

**As Reported by the Senate Education Committee**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**Sub. H. B. No. 98**

**Representatives Duffey, Boggs**

**Cosponsors: Representatives Miller, Bishoff, Dever, Dean, West, Seitz, Zeltwanger, Hood, Young, Stein, Lepore-Hagan, Romanchuk, Brenner, Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Blessing, Bocchieri, Boyd, Brown, Butler, Carfagna, Celebrezze, Cera, Clyde, Craig, Cupp, Edwards, Fedor, Galonski, Gavarone, Ginter, Gonzales, Green, Greenspan, Hagan, Hambley, Hill, Holmes, Householder, Howse, Hughes, Ingram, Keller, Kelly, Kick, Landis, Lang, Leland, Lipps, Manning, O'Brien, Patterson, Patton, Pelanda, Perales, Ramos, Reece, Reineke, Retherford, Rezabek, Roegner, Rogers, Ryan, Schuring, Sheehy, Smith, R., Sprague, Strahorn, Sweeney, Sykes**

**Senator Gardner**

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**A BILL**

To amend sections 3313.471, 3319.223, 3319.36, and 1  
3333.122, to enact new section 3319.229 and 2  
section 3317.029, and to repeal section 3319.229 3  
of the Revised Code and to amend Section 265.210 4  
of Am. Sub. H.B. 49 of the 132nd General 5  
Assembly regarding the presentation of career 6  
information to students, the calculation of Ohio 7  
College Opportunity Grant awards, and career- 8  
technical educator licenses; to modify degree 9  
requirements for interim career-technical 10  
teachers; to provide an additional payment to 11  
school districts with nuclear power plants in 12  
their territories that meet specified criteria; 13  
and to modify the earmarked appropriations for 14  
certain payments to school districts. 15

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

**Section 1.** That sections 3313.471, 3319.223, 3319.36, and 16  
3333.122 be amended and new section 3319.229 and section 17  
3317.029 of the Revised Code be enacted to read as follows: 18

**Sec. 3313.471.** (A) As used in this section, "armed forces" 19  
means the Ohio national guard, the Ohio naval militia, the Ohio 20  
military reserve, and the active and reserve components of the 21  
United States army, navy, air force, marine corps, and coast 22  
guard. 23

(B) No school district board of education shall impose any 24  
restriction on the presentation of career information to 25  
students that is not uniformly imposed on representatives of the 26  
armed forces, skilled trades, institutions of higher education, 27  
career-technical education providers, business, industry, 28  
charitable institutions, and other employers, and institutions 29  
of higher education or prohibit the presentation of information 30  
or recruitment of students by those representatives for 31  
employment, employment training, or education on the district's 32  
campus. The board shall provide equal access to any of the 33  
district's employment or placement services to all of the 34  
entities described in this division. 35

(C) The district board shall provide any entity described 36  
in division (B) of this section with at least two opportunities 37  
per school year to present information in person to all students 38  
in grades nine through twelve individually or in a group setting 39  
and shall provide students with the opportunity to speak in 40  
person with the entities that participate in those 41  
opportunities. This requirement may be satisfied by providing 42

common area access for presentation of information materials or 43  
by providing a scheduled educational or career fair. 44

(D) To the extent permitted by federal law and in 45  
accordance with this section, the district board may develop an 46  
application process for entities that wish to access school 47  
property for the purpose of presenting information to students. 48  
The board may develop standards of conduct and require entities 49  
to adhere to those standards as a condition of continued access 50  
and presentation of information materials. 51

**Sec. 3317.029.** (A) As used in this section: 52

(1) "Eligible district" means a city, local, or exempted 53  
village school district that satisfies both of the following 54  
conditions: 55

(a) The district has a nuclear power plant located within 56  
its territory. 57

(b) The total taxable value of public utility personal 58  
property in the district for tax year 2017 is at least fifty per 59  
cent less than the total taxable value of public utility 60  
personal property in the district for tax year 2016. 61

(2) (a) For fiscal year 2015, "state education aid" means 62  
the sum of the district's payments for that fiscal year under 63  
sections 3317.022 and 3317.0212 of the Revised Code and Section 64  
263.240 of Am. Sub. H.B. 59 of the 130th general assembly. 65

(b) For each of fiscal years 2016 and 2017, "state 66  
education aid" means the sum of the district's payments for that 67  
fiscal year under sections 3317.022 and 3317.0212 of the Revised 68  
Code and Section 263.230 of Am. Sub. H.B. 64 of the 131st 69  
general assembly. 70

(c) For each of fiscal years 2018 and 2019, "state 71  
education aid" means the sum of the district's payments for that 72  
fiscal year under sections 3317.022 and 3317.0212 of the Revised 73  
Code and Sections 265.220 and 265.233 of Am. Sub. H.B. 49 of the 74  
132nd general assembly. 75

(d) For each of fiscal years 2020 and 2021, "state 76  
education aid" means the sum of the district's payments for that 77  
fiscal year under sections 3317.022 and 3317.0212 of the Revised 78  
Code and any temporary transitional aid that is authorized by 79  
the general assembly minus any reductions due to funding 80  
limitations that are authorized by the general assembly. 81

(3) "Taxes charged and payable" has the same meaning as in 82  
section 3317.02 of the Revised Code. For purposes of this 83  
section, at no time shall "taxes charged and payable" include 84  
taxes levied for joint vocational school district purposes or 85  
levied under section 5705.23 of the Revised Code. 86

(4) "Total ADM" has the same meaning as in section 3317.02 87  
of the Revised Code. 88

(5) An eligible district's "total resources" for a fiscal 89  
year is equal to the sum of the following: 90

(a) The district's state education aid for that fiscal 91  
year; 92

(b) For fiscal year 2015, the amount of the district's 93  
payments for that fiscal year under sections 5727.85 and 5751.21 94  
of the Revised Code as they existed prior to June 30, 2015; 95

(c) For fiscal year 2016 and any subsequent fiscal year, 96  
the amount of the district's payments for that fiscal year under 97  
section 5709.92 of the Revised Code; 98

(d) For fiscal years 2016 and 2017, the amount of the 99  
district's payment for that fiscal year under Section 263.325 of 100  
Am. Sub. H.B. 64 of the 131st general assembly, as subsequently 101  
amended; 102

(e) The sum of the following: 103

(i) The district's taxes charged and payable for current 104  
expenses for the first half of the most recent tax year for 105  
which data is available during that fiscal year. For fiscal 106  
years 2018, 2019, 2020, and 2021, this amount shall include only 107  
the taxes charged and payable for current expenses pursuant to 108  
property tax levies that are in effect as of the effective date 109  
of this section. 110

(ii) The district's taxes charged and payable for current 111  
expenses for the second half of the tax year immediately 112  
preceding the most recent tax year for which data is available 113  
during that fiscal year. For fiscal years 2018, 2019, 2020, and 114  
2021, this amount shall include only the taxes charged and 115  
payable for current expenses pursuant to property tax levies 116  
that are in effect as of the effective date of this section. 117

(f) Distributions received by the district during that 118  
fiscal year from the gross casino revenue county student fund; 119

(g) The amount of the district's payment for that fiscal 120  
year under section 3317.028 of the Revised Code. 121

(6) An eligible district's "total resources per pupil" for 122  
a fiscal year is equal to the district's total resources for 123  
that fiscal year divided by the district's total ADM for that 124  
fiscal year. 125

(B) For each of fiscal years 2019, 2020, and 2021, the 126  
department of education shall pay each eligible district an 127

<u>amount computed as follows:</u>	128
<u>(1) Calculate the average of the district's total</u>	129
<u>resources per pupil for fiscal years 2015, 2016, 2017, and 2018;</u>	130
<u>(2) Multiply the average calculated under division (B) (1)</u>	131
<u>of this section by 0.97;</u>	132
<u>(3) (a) If the district's total ADM for the applicable</u>	133
<u>fiscal year is greater than or equal to the district's total ADM</u>	134
<u>for the fiscal year immediately preceding the applicable fiscal</u>	135
<u>year, multiply the amount calculated under division (B) (2) of</u>	136
<u>this section by the total ADM for the applicable fiscal year;</u>	137
<u>(b) If the district's total ADM for the applicable fiscal</u>	138
<u>year is less than the district's total ADM for the fiscal year</u>	139
<u>immediately preceding the applicable fiscal year, multiply the</u>	140
<u>amount calculated under division (B) (2) of this section by the</u>	141
<u>following:</u>	142
<u>The total ADM for the applicable fiscal year + [(the total ADM</u>	143
<u>for the fiscal year immediately preceding the applicable fiscal</u>	144
<u>year - the total ADM for the applicable fiscal year) X 0.5]</u>	145
<u>(4) Calculate the amount to be paid to the district by</u>	146
<u>subtracting the district's total resources for the applicable</u>	147
<u>fiscal year from the amount calculated under division (B) (3) of</u>	148
<u>this section.</u>	149
<u>If the result of the calculation for a district under</u>	150
<u>division (B) (4) of this section is less than zero, the</u>	151
<u>district's payment under this section shall be zero.</u>	152
<u>(C) Any payments for a fiscal year made to an eligible</u>	153
<u>district under this section shall occur after the department has</u>	154
<u>made a payment to the district for that fiscal year under</u>	155

section 3317.028 of the Revised Code or has determined that the 156  
district is not eligible for a payment for that fiscal year 157  
under that section. All payments for a fiscal year made to an 158  
eligible district under this section shall be made not later 159  
than the last day of July of the following fiscal year. Upon 160  
making a payment for a fiscal year under this section, the 161  
department shall not make any reconciliations or adjustments to 162  
that payment. 163

**Sec. 3319.223.** (A) Not later than January 1, 2011, the 164  
superintendent of public instruction and the chancellor of 165  
higher education jointly shall establish the Ohio teacher 166  
residency program, which shall be a four-year, entry-level 167  
program for classroom teachers. Except as provided in division 168  
(B) of this section, the teacher residency program shall include 169  
at least the following components: 170

(1) Mentoring by teachers for the first two years of the 171  
program; 172

(2) Counseling, as determined necessary by the school 173  
district or school, to ensure that program participants receive 174  
needed professional development; 175

(3) Measures of appropriate progression through the 176  
program, which shall include the performance-based assessment 177  
prescribed by the state board of education for resident 178  
educators in the third year of the program. 179

(B) (1) For an individual who is teaching career-technical 180  
courses under an alternative resident educator license issued 181  
under section 3319.26 of the Revised Code or rule of the state 182  
board, the Ohio teacher residency program shall include the 183  
following components: 184

(a) Conditions that, as of September 29, 2015, were 185  
necessary for a participant in the third and fourth year of the 186  
program to complete prior to applying for the professional 187  
educator license under division (A) (2) of section 3319.22 of the 188  
Revised Code, except as provided in division (B) (2) (b) of this 189  
section; 190

(b) Four years of successful teaching experience under the 191  
alternative resident educator license, as verified by the 192  
superintendent of the employing school district; 193

(c) Successful completion of a career-technical workforce 194  
development teacher preparation program that ~~consists of not~~ 195  
~~less than twenty four semester hours, or the equivalent, from a~~ 196  
~~state university. The teacher preparation program shall include~~ 197  
~~a performance based assessment, to be verified by the~~ 198  
institution meets the criteria described in division (C) (1) of 199  
section 3319.229 of the Revised Code. 200

(2) No individual who is teaching career-technical courses 201  
under an alternative resident educator license issued under 202  
section 3319.26 of the Revised Code or rule of the state board 203  
shall be required to do either of the following: 204

(a) Complete the conditions of the Ohio teacher residency 205  
program that a participant, as of September 29, 2015, would have 206  
been required to complete during the participant's first and 207  
second year of teaching under an alternative resident educator 208  
license. 209

(b) Take the performance-based assessment prescribed by 210  
the state board for resident educators. 211

(C) The teacher residency program shall be aligned with 212  
the standards for teachers adopted by the state board under 213



section 3319.61 of the Revised Code and best practices 214  
identified by the superintendent of public instruction. 215

(D) Each person who holds a resident educator license 216  
issued under section 3319.22 or 3319.227 of the Revised Code or 217  
an alternative resident educator license issued under section 218  
3319.26 of the Revised Code shall participate in the teacher 219  
residency program. Successful completion of the program shall be 220  
required to qualify any such person for a professional educator 221  
license issued under section 3319.22 of the Revised Code. 222

Sec. 3319.229. (A) (1) Notwithstanding the repeal of former 223  
section 3319.229 of the Revised Code by this act, the state 224  
board of education shall accept applications for new, and for 225  
renewal of, professional career-technical teaching licenses 226  
through June 30, 2019, and issue them on the basis of the 227  
applications received by that date in accordance with the rules 228  
described in that former section. Except as otherwise provided 229  
in divisions (A) (2) and (3) of this section, beginning July 1, 230  
2019, the state board shall issue career-technical workforce 231  
development educator licenses only under this section. 232

(2) An individual who, on July 1, 2019, holds a 233  
professional career-technical teaching license issued under the 234  
rules described in former section 3319.229 of the Revised Code, 235  
may continue to renew that license in accordance with those 236  
rules for the remainder of the individual's teaching career. 237  
However, nothing in this division shall be construed to prohibit 238  
the individual from applying to the state board for a career- 239  
technical workforce development educator license under this 240  
section. 241

(3) An individual who, on July 1, 2019, holds an 242  
alternative resident educator license for teaching career- 243

technical education issued under section 3319.26 of the Revised 244  
Code may, upon the expiration of the license, apply for a 245  
professional career-technical teaching license issued under the 246  
rules described in former section 3319.229 of the Revised Code. 247  
Such an individual may continue to renew the professional 248  
license in accordance with those rules for the remainder of the 249  
individual's teaching career. However, nothing in this division 250  
shall be construed to prohibit the individual from applying to 251  
the state board for a career-technical workforce development 252  
educator license under this section. 253

(B) The state board, in collaboration with the chancellor 254  
of higher education, shall adopt rules establishing standards 255  
and requirements for obtaining a two-year initial career- 256  
technical workforce development educator license and a five-year 257  
advanced career-technical workforce development educator 258  
license. Each license shall be valid for teaching career- 259  
technical education or workforce development programs in grades 260  
four through twelve. The rules shall require applicants for 261  
either license to have a high school diploma. 262

(C) (1) The state board shall issue an initial career- 263  
technical workforce development educator license to an applicant 264  
upon request from the superintendent of a school district that 265  
has agreed to employ the applicant. In making the request, the 266  
superintendent shall provide documentation, in accordance with 267  
procedures prescribed by the department of education, showing 268  
that the applicant has at least five years of work experience, 269  
or the equivalent, in the subject area in which the applicant 270  
will teach. The license shall be valid for teaching only in the 271  
requesting district. The superintendent also shall provide 272  
documentation, in accordance with procedures prescribed by the 273  
department, that the applicant is enrolled in a career-technical 274

<u>workforce development educator preparation program offered by an</u>	275
<u>institution of higher education that has an existing teacher</u>	276
<u>preparatory program in place that meets all of the following</u>	277
<u>criteria:</u>	278
<u>(a) Is approved by the chancellor of higher education to</u>	279
<u>provide instruction in teaching methods and principles;</u>	280
<u>(b) Provides classroom support to the license holder;</u>	281
<u>(c) Includes at least three semester hours of coursework</u>	282
<u>in the teaching of reading in the subject area;</u>	283
<u>(d) Is aligned with career-technical education and</u>	284
<u>workforce development competencies developed by the department;</u>	285
<u>(e) Uses a summative performance-based assessment</u>	286
<u>developed by the program and aligned to the competencies</u>	287
<u>described in division (C) (1) (d) of this section to evaluate the</u>	288
<u>license holder's knowledge and skills;</u>	289
<u>(f) Consists of not less than twenty-four semester hours</u>	290
<u>of coursework, or the equivalent.</u>	291
<u>(2) As a condition of continuing to hold the initial</u>	292
<u>career-technical workforce development license, the holder of</u>	293
<u>the license shall be participating in a career-technical</u>	294
<u>workforce development educator preparation program described in</u>	295
<u>division (C) (1) of this section.</u>	296
<u>(3) The state board shall renew an initial career-</u>	297
<u>technical workforce development educator license if the</u>	298
<u>supervisor of the program described in division (C) (1) of this</u>	299
<u>section and the superintendent of the employing school district</u>	300
<u>indicate that the applicant is making sufficient progress in</u>	301
<u>both the program and the teaching position.</u>	302

(D) The state board shall issue an advanced career- 303  
technical workforce development educator license to an applicant 304  
who has successfully completed the program described in division 305  
(C) (1) of this section, as indicated by the supervisor of the 306  
program, and who demonstrates mastery of the applicable career- 307  
technical education and workforce development competencies 308  
described in division (C) (1) (d) of this section in the teaching 309  
position, as indicated by the superintendent of the employing 310  
school district. 311

(E) The holder of an advanced career-technical workforce 312  
development educator license shall work with a local 313  
professional development committee established under section 314  
3319.22 of the Revised Code in meeting requirements for renewal 315  
of the license. 316

**Sec. 3319.36.** (A) No treasurer of a board of education or 317  
educational service center shall draw a check for the payment of 318  
a teacher for services until the teacher files with the 319  
treasurer both of the following: 320

(1) Such reports as are required by the state board of 321  
education, the school district board of education, or the 322  
superintendent of schools; 323

(2) Except for a teacher who is engaged pursuant to 324  
section 3319.301 of the Revised Code, a written statement from 325  
the city, exempted village, or local school district 326  
superintendent or the educational service center superintendent 327  
that the teacher has filed with the treasurer a legal educator 328  
license, or true copy of it, to teach the subjects or grades 329  
taught, with the dates of its validity. The state board of 330  
education shall prescribe the record and administration for such 331  
filing of educator licenses in educational service centers. 332

(B) Notwithstanding division (A) of this section, the treasurer may pay any of the following:

(1) Any teacher for services rendered during the first two months of the teacher's initial employment with the school district or educational service center, provided such teacher is the holder of a bachelor's degree or higher and has filed with the state board of education an application for the issuance of an educator license described in division (A) (1) of section 3319.22 of the Revised Code. The requirement for a bachelor's degree shall not apply to career-technical education teachers licensed under sections 3319.226 and 3319.229 of the Revised Code.

(2) Any substitute teacher for services rendered while conditionally employed under section 3319.101 of the Revised Code.

(3) Any employee for services rendered under division (F) of section 3319.088 of the Revised Code.

(C) Upon notice to the treasurer given by the state board of education or any superintendent having jurisdiction that reports required of a teacher have not been made, the treasurer shall withhold the salary of the teacher until the required reports are completed and furnished.

**Sec. 3333.122.** (A) The chancellor of higher education shall adopt rules to carry out this section and as authorized under section 3333.123 of the Revised Code. The rules shall include definitions of the terms "resident," "expected family contribution," "full-time student," "three-quarters-time student," "half-time student," "one-quarter-time student," "state cost of attendance," and "accredited" for the purpose of

those sections. 362

(B) Only an Ohio resident who meets both of the following 363  
is eligible for a grant awarded under this section: 364

(1) The resident has an expected family contribution of 365  
two thousand one hundred ninety or less; 366

(2) The resident enrolls in one of the following: 367

(a) An undergraduate program, or a nursing diploma program 368  
approved by the board of nursing under section 4723.06 of the 369  
Revised Code, at a state-assisted state institution of higher 370  
education, as defined in section 3345.12 of the Revised Code, 371  
that meets the requirements of Title VI of the Civil Rights Act 372  
of 1964; 373

(b) An undergraduate program, or a nursing diploma program 374  
approved by the board of nursing under section 4723.06 of the 375  
Revised Code, at a private, nonprofit institution in this state 376  
holding a certificate of authorization pursuant to Chapter 1713. 377  
of the Revised Code; 378

(c) An undergraduate program, or a nursing diploma program 379  
approved by the board of nursing under section 4723.06 of the 380  
Revised Code, at a career college in this state that holds a 381  
certificate of registration from the state board of career 382  
colleges and schools under Chapter 3332. of the Revised Code or 383  
at a private institution exempt from regulation under Chapter 384  
3332. of the Revised Code as prescribed in section 3333.046 of 385  
the Revised Code, if the program has a certificate of 386  
authorization pursuant to Chapter 1713. of the Revised Code. 387

(d) A comprehensive transition and postsecondary program 388  
that is certified by the United States department of education. 389  
For purposes of this section, a "comprehensive transition and 390

postsecondary program" means a degree, certificate, or non- 391  
degree program that is designed to support persons with 392  
intellectual disabilities who are receiving academic, career, 393  
technical, and independent living instruction at an institution 394  
of higher education in order to prepare for gainful employment 395  
as defined in 20 U.S.C. 1140. 396

(C) (1) The chancellor shall establish and administer a 397  
needs-based financial aid grants program based on the United 398  
States department of education's method of determining financial 399  
need. The program shall be known as the Ohio college opportunity 400  
grant program. The general assembly shall support the needs- 401  
based financial aid program by such sums and in such manner as 402  
it may provide, but the chancellor also may receive funds from 403  
other sources to support the program. If, for any academic year, 404  
the amounts available for support of the program are inadequate 405  
to provide grants to all eligible students, the chancellor shall 406  
do one of the following: 407

(a) Give preference in the payment of grants based upon 408  
expected family contribution, beginning with the lowest expected 409  
family contribution category and proceeding upward by category 410  
to the highest expected family contribution category; 411

(b) Proportionately reduce the amount of each grant to be 412  
awarded for the academic year under this section; 413

(c) Use an alternate formula for such grants that 414  
addresses the shortage of available funds and has been submitted 415  
to and approved by the controlling board. 416

(2) The needs-based financial aid grant shall be paid to 417  
the eligible student through the institution in which the 418  
student is enrolled, except that no needs-based financial aid 419

grant shall be paid to any person serving a term of 420  
imprisonment. Applications for the grants shall be made as 421  
prescribed by the chancellor, and such applications may be made 422  
in conjunction with and upon the basis of information provided 423  
in conjunction with student assistance programs funded by 424  
agencies of the United States government or from financial 425  
resources of the institution of higher education. The 426  
institution shall certify that the student applicant meets the 427  
requirements set forth in division (B) of this section. Needs- 428  
based financial aid grants shall be provided to an eligible 429  
student only as long as the student is making appropriate 430  
progress toward a nursing diploma, an associate or bachelor's 431  
degree, or completion of a comprehensive transition and 432  
postsecondary program. No student shall be eligible to receive a 433  
grant for more than ten semesters, fifteen quarters, or the 434  
equivalent of five academic years. A grant made to an eligible 435  
student on the basis of less than full-time enrollment shall be 436  
based on the number of credit hours for which the student is 437  
enrolled and shall be computed in accordance with a formula 438  
adopted by rule issued by the chancellor. No student shall 439  
receive more than one grant on the basis of less than full-time 440  
enrollment. 441

(D) (1) Except as provided in divisions (D) (4) and (5) of 442  
this section, no grant awarded under this section shall exceed 443  
the total state cost of attendance. 444

(2) Subject to divisions (D) (1), (3), (4), and (5) of this 445  
section, ~~the amount of a grant awarded to a student under this~~ 446  
~~section shall equal the student's remaining state cost of~~ 447  
~~attendance after the student's Pell grant and expected family~~ 448  
~~contribution are applied to the instructional and general~~ 449  
~~charges for the undergraduate or comprehensive transition and~~ 450



~~postsecondary program. However, for students enrolled in a state~~ 451  
~~university or college as defined in section 3345.12 of the~~ 452  
~~Revised Code or a university branch, the chancellor may provide~~ 453  
~~that the grant amount shall equal the student's remaining~~ 454  
~~instructional and general charges for the undergraduate program~~ 455  
~~after the student's Pell grant and expected family contribution~~ 456  
~~have been applied to those charges, but, in chancellor shall~~ 457  
~~determine the maximum per student award amount for each~~ 458  
~~institutional sector by subtracting the sum of the maximum Pell~~ 459  
~~grant and maximum expected family contribution amounts, as~~ 460  
~~determined by the chancellor, from the average instructional and~~ 461  
~~general fees charged by the institutional sector. The department~~ 462  
~~of higher education shall publish on its web site an annual Ohio~~ 463  
~~college opportunity award table. In no case, shall the grant~~ 464  
amount for such a student exceed any maximum that the chancellor 465  
may set by rule. 466

(3) For a student enrolled for a semester or quarter in 467  
addition to the portion of the academic year covered by a grant 468  
under this section, the maximum grant amount shall be a 469  
percentage of the maximum specified in any table established in 470  
rules adopted by the chancellor as provided in division (A) of 471  
this section. The maximum grant for a fourth quarter shall be 472  
one-third of the maximum amount so prescribed. The maximum grant 473  
for a third semester shall be one-half of the maximum amount so 474  
prescribed. 475

(4) If a student is enrolled in a two-year institution of 476  
higher education and is eligible for an education and training 477  
voucher through the Ohio education and training voucher program 478  
that receives federal funding under the John H. Chafee foster 479  
care independence program, 42 U.S.C. 677, the amount of a grant 480  
awarded under this section may exceed the total state cost of 481

attendance to additionally cover housing costs. 482

(5) For a student who is receiving federal veterans' 483  
benefits under the "All-Volunteer Force Educational Assistance 484  
Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans 485  
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any 486  
successor program, the amount of a grant awarded under this 487  
section shall be applied toward the total state cost of 488  
attendance and the student's housing costs and living expenses. 489  
Living expenses shall include reasonable costs for room and 490  
board. 491

(E) No grant shall be made to any student in a course of 492  
study in theology, religion, or other field of preparation for a 493  
religious profession unless such course of study leads to an 494  
accredited bachelor of arts, bachelor of science, associate of 495  
arts, or associate of science degree. 496

(F) (1) Except as provided in division (F) (2) of this 497  
section, no grant shall be made to any student for enrollment 498  
during a fiscal year in an institution with a cohort default 499  
rate determined by the United States secretary of education 500  
pursuant to the "Higher Education Amendments of 1986," 100 Stat. 501  
1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth 502  
day of June preceding the fiscal year, equal to or greater than 503  
thirty per cent for each of the preceding two fiscal years. 504

(2) Division (F) (1) of this section does not apply in the 505  
case of either of the following: 506

(a) The institution pursuant to federal law appeals its 507  
loss of eligibility for federal financial aid and the United 508  
States secretary of education determines its cohort default rate 509  
after recalculation is lower than the rate specified in division 510

(F) (1) of this section or the secretary determines due to 511  
mitigating circumstances that the institution may continue to 512  
participate in federal financial aid programs. The chancellor 513  
shall adopt rules requiring any such appellant to provide 514  
information to the chancellor regarding an appeal. 515

(b) Any student who has previously received a grant 516  
pursuant to any provision of this section, including prior to 517  
the section's amendment by H.B. 1 of the 128th general assembly, 518  
effective July 17, 2009, and who meets all other eligibility 519  
requirements of this section. 520

(3) The chancellor shall adopt rules for the notification 521  
of all institutions whose students will be ineligible to 522  
participate in the grant program pursuant to division (F) (1) of 523  
this section. 524

(4) A student's attendance at any institution whose 525  
students are ineligible for grants due to division (F) (1) of 526  
this section shall not affect that student's eligibility to 527  
receive a grant when enrolled in another institution. 528

(G) Institutions of higher education that enroll students 529  
receiving needs-based financial aid grants under this section 530  
shall report to the chancellor all students who have received 531  
such needs-based financial aid grants but are no longer eligible 532  
for all or part of those grants and shall refund any moneys due 533  
the state within thirty days after the beginning of the quarter 534  
or term immediately following the quarter or term in which the 535  
student was no longer eligible to receive all or part of the 536  
student's grant. There shall be an interest charge of one per 537  
cent per month on all moneys due and payable after such thirty- 538  
day period. The chancellor shall immediately notify the office 539  
of budget and management and the legislative service commission 540

of all refunds so received. 541

**Section 2.** That existing sections 3313.471, 3319.223, 542  
3319.36, and 3333.122 and section 3319.229 of the Revised Code 543  
are hereby repealed. 544

**Section 3.** That Section 265.210 of Am. Sub. H.B. 49 of the 545  
132nd General Assembly be amended to read as follows: 546

**Sec. 265.210.** FOUNDATION FUNDING 547

Of the foregoing appropriation item 200550, Foundation 548  
Funding, up to \$40,000,000 in each fiscal year shall be used to 549  
provide additional state aid to school districts, joint 550  
vocational school districts, community schools, and STEM schools 551  
for special education students under division (C) (3) of section 552  
3314.08, section 3317.0214, division (B) of section 3317.16, and 553  
section 3326.34 of the Revised Code, except that the Controlling 554  
Board may increase these amounts if presented with such a 555  
request from the Department of Education at the final meeting of 556  
the fiscal year. 557

Of the foregoing appropriation item 200550, Foundation 558  
Funding, up to \$3,800,000 in each fiscal year shall be used to 559  
fund gifted education at educational service centers. The 560  
Department shall distribute the funding through the unit-based 561  
funding methodology in place under division (L) of section 562  
3317.024, division (E) of section 3317.05, and divisions (A), 563  
(B), and (C) of section 3317.053 of the Revised Code as they 564  
existed prior to fiscal year 2010. 565

Of the foregoing appropriation item 200550, Foundation 566  
Funding, up to \$40,000,000 in each fiscal year shall be reserved 567  
to fund the state reimbursement of educational service centers 568  
under the section of this act entitled "EDUCATIONAL SERVICE 569

CENTERS FUNDING." 570

Of the foregoing appropriation item 200550, Foundation 571  
Funding, up to \$3,500,000 in each fiscal year shall be 572  
distributed to educational service centers for School 573  
Improvement Initiatives and for the provision of technical 574  
assistance to schools and districts. The Department may 575  
distribute these funds through a competitive grant process. 576

Of the foregoing appropriation item 200550, Foundation 577  
Funding, up to \$10,000,000 in fiscal year 2018 and up to 578  
\$7,000,000 in fiscal year 2019 shall be reserved for payments 579  
under ~~section~~sections 3317.028 and 3317.029 of the Revised 580  
Code. If this amount is not sufficient, the ~~Department shall~~ 581  
~~prorate the payment amounts so~~ Superintendent of Public 582  
Instruction may reallocate excess funds for other purposes 583  
supported by this appropriation item in order to fully pay the 584  
amounts required by those sections, provided that the aggregate 585  
amount allocated ~~appropriated in this paragraph~~ appropriation 586  
item 200550, Foundation Funding, is not exceeded. 587

Of the foregoing appropriation item 200550, Foundation 588  
Funding, up to \$28,600,000 in fiscal year 2018 and up to 589  
\$26,400,000 in fiscal year 2019 shall be used to support school 590  
choice programs. 591

Of the portion of the funds distributed to the Cleveland 592  
Municipal School District under this section, up to \$15,400,000 593  
in fiscal year 2018 and \$17,600,000 in fiscal year 2019 shall be 594  
used to operate the school choice program in the Cleveland 595  
Municipal School District under sections 3313.974 to 3313.979 of 596  
the Revised Code. Notwithstanding divisions (B) and (C) of 597  
section 3313.978 and division (C) of section 3313.979 of the 598  
Revised Code, up to \$1,000,000 in each fiscal year of this 599

amount shall be used by the Cleveland Municipal School District 600  
to provide tutorial assistance as provided in division (H) of 601  
section 3313.974 of the Revised Code. The Cleveland Municipal 602  
School District shall report the use of these funds in the 603  
district's three-year continuous improvement plan as described 604  
in section 3302.04 of the Revised Code in a manner approved by 605  
the Department. 606

Of the foregoing appropriation item 200550, Foundation 607  
Funding, up to \$1,500,000 in each fiscal year may be used for 608  
payment of the College Credit Plus Program for students 609  
instructed at home pursuant to section 3321.04 of the Revised 610  
Code. 611

Of the foregoing appropriation item 200550, Foundation 612  
Funding, an amount shall be available in each fiscal year to be 613  
paid to joint vocational school districts in accordance with 614  
division (A) of section 3317.16 of the Revised Code, and the 615  
section of this act entitled "TEMPORARY TRANSITIONAL AID FOR 616  
JOINT VOCATIONAL SCHOOL DISTRICTS." 617

Of the foregoing appropriation item 200550, Foundation 618  
Funding, up to \$700,000 in each fiscal year shall be used by the 619  
Department for a program to pay for educational services for 620  
youth who have been assigned by a juvenile court or other 621  
authorized agency to any of the facilities described in division 622  
(A) of the section of this act entitled "PRIVATE TREATMENT 623  
FACILITY PROJECT." 624

Of the foregoing appropriation item 200550, Foundation 625  
Funding, a portion may be used to pay college-preparatory 626  
boarding schools the per pupil boarding amount pursuant to 627  
section 3328.34 of the Revised Code. 628

Of the foregoing appropriation item 200550, Foundation 629  
Funding, up to \$1,500,000 in each fiscal year shall be used for 630  
the Bright New Leaders for Ohio Schools Program created and 631  
implemented by the nonprofit corporation incorporated pursuant 632  
to section 3319.271 of the Revised Code, to provide an 633  
alternative path for individuals to receive training and 634  
development in the administration of primary and secondary 635  
education and leadership, enable those individuals to earn 636  
degrees and obtain licenses in public school administration, and 637  
promote the placement of those individuals in public schools 638  
that have a poverty percentage greater than fifty per cent. 639

Of the foregoing appropriation item 200550, Foundation 640  
Funding, a portion in each fiscal year shall be used to pay 641  
community schools and STEM schools the amounts calculated for 642  
the graduation and third-grade reading bonuses under sections 643  
3314.085 and 3326.41 of the Revised Code. 644

Of the foregoing appropriation item 200550, Foundation 645  
Funding, up to \$600,000 in each fiscal year may be used by the 646  
Department for duties and activities related to the 647  
establishment of academic distress commissions under section 648  
3302.10 of the Revised Code. A portion of the funds may be used 649  
as matching funds for any monetary contributions made by a 650  
school district for which an academic distress commission is 651  
established or by the district's local community to support 652  
innovative education programs or a high-quality school 653  
accelerator as provided for in section 3302.10 of the Revised 654  
Code. 655

The remainder of appropriation item 200550, Foundation 656  
Funding, shall be used to distribute the amounts calculated for 657  
formula aid under section 3317.022 of the Revised Code, the 658

section of this act entitled "TEMPORARY TRANSITIONAL AID FOR 659  
CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS," and the 660  
section of this act entitled "CAP OFFSET AMOUNT FOR CITY, LOCAL, 661  
AND EXEMPTED VILLAGE SCHOOL DISTRICTS." 662

Appropriation items 200502, Pupil Transportation, 200540, 663  
Special Education Enhancements, and 200550, Foundation Funding, 664  
other than specific set-asides, are collectively used in each 665  
fiscal year to pay state formula aid obligations for school 666  
districts, community schools, STEM schools, college preparatory 667  
boarding schools, and joint vocational school districts under 668  
this act. The first priority of these appropriation items, with 669  
the exception of specific set-asides, is to fund state formula 670  
aid obligations. It may be necessary to reallocate funds among 671  
these appropriation items or use excess funds from other general 672  
revenue fund appropriation items in the Department of 673  
Education's budget in each fiscal year in order to meet state 674  
formula aid obligations. If it is determined that it is 675  
necessary to transfer funds among these appropriation items or 676  
to transfer funds from other General Revenue Fund appropriations 677  
in the Department's budget to meet state formula aid 678  
obligations, the Superintendent of Public Instruction shall seek 679  
approval from the Director of Budget and Management to transfer 680  
funds as needed. 681

The Superintendent of Public Instruction shall make 682  
payments, transfers, and deductions, as authorized by Title 683  
XXXIII of the Revised Code in amounts substantially equal to 684  
those made in the prior year, or otherwise, at the discretion of 685  
the Superintendent, until at least the effective date of the 686  
amendments and enactments made to Title XXXIII by this act. Any 687  
funds paid to districts or schools under this section shall be 688  
credited toward the annual funds calculated for the district or 689



school after the changes made to Title XXXVIII in this act are 690  
effective. Upon the effective date of changes made to Title 691  
XXXVIII in this act, funds shall be calculated as an annual 692  
amount. 693

**Section 4.** That existing Section 265.210 of Am. Sub. H.B. 694  
49 of the 132nd General Assembly is hereby repealed. 695

**Section 5.** The General Assembly recognizes that section 696  
3319.229 of the Revised Code, as repealed and re-enacted by this 697  
act, codifies a method for assessing if career-technical 698  
teachers teaching under alternative resident educator licenses 699  
are qualified for a professional educator license which the 700  
Department of Education was required to establish under Section 701  
13 of Sub. S.B. 3 of the 131st General Assembly. 702