753
of this section. However, the board and the teachers' labor 754
organization may negotiate additional factors to be considered 755
in the adoption of a community learning center plan. 756

Sec. 3302.12. (A) (1) Except as provided in divisions (C) 757
and (D) of this section, this section applies to a school 758
building that is ranked according to performance index score 759
under section 3302.21 of the Revised Code in the lowest five per 760
cent of public school buildings statewide for three consecutive 761
years and that meets any combination of the following for three 762
consecutive years: 763

(a) The school building is declared to be under an 764
academic watch or in a state of academic emergency under section 765
3302.03 of the Revised Code; 766

(b) The school building that has received a grade of "F" 767
for the value-added progress dimension under division (A) (1) (e), 768
(B) (1) (e), or (C) (1) (e) of section 3302.03 of the Revised Code; 769

(c) The school building that has received an overall grade 770
of "F" under section 3302.03 of the Revised Code. 771

(2) In the case of a building to which this section 772
applies, the district board of education in control of that 773
building shall do one of the following at the conclusion of the 774
school year in which the building first becomes subject to this 775
section: 776

(a) Close the school and direct the district 777
superintendent to reassign the students enrolled in the school 778
to other school buildings that demonstrate higher academic 779
achievement; 780

(b) Contract with another school district or a nonprofit 781
or for-profit entity with a demonstrated record of effectiveness 782
to operate the school; 783

(c) Replace the principal and all teaching staff of the 784
school and, upon request from the new principal, exempt the 785
school from all requested policies and regulations of the board 786
regarding curriculum and instruction. The board also shall 787
distribute funding to the school in an amount that is at least 788
equal to the product of the per pupil amount of state and local 789
revenues received by the district multiplied by the student 790
population of the school. 791

(d) Reopen the school as a conversion community school 792
under Chapter 3314. of the Revised Code. 793

(B) If an action taken by the board under division (A) (2) 794
of this section causes the district to no longer maintain all 795
grades kindergarten through twelve, as required by section 796
3311.29 of the Revised Code, the board shall enter into a 797
contract with another school district pursuant to section 798
3327.04 of the Revised Code for enrollment of students in the 799
schools of that other district to the extent necessary to comply 800
with the requirement of section 3311.29 of the Revised Code. 801
Notwithstanding any provision of the Revised Code to the 802
contrary, if the board enters into and maintains a contract 803
under section 3327.04 of the Revised Code, the district shall 804
not be considered to have failed to comply with the requirement 805
of section 3311.29 of the Revised Code. If, however, the 806

district board fails to or is unable to enter into or maintain 807
such a contract, the state board of education shall take all 808
necessary actions to dissolve the district as provided in 809
division (A) of section 3311.29 of the Revised Code. 810

(C) If a particular school is required to restructure 811
under this section and a petition with respect to that same 812
school has been filed and verified under divisions (B) and (C) 813
of section 3302.042 of the Revised Code, the provisions of that 814
section and the petition filed and verified under it shall 815
prevail over the provisions of this section and the school shall 816
be restructured under that section. However, if division (D)(1), 817
(2), or (3) of section 3302.042 of the Revised Code also applies 818
to the school, the school shall be subject to restructuring 819
under this section and not section 3302.042 of the Revised Code. 820

If the provisions of this section conflict in any way with 821
the requirements of federal law, federal law shall prevail over 822
the provisions of this section. 823

(D) If a school is restructured under this section ~~or~~ or 824
section 3302.042 ~~or 3302.10~~ of the Revised Code, or federal law, 825
the school shall not be required to restructure again under 826
state law for three consecutive years after the implementation 827
of that prior restructuring. 828

Sec. 3302.16. (A) (1) As used in sections 3302.10, 3302.17, 829
and 3302.18 of the Revised Code, "community learning center" 830
means a school operated by a city, exempted village, or local 831
school district or community school established under Chapter 832
3314. of the Revised Code that participates in a coordinated, 833
community-based effort with community partners to provide 834
comprehensive educational, developmental, family, and health 835
services to students, families, and community members during 836

school hours and hours in which school is not in session. 837

(2) For purposes of this section and sections 3302.10, 838
3302.17, and 3302.18 of the Revised Code, "community partner" 839
means a provider to students, families, or community members of 840
health care services, on-site resource coordinators, and any 841
other services or programs determined appropriate by a school 842
action team created under section 3302.18 of the Revised Code. 843

(B) Prior to providing health services to a student, a 844
community learning center shall obtain the written consent of 845
the student's parent, guardian, or custodian, if the student is 846
less than eighteen years old, or the written consent of the 847
student, if the student is at least eighteen years old. 848

(C) A community learning center and any employee, 849
contractor, or volunteer of a community learning center shall, 850
in accordance with all applicable state and federal laws, 851
maintain the confidentiality of patient-identifying information 852
obtained in the course of providing health services. 853

Sec. 3302.17. (A) Any school building operated by a city, 854
exempted village, or local school district, or a community 855
school established under Chapter 3314. of the Revised Code ~~is~~ 856
~~eligible to~~ that is not required to initiate a community 857
learning center process under section 3302.10 of the Revised 858
Code may initiate the community learning center process ~~as~~ 859
~~prescribed by~~ in accordance with this section. 860

(B) Beginning with the 2015-2016 school year, each 861
district board of education or community school governing 862
authority may initiate a community learning center process for 863
any school building to which this section applies. 864

First, the board or governing authority shall conduct a 865

public information hearing at each school building to which this 866
section applies to inform the community of the community 867
learning center process. The board or governing authority may do 868
all of the following with regard to the public information 869
hearing: 870

(1) Announce the meeting not less than forty-five days in 871
advance at the school and on the school's or district's web 872
sites and using tools to ensure effective communication with 873
individuals with disabilities; 874

(2) Schedule the meeting for an evening or weekend time; 875

(3) Provide interpretation services and written materials 876
in all languages spoken by five per cent or more of the students 877
enrolled in the school; 878

(4) Provide child care services for parents attending the 879
meeting; 880

(5) Provide parents, students, teachers, nonteaching 881
employees, and community members with the opportunity to speak 882
at the meeting; 883

(6) Comply with section 149.43 of the Revised Code. 884

In preparing for the public information hearing, the board 885
or governing authority shall ensure that information about the 886
hearing is broadly distributed throughout the community. 887

The board or governing authority may enter into an 888
agreement with any civic engagement organizations, community 889
organizations, or employee organizations to support the 890
implementation of the community learning center process. 891

The board or governing authority shall conduct a follow-up 892
hearing at least once annually until action is further taken 893

under the section with respect to the school building or until 894
the conditions described in division (A) of this section no 895
longer apply to the school building. 896

(C) Not sooner than forty-five days after the first public 897
information hearing, the board or governing authority shall 898
conduct an election, by paper ballot, to initiate the process to 899
become a community learning center. Only parents or guardians of 900
students enrolled in the school and students enrolled in a 901
different school operated by a joint vocational school district 902
but are otherwise entitled to attend the school, and teachers 903
and nonteaching employees who are assigned to the school may 904
vote in the election. 905

The board or governing authority shall distribute the 906
ballots by mail and shall make copies available at the school 907
and on the web site of the school. The board or governing 908
authority also may distribute the ballots by directly giving 909
ballots to teachers and nonteaching employees and sending home 910
ballots with every student enrolled in the school building. 911

(D) The board or governing authority shall initiate the 912
transition of the building to a community learning center if the 913
results of the election held under division (C) of this section 914
are as follows: 915

(1) At least fifty per cent of parents and guardians of 916
students enrolled in the eligible school building and students 917
enrolled in a different building operated by a joint vocational 918
school district but who are entitled to attend the school cast 919
ballots by a date set by the board or governing authority, and 920
of those ballots at least sixty-seven per cent are in favor of 921
initiating the process; and 922

(2) At least fifty per cent of teachers and nonteaching employees who are assigned to the school cast ballots by a date set by the board or governing authority, and of those ballots at least sixty-seven per cent are in favor of initiating the process.

(E) If a community learning center process is initiated under this section, the board or governing authority shall create a school action team under section 3302.18 of the Revised Code. Within four months upon selection, the school action team shall conduct and complete, in consultation with community partners, a performance audit of the school and review, with parental input, the needs of the school with regard to restructuring under section ~~3302.10~~, 3302.12~~7~~, or 3302.042 of the Revised Code, or federal law.

The school action team shall provide quarterly updates of its work in a public hearing that complies with the same specifications prescribed in division (B) of this section.

(F) Upon completion of the audit and review, the school action team shall present its findings at a public hearing that complies with the same specifications prescribed in division (B) of this section. After the school action team presents its findings at the public hearing, it shall create a community learning center improvement plan that designates appropriate interventions, which may be based on the recommendations developed by the department under division (H) (1) (b) of this section.

If there is a federally mandated school improvement planning process, the team shall coordinate its work with that plan.

The school action team shall approve the plan by a majority vote.

(G) Upon approval of the plan by the school action team, the team shall submit the community learning center improvement plan to the same individuals described in division (C) of this section. Ballots shall be distributed and an election shall be conducted in the same manner as indicated under that division.

The school action team shall submit the plan to the district board of education or community school governing authority, if the results of the election under division (G) of this section are as follows:

(1) At least thirty per cent of parents and guardians of students enrolled in the eligible school building and students enrolled in a different building operated by a joint vocational school district but who are entitled to attend the school cast ballots by a date set by the board or governing authority, and of those ballots at least fifty per cent are in favor of initiating the process; and

(2) At least thirty per cent of teachers and nonteaching employees who are assigned to the school cast ballots by a date set by the board or governing authority, and of those ballots at least fifty per cent are in favor of initiating the process.

The board or governing authority shall evaluate the plan and determine whether to adopt it. The board or governing authority shall adopt the plan in full or adopt portions of the plan. If the board or governing authority does not adopt the plan in full, it shall provide a written explanation of why portions of the plan were rejected.

(H) (1) The department shall do all of the following with

respect to this section:	981
(a) Adopt rules regarding the elections required under this section;	982 983
(b) Develop appropriate interventions for a community learning center improvement plan that may be used by a school action team under division (F) of this section;	984 985 986
(c) Publish a menu of programs and services that may be offered by community learning centers. The information shall be posted on the department's web site. To compile this information the department shall solicit input from resource coordinators of existing community learning centers + .	987 988 989 990 991
(d) Provide information regarding implementation of comprehensive community-based programs and supportive services including the community learning center model to school buildings meeting any of the following conditions:	992 993 994 995
(i) The building is in improvement status as defined by the "No Child Left Behind Act of 2001" or under an agreement between the Ohio department of education and the United States secretary of education.	996 997 998 999
(ii) The building is a secondary school that is among the lowest achieving fifteen per cent of secondary schools statewide, as determined by the department.	1000 1001 1002
(iii) The building is a secondary school with a graduation rate of sixty per cent or lower for three or more consecutive years.	1003 1004 1005
(iv) The building is a school that the department determines is persistently low-performing.	1006 1007
(2) The department may do the following with respect to	1008

this section: 1009

(a) Provide assistance, facilitation, and training to 1010
school action teams in the conducting of the audit required 1011
under this section; 1012

(b) Provide opportunities for members of school action 1013
teams from different schools to share school improvement 1014
strategies with parents, teachers, and other relevant 1015
stakeholders in higher performing schools; 1016

(c) Provide financial support in a school action team's 1017
planning process and create a grant program to assist in the 1018
implementation of a qualified community learning center plan. 1019

(I) Notwithstanding any provision to the contrary in 1020
Chapter 4117. of the Revised Code, the requirements of this 1021
section prevail over any conflicting provisions of a collective 1022
bargaining agreement entered into on or after ~~the effective date~~ 1023
~~of this section~~ October 15, 2015. However, the board or 1024
governing authority and the teachers' labor organization may 1025
negotiate additional factors to be considered in the adoption of 1026
a community learning center plan. 1027

Sec. 3302.18. (A) (1) If a community learning center 1028
process is initiated under section 3302.10 or 3302.17 of the 1029
Revised Code for any school building operated by a city, 1030
exempted village, or local school district or a community school 1031
established under Chapter 3314. of the Revised Code, the 1032
district board of education or community school governing 1033
authority shall create a school action team for the school 1034
building. The team shall consist of twelve members, as follows: 1035

(a) Seven individuals, consisting of parents or guardians 1036
of students enrolled in the school and members of the community 1037

who are not teachers or nonteaching employees, as elected by 1038
their peers; 1039

(b) Five teachers and nonteaching employees who are 1040
assigned to the school building and are not parents or guardians 1041
of students enrolled in the school, as elected by their peers. 1042

(2) To assist a school action team initiated under section 1043
3302.10 or 3302.17 of the Revised Code, the district board, 1044
community school governing authority, or community partner shall 1045
select an individual who is employed by the district, school, or 1046
community partner to serve as the resource coordinator for the 1047
community learning center. The school action team shall make 1048
recommendations to the board, governing authority, or community 1049
partner on potential candidates. The resource coordinator shall 1050
not be considered a member of a school action team. The resource 1051
coordinator shall assist in the development and coordination of 1052
programs and services for the community learning center. 1053

(B) All members of a school action team shall serve as 1054
voting members. Terms of office shall be for three years, and 1055
vacancies shall be filled in the same manner as the original 1056
appointment. 1057

Members shall serve without compensation. 1058

(C) In addition to the responsibilities listed in section 1059
3302.10 or 3302.17 of the Revised Code, the school action team 1060
shall do all of the following: 1061

(1) Monitor and assist in the implementation of the school 1062
improvement plan, ~~if adopted~~; 1063

(2) Meet with candidates for principal and other 1064
administrative positions and make recommendations to the 1065
superintendent and board of education of the district or 1066

governing authority of the community school;	1067
(3) Advise on school budgets;	1068
(4) Establish ongoing mechanisms that engage students, parents, and community members in the school;	1069 1070
(5) Continue to collect feedback and information from parents using an annual survey;	1071 1072
(6) Develop and approve a written parent involvement policy that outlines the role of parents and guardians in the school;	1073 1074 1075
(7) Monitor school progress on data related to academic achievement; attendance, suspensions, and expulsions; graduation rates; and reclassifications disaggregated by major racial and ethnic groups, limited English proficient students, economically disadvantaged students, and students with disabilities;	1076 1077 1078 1079 1080
(8) Receive regular updates from the principal on policy matters affecting the school and provide advice on such matters;	1081 1082
(9) Meet regularly with parents and community members to discuss policy matters affecting the school.	1083 1084
Sec. 3310.03. A student is an "eligible student" for purposes of the educational choice scholarship pilot program if the student's resident district is not a school district in which the pilot project scholarship program is operating under sections 3313.974 to 3313.979 of the Revised Code and the student satisfies one of the conditions in division (A), (B), (C), (D), or (E) of this section:	1085 1086 1087 1088 1089 1090 1091
(A) (1) The student is enrolled in a school building operated by the student's resident district that, on the report card issued under section 3302.03 of the Revised Code published	1092 1093 1094

prior to the first day of July of the school year for which a scholarship is sought, did not receive a rating as described in division (H) of this section, and to which any or a combination of any of the following apply for two of the three most recent report cards published prior to the first day of July of the school year for which a scholarship is sought:

(a) The building was declared to be in a state of academic emergency or academic watch under section 3302.03 of the Revised Code as that section existed prior to March 22, 2013.

(b) The building received a grade of "D" or "F" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and for the value-added progress dimension under division (A)(1)(e) or (B)(1)(e) of section 3302.03 of the Revised Code for the 2012-2013, 2013-2014, 2014-2015, or 2015-2016 school year; or if the building serves only grades ten through twelve, the building received a grade of "D" or "F" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and had a four-year adjusted cohort graduation rate of less than seventy-five per cent.

(c) The building received an overall grade of "D" or "F" under division (C)(3) of section 3302.03 of the Revised Code or a grade of "F" for the value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code for the 2016-2017 school year or any school year thereafter.

(2) The student will be enrolling in any of grades kindergarten through twelve in this state for the first time in the school year for which a scholarship is sought, will be at least five years of age by the first day of January of the school year for which a scholarship is sought, and otherwise

would be assigned under section 3319.01 of the Revised Code in 1125
the school year for which a scholarship is sought, to a school 1126
building described in division (A) (1) of this section. 1127

(3) The student is enrolled in a community school 1128
established under Chapter 3314. of the Revised Code but 1129
otherwise would be assigned under section 3319.01 of the Revised 1130
Code to a building described in division (A) (1) of this section. 1131

(4) The student is enrolled in a school building operated 1132
by the student's resident district or in a community school 1133
established under Chapter 3314. of the Revised Code and 1134
otherwise would be assigned under section 3319.01 of the Revised 1135
Code to a school building described in division (A) (1) of this 1136
section in the school year for which the scholarship is sought. 1137

(5) The student will be both enrolling in any of grades 1138
kindergarten through twelve in this state for the first time and 1139
at least five years of age by the first day of January of the 1140
school year for which a scholarship is sought, or is enrolled in 1141
a community school established under Chapter 3314. of the 1142
Revised Code, and all of the following apply to the student's 1143
resident district: 1144

(a) The district has in force an intradistrict open 1145
enrollment policy under which no student in the student's grade 1146
level is automatically assigned to a particular school building; 1147

(b) In the most recent rating published prior to the first 1148
day of July of the school year for which scholarship is sought, 1149
the district did not receive a rating described in division (H) 1150
of this section, and in at least two of the three most recent 1151
report cards published prior to the first day of July of that 1152
school year, any or a combination of the following apply to the 1153

district: 1154

(i) The district was declared to be in a state of academic 1155
emergency under section 3302.03 of the Revised Code as it 1156
existed prior to March 22, 2013. 1157

(ii) The district received a grade of "D" or "F" for the 1158
performance index score under division (A) (1) (b) or (B) (1) (b) of 1159
section 3302.03 of the Revised Code and for the value-added 1160
progress dimension under division (A) (1) (e) or (B) (1) (e) of 1161
section 3302.03 of the Revised Code for the 2012-2013, 2013- 1162
2014, 2014-2015, or 2015-2016 school year. 1163

(c) The district received an overall grade of "D" or "F" 1164
under division (C) (3) of section 3302.03 of the Revised Code or 1165
a grade of "F" for the value-added progress dimension under 1166
division (C) (1) (e) of section 3302.03 of the Revised Code for 1167
the 2016-2017 school year or any school year thereafter. 1168

(6) Beginning in the 2016-2017 school year, the student is 1169
enrolled in or will be enrolling in a building in the school 1170
year for which the scholarship is sought that serves any of 1171
grades nine through twelve and that received a grade of "D" or 1172
"F" for the four-year adjusted cohort graduation rate under 1173
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of section 3302.03 1174
of the Revised Code in two of the three most recent report cards 1175
published prior to the first day of July of the school year for 1176
which a scholarship is sought. 1177

(B) (1) The student is enrolled in a school building 1178
operated by the student's resident district and to which both of 1179
the following apply: 1180

(a) The building was ranked, for at least two of the three 1181
most recent rankings prior to the first day of July of the 1182

school year for which a scholarship is sought, in the lowest ten 1183
per cent of all buildings operated by city, local, and exempted 1184
village school districts according to performance index score as 1185
determined by the department of education. 1186

(b) The building was not declared to be excellent or 1187
effective, or the equivalent of such ratings as determined by 1188
the department, under section 3302.03 of the Revised Code in the 1189
most recent rating published prior to the first day of July of 1190
the school year for which a scholarship is sought. 1191

(2) The student will be enrolling in any of grades 1192
kindergarten through twelve in this state for the first time in 1193
the school year for which a scholarship is sought, will be at 1194
least five years of age, as defined in section 3321.01 of the 1195
Revised Code, by the first day of January of the school year for 1196
which a scholarship is sought, and otherwise would be assigned 1197
under section 3319.01 of the Revised Code in the school year for 1198
which a scholarship is sought, to a school building described in 1199
division (B) (1) of this section. 1200

(3) The student is enrolled in a community school 1201
established under Chapter 3314. of the Revised Code but 1202
otherwise would be assigned under section 3319.01 of the Revised 1203
Code to a building described in division (B) (1) of this section. 1204

(4) The student is enrolled in a school building operated 1205
by the student's resident district or in a community school 1206
established under Chapter 3314. of the Revised Code and 1207
otherwise would be assigned under section 3319.01 of the Revised 1208
Code to a school building described in division (B) (1) of this 1209
section in the school year for which the scholarship is sought. 1210

(C) The student is enrolled in a nonpublic school at the 1211

time the school is granted a charter by the state board of 1212
education under section 3301.16 of the Revised Code and the 1213
student meets the standards of division (B) of section 3310.031 1214
of the Revised Code. 1215

(D) For the 2016-2017 school year and each school year 1216
thereafter, the student is in any of grades kindergarten through 1217
three, is enrolled in a school building that is operated by the 1218
student's resident district or will be enrolling in any of 1219
grades kindergarten through twelve in this state for the first 1220
time in the school year for which a scholarship is sought, and 1221
to which both of the following apply: 1222

(1) The building, in at least two of the three most recent 1223
ratings of school buildings published prior to the first day of 1224
July of the school year for which a scholarship is sought, 1225
received a grade of "D" or "F" for making progress in improving 1226
literacy in grades kindergarten through three under division (B) 1227
(1) (g) or (C) (1) (g) of section 3302.03 of the Revised Code; 1228

(2) The building did not receive a grade of "A" for making 1229
progress in improving literacy in grades kindergarten through 1230
three under division (B) (1) (g) or (C) (1) (g) of section 3302.03 1231
of the Revised Code in the most recent rating published prior to 1232
the first day of July of the school year for which a scholarship 1233
is sought. 1234

(E) The student's resident district is subject to former 1235
section 3302.10 of the Revised Code as it existed prior to the 1236
effective date of this amendment and the student either: 1237

(1) Is enrolled in a school building operated by the 1238
resident district or in a community school established under 1239
Chapter 3314. of the Revised Code; 1240

(2) Will be both enrolling in any of grades kindergarten 1241
through twelve in this state for the first time and at least 1242
five years of age by the first day of January of the school year 1243
for which a scholarship is sought. 1244

(F) A student who receives a scholarship under the 1245
educational choice scholarship pilot program remains an eligible 1246
student and may continue to receive scholarships in subsequent 1247
school years until the student completes grade twelve, so long 1248
as all of the following apply: 1249

(1) The student's resident district remains the same, or 1250
the student transfers to a new resident district and otherwise 1251
would be assigned in the new resident district to a school 1252
building described in division (A) (1), (B) (1), (D), or (E) of 1253
this section. 1254

(2) Except as provided in divisions (K) (1) and (L) of 1255
section 3301.0711 of the Revised Code, the student takes each 1256
assessment prescribed for the student's grade level under 1257
section 3301.0710 or 3301.0712 of the Revised Code while 1258
enrolled in a chartered nonpublic school. 1259

(3) In each school year that the student is enrolled in a 1260
chartered nonpublic school, the student is absent from school 1261
for not more than twenty days that the school is open for 1262
instruction, not including excused absences. 1263

(G) (1) The department shall cease awarding first-time 1264
scholarships pursuant to divisions (A) (1) to (4) of this section 1265
with respect to a school building that, in the most recent 1266
ratings of school buildings published under section 3302.03 of 1267
the Revised Code prior to the first day of July of the school 1268
year, ceases to meet the criteria in division (A) (1) of this 1269

section. The department shall cease awarding first-time 1270
scholarships pursuant to division (A) (5) of this section with 1271
respect to a school district that, in the most recent ratings of 1272
school districts published under section 3302.03 of the Revised 1273
Code prior to the first day of July of the school year, ceases 1274
to meet the criteria in division (A) (5) of this section. 1275

(2) The department shall cease awarding first-time 1276
scholarships pursuant to divisions (B) (1) to (4) of this section 1277
with respect to a school building that, in the most recent 1278
ratings of school buildings under section 3302.03 of the Revised 1279
Code prior to the first day of July of the school year, ceases 1280
to meet the criteria in division (B) (1) of this section. 1281

(3) The department shall cease awarding first-time 1282
scholarships pursuant to division (D) of this section with 1283
respect to a school building that, in the most recent ratings of 1284
school buildings under section 3302.03 of the Revised Code prior 1285
to the first day of July of the school year, ceases to meet the 1286
criteria in division (D) of this section. 1287

~~(4) The department shall cease awarding first-time 1288
scholarships pursuant to division (E) of this section with 1289
respect to a school district subject to section 3302.10 of the 1290
Revised Code when the academic distress commission established 1291
for the district ceases to exist. 1292~~

~~(5) However, students who have received scholarships in 1293
the prior school year remain eligible students pursuant to 1294
division (F) of this section. 1295~~

(H) The state board of education shall adopt rules 1296
defining excused absences for purposes of division (F) (3) of 1297
this section. 1298

(I) (1) A student who satisfies only the conditions 1299
prescribed in divisions (A) (1) to (4) of this section shall not 1300
be eligible for a scholarship if the student's resident building 1301
meets any of the following in the most recent rating under 1302
section 3302.03 of the Revised Code published prior to the first 1303
day of July of the school year for which a scholarship is 1304
sought: 1305

(a) The building has an overall designation of excellent 1306
or effective under section 3302.03 of the Revised Code as it 1307
existed prior to March 22, 2013. 1308

(b) For the 2012-2013, 2013-2014, 2014-2015, or 2015-2016 1309
school year, the building has a grade of "A" or "B" for the 1310
performance index score under division (A) (1) (b) or (B) (1) (b) of 1311
section 3302.03 of the Revised Code and for the value-added 1312
progress dimension under division (A) (1) (e) or (B) (1) (e) of 1313
section 3302.03 of the Revised Code; or if the building serves 1314
only grades ten through twelve, the building received a grade of 1315
"A" or "B" for the performance index score under division (A) (1) 1316
(b) or (B) (1) (b) of section 3302.03 of the Revised Code and had 1317
a four-year adjusted cohort graduation rate of greater than or 1318
equal to seventy-five per cent. 1319

(c) For the 2016-2017 school year or any school year 1320
thereafter, the building has a grade of "A" or "B" under 1321
division (C) (3) of section 3302.03 of the Revised Code and a 1322
grade of "A" for the value-added progress dimension under 1323
division (C) (1) (e) of section 3302.03 of the Revised Code; or if 1324
the building serves only grades ten through twelve, the building 1325
received a grade of "A" or "B" for the performance index score 1326
under division (C) (1) (b) of section 3302.03 of the Revised Code 1327
and had a four-year adjusted cohort graduation rate of greater 1328

than or equal to seventy-five per cent. 1329

(2) A student who satisfies only the conditions prescribed 1330
in division (A) (5) of this section shall not be eligible for a 1331
scholarship if the student's resident district meets any of the 1332
following in the most recent rating under section 3302.03 of the 1333
Revised Code published prior to the first day of July of the 1334
school year for which a scholarship is sought: 1335

(a) The district has an overall designation of excellent 1336
or effective under section 3302.03 of the Revised Code as it 1337
existed prior to March 22, 2013. 1338

(b) The district has a grade of "A" or "B" for the 1339
performance index score under division (A) (1) (b) or (B) (1) (b) of 1340
section 3302.03 of the Revised Code and for the value-added 1341
progress dimension under division (A) (1) (e) or (B) (1) (e) of 1342
section 3302.03 of the Revised Code for the 2012-2013, 2013- 1343
2014, 2014-2015, and 2015-2016 school years. 1344

(c) The district has an overall grade of "A" or "B" under 1345
division (C) (3) of section 3302.03 of the Revised Code and a 1346
grade of "A" for the value-added progress dimension under 1347
division (C) (1) (e) of section 3302.03 of the Revised Code for 1348
the 2016-2017 school year or any school year thereafter. 1349

Sec. 3311.29. (A) Except as provided under division (B), 1350
(C), or (D) of this section, no school district shall be created 1351
and no school district shall exist which does not maintain 1352
within such district public schools consisting of grades 1353
kindergarten through twelve and any such existing school 1354
district not maintaining such schools shall be dissolved and its 1355
territory joined with another school district or districts by 1356
order of the state board of education if no agreement is made 1357

among the surrounding districts voluntarily, which order shall 1358
provide an equitable division of the funds, property, and 1359
indebtedness of the dissolved school district among the 1360
districts receiving its territory. The state board of education 1361
may authorize exceptions to school districts where topography, 1362
sparsity of population, and other factors make compliance 1363
impracticable. 1364

The superintendent of public instruction is without 1365
authority to distribute funds under Chapter 3317. of the Revised 1366
Code to any school district that does not maintain schools with 1367
grades kindergarten through twelve and to which no exception has 1368
been granted by the state board of education. 1369

(B) Division (A) of this section does not apply to any 1370
joint vocational school district or any cooperative education 1371
school district established pursuant to divisions (A) to (C) of 1372
section 3311.52 of the Revised Code. 1373

(C) (1) (a) Except as provided in division (C) (3) of this 1374
section, division (A) of this section does not apply to any 1375
cooperative education school district established pursuant to 1376
section 3311.521 of the Revised Code nor to the city, exempted 1377
village, or local school districts that have territory within 1378
such a cooperative education district. 1379

(b) The cooperative district and each city, exempted 1380
village, or local district with territory within the cooperative 1381
district shall maintain the grades that the resolution adopted 1382
or amended pursuant to section 3311.521 of the Revised Code 1383
specifies. 1384

(2) Any cooperative education school district described 1385
under division (C) (1) of this section that fails to maintain the 1386

grades it is specified to operate shall be dissolved by order of 1387
the state board of education unless prior to such an order the 1388
cooperative district is dissolved pursuant to section 3311.54 of 1389
the Revised Code. Any such order shall provide for the equitable 1390
adjustment, division, and disposition of the assets, property, 1391
debts, and obligations of the district among each city, local, 1392
and exempted village school district whose territory is in the 1393
cooperative district and shall provide that the tax duplicate of 1394
each city, local, and exempted village school district whose 1395
territory is in the cooperative district shall be bound for and 1396
assume its share of the outstanding indebtedness of the 1397
cooperative district. 1398

(3) If any city, exempted village, or local school 1399
district described under division (C) (1) of this section fails 1400
to maintain the grades it is specified to operate the 1401
cooperative district within which it has territory shall be 1402
dissolved in accordance with division (C) (2) of this section and 1403
upon that dissolution any city, exempted village, or local 1404
district failing to maintain grades kindergarten through twelve 1405
shall be subject to the provisions for dissolution in division 1406
(A) of this section. 1407

(D) Division (A) of this section does not apply to any 1408
school district that is or has ever been subject to former 1409
section 3302.10 of the Revised Code, as it ~~exists on and after~~ 1410
~~the effective date of this amendment~~ existed between October 15, 1411
2015, and the effective date of this amendment, and has had a 1412
majority of its schools reconstituted or closed under that 1413
section. 1414

Sec. 3313.361. The board of education of each school 1415
district or educational service center shall create and 1416

administer a process by which employees may put forward 1417
suggestions that may advance educational excellence. 1418

(A) The suggestions must be published on the district's 1419
web site with a proper response from school officials as to 1420
whether an idea will be implemented in the district. 1421

(B) For those ideas that are implemented, the board shall 1422
provide a reward of its choosing to the progenitor. 1423

Sec. 3314.102. (A) As used in this section: 1424

~~(1) "Chief executive officer" means a chief executive~~ 1425
~~officer appointed by an academic distress commission pursuant to~~ 1426
~~section 3302.10 of the Revised Code.~~ 1427

~~(2) "Municipal," "municipal school district" and "mayor"~~ 1428
have the same meanings as in section 3311.71 of the Revised 1429
Code. 1430

(B) Notwithstanding section 3314.10 and sections 4117.03 1431
to 4117.18 of the Revised Code and Section 4 of Amended 1432
Substitute Senate Bill No. 133 of the 115th general assembly, 1433
the employees of a conversion community school that is sponsored 1434
by the board of education of a municipal school district ~~or a~~ 1435
~~school district for which an academic distress commission has~~ 1436
~~been established under section 3302.10 of the Revised Code shall~~ 1437
cease to be subject to any future collective bargaining 1438
agreement, if the mayor ~~or chief executive officer~~ submits to 1439
the board of education sponsoring the school and to the state 1440
employment relations board a statement requesting that all 1441
employees of the community school be removed from a collective 1442
bargaining unit. The employees of the community school who are 1443
covered by a collective bargaining agreement in effect on the 1444
date the mayor ~~or chief executive officer~~ submits the statement 1445

shall remain subject to that collective bargaining agreement 1446
until the collective bargaining agreement expires on its terms. 1447
Upon expiration of that collective bargaining agreement, the 1448
employees of that school are not subject to Chapter 4117. of the 1449
Revised Code and may not organize or collectively bargain 1450
pursuant to that chapter. 1451

Sec. 3333.27. (A) The chancellor of higher education shall 1452
establish and administer the teacher education advancement 1453
program. Under this program, any elementary or secondary school 1454
teacher who has taught in this state for ten years or more shall 1455
be eligible for admission to any university for the pursuit of 1456
an advanced degree, without being required to pay any tuition or 1457
matriculation fee. 1458

(1) Each recipient who accepts a tuition waiver described 1459
in this section shall be required to continue teaching in this 1460
state for a minimum of five years following the completion of 1461
the advanced degree program for which the tuition waiver was 1462
applied. 1463

(B) The school district of each participant shall be 1464
required to pay for any textbooks, fees, or other related 1465
expenses not included in tuition costs. 1466

(C) Each recipient who accepts a tuition waiver under 1467
division (A) of this section shall sign a promissory note 1468
payable to the state in the event the recipient does not satisfy 1469
the service requirement of division (A) (1) of this section. The 1470
amount payable under the note shall be the amount of total 1471
tuition waived. The period of repayment under the note shall be 1472
determined by the chancellor. The note shall stipulate that the 1473
obligation to make payments under the note is canceled following 1474
completion of five years of qualified service by the recipient 1475

in accordance with division (A) (1) of this section, or if the 1476
recipient dies or becomes totally and permanently disabled. 1477

(D) Each state university that enrolls students under 1478
division (A) of this section shall report to the chancellor, by 1479
the first day of July of each year, the number of students who 1480
were so enrolled through this program and the average amount of 1481
all such tuition waived during the preceding year. The 1482
chancellor shall determine the average amount of all such 1483
tuition waived during the preceding year. The average amount of 1484
tuition waived under division (A) of this section during the 1485
preceding year shall be the amount of grants that participating 1486
state universities shall receive under this division during the 1487
current year, but no grant under this division shall exceed the 1488
tuition due and payable by the student prior to the reduction 1489
referred to in this division. 1490

(E) As used in this section, "state university" has the 1491
same meaning as in section 3345.011 of the Revised Code. 1492

Section 2. That existing sections 133.06, 3302.036, 1493
3302.042, 3302.12, 3302.16, 3302.17, 3302.18, 3310.03, 3311.29, 1494
and 3314.102 and sections 3302.10 and 3302.11 of the Revised 1495
Code are hereby repealed. 1496

Section 3. That Sections 265.10, 265.210, and 265.323 of 1497
H.B. 49 of the 132nd General Assembly be amended to read as 1498
follows: 1499

Sec. 265.10. EDU DEPARTMENT OF EDUCATION 1500
General Revenue Fund 1501

GRF	200321	Operating Expenses	\$ 14,693,536	\$ 14,736,578	1502
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GRF	200408	Early Childhood	\$ 68,116,789	\$ 68,116,789	1503
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		Education			1504
GRF	200420	Information Technology	\$ 3,770,170	\$ 3,770,170	1505
		Development and Support			1506
GRF	200422	School Management	\$ 2,077,615	\$ 2,113,413	1507
		Assistance			1508
GRF	200424	Policy Analysis	\$ 428,962	\$ 428,962	1509
GRF	200426	Ohio Educational	\$ 15,457,000	\$ 15,457,000	1510
		Computer Network			1511
GRF	200427	Academic Standards	\$ 3,819,487	\$ 3,819,487	1512
GRF	200437	Student Assessment	\$ 55,959,287	\$ 56,025,042	1513
GRF	200439	Accountability/Report	\$ 413,167	\$ 913,167	1514
		Cards			1515
GRF	200442	Child Care Licensing	\$ 1,852,200	\$ 1,887,863	1516
GRF	200446	Education Management	\$ 7,574,367	\$ 7,620,414	1517
		Information System			1518
GRF	200448	Educator Preparation	\$ 1,710,384	\$ 1,710,384	1519
GRF	200455	Community Schools and	\$ 4,435,845	\$ 4,585,028	1520
		Choice Programs			1521
GRF	200465	Education Technology	\$ 5,179,107	\$ 5,179,107	1522
		Resources			1523
GRF	200502	Pupil Transportation	\$ 546,738,753	\$ 527,129,809	1524
GRF	200505	School Lunch Match	\$ 8,963,500	\$ 8,963,500	1525
GRF	200511	Auxiliary Services	\$ 150,594,178	\$ 150,594,178	1526
GRF	200532	Nonpublic	\$ 68,034,790	\$ 68,034,790	1527
		Administrative Cost			1528

		Reimbursement			1529
GRF	200540	Special Education	\$ 152,350,000	\$ 152,350,000	1530
		Enhancements			1531
GRF	200545	Career-Technical	\$ 10,665,866	\$ 9,600,892	1532
		Education Enhancements			1533
GRF	200550	Foundation Funding	\$ 6,799,882,816	\$ 6,937,228,845	1534
				<u>6,936,628,845</u>	1535
GRF	200566	Literacy Improvement	\$ 750,000	\$ 1,250,000	1536
GRF	200572	Adult Education	\$ 7,533,216	\$ 8,702,475	1537
		Programs			1538
GRF	200573	EdChoice Expansion	\$ 38,400,000	\$ 47,700,000	1539
GRF	200574	Half-Mill Maintenance	\$ 18,715,000	\$ 18,912,000	1540
		Equalization			1541
GRF	200576	Adaptive Sports	\$ 50,000	\$ 50,000	1542
		Program			1543
GRF	200578	Violence Prevention	\$ 250,000	\$ 250,000	1544
		and School Safety			1545
GRF	657401	Medicaid in Schools	\$ 295,500	\$ 295,500	1546
TOTAL GRF		General Revenue Fund	\$ 7,988,711,535	\$ 8,117,425,393	1547
				<u>8,116,825,393</u>	1548
		Dedicated Purpose Fund Group			1549
4520	200638	Charges and	\$ 1,000,000	\$ 1,000,000	1550
		Reimbursements			1551
4540	200610	High School	\$ 1,187,065	\$ 0	1552
		Equivalency			1553

4550	200608	Commodity Foods	\$ 16,000,000	\$ 16,000,000	1554
4L20	200681	Teacher Certification and Licensure	\$ 16,002,297	\$ 16,002,297	1555 1556
5980	200659	Auxiliary Services Reimbursement	\$ 2,930,000	\$ 2,930,000	1557 1558
5H30	200687	School District Solvency Assistance	\$ 8,000,000	\$ 8,000,000	1559 1560
5KX0	200691	Ohio School Sponsorship Program	\$ 828,600	\$ 828,600	1561 1562
5MM0	200677	Child Nutrition Refunds	\$ 550,000	\$ 550,000	1563 1564
5U20	200685	National Education Statistics	\$ 150,000	\$ 150,000	1565 1566
5UC0	200662	Accountability/Report Cards	\$ 5,000,000	\$ 5,000,000	1567 1568
<u>5UN0</u>	<u>200473</u>	<u>School District</u>	<u>\$ 0</u>	<u>\$ 600,000</u>	1569
		<u>Business Intervention</u>			1570
6200	200615	Educational Improvement Grants	\$ 800,000	\$ 600,000	1571 1572
TOTAL DPF		Dedicated Purpose Fund	\$ 52,447,962	\$ 51,060,897	1573
Group				<u>51,660,897</u>	1574
		Internal Service Activity Fund Group			1575
1380	200606	Information Technology Development and Support	\$ 7,047,645	\$ 7,047,645	1576 1577
4R70	200695	Indirect Operational Support	\$ 7,856,766	\$ 7,856,766	1578 1579

4V70	200633	Interagency Program	\$ 500,000	\$ 500,000	1580
		Support			1581
TOTAL ISA		Internal Service Activity	\$ 15,404,411	\$ 15,404,411	1582
		Fund Group			1583
		State Lottery Fund Group			1584
7017	200612	Foundation Funding	\$ 1,086,030,000	\$ 1,087,030,000	1585
7017	200629	Community Connectors	\$ 4,000,000	\$ 4,000,000	1586
7017	200684	Community School	\$ 16,600,000	\$ 16,600,000	1587
		Facilities			1588
TOTAL SLF		State Lottery Fund Group	\$ 1,106,630,000	\$ 1,107,630,000	1589
		Federal Fund Group			1590
3670	200607	School Food Services	\$ 10,080,635	\$ 10,280,635	1591
3700	200624	Education of	\$ 2,000,000	\$ 2,000,000	1592
		Exceptional Children			1593
3AF0	657601	Schools Medicaid	\$ 750,000	\$ 750,000	1594
		Administrative Claims			1595
3AN0	200671	School Improvement	\$ 25,000,000	\$ 25,000,000	1596
		Grants			1597
3C50	200661	Early Childhood	\$ 12,555,000	\$ 12,555,000	1598
		Education			1599
3D20	200667	Math Science	\$ 7,000,000	\$ 7,000,000	1600
		Partnerships			1601
3EH0	200620	Migrant Education	\$ 2,500,000	\$ 2,500,000	1602
3EJ0	200622	Homeless Children	\$ 2,600,000	\$ 2,600,000	1603
		Education			1604

3GE0	200674	Summer Food Service Program	\$ 14,856,635	\$ 14,856,635	1605 1606
3GG0	200676	Fresh Fruit and Vegetable Program	\$ 4,677,340	\$ 4,677,340	1607 1608
3HF0	200649	Federal Education Grants	\$ 6,364,327	\$ 6,364,327	1609 1610
3L60	200617	Federal School Lunch	\$ 394,612,000	\$ 406,450,000	1611
3L70	200618	Federal School Breakfast	\$ 142,688,750	\$ 154,103,850	1612 1613
3L80	200619	Child/Adult Food Programs	\$ 106,913,755	\$ 106,913,755	1614 1615
3L90	200621	Career-Technical Education Basic Grant	\$ 44,663,900	\$ 44,663,900	1616 1617
3M00	200623	ESEA Title 1A	\$ 600,000,000	\$ 600,000,000	1618
3M20	200680	Individuals with Disabilities Education Act	\$ 445,000,000	\$ 445,000,000	1619 1620 1621
3T40	200613	Public Charter Schools	\$ 14,200,000	\$ 14,200,000	1622
3Y20	200688	21st Century Community Learning Centers	\$ 47,500,000	\$ 47,500,000	1623 1624
3Y60	200635	Improving Teacher Quality	\$ 85,000,000	\$ 85,000,000	1625 1626
3Y70	200689	English Language Acquisition	\$ 10,101,411	\$ 10,101,411	1627 1628
3Y80	200639	Rural and Low Income Technical Assistance	\$ 3,300,000	\$ 3,300,000	1629 1630

3Z20	200690	State Assessments	\$ 11,500,000	\$ 11,500,000	1631
3Z30	200645	Consolidated Federal	\$ 10,168,964	\$ 10,168,964	1632
		Grant Administration			1633
TOTAL FED	Federal Fund Group		\$ 2,004,032,717	\$ 2,027,485,817	1634
TOTAL ALL BUDGET FUND GROUPS			\$ 11,167,226,625	\$ 11,319,006,518	1635

Sec. 265.210. FOUNDATION FUNDING 1636

Of the foregoing appropriation item 200550, Foundation 1637
Funding, up to \$40,000,000 in each fiscal year shall be used to 1638
provide additional state aid to school districts, joint 1639
vocational school districts, community schools, and STEM schools 1640
for special education students under division (C) (3) of section 1641
3314.08, section 3317.0214, division (B) of section 3317.16, and 1642
section 3326.34 of the Revised Code, except that the Controlling 1643
Board may increase these amounts if presented with such a 1644
request from the Department of Education at the final meeting of 1645
the fiscal year. 1646

Of the foregoing appropriation item 200550, Foundation 1647
Funding, up to \$3,800,000 in each fiscal year shall be used to 1648
fund gifted education at educational service centers. The 1649
Department shall distribute the funding through the unit-based 1650
funding methodology in place under division (L) of section 1651
3317.024, division (E) of section 3317.05, and divisions (A), 1652
(B), and (C) of section 3317.053 of the Revised Code as they 1653
existed prior to fiscal year 2010. 1654

Of the foregoing appropriation item 200550, Foundation 1655
Funding, up to \$40,000,000 in each fiscal year shall be reserved 1656
to fund the state reimbursement of educational service centers 1657
under the section of this act entitled "EDUCATIONAL SERVICE 1658
CENTERS FUNDING." 1659

Of the foregoing appropriation item 200550, Foundation 1660
Funding, up to \$3,500,000 in each fiscal year shall be 1661
distributed to educational service centers for School 1662
Improvement Initiatives and for the provision of technical 1663
assistance to schools and districts. The Department may 1664
distribute these funds through a competitive grant process. 1665

Of the foregoing appropriation item 200550, Foundation 1666
Funding, up to \$10,000,000 in fiscal year 2018 and up to 1667
\$7,000,000 in fiscal year 2019 shall be reserved for payments 1668
under section 3317.028 of the Revised Code. If this amount is 1669
not sufficient, the Department shall prorate the payment amounts 1670
so that the aggregate amount allocated in this paragraph is not 1671
exceeded. 1672

Of the foregoing appropriation item 200550, Foundation 1673
Funding, up to \$28,600,000 in fiscal year 2018 and up to 1674
\$26,400,000 in fiscal year 2019 shall be used to support school 1675
choice programs. 1676

Of the portion of the funds distributed to the Cleveland 1677
Municipal School District under this section, up to \$15,400,000 1678
in fiscal year 2018 and \$17,600,000 in fiscal year 2019 shall be 1679
used to operate the school choice program in the Cleveland 1680
Municipal School District under sections 3313.974 to 3313.979 of 1681
the Revised Code. Notwithstanding divisions (B) and (C) of 1682
section 3313.978 and division (C) of section 3313.979 of the 1683
Revised Code, up to \$1,000,000 in each fiscal year of this 1684
amount shall be used by the Cleveland Municipal School District 1685
to provide tutorial assistance as provided in division (H) of 1686
section 3313.974 of the Revised Code. The Cleveland Municipal 1687
School District shall report the use of these funds in the 1688
district's three-year continuous improvement plan as described 1689

in section 3302.04 of the Revised Code in a manner approved by 1690
the Department. 1691

Of the foregoing appropriation item 200550, Foundation 1692
Funding, up to \$1,500,000 in each fiscal year may be used for 1693
payment of the College Credit Plus Program for students 1694
instructed at home pursuant to section 3321.04 of the Revised 1695
Code. 1696

Of the foregoing appropriation item 200550, Foundation 1697
Funding, an amount shall be available in each fiscal year to be 1698
paid to joint vocational school districts in accordance with 1699
division (A) of section 3317.16 of the Revised Code, and the 1700
section of this act entitled "TEMPORARY TRANSITIONAL AID FOR 1701
JOINT VOCATIONAL SCHOOL DISTRICTS." 1702

Of the foregoing appropriation item 200550, Foundation 1703
Funding, up to \$700,000 in each fiscal year shall be used by the 1704
Department for a program to pay for educational services for 1705
youth who have been assigned by a juvenile court or other 1706
authorized agency to any of the facilities described in division 1707
(A) of the section of this act entitled "PRIVATE TREATMENT 1708
FACILITY PROJECT." 1709

Of the foregoing appropriation item 200550, Foundation 1710
Funding, a portion may be used to pay college-preparatory 1711
boarding schools the per pupil boarding amount pursuant to 1712
section 3328.34 of the Revised Code. 1713

Of the foregoing appropriation item 200550, Foundation 1714
Funding, up to \$1,500,000 in each fiscal year shall be used for 1715
the Bright New Leaders for Ohio Schools Program created and 1716
implemented by the nonprofit corporation incorporated pursuant 1717
to section 3319.271 of the Revised Code, to provide an 1718

alternative path for individuals to receive training and 1719
development in the administration of primary and secondary 1720
education and leadership, enable those individuals to earn 1721
degrees and obtain licenses in public school administration, and 1722
promote the placement of those individuals in public schools 1723
that have a poverty percentage greater than fifty per cent. 1724

Of the foregoing appropriation item 200550, Foundation 1725
Funding, a portion in each fiscal year shall be used to pay 1726
community schools and STEM schools the amounts calculated for 1727
the graduation and third-grade reading bonuses under sections 1728
3314.085 and 3326.41 of the Revised Code. 1729

Of the foregoing appropriation item 200550, Foundation 1730
Funding, up to \$600,000 in ~~each~~ fiscal year 2018 may be used by 1731
the Department for duties and activities related to the 1732
establishment of academic distress commissions under former 1733
section 3302.10 of the Revised Code, as it existed prior to the 1734
effective date of this amendment. A portion of the funds may be 1735
used as matching funds for any monetary contributions made by a 1736
school district for which an academic distress commission ~~is~~was 1737
established or by the district's local community to support 1738
innovative education programs or a high-quality school 1739
accelerator as provided for in former section 3302.10 of the 1740
Revised Code, as it existed prior to the effective date of this 1741
amendment. 1742

The remainder of appropriation item 200550, Foundation 1743
Funding, shall be used to distribute the amounts calculated for 1744
formula aid under section 3317.022 of the Revised Code, the 1745
section of this act entitled "TEMPORARY TRANSITIONAL AID FOR 1746
CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS," and the 1747
section of this act entitled "CAP OFFSET AMOUNT FOR CITY, LOCAL, 1748

AND EXEMPTED VILLAGE SCHOOL DISTRICTS." 1749

Appropriation items 200502, Pupil Transportation, 200540, 1750
Special Education Enhancements, and 200550, Foundation Funding, 1751
other than specific set-asides, are collectively used in each 1752
fiscal year to pay state formula aid obligations for school 1753
districts, community schools, STEM schools, college preparatory 1754
boarding schools, and joint vocational school districts under 1755
this act. The first priority of these appropriation items, with 1756
the exception of specific set-asides, is to fund state formula 1757
aid obligations. It may be necessary to reallocate funds among 1758
these appropriation items or use excess funds from other general 1759
revenue fund appropriation items in the Department of 1760
Education's budget in each fiscal year in order to meet state 1761
formula aid obligations. If it is determined that it is 1762
necessary to transfer funds among these appropriation items or 1763
to transfer funds from other General Revenue Fund appropriations 1764
in the Department's budget to meet state formula aid 1765
obligations, the Superintendent of Public Instruction shall seek 1766
approval from the Director of Budget and Management to transfer 1767
funds as needed. 1768

The Superintendent of Public Instruction shall make 1769
payments, transfers, and deductions, as authorized by Title 1770
XXXVIII of the Revised Code in amounts substantially equal to 1771
those made in the prior year, or otherwise, at the discretion of 1772
the Superintendent, until at least the effective date of the 1773
amendments and enactments made to Title XXXVIII by this act. Any 1774
funds paid to districts or schools under this section shall be 1775
credited toward the annual funds calculated for the district or 1776
school after the changes made to Title XXXVIII in this act are 1777
effective. Upon the effective date of changes made to Title 1778
XXXVIII in this act, funds shall be calculated as an annual 1779

amount. 1780

Sec. 265.323. ACCOUNTABILITY/REPORT CARDS 1781

Of the foregoing appropriation item 200662, 1782
Accountability/Report Cards, \$500,000 in each fiscal year shall 1783
be used as matching funds to support efforts by the Accelerate 1784
Great Schools public-private partnership to increase the number 1785
of high-performing schools in Cincinnati, to attract and develop 1786
excellent school leaders and teachers, and to engage families 1787
and communities in fostering educational improvement. 1788

Of the foregoing appropriation item 200662, 1789
Accountability/Report Cards, a portion in each fiscal year may 1790
be used to train district and regional specialists and district 1791
educators in the use of the value-added progress dimension and 1792
in the use of data as it relates to improving student 1793
achievement. This training may include teacher and administrator 1794
professional development in the use of data to improve 1795
instruction and student learning, and teacher and administrator 1796
training in understanding teacher value-added reports and how 1797
they can be used as a component in measuring teacher and 1798
administrator effectiveness. A portion of this funding shall be 1799
provided to educational service centers to support training and 1800
professional development under this section consistent with 1801
section 3312.01 of the Revised Code. 1802

The remainder of appropriation item 200662, 1803
Accountability/Report Cards, shall be used by the Department of 1804
Education to incorporate a statewide value-added progress 1805
dimension into performance ratings for school districts and for 1806
the development of an accountability system that includes the 1807
preparation and distribution of school report cards, funding and 1808
expenditure accountability reports under sections 3302.03 and 1809

3302.031 of the Revised Code, the development and maintenance of 1810
teacher value-added reports, the teacher student linkage/roster 1811
verification process, and the performance management section of 1812
the Department's web site required by section 3302.26 of the 1813
Revised Code. 1814

SCHOOL DISTRICT BUSINESS INTERVENTION 1815

The foregoing appropriation item 200473, School District 1816
Business Intervention, shall be used pursuant to section 3301.41 1817
of the Revised Code. 1818

Section 4. That existing Sections 265.10, 265.210, and 1819
265.323 of H.B. 49 of the 132nd General Assembly are hereby 1820
repealed. 1821

Section 5. On July 1, 2018, or as soon as possible 1822
thereafter, the Director of Budget and Management shall transfer 1823
\$600,000 cash from the General Revenue Fund to the State 1824
Business Intervention Fund (Fund 5UN0) created in section 1825
3301.41 of the Revised Code. 1826

Section 6. That Sections 4, 5, and 6 of H.B. 70 of the 1827
131st General Assembly are hereby repealed. 1828

Section 7. Any actions taken by the Superintendent of 1829
Public Instruction to create an academic distress commission 1830
under division (A) of former section 3302.10 of the Revised 1831
Code, as it existed between October 15, 2015, and the effective 1832
date of this section, are void. Any academic distress commission 1833
in existence on the effective date of this section shall be 1834
dissolved at the end of the school year in which this section 1835
becomes effective. 1836

Section 8. It is the intent of the General Assembly to 1837
appropriate funds in the main operating budget act of the 133rd 1838

General Assembly for school district systems upgrades for 1839
predictive and productive analytic functions. 1840

Section 9. This act shall be known as the "Student 1841
Transformative Academic Restoration Act" ("STAR"). 1842

Section 10. The General Assembly, applying the principle 1843
stated in division (B) of section 1.52 of the Revised Code that 1844
amendments are to be harmonized if reasonably capable of 1845
simultaneous operation, finds that the following sections, 1846
presented in this act as composites of the sections as amended 1847
by the acts indicated, are the resulting versions of the 1848
sections in effect prior to the effective date of the sections 1849
as presented in this act: 1850

Section 133.06 of the Revised Code as amended by both Sub. 1851
H.B. 340 of the 131st General Assembly and Am. Sub. H.B. 49 of 1852
the 132nd General Assembly. 1853

Section 3302.036 of the Revised Code amended by both Am. 1854
Sub. H.B. 64 and Am. Sub. H.B. 70 of the 131st General Assembly. 1855