

As Passed by the House*

**123rd General Assembly
Regular Session
1999-2000**

Am. Sub. H. B. No. 282

**Representatives Thomas, Jones, Core, Metzger, Perz, Amstutz, Corbin,
Goodman, Hoops, Krebs, O'Brien, Vesper, Womer Benjamin, Barrett, Boyd,
R.Miller, Opfer, Roberts, Coughlin, Harris, Evans**

A B I L L

To amend sections 9.90, 125.05, 3301.80, 3301.801, 1
3302.01, 3302.02, 3302.07, 3311.213, 3313.603, 2
3313.608, 3314.02, 3314.03, 3314.05, 3314.06, 3
3314.08, 3314.09, 3314.11, 3314.12, 3314.13, 4
3315.17, 3316.05, 3316.06, 3317.01, 3317.02, 5
3317.022, 3317.023, 3317.024, 3317.029, 3317.0212, 6
3317.0213, 3317.0216, 3317.03, 3317.033, 3317.05, 7
3317.051, 3317.06, 3317.162, 3317.51, 3318.01, 8
3318.011, 3318.05, 3318.06, 3318.08, 3318.081, 9
3318.082, 3318.13, 3318.14, 3318.15, 3318.16, 10
3318.17, 3318.18, 3318.21, 3318.25, 3318.26, 11
3318.29, 3318.31, 3318.35, 3319.22, 3319.235, 12
3332.05, 3332.07, 3333.04, 3333.12, 3333.27, 13
3345.22, 3770.01, 3770.06, 4117.101, 5705.29, 14
5705.412, 5747.01, 5910.032, and 5919.34; to enact 15
new section 3317.16 and sections 3301.0726, 16
3314.011, 3314.021, 3314.071, 3314.15, 3317.014, 17
3318.021, 3318.032, 3318.083, 3318.33, 3318.36, 18
and 3324.01 to 3324.06; and to repeal sections 19
3313.21, 3317.0214, 3317.053, 3317.16, 3318.23, 20
3318.24, and 3318.27 of the Revised Code and to 21
amend Section 45.32 of Am. Sub. H.B. 117 of the 22
121st General Assembly, as subsequently amended; 23

to amend Section 50.52.2 of Am. Sub. H.B. 215 of 24
the 122nd General Assembly; to amend Section 18 of 25
Am. Sub. H.B. 650 of the 122nd General Assembly, 26
as subsequently amended; to amend Sections 6, 26, 27
30.07, 30.10, 30.43, and 31 of Am. Sub. H.B. 850 28
of the 122nd General Assembly; to repeal Sections 29
50.52.1, 50.52.3, 50.52.6, 50.52.8, 50.52.11, and 30
50.52.13 of Am. Sub. H.B. 215 of the 122nd General 31
Assembly; and to repeal Sections 50.52.4, 50.52.5, 32
50.52.7, 50.52.9, and 50.52.10 of Am. Sub. H.B. 33
215 of the 122nd General Assembly, as subsequently 34
amended, to make appropriations for education 35
programs for the biennium beginning July 1, 1999, 36
and ending June 30, 2001, and to provide 37
authorization and conditions for the operation of 38
those programs. 39

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

Section 1. That sections 9.90, 125.05, 3301.80, 3301.801, 40
3302.01, 3302.02, 3302.07, 3311.213, 3313.603, 3313.608, 3314.02, 41
3314.03, 3314.05, 3314.06, 3314.08, 3314.09, 3314.11, 3314.12, 42
3314.13, 3315.17, 3316.05, 3316.06, 3317.01, 3317.02, 3317.022, 43
3317.023, 3317.024, 3317.029, 3317.0212, 3317.0213, 3317.0216, 44
3317.03, 3317.033, 3317.05, 3317.051, 3317.06, 3317.162, 3317.51, 45
3318.01, 3318.011, 3318.05, 3318.06, 3318.08, 3318.081, 3318.082, 46
3318.13, 3318.14, 3318.15, 3318.16, 3318.17, 3318.18, 3318.21, 47
3318.25, 3318.26, 3318.29, 3318.31, 3318.35, 3319.22, 3319.235, 48
3332.05, 3332.07, 3333.04, 3333.12, 3333.27, 3345.22, 3770.01, 49
3770.06, 4117.101, 5705.29, 5705.412, 5747.01, 5910.032, and 50
5919.34 be amended and new section 3317.16 and sections 3301.0726, 51
3314.011, 3314.021, 3314.071, 3314.15, 3317.014, 3318.021, 52

3318.032, 3318.083, 3318.33, 3318.36, 3324.01, 3324.02, 3324.03, 53
3324.04, 3324.05, and 3324.06 of the Revised Code be enacted to 54
read as follows: 55

Sec. 9.90. (A) The governing board of any public institution 56
of higher education, including without limitation state 57
universities and colleges, community college districts, university 58
branch districts, technical college districts, and municipal 59
universities, or the board of education of any school district, 60
may, in addition to all other powers provided in the Revised Code: 61
62

(1) Contract for, purchase, or otherwise procure from an 63
insurer or insurers licensed to do business by the state of Ohio 64
for or on behalf of such of its employees as it may determine, 65
life insurance, or sickness, accident, annuity, endowment, health, 66
medical, hospital, dental, or surgical coverage and benefits, or 67
any combination thereof, by means of insurance plans or other 68
types of coverage, family, group or otherwise, and may pay from 69
funds under its control and available for such purpose all or any 70
portion of the cost, premium, or charge ~~therefor~~; for such 71
insurance, coverage, or benefits. However, the governing board, in 72
addition to or as an alternative to the authority otherwise 73
granted by division (A)(1) of this section, may elect to procure 74
coverage for health care services, for or on behalf of such of its 75
employees as it may determine, by means of policies, contracts, 76
certificates, or agreements issued by at least two health insuring 77
corporations holding a certificate of authority under Chapter 78
1751. of the Revised Code and may pay from funds under the 79
governing board's control and available for such purpose all or 80
any portion of the cost of such coverage. 81

(2) Make payments to a custodial account for investment in 82
regulated investment company stock for the purpose of providing 83

retirement benefits as described in section 403(b)(7) of the
Internal Revenue Code of 1954, as amended. Such stock shall be
purchased only from persons authorized to sell such stock in this
state.

Any income of an employee deferred under divisions (A)(1) and
(2) of this section in a deferred compensation program eligible
for favorable tax treatment under the Internal Revenue Code of
1954, as amended, shall continue to be included as regular
compensation for the purpose of computing the contributions to and
benefits from the retirement system of such employee. Any sum so
deferred shall not be included in the computation of any federal
and state income taxes withheld on behalf of any such employee.

(B) All or any portion of the cost, premium, or charge
therefor may be paid in such other manner or combination of
matters as the governing board or the school board may determine,
including direct payment by the employee in cases under division
(A)(1) of this section, and, if authorized in writing by the
employee in cases under division (A)(1) or (2) of this section, by
such governing board or school board with moneys made available by
deduction from or reduction in salary or wages or by the foregoing
of a salary or wage increase. Division (B)(7) of section 3917.01
and the last paragraph of section 3917.06 of the Revised Code
shall not prohibit the issuance or purchase of group life
insurance authorized by this section by reason of payment of
premiums therefor by the governing board or the school board from
its funds, and such group life insurance may be so issued and
purchased if otherwise consistent with the provisions of sections
3917.01 to 3917.07 of the Revised Code.

Sec. 125.05. Except as provided in division (E) of this
section, no state agency shall purchase any supplies or services
except as provided in divisions (A) to (C) of this section.

(A) Subject to division (D) of this section, a state agency 115
may, without competitive selection, make any purchase of services 116
that cost fifty thousand dollars or less or any purchase of 117
supplies that cost twenty-five thousand dollars or less. The 118
agency may make the purchase directly or may make the purchase 119
from or through the department of administrative services, 120
whichever the agency determines. The department shall establish 121
written procedures to assist state agencies when they make direct 122
purchases. If the agency makes the purchase directly, it shall 123
make the purchase by a term contract whenever possible. 124

(B) Subject to division (D) of this section, a state agency 125
wanting to purchase services that cost more than fifty thousand 126
dollars or supplies that cost more than twenty-five thousand 127
dollars shall, unless otherwise authorized by law, make the 128
purchase from or through the department. The department shall make 129
the purchase by competitive selection under section 125.07 of the 130
Revised Code. If the director of administrative services 131
determines that it is not possible or not advantageous to the 132
state for the department to make the purchase, the department 133
shall grant the agency a release and permit under section 125.06 134
of the Revised Code to make the purchase. Section 127.16 of the 135
Revised Code does not apply to purchases the department makes 136
under this section. 137

(C) An agency that has been granted a release and permit to 138
make a purchase may make the purchase without competitive 139
selection if after making the purchase the cumulative purchase 140
threshold as computed under division (F) of section 127.16 of the 141
Revised Code would: 142

(1) Be exceeded and the controlling board approves the 143
purchase; 144

(2) Not be exceeded and the department of administrative 145

services approves the purchase. 146

(D) Not later than January 31, 1997, the amounts specified in 147
divisions (A) and (B) of this section and, not later than the 148
thirty-first day of January of each second year thereafter, any 149
amounts computed by adjustments made under this division, shall be 150
increased or decreased by the average percentage increase or 151
decrease in the consumer price index prepared by the United States 152
bureau of labor statistics (U.S. City Average for Urban Wage 153
Earners and Clerical Workers: "All Items 1982-1984=100") for the 154
twenty-four calendar month period prior to the immediately 155
preceding first day of January over the immediately preceding 156
twenty-four calendar month period, as reported by the bureau. The 157
director of administrative services shall make this determination 158
and adjust the appropriate amounts accordingly. 159

(E) If the ~~office of information, learning, and technology~~ 160
~~services; Ohio SchoolNet commission,~~ the department of education, 161
or the Ohio education computer network determines that it can 162
purchase software services or supplies for specified school 163
districts at a price less than the price for which the districts 164
could purchase the same software services or supplies for 165
themselves, the office, department, or network shall certify that 166
fact to the department of administrative services and, acting as 167
an agent for the specified school districts, shall make that 168
purchase without following the provisions in divisions (A) ~~through~~ 169
to (D) of this section. 170

Sec. 3301.0726. The department of education shall develop a 171
packet of high school instructional materials on personal 172
financial responsibility, including instructional materials on the 173
avoidance of credit card abuse, and shall distribute that packet 174
to all school districts. The board of education of any school 175
district may adopt part or all of the materials included in the 176

packet for incorporation into the district's curriculum. 177

Sec. 3301.80. (A) There is hereby created the Ohio SchoolNet 178
commission ~~consisting~~ as an independent agency. The commission 179
shall administer programs to provide financial and other 180
assistance to school districts and other educational institutions 181
for the acquisition and utilization of educational technology. 182
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The commission is a body corporate and politic, an agency of 184
the state performing essential governmental functions of the 185
state. 186

(B)(1) The commission shall consist of eleven members, seven 187
of whom are voting members. Of the voting members, one shall be 188
appointed by the speaker of the house of representatives and one 189
shall be appointed by the president of the senate. The members 190
appointed by the speaker of the house and the president of the 191
senate shall not be members of the general assembly. The state 192
superintendent of public instruction or a designee of the 193
superintendent, the director of ~~the office of~~ budget and 194
management or a designee of the director, the director of 195
administrative services or a designee of the director, the 196
chairperson of the public utilities commission or a designee of 197
the chairperson, and the director of the Ohio educational 198
telecommunications network commission or a designee of the 199
director shall serve on the commission as ex officio voting 200
members. Of the nonvoting members, two shall be members of the 201
house of representatives appointed by the speaker of the house ~~of~~ 202
~~representatives~~ and two shall be members of the senate appointed 203
by the president of the senate. The members appointed from each 204
house shall not be members of the same political party. 205

(2) The members shall serve without compensation. The voting 206

members appointed by the speaker of the house of representatives 207
and the president of the senate shall be reimbursed, pursuant to 208
office of budget and management guidelines, for necessary expenses 209
incurred in the performance of official duties. 210

(3) The terms of office for the members appointed by the 212
speaker of the house and the president of the senate shall be for 213
two years, with each term ending on the same day of the same month 214
as did the term that it succeeds. The members appointed by the 215
speaker of the house and the president of the senate may be 216
reappointed. Any member appointed from the house of 217
representatives or senate who ceases to be a member of the 218
legislative house from which the member was appointed shall cease 219
to be a member of the ~~committee~~ commission Vacancies among 220
appointed members shall be filled in the manner provided for 221
original appointments. Any member appointed to fill a vacancy 222
occurring prior to the expiration date of the term for which a 223
predecessor was appointed shall hold office as a member for the 224
remainder of that term. The members appointed by the speaker of 225
the house and the president of the senate shall continue in office 226
subsequent to the expiration date of that member's term until a 227
successor takes office or until a period of sixty days has 228
elapsed, whichever occurs first. 229

~~The Ohio SchoolNet commission shall monitor and oversee the~~ 230
~~operations of, and programs administered by, the Ohio SchoolNet~~ 231
~~office established under division (B) of this section. In~~ 232
~~addition, the commission may develop and issue policies and~~ 233
~~directives to be followed by the Ohio SchoolNet office in~~ 234
~~implementing the programs under its jurisdiction.~~ 235

~~(B) The Ohio SchoolNet office is hereby established as an~~ 236
~~independent agency. (C)(1) The office commission shall be under~~ 237
the supervision of a an executive director who shall be appointed 238

by the ~~Ohio SchoolNet~~ commission. The executive director shall 239
serve at the pleasure of the commission and shall direct ~~the~~ 240
~~office~~ commission employees in the administration of all programs 241
for the provision of financial and other assistance to school 242
districts and other educational institutions for the acquisition 243
and utilization of educational technology. ~~The~~ 244

(2) The employees of the Ohio SchoolNet commission shall be 245
placed in the unclassified service. The commission shall fix the 246
compensation of the executive director. The executive director 247
shall employ and fix the compensation for such employees as 248
necessary to facilitate the activities and purposes of the 249
commission. The employees shall serve at the pleasure of the 250
executive director. 251

(3) The employees of the Ohio SchoolNet commission shall be 252
exempt from Chapter 4117. of the Revised Code and shall not be 253
public employees as defined in section 4117.01 of the Revised 254
Code. 255

(D) The Ohio SchoolNet ~~office~~ commission shall do all of the 256
following: 257

(1) Make grants to institutions and other organizations as 258
prescribed by the general assembly for the provision of technical 259
assistance, professional development, and other support services 260
to enable school districts, community schools established under 261
Chapter 3314. of the Revised Code, and other educational 262
institutions to utilize educational technology; 263

(2) Contract with the department of education, state 264
institutions of higher education, private nonprofit institutions 265
of higher education holding certificates of authorization under 266
section 1713.02 of the Revised Code, and such other public or 267
private entities, ~~and employ such persons~~ as the executive 268
director ~~of the office~~ deems necessary for the administration and 269

implementation of the programs under the ~~office's~~ commission's jurisdiction; 270
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(3) Establish a reporting system to which school districts, community schools established under Chapter 3314. of the Revised Code, and other educational institutions receiving financial assistance pursuant to this section for the acquisition of educational technology report information as to the manner in which such assistance was expended, the manner in which the equipment or services purchased with the assistance is being utilized, the results or outcome of this utilization, and other information as may be required by the ~~office~~ commission; 272
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(4) Establish necessary guidelines governing purchasing and procurement by participants in programs administered by the ~~office~~ commission that facilitate the timely and effective implementation of such programs; 281
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(5) ~~Implement~~ Take into consideration the efficiency and cost savings of statewide procurement prior to allocating and releasing funds for any programs under its administration. 285
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(E)(1) The executive director shall implement policies and directives issued by the Ohio SchoolNet commission established under division (A) of this section. 288
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(2) The Ohio SchoolNet office commission may establish a systems support network to facilitate the timely implementation of the programs, projects, or activities for which it provides assistance. 291
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(3) Chapters 123., 124., 125., and 153., and sections 9.331, 9.332, and 9.333 of the Revised Code do not apply to contracts, programs, projects, or activities of the Ohio SchoolNet commission or Ohio SchoolNet office. 295
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~~For purposes of exercising collective bargaining rights under Chapter 4117. of the Revised Code, the employees of the Ohio~~ 299
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~~SchoolNet office shall be placed in a bargaining unit separate
from any other unit containing employees of the state.~~ 301
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Sec. 3301.801. ~~The office of information, learning, and~~ 303
~~technology services~~ Ohio SchoolNet commission shall create and 304
maintain a clearinghouse for classroom teachers, including any 305
classroom teachers employed by community schools established under 306
Chapter 3314. of the Revised Code, to easily obtain lesson plans 307
and materials and other practical resources for use in classroom 308
teaching. The ~~office~~ commission shall develop a method of 309
obtaining submissions, from classroom teachers and others, of such 310
plans, materials, and other resources that have been used in the 311
classroom and that can be readily used and implemented by 312
classroom teachers in their regular teaching activities. The 313
~~office~~ commission also shall develop methods of informing 314
classroom teachers of both the availability of such plans, 315
materials, and other resources, and of the opportunity to submit 316
such plans, materials, and other resources and other classroom 317
teaching ideas to the clearinghouse. 318

The ~~office~~ commission shall periodically report to the 319
speaker and minority leader of the house of representatives, the 320
president and minority leader of the senate, and the chairpersons 321
and ranking minority members of the education committees of the 322
senate and the house of representatives regarding the 323
clearinghouse and make recommendations for changes in state law or 324
administrative rules that may facilitate the usefulness of the 325
clearinghouse. 326

Sec. 3302.01. As used in this chapter: 327

(A) "Dropout ~~rate~~" means ~~one minus the graduation rate a~~ 328
student who withdraws from school before completing course 329
requirements for graduation and who is not enrolled in an 330

education program approved by the state board of education or an 331
education program outside the state. "Dropout" does not include a 332
student who has departed the country. 333

(B) "Graduation rate" means a calculation of the ~~per cent~~ 334
~~percentage~~ of ninth grade students who graduate by the end of the 335
summer following their twelfth grade year. The graduation rate is 336
the ratio of the students ~~entering ninth grade to the number of~~ 337
~~those students~~ receiving a diploma to the number of students who 338
entered ninth grade four years ~~later~~ earlier. Students who 339
transfer into the district are added to the calculation. Students 340
who transfer out of the district for reasons other than dropout 341
are subtracted from the calculation. Students who do not graduate 342
within four years but who continue their high school education in 343
the following year in the same school district are removed from 344
the calculation for ~~that~~ the year in which they would have 345
graduated and are added to the calculation for the ~~subsequent year~~ 346
following year's graduating class as if the student had entered 347
ninth grade four years before the intended graduation date of that 348
class. In each subsequent year that such students do not graduate 349
but continue their high school education uninterrupted in the same 350
school district, such students shall be reassigned to the 351
district's graduation rate for that year by assuming that the 352
students entered ninth grade four years before the date of the 353
intended graduation. If a student who was a dropout in any 354
previous year returns to the same school district, that student 355
shall be entered into the calculation as if the student had 356
entered ninth grade four years before the graduation year of the 357
graduating class that the student joins. 358

(C) "Attendance rate" means the ratio of the number of 359
students actually in attendance over the course of a school year 360
to the number of students who were required to be in attendance 361
that school year, as calculated pursuant to rules of the 362

superintendent of public instruction.	363
(D) "Three-year average" means the average of the most recent consecutive three years of data.	364 365
(E) "Required level of improvement" means at least one standard unit of improvement on at least the percentage of performance standards required to demonstrate overall improvement, in accordance with the rule approved under division (A) of section 3302.04 of the Revised Code.	366 367 368 369 370
Sec. 3302.02. The following are the expected state performance standards for school districts:	371 372
(A) A three <u>ninety</u> per cent dropout <u>graduation</u> rate;	373
(B) At least seventy-five per cent of fourth graders proficient on the mathematics test prescribed by division (A)(1) of section 3301.0710 of the Revised Code;	374 375 376
(C) At least seventy-five per cent of fourth graders proficient on the reading test prescribed by division (A)(1) of section 3301.0710 of the Revised Code;	377 378 379
(D) At least seventy-five per cent of fourth graders proficient on the writing test prescribed by division (A)(1) of section 3301.0710 of the Revised Code;	380 381 382
(E) At least seventy-five per cent of fourth graders proficient on the citizenship test prescribed by division (A)(1) of section 3301.0710 of the Revised Code;	383 384 385
(F) At least seventy-five per cent of ninth graders proficient on the mathematics test prescribed by division (B) of section 3301.0710 of the Revised Code;	386 387 388
(G) At least seventy-five per cent of ninth graders proficient on the reading test prescribed by division (B) of section 3301.0710 of the Revised Code;	389 390 391

(H) At least seventy-five per cent of ninth graders	392
proficient on the writing test prescribed by division (B) of	393
section 3301.0710 of the Revised Code;	394
(I) At least seventy-five per cent of ninth graders	395
proficient on the citizenship test prescribed by division (B) of	396
section 3301.0710 of the Revised Code;	397
(J) At least eighty-five per cent of tenth graders proficient	398
on the mathematics test prescribed by division (B) of section	399
3301.0710 of the Revised Code;	400
(K) At least eighty-five per cent of tenth graders proficient	401
on the reading test prescribed by division (B) of section	402
3301.0710 of the Revised Code;	403
(L) At least eighty-five per cent of tenth graders proficient	404
on the writing test prescribed by division (B) of section	405
3301.0710 of the Revised Code;	406
(M) At least eighty-five per cent of tenth graders proficient	407
on the citizenship test prescribed by division (B) of section	408
3301.0710 of the Revised Code;	409
(N) At least sixty per cent of twelfth graders proficient on	410
the mathematics test prescribed by division (A)(3) of section	411
3301.0710 of the Revised Code;	412
(O) At least sixty per cent of twelfth graders proficient on	413
the reading test prescribed by division (A)(3) of section	414
3301.0710 of the Revised Code;	415
(P) At least sixty per cent of twelfth graders proficient on	416
the writing test prescribed by division (A)(3) of section	417
3301.0710 of the Revised Code;	418
(Q) At least sixty per cent of twelfth graders proficient on	419
the citizenship test prescribed by division (A)(3) of section	420
3301.0710 of the Revised Code;	421

(R) At least a ninety-three per cent attendance rate. 422

When sufficient data concerning the tests given pursuant to 423
division (A)(2) of section 3301.0710 of the Revised Code and the 424
science tests given pursuant to divisions (A)(1), (3), and (B) of 425
section 3301.0710 of the Revised Code are available for the 426
department of education to establish performance standards for 427
those tests, the department shall recommend a rule adding 428
standards to reflect these additional tests. The department shall 429
also recommend a rule when necessary to allow for the phasing out 430
of the ninth grade proficiency test and its replacement with a 431
high school proficiency test pursuant to section 3301.0710 of the 432
Revised Code as amended by ~~this act~~ Amended Substitute Senate Bill 433
No. 55 of the 122nd general assembly The rules shall not recommend 434
any standard be established for passage of the fourth grade 435
reading test that is solely based on the test given in the fall 436
for the purpose of determining whether students have met the 437
fourth grade guarantee provisions of section 3313.608 of the 438
Revised Code. 439

Rules recommended by the department under this section shall 440
not take effect unless approved by joint resolution of the general 441
assembly. 442

Sec. 3302.07. (A) The board of education of any school 443
district ~~or~~, the governing board of any educational service 444
center, or the administrative authority of any chartered nonpublic 445
school may submit to the state board of education an application 446
proposing an innovative education pilot program the implementation 447
of which requires exemptions from specific statutory provisions or 448
rules. If a district or service center board employs teachers 449
under a collective bargaining agreement adopted pursuant to 450
Chapter 4117. of the Revised Code, any application submitted under 451
this division shall include the written consent of the teachers' 452

employee representative designated under division (B) of section 453
4117.04 of the Revised Code. The exemptions requested in the 454
application shall be limited to any requirement of Title XXXIII of 455
the Revised Code or of any rule of the state board adopted 456
pursuant to that title except that the application may not propose 457
an exemption from any requirement of or rule adopted pursuant to 458
Chapter 3307. or 3309., sections 3319.07 to 3319.21, or Chapter 459
3323. of the Revised Code. 460

(B) The state board of education shall accept any application 461
submitted in accordance with division (A) of this section. The 462
superintendent of public instruction shall approve or disapprove 463
the application in accordance with standards for approval, which 464
shall be adopted by the state board. 465

(C) The superintendent of public instruction shall exempt 466
each district or service center board or chartered nonpublic 467
school administrative authority with an application approved under 468
division (B) of this section for a specified period from the 469
statutory provisions or rules specified in the approved 470
application. The period of exemption shall not exceed the period 471
during which the pilot program proposed in the application is 472
being implemented and a reasonable period to allow for evaluation 473
of the effectiveness of the program. 474

Sec. 3311.213. (A) With the approval of the board of 475
education of a joint vocational school district which is in 476
existence, any school district in the county or counties 477
comprising the joint vocational school district or any school 478
district in a county adjacent to a county comprising part of a 479
joint vocational school district may become a part of the joint 480
vocational school district. On the adoption of a resolution of 481
approval by the board of education of the joint vocational school 482
district, it shall advertise a copy of such resolution in a 483

newspaper of general circulation in the school district proposing 484
to become a part of such joint vocational school district once 485
each week for at least two weeks immediately following the date of 486
the adoption of such resolution. Such resolution shall not become 487
~~legally effective on~~ until the ~~sixtieth~~ later of the sixty-first 488
~~day after its adoption unless prior to the expiration of such~~ 489
~~sixty-day period~~ qualified electors residing in the school 490
~~district proposed to become a part of the joint vocational school~~ 491
~~district equal in number to a majority of the qualified electors~~ 492
~~voting at the last general election file with such board of~~ 493
~~education a petition of remonstrance against such transfer~~ or 494
until the board of elections certifies the results of an election 495
in favor of joining of the school district to the joint vocational 496
school district if such an election is held under division (B) of 497
this section 498

(B) During the sixty-day period following the date of the 499
adoption of a resolution to join a school district to a joint 500
vocational school district under division (A) of this section, the 501
electors of the school district that proposes joining the joint 502
vocational school district may petition for a referendum vote on 503
the resolution. The question whether to approve or disapprove the 504
resolution shall be submitted to the electors of such school 505
district if a number of qualified electors equal to twenty per 506
cent of the number of electors in the school district who voted 507
for the office of governor at the most recent general election for 508
that office sign a petition asking that the question of whether 509
the resolution shall be disapproved be submitted to the electors. 510
The petition shall be filed with the board of elections of the 511
county in which the school district is located. If the school 512
district is located in more than one county, the petition shall be 513
filed with the board of elections of the county in which the 514
majority of the territory of the school district is located. The 515

board shall certify the validity and sufficiency of the signatures 516
on the petition. 517

The board of elections shall immediately notify the board of 518
education of the joint vocational school district and the board of 519
education of the school district that proposes joining the joint 520
vocational school district that the petition has been filed. 521

The effect of the resolution shall be stayed until the board 522
of elections certifies the validity and sufficiency of the 523
signatures on the petition. If the board of elections determines 524
that the petition does not contain a sufficient number of valid 525
signatures and sixty days have passed since the adoption of the 526
resolution, the resolution shall become effective. 527

If the board of elections certifies that the petition 528
contains a sufficient number of valid signatures, the board shall 529
submit the question to the qualified electors of the school 530
district on the day of the next general or primary election held 531
at least seventy-five days after but no later than six months 532
after the board of elections certifies the validity and 533
sufficiency of signatures on the petition. If there is no general 534
or primary election held at least seventy-five days after but no 535
later than six months after the board of elections certifies the 536
validity and sufficiency of signatures on the petition, the board 537
shall submit the question to the electors at a special election to 538
be held on the next day specified for special elections in 539
division (D) of section 3501.01 of the Revised Code that occurs at 540
least seventy-five days after the board certifies the validity and 541
sufficiency of signatures on the petition. The election shall be 542
conducted and canvassed and the results shall be certified in the 543
same manner as in regular elections for the election of members of 544
a board of education. 545

If a majority of the electors voting on the question 546
disapprove the resolution, the resolution shall not become 547

effective. 548

(C) If ~~such~~ the resolution becomes ~~legally~~ effective, the 549
board of education of the joint vocational school district shall 550
notify the county auditor of the county in which the school 551
district becoming a part of the joint vocational school district 552
is located, who shall thereupon have any outstanding levy for 553
building purposes, bond retirement, or current expenses in force 554
in the joint vocational school district spread over the territory 555
of the school district becoming a part of the joint vocational 556
school district. On the addition of a city or exempted village 557
school district or an educational service center to the joint 558
vocational school district, pursuant to this section, the board of 559
education of such joint vocational school district shall submit to 560
the state board of education a proposal to enlarge the membership 561
of such board by the addition of one or more persons at least one 562
of whom shall be a member of the board of education or governing 563
board of such additional school district or educational service 564
center, and the term of each such additional member. On the 565
addition of a local school district to the joint vocational school 566
district, pursuant to this section, the board of education of such 567
joint vocational school district may submit to the state board of 568
education a proposal to enlarge the membership of such board by 569
the addition of one or more persons who are members of the 570
educational service center governing board of such additional 571
local school district. On approval by the state board of education 572
additional members shall be added to such joint vocational school 573
district board of education. 574

Sec. 3313.603. (A) As used in this section: 575

(1) "One unit" means a minimum of one hundred twenty hours of 576
course instruction, except that for a laboratory course, "one 577
unit" means a minimum of one hundred fifty hours of course 578

instruction.	579
(2) "One-half unit" means a minimum of sixty hours of course instruction, except that for physical education courses, "one-half unit" means a minimum of one hundred twenty hours of course instruction.	580 581 582 583
(B) Beginning September 15, 2001, the requirements for graduation from every high school shall include twenty-one units earned in grades nine through twelve and shall be distributed as follows:	584 585 586 587
(1) English language arts, four units;	588
(2) Health, one-half unit;	589
(3) Mathematics, three units;	590
(4) Physical education, one-half unit;	591
(5) Science, two units until September 15, 2003, and three units thereafter, which at all times shall include both of the following:	592 593 594
(a) Biological sciences, one unit;	595
(b) Physical sciences, one unit.	596
(6) Social studies, three units, which shall include both of the following:	597 598
(a) American history, one-half unit;	599
(b) American government, one-half unit.	600
(7) Elective units, eight units until September 15, 2003, and seven units thereafter.	601 602
Each student's electives shall include at least one unit, or two half units, chosen from among the areas of business/technology, fine arts, and/or foreign language.	603 604 605
(C) Every high school may permit students below the ninth	606

grade to take advanced work for credit. A high school shall count
such advanced work toward the graduation requirements of division
(B) of this section if the advanced work was both:

(1) Taught by a person who possesses a license or certificate
issued under section 3319.22 or 3319.222 of the Revised Code that
is valid for teaching high school;

(2) Designated by the board of education of the city, local,
or exempted village school district ~~or~~, the board of the
cooperative education school district, or the governing authority
of the chartered nonpublic school as meeting the high school
curriculum requirements.

(D) Units earned in English language arts, mathematics,
science, and social studies that are delivered through integrated
academic and technical instruction are eligible to meet the
graduation requirements of division (B) of this section.

Sec. 3313.608. (A) Beginning with students who enter fourth
grade in the school year that starts July 1, 2001, no city,
exempted village, or local school district shall promote to fifth
grade any student who fails to attain the score designated under
division (A)(1) of section 3301.0710 of the Revised Code on the
test prescribed under that division to measure skill in reading,
unless either of the following applies:

(1) The pupil was excused from taking the test under division
(C)(1) of section 3301.0711 of the Revised Code;

(2) The pupil's principal and reading teacher agree that the
pupil is academically prepared, as determined pursuant to the
district policy adopted under section 3313.609 of the Revised
Code, to be promoted to fifth grade.

(B)(1) To assist students in meeting this fourth grade
guarantee established by this section, each city, exempted

village, and local school district shall adopt policies and
procedures with which it shall, beginning in the school year that
starts July 1, 1998, annually assess the reading skills of each
student at the end of first, second, and third grade and identify
students who are reading below their grade level. The policy and
procedures shall require the students' classroom teachers to be
involved in the assessment and the identification of students
reading below grade level. The district shall notify the parent or
guardian of each student whose reading skills are below grade
level and, in accordance with division (C) of this section,
provide intervention services to each student reading below grade
level.

(2) For each student identified as reading below grade level
at the end of third grade, the district shall offer intense
remediation services during the summer following third grade.

(3) For each student entering fourth grade after July 1,
2001, who does not attain by the end of the fourth grade the score
designated under division (A)(1) of section 3301.0710 of the
Revised Code on the test prescribed under that division to measure
skill in reading, the district also shall offer intense
remediation services, and another opportunity to take that test,
during the summer following fourth grade.

(C) For each student required to be offered remediation
services under this section, the district shall involve the
student's parent or guardian and classroom teacher in developing
the intervention strategy, and shall offer to the parent or
guardian the opportunity to be involved in the intervention
services.

(D) Beginning in the summer of 1999, in addition to the
remediation requirements of divisions (B) and (C) of this section,
every city, exempted village, or local school district shall offer

summer remediation to any student who has failed to attain the
designated scores on three or more of the five tests described by
division (A)(1) or (2) of section 3301.0710 of the Revised Code.

(E) Any summer remediation services funded in whole or in
part by the state and offered by school districts to students who
are in danger of being retained in grade level due to failure to
pass required proficiency tests under this section shall meet the
following conditions:

(1) The remediation methods are based on reliable educational
research.

(2) The school districts conduct testing before and after
students participate in the program to facilitate monitoring
results of the remediation services.

(3) The parents of participating students are involved in
programming decisions.

(4) The services are conducted in a school building or
community center and not on an at-home basis.

Sec. 3314.011. every community school established under this
chapter shall have a designated fiscal officer. The Auditor of
state may require by rule that the fiscal officer of any community
school, before entering upon duties as fiscal officer of the
school, execute a bond in an amount and with surety to be approved
by the governing authority of the school, payable to the state,
conditioned for the faithful performance of all the official
duties required of the fiscal officer. any Such bond shall be
deposited with the governing authority of the school, and a copy
thereof, certified by the governing authority, shall be filed with
the county auditor.

Sec. 3314.02. (A) As used in this chapter:

(1) "Sponsor" means a ~~city, local, exempted village, or joint~~ 697
~~vocational board of education or the state board of education~~ 698
public entity listed in division (C)(1) of this section with which 699
the governing authority of the proposed community school enters 700
into a contract pursuant to this section. 701

(2) "Pilot project ~~district~~ area" means a the school ~~district~~ 702
districts included in the territory of a the former community 703
school pilot project established by former Section 50.52 of Am. 704
Sub. H.B. No. 215 of the 122nd general assembly. 705

706

(3) "Challenged school district" means any of the following: 707

(a) A school district that is part of the pilot project area; 708

709

(b) A school district that is in a state of academic 710
emergency under section 3302.03 of the Revised Code; 711

(c) A big eight school district; 712

(d) An urban school district. 713

(4) "Big eight school district" means a school district that 714
for fiscal year 1997 had both of the following: 715

(a) A percentage of children residing in the district and 716
participating in the predecessor of Ohio works first greater than 717
thirty per cent, as reported pursuant to section 3317.10 of the 718
Revised Code; 719

(b) An average daily membership greater than twelve thousand, 720
as reported pursuant to former division (A) of section 3317.03 of 721
the Revised Code. 722

~~(4)~~(5) "New start-up school" means a community school other 723
than one created by converting all or part of an existing public 724
school, as designated in the school's contract pursuant to 725
division (A)(17) of section 3314.03 of the Revised Code. 726

(6) "Urban school district" means one of the state's 727
twenty-one urban school districts as defined in division (O) of 728
section 3317.02 of the Revised Code as that section existed prior 729
to July 1, 1998. 730

(B) Any person or group of individuals may initially propose 731
under this division the conversion of all or a portion of a public 732
school to a community school. The proposal shall be made to the 733
board of education of a the city, local, or exempted village 734
school district, ~~other than a pilot project district,~~ in which the 735
public school is proposed to be converted. Upon receipt of a 736
proposal, a board may enter into a preliminary agreement with the 737
person or group proposing the conversion of the public school, 738
indicating the intention of the board of education to support the 739
conversion to a community school. A proposing person or group that 740
has a preliminary agreement under this division may proceed to 741
finalize plans for the school, establish a governing authority for 742
the school, and negotiate a contract with the board of education. 743
Provided the proposing person or group adheres to the preliminary 744
agreement and all provisions of this chapter, the board of 745
education shall negotiate in good faith to enter into a contract 746
in accordance with section 3314.03 of the Revised Code and 747
division (C) of this section. 748

(C)(1) Any person or group of individuals may propose under 749
this division the establishment of a new start-up school to be 750
located in a ~~big eight~~ challenged school district ~~other than a~~ 751
~~pilot project district.~~ Such The proposal may be made to any of 752
the following public entities: 753

(a) The board of education of the ~~big eight school~~ district 754
in which the school is proposed to be located; 755

(b) The board of education of any joint vocational school 756
district with territory in the county in which is located the 757

majority of the territory of ~~that big eight~~ the district in which 758
the school is proposed to be located; 759

(c) The board of education of any other city, local, or 760
exempted village school district having territory in the same 761
county ~~in which that big eight~~ where the district in which the 762
school is proposed to be located has the major portion of its 763
territory; 764

(d) The state board of education; 765

(e) If the school is proposed to be located in the pilot 766
project area and will begin operation prior to June 30, 2000, the 767
governing board of the educational service center serving the 768
county containing the majority of the territory of the pilot 769
project area; 770

(f) If the school is proposed to be located in the pilot 771
project area and will begin operation prior to June 30, 2000, a 772
sponsoring authority designated by the board of trustees of a 773
state university located in the pilot project area, or the board 774
of trustees itself. 775

~~Such big eight district board, joint vocational board, other~~ 776
~~school district board, or state board~~ The public entity may enter 777
into a preliminary agreement pursuant to division (C)(2) of this 778
section with the proposing person or group. 779

(2) A preliminary agreement indicates the intention of a 780
public entity described in division (C)(1) of this section to 781
sponsor the community school. A proposing person or group that has 782
such a preliminary agreement may proceed to finalize plans for the 783
school, establish a governing authority for the school, and 784
negotiate a contract with the public entity. Provided the 785
proposing person or group adheres to the preliminary agreement and 786
all provisions of this chapter, the public entity shall negotiate 787
in good faith to enter into a contract in accordance with section 788

3314.03 of the Revised Code. 789

(3) A new start-up school that is established in a school 790
district while that district is in a state of academic emergency 791
under section 3302.03 of the Revised Code may continue in 792
existence once the school district is no longer in a state of 793
academic emergency, provided there is a valid contract between the 794
school and a sponsor. 795

(D) A majority vote of a sponsoring school district board and 796
a majority vote of the members of the governing authority of a 797
community school shall be required to adopt a contract and convert 798
the public school to a community school or establish the new 799
start-up school. An unlimited number of community schools may be 800
established in any school district provided that a contract is 801
entered into for each community school pursuant to this chapter. 802

Sec. 3314.021. If the department of education receives any 803
application proposing a community school to be located in a city, 804
local, or exempted village school district under this chapter, the 805
department shall send a notice to the president of the board of 806
education of the school district in which the community school 807
would be located informing the board of the application. if any 808
member of the board of education requests a copy of the 809
application, the department shall furnish a copy to that member. 810

Sec. 3314.03. (A) Each contract entered into under section 811
3314.02 of the Revised Code between a sponsor and the governing 812
authority of a community school shall specify the following: 813

(1) That the school shall be established as a nonprofit 814
corporation established under Chapter 1702. of the Revised Code; 815

(2) The education program of the school, including the 816
school's mission, the characteristics of the students the school 817
is expected to attract, the ages and grades of students, and the 818

focus of the curriculum;	819
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide proficiency tests;	820 821 822
(4) Performance standards by which the success of the school will be evaluated by the sponsor;	823 824
(5) The admission standards of section 3314.06 of the Revised Code;	825 826
(6) Dismissal procedures;	827
(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;	828 829
(8) Requirements and procedures for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state and the audits shall be conducted in accordance with section 117.10 of the Revised Code.	830 831 832 833 834 835
(9) The facility <u>facilities</u> to be used and its location <u>their locations</u> ;	836 837
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code;	838 839 840 841 842 843
(11) That the school will comply with the following requirements:	844 845
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year;	846 847 848

(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school;

(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution;

(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.358, 2151.421, 2313.18, 3301.0710, 3301.0711, 3301.0714, 3313.50, 3313.643, 3313.66, 3313.661, 3313.662, 3313.67, 3313.672, 3313.673, 3313.69, 3313.71, 3313.80, 3313.96, 3319.321, 3319.39, 3321.01, 3327.10, 4111.17, and 4113.52 and Chapters 117., 1347., 2744., 4112., 4123., 4141., and 4167. of the Revised Code as if it were a school district;

(e) The school shall comply with Chapter 102. of the Revised Code except that nothing in that chapter shall prohibit a member of the school's governing board from also being an employee of the school and nothing in that chapter or section 2921.42 of the Revised Code shall prohibit a member of the school's governing board from having an interest in a contract into which the governing board enters;

(f) The school will comply with sections 3313.61 and 3313.611 of the Revised Code, except that the requirement in those sections that a person must successfully complete the curriculum in any high school prior to receiving a high school diploma may be met by completing the curriculum adopted by the governing authority of the community school rather than the curriculum specified in Title XXXIII of the Revised Code or any rules of the state board of education;

(g) The school governing authority will submit an annual report of its activities and progress in meeting the goals and

standards of divisions (A)(3) and (4) of this section and its 880
financial status to the sponsor, the parents of all students 881
enrolled in the school, and the legislative office of education 882
oversight. The school will collect and provide any data that the 883
legislative office of education oversight requests in furtherance 884
of any study or research that the general assembly requires the 885
office to conduct, including the studies required under Section 886
50.39 of Am. Sub. H.B. 215 of the 122nd general assembly and 887
Section 50.52.2 of Am. Sub. H.B. 215 of the 122nd general 888
assembly, as amended. 889

(12) Arrangements for providing health and other benefits to 890
employees; 891

(13) The length of the contract, which shall begin at the 892
beginning of an academic year and shall not exceed five years; 893

(14) The governing authority of the school, which shall be 894
responsible for carrying out the provisions of the contract; 895

(15) A financial plan detailing an estimated school budget 896
for each year of the period of the contract and specifying the 897
total estimated per pupil expenditure amount for each such year. 898
The plan shall specify for each year the base formula amount that 899
will be used for purposes of funding calculations under section 900
3314.08 of the Revised Code. This base formula amount for any year 901
shall not exceed the formula amount defined under section 3317.02 902
of the Revised Code. The plan may also specify for any year a 903
percentage figure to be used for reducing the per pupil amount of 904
disadvantaged pupil impact aid calculated pursuant to section 905
3317.029 of the Revised Code the school is to receive that year 906
under section 3314.08 of the Revised Code. 907

(16) Requirements and procedures regarding the disposition of 908
employees of the school in the event the contract is terminated or 909
not renewed pursuant to section 3314.07 of the Revised Code; 910

(17) Whether the school is to be created by converting all or part of an existing public school or is to be a new start-up school, and if it is a converted public school, specification of any duties or responsibilities of an employer that the board of education that operated the school before conversion is delegating to the governing board of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;

(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;

(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in section 3314.06 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:

(a) Prohibit the enrollment of students who reside outside the district in which the school is located;

(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;

(c) Permit the enrollment of students who reside in any other district in the state.

(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:

(1) The process by which the governing authority of the school will be selected in the future;

(2) The management and administration of the school;

(3) If the community school is a currently existing public school, alternative arrangements for current public school students who choose not to attend the school and teachers who choose not to teach in the school after conversion;

(4) The instructional program and educational philosophy of the school;

(5) Internal financial controls.

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor.

Sec. 3314.05. The contract between the community school and the sponsor shall specify the ~~facility~~ facilities to be used for the community school and the method of acquisition. ~~Any A school may be located in multiple facilities under the same contract only if the limitations on availability of space prohibit serving all the grade levels specified in the contract in a single facility. The school shall not offer the same grade level classrooms in more than one facility.~~

Any facility used for a community school shall meet all health and safety standards established by law for school buildings.

In the case where a community school is proposed to be located in a facility owned by a school district or educational service center, the facility may not be used for such community school unless the district or service center board owning the facility enters into an agreement for the community school to utilize the facility. Use of the facility may be under any terms

and conditions agreed to by the district or service center board 971
and the school. 972

Sec. 3314.06. The governing authority of each community 973
school established under this chapter shall adopt admission 974
procedures that specify the following: 975

(A) That except as otherwise provided in this section, 976
admission to the school shall be open ~~only~~ to any individual age 977
five to twenty-two entitled to attend school pursuant to section 978
3313.64 or 3313.65 of the Revised Code in ~~the~~ a school district in 979
~~which the school is located or who was enrolled in the converted~~ 980
~~school during the school year preceding the year of its conversion~~ 981
~~to a community school~~ the state. 982

(B) That admission to the school may be limited to students 983
who have attained a specific grade level or are within a specific 984
age group; to students that meet a definition of "at-risk," as 985
defined in the contract; or to residents of a specific geographic 986
area within the district, as defined in the contract, ~~that is~~ 987
~~within the school district in which the school is located.~~ 988

(C) Whether enrollment is limited to students who reside in 989
the district in which the school is located or is open to 990
residents of other districts, as provided in the policy adopted 991
pursuant to the contract. 992

(D) That there will be no discrimination in the admission of 993
students to the school on the basis of race, creed, color, 994
handicapping condition, or sex; and that, upon admission of any 995
handicapped student, the community school will comply with all 996
federal and state laws regarding the education of handicapped 997
students. 998

~~(D)~~(E) That the school may not limit admission to students on 999
the basis of intellectual ability, measures of achievement or 1000

apptitude, or athletic ability. 1001

~~(E)~~(F) That the community school will admit the number of 1002
students that does not exceed the capacity of the school's 1003
programs, classes, grade levels, or facilities. 1004

~~(F)~~(G) That, except as otherwise provided under division (B) 1005
of this section, if the number of applicants exceeds the capacity 1006
restrictions of division ~~(E)~~(F) of this section, students shall be 1007
admitted by lot from all those submitting applications, except 1008
preference shall be given to students attending the school the 1009
previous year and to students who reside in the district in which 1010
the school is located. Preference may be given to siblings of such 1011
students attending the school the previous year. 1012

Notwithstanding divisions (A) through ~~(F)~~(G) of this section, 1013
in the event the racial composition of the enrollment of the 1014
community school is violative of a federal desegregation order, 1015
the community school shall take any and all corrective measures to 1016
comply with the desegregation order. 1017

Sec. 3314.071. any contract entered into by the governing 1018
authority or any officer or director of a community school, 1019
including the contract required by sections 3314.02 and 3314.03 of 1020
the Revised Code, is deemed to be entered into by such individuals 1021
in their official capacities as representatives of the community 1022
school. no officer, director, or member of the governing authority 1023
of a community school incurs any personal liability by virtue of 1024
entering into any contract on behalf of the school. 1025

Sec. 3314.08. (A) As used in this section: 1026

(1) "Base formula amount" means the amount specified as such 1027
in a community school's financial plan for a school year pursuant 1028
to division (A)(15) of section 3314.03 of the Revised Code. 1029

(2) "Cost-of-doing-business factor" has the same meaning as 1030

in section 3317.02 of the Revised Code. 1031

(3) "IEP" means an individualized education program as 1032
~~defined by division (E) of~~ in section 3323.01 of the Revised Code. 1033

(4) ~~"Average county cost" means the cost, averaged among~~ 1034
~~school districts within a county, of providing special education~~ 1035
~~and related services to similarly handicapped children, as~~ 1036
~~calculated in a manner acceptable to the superintendent of public~~ 1037
~~instruction~~ "Applicable weight" means: 1038

(a) For a student receiving special education and related 1039
services pursuant to an IEP for a handicap described in division 1040
(A) of section 3317.013 of the Revised Code, the multiple 1041
specified in that division; 1042

(b) For a student receiving special education and related 1043
services pursuant to an IEP for a handicap described in division 1044
(B) of section 3317.013 or division (F)(3) of section 3317.02 of 1045
the Revised Code, the multiple specified in division (B) of 1046
section 3317.013 of the Revised Code. 1047

(5) "Total special education weight" means the sum of the 1048
following: 1049

(a) The number of students reported under division (B)(2)(c) 1050
of this section who are entitled to attend school in the district, 1051
are enrolled in grades one through twelve in a community school, 1052
and are receiving from their community school special education 1053
and related services pursuant to an IEP for a handicap described 1054
in division (A) of section 3317.013 of the Revised Code, 1055
multiplied by the multiple specified in division (A) of section 1056
3317.013 of the Revised Code; 1057

(b) One-half the number of students reported under 1058
division(B)(2)(c) of this section who are entitled to attend 1059
school in the district, are enrolled in kindergarten in a 1060

community school, and are receiving from their community school 1061
special education and related services pursuant to an IEP for a 1062
handicap described in division (A) of section 3317.013 of the 1063
Revised Code, multiplied by the multiple specified in division (A) 1064
of section 3317.013 of the Revised Code; 1065

(c) The number of students reported under division(B)(2)(c) 1066
of this section who are entitled to attend school in the district, 1067
are enrolled in grades one through twelve in a community school, 1068
and are receiving from their community school special education 1069
and related services pursuant to an IEP for a handicap described 1070
in division (B) of section 3317.013 or division (F)(3) of section 1071
3317.02 of the Revised Code, multiplied by the multiple specified 1072
in division (B) of section 3317.013 of the Revised Code; 1073

(d) One-half the number of students reported under 1074
division(B)(2)(c) of this section who are entitled to attend 1075
school in the district, are enrolled in kindergarten in a 1076
community school, and are receiving from their community school 1077
special education and related services pursuant to an IEP for a 1078
handicap described in division (B) of section 3317.013 or division 1079
(F)(3) of section 3317.02 of the Revised Code, multiplied by the 1080
multiple specified in division (B) of section 3317.013 of the 1081
Revised Code. 1082

(6) "Entitled to attend school" means entitled to attend 1083
school in a district under section 3313.64 or 3313.65 of the 1084
Revised Code. 1085

(7) "DPIA reduction factor" means the percentage figure, if 1086
any, ~~specified~~ for reducing the per pupil amount of disadvantaged 1087
pupil impact aid a community school is entitled to receive 1088
pursuant to ~~division~~ divisions (D)(3)(4) and (5) of this section 1089
in any year, as specified in the school's financial plan for the 1090
year pursuant to division (A)(15) of section 3314.03 of the 1091
Revised Code. 1092

(8) "All-day kindergarten" has the same meaning as in section 3317.029 of the Revised Code. 1093
1094

(B) The state board of education shall adopt rules requiring 1095
both of the following: 1096

(1) The board of education of each city, exempted village, 1097
and local school district to annually report the number of 1098
students entitled to attend school in the district ~~pursuant to~~ 1099
~~section 3313.64 or 3313.65 of the Revised Code who are enrolled in~~ 1100
~~grades one through twelve and one-half of the kindergarten~~ 1101
~~students enrolled in a community school established under this~~ 1102
chapter, the number of students entitled to attend school in the 1103
district who are enrolled in kindergarten in a community school, 1104
the number of those kindergartners who are enrolled in all-day 1105
kindergarten in their community school, and for each child, the 1106
community school in which the child is enrolled. ~~In addition, for~~ 1107
~~each such child receiving special education and related services~~ 1108
~~enrolled in grades kindergarten through twelve or in a preschool~~ 1109
~~handicapped unit in a community school pursuant to an IEP, the~~ 1110
~~board shall report the average county cost for such child. If the~~ 1111
~~district receives disadvantaged pupil impact aid pursuant to~~ 1112
~~division (B) or divisions (C) and (E) of section 3317.029 of the~~ 1113
~~Revised Code, it also shall report the amount received for each~~ 1114
~~such child.~~ 1115

(2) The governing authority of each community school 1116
established under this chapter to annually report all of the 1117
following: 1118

(a) The number of students enrolled in grades one through 1119
twelve and ~~one-half~~ the number of ~~kindergarten~~ students enrolled 1120
in kindergarten in the school who are not receiving special 1121
education and related services pursuant to an IEP; ~~the~~ 1122

(b) The number of enrolled students in grades one through 1123

twelve and ~~one-half~~ the number of enrolled students in 1124
kindergarten ~~students,~~ who are receiving special education and 1125
related services pursuant to an IEP; ~~the~~ 1126

(c) The number of students reported under division(B)(2)(b) 1127
of this section receiving special education and related services 1128
pursuant to an IEP for a handicap described in each of divisions 1129
(A) and (B) of section 3317.013 and division (F)(3) of section 1130
3317.02 of the Revised Code; 1131

(d) The number of enrolled preschool handicapped students 1132
receiving special education services in a state-funded unit; ~~the~~ 1133

(e) The community school's base formula amount; ~~and~~ 1134

(f) for each student, the city, exempted village, or local 1135
school district in which the ~~school~~ student is located. ~~Each~~ 1136
~~governing authority shall also report any~~ entitled to attend 1137
school; 1138

(g) Any DPIA reduction factor that applies to a school year. 1139

(C) From the payments made to a city, exempted village, or 1140
local school district under Chapter 3317. of the Revised Code and, 1141
if necessary, sections 321.14 and 323.156 of the Revised Code, the 1142
department of education shall annually subtract all of the 1143
following: 1144

(1) An amount equal to the sum of the amounts obtained when, 1145
for each community school where the district's students are 1146
enrolled, the number of the district's students reported under 1147
~~division~~ divisions (B)(2)(a) and (b) of this section who are 1148
enrolled in grades one through twelve, and one-half the number of 1149
students reported under those divisions who are enrolled in 1150
kindergarten ~~students,~~ in that community school ~~and are not~~ 1151
~~receiving special education and related services pursuant to an~~ 1152
~~IEP~~ is multiplied by the base formula amount of that community 1153
school as adjusted by the school district's cost-of-doing-business 1154

factor. 1155

(2) The ~~sum product~~ of the average county costs for all 1156
number of district students reported under division (B)(2)(c) of 1157
this section as enrolled in grades one through twelve, and 1158
one-half of the number of district students reported under that 1159
division as enrolled in kindergarten, who are ~~to be~~ receiving 1160
special education and related services pursuant to an IEP in their 1161
respective community schools, ~~less the sum of the prorated share~~ 1162
~~for each such student of any amounts received from state preschool~~ 1163
~~handicapped unit funding or from federal funds to provide special~~ 1164
~~education and related services to students in the respective~~ 1165
~~community schools. This prorated share of state or federal funds~~ 1166
~~received for each such student shall be determined on the basis of~~ 1167
~~all such funds received by a community school for students~~ 1168
~~receiving similar services, as calculated in a manner acceptable~~ 1169
~~to the superintendent of public instruction. for a handicap~~ 1170
described in division (A) or (B) of section 3317.013 or division 1171
(F)(3) of section 3317.02 of the Revised Code, multiplied by the 1172
total special education weight; 1173

(3) An amount equal to the sum of the amounts obtained when, 1174
for each community school where the district's students are 1175
enrolled, the number of the district's students enrolled in that 1176
community school and residing in the district in a family 1177
participating in Ohio works first under Chapter 5107. of the 1178
Revised Code is multiplied by the per pupil amount of 1179
disadvantaged pupil impact aid the school district receives that 1180
year pursuant to division (B) or ~~divisions (C) and (E)~~ of section 1181
3317.029 of the Revised Code, as adjusted by any DPIA reduction 1182
factor of that community school. If the district receives 1183
disadvantaged pupil impact aid under division (B) of that section, 1184
the per pupil amount of that aid is the quotient of the amount the 1185
district received under that division divided by the number of 1186

children ages five through seventeen residing in the district and 1187
living in a family participating in Ohio works first, as most 1188
recently reported under section 3317.10 of the Revised Code. If 1189
the district receives disadvantaged pupil impact aid under 1190
division (C) of section 3317.029 of the Revised Code, the per 1191
pupil amount of that aid is the per pupil dollar amount prescribed 1192
for the district in division (C)(1) or (2) of that section. 1193

(4) An amount equal to the sum of the amounts obtained when, 1194
for each community school where the district's students are 1195
enrolled, the district's per pupil amount of aid received under 1196
division (E) of section 3317.029 of the Revised Code, as adjusted 1197
by any DPIA reduction factor of the community school, is 1198
multiplied by the sum of the following: 1199

(a) The number of the district's students reported under 1200
division (B)(2)(a) of this section who are enrolled in grades one 1201
to three in that community school and who are not receiving 1202
special education and related services pursuant to an IEP; 1203

(b) One-half of the district's students who are enrolled in 1204
all-day or any other kindergarten class in that community school 1205
and who are not receiving special education and related services 1206
pursuant to an IEP; 1207

(c) One-half of the district's students who are enrolled in 1208
all-day kindergarten in that community school and who are not 1209
receiving special education and related services pursuant to an 1210
IEP. 1211

The district's per pupil amount of aid under division (E) of 1212
section 3317.029 of the Revised Code is the quotient of the amount 1213
the district received under that division divided by the 1214
district's kindergarten through third grade ADM, as defined in 1215
that section. 1216

(D) The department shall annually pay to a community school 1217

established under this chapter all of the following: 1218

(1) An amount equal to the sum of the amounts obtained when 1219
the number of students enrolled in grades one through twelve, plus 1220
one-half of the kindergarten students in the school ~~as~~ reported 1221
under ~~division~~ divisions (B)(2)(a) and (b) of this section who are 1222
not receiving special education and related services pursuant to 1223
an IEP for a handicap described in division (A) or (B) of section 1224
3317.013 or division (F)(3) of section 3317.02 of the Revised Code 1225
is multiplied by the community school's base formula amount, as 1226
adjusted by the cost-of-doing-business factor of the school 1227
district in which the ~~school~~ student is ~~located~~ entitled to attend 1228
school; 1229

(2) ~~For~~ the greater of the following: 1230

(a) The aggregate amount that the department paid to the 1231
community school in fiscal year 1999 for students receiving 1232
special education and related services pursuant to IEPs, excluding 1233
federal funds and state disadvantaged pupil impact aid funds; 1234

(b) The sum of the amounts calculated under 1235
divisions(D)(2)(b)(i) and (ii) of this section: 1236

(i) For each student reported under division (B)(2)(c) of 1237
this section as enrolled in the school in grades one through 1238
twelve and receiving special education and related services 1239
pursuant to an IEP, an amount equal to the average county cost for 1240
such student, less a prorated share for the student of any for a 1241
handicap described in division (A) or (B) of section 3317.013 or 1242
division (F)(3) of section 3317.02 of the Revised Code, the 1243
following amount: 1244

(the community school's base formula amount X the 1245
cost-of-doing-business factor of the district where the student 1246
is entitled to attend school) + (the applicable weight 1247
X the community school's base formula amount); 1248

(ii) For each student reported under division(B)(2)(c) of this section as enrolled in kindergarten and receiving special education and related services pursuant to an IEP for a handicap described in division (A) or (B) of section 3317.013 or division (F)(3) of section 3317.02 of the Revised Code, one-half of the amount calculated under the formula prescribed in division(D)(2)(b)(i) of this section. 1249
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(3) An amount received from ~~state preschool handicapped unit funding or~~ federal funds to provide special education and related services to students in the community school. ~~This prorated share shall be, as determined as described under division (C)(2) of this section by the superintendent of public instruction.~~ 1256
1257
1258
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1260

~~(3)~~(4) An amount equal to the sum of the amounts obtained when, for each school district where the community school's students are entitled to attend school, the number of that district's students enrolled in the community school and residing in the school district in a family participating in Ohio works first is multiplied by the per pupil amount of disadvantaged pupil impact aid that school district receives that year pursuant to division (B) or ~~divisions~~ (C) and ~~(E)~~ of section 3317.029 of the Revised Code, as adjusted by any DPIA reduction factor of the community school. The per pupil amount of aid shall be determined as described in division (C)(3) of this section. 1261
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(5) An amount equal to the sum of the amounts obtained when, for each school district where the community school's students are entitled to attend school, the district's per pupil amount of aid received under division (E) of section 3317.029 of the Revised Code, as adjusted by any DPIA reduction factor of the community school, is multiplied by the sum of the following: 1272
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1274
1275
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1277

(a) The number of the district's students reported under division (B)(2)(a) of this section who are enrolled in grades one 1278
1279

to three in that community school and who are not receiving 1280
special education and related services pursuant to an IEP; 1281

(b) One-half of the district's students who are enrolled in 1282
all-day or any other kindergarten class in that community school 1283
and who are not receiving special education and related services 1284
pursuant to an IEP; 1285

(c) One-half of the district's students who are enrolled in 1286
all-day kindergarten in that community school and who are not 1287
receiving special education and related services pursuant to an 1288
IEP. 1289

The district's per pupil amount of aid under division (E) of 1290
section 3317.029 of the Revised Code shall be determined as 1291
described in division (C)(4) of this section. 1292

(E) If a community school's costs for a fiscal year for a 1293
student receiving special education and related services pursuant 1294
to an IEP for a handicap described in division (F)(3) of section 1295
3317.02 of the Revised Code are twenty-five thousand dollars or 1296
more, the school may submit to the superintendent of public 1297
instruction documentation, as prescribed by the superintendent, of 1298
all its costs for that student. Upon submission of documentation 1299
for a student of the type and in the manner prescribed, the 1300
department shall pay to the district an amount equal to the 1301
school's costs for the student in excess of twenty-five thousand 1302
dollars. 1303

(F) A community school may apply to the department of 1304
education for preschool handicapped or gifted unit funding the 1305
school would receive if it were a school district. Upon request of 1306
its governing authority, a community school that received unit 1307
funding as a school district-operated school before it became a 1308
community school shall retain any units awarded to it as a school 1309
district-operated school provided the school continues to meet 1310

eligibility standards for the unit. 1311

A community school shall be considered a school district and 1312
its governing authority shall be considered a board of education 1313
for the purpose of applying to any state or federal agency for 1314
grants that a school district may receive under federal or state 1315
law or any appropriations act of the general assembly. The 1316
governing authority of a community school may apply to any private 1317
entity for additional funds. 1318

~~(F)~~(G) A board of education sponsoring a community school may 1319
utilize local funds to make enhancement grants to the school or 1320
may agree, either as part of the contract or separately, to 1321
provide any specific services to the community school at no cost 1322
to the school. 1323

~~(G)~~(H) A community school may not levy taxes or issue bonds 1324
secured by tax revenues. 1325

~~(H)~~(I) No community school shall charge tuition for the 1326
enrollment of any student. 1327

~~(I)~~(J) A community school may borrow money to pay any 1328
necessary and actual expenses of the school in anticipation of the 1329
receipt of any portion of the payments to be received by the 1330
school pursuant to division (D) of this section. The school may 1331
issue notes to evidence such borrowing to mature no later than the 1332
end of the fiscal year in which such money was borrowed. The 1333
proceeds of the notes shall be used only for the purposes for 1334
which the anticipated receipts may be lawfully expended by the 1335
school. 1336

~~(J)~~(K) For purposes of determining the number of students for 1337
which ~~division~~ divisions (D)~~(3)~~(4) and (5) of this section applies 1338
in any school year, a community school may submit to the state 1339
department of human services, no later than the first day of 1340
March, a list of the students enrolled in the school. For each 1341

student on the list, the community school shall indicate the 1342
student's name, address, and date of birth and the school district 1343
where the student is entitled to attend school ~~under section~~ 1344
~~3313.64 or 3313.65 of the Revised Code~~ Upon receipt of a list 1345
under this division, the department of human services shall 1346
determine, for each school district where one or more students on 1347
the list is entitled to attend school ~~under section 3313.64 or~~ 1348
~~3313.65 of the Revised Code~~, the number of students residing in 1349
that school district who were included in the department's report 1350
under section 3317.10 of the Revised Code. The department shall 1351
make this determination on the basis of information readily 1352
available to it. Upon making this determination and no later than 1353
ninety days after submission of the list by the community school, 1354
the department shall report to the state department of education 1355
the number of students on the list who reside in each school 1356
district who were included in the department's report under 1357
section 3317.10 of the Revised Code. In complying with this 1358
division, the department of human services shall not report to the 1359
state department of education any personally identifiable 1360
information on any student. 1361

~~(K)~~(L) The department of education shall adjust the amounts 1362
subtracted and paid under divisions (C) and (D) of this section to 1363
reflect any enrollment of students in community schools for less 1364
than the equivalent of a full school year. 1365

Sec. 3314.09. The As used in this section, "native student" 1366
means a student entitled to attend school in the school district 1367
under section 3313.64 or 3313.65 of the Revised Code. 1368

The board of education of the each city, local, or and 1369
exempted village school district in which a community school is 1370
located shall provide transportation to and from school for its 1371
district's native students enrolled in the a community school, 1372

~~except that the board shall be required to pick up and drop off a~~ 1373
~~nonhandicapped student only at a regular school bus stop~~ 1374
~~designated in accordance with the board's transportation policy~~ 1375
~~located in that district or another district on the same basis~~ 1376
~~that it provides transportation for its native students enrolled~~ 1377
~~in schools to which they are assigned by the board of education at~~ 1378
~~the same grade level and who live the same distance from school~~ 1379
~~except when, in the judgment of the board, confirmed by the state~~ 1380
~~board of education, the transportation is unnecessary or~~ 1381
~~unreasonable. A board shall not be required to transport~~ 1382
~~nonhandicapped students to and from a community school located in~~ 1383
~~another school district if the transportation would require more~~ 1384
~~than thirty minutes of direct travel time as measured by school~~ 1385
~~bus from the collection point designated by the district's~~ 1386
~~coordinator of school transportation.~~ 1387

Where it is impractical to transport a pupil to and from a 1388
community school by school conveyance, a board may, in lieu of 1389
providing the transportation, pay a parent, guardian, or other 1390
person in charge of the child, but only with the consent of the 1391
parent, guardian, or other person. The amount paid per pupil shall 1392
in no event exceed the average transportation cost per pupil, 1393
which shall be based on the cost of transportation of children by 1394
all boards of education in this state during the next preceding 1395
year. 1396

Sec. 3314.11. The department of education shall establish a 1397
the state ~~community school commission~~ office of school options to 1398
provide advice and services for the community schools program, 1399
established pursuant to Chapter 3314. of the Revised Code, and the 1400
pilot project scholarship program, established pursuant to 1401
sections 3313.974 to 3313.979 of the Revised Code. The ~~commission~~ 1402
office shall provide services that facilitate the management of 1403
the community schools program and the pilot project scholarship 1404

program, including providing technical assistance and information 1405
to persons or groups considering proposing a community school, to 1406
governing authorities of community schools, and to ~~school district~~ 1407
~~boards~~ public entities sponsoring or considering sponsoring a 1408
community school. 1409

Sec. 3314.12. The legislative office of education oversight 1410
shall produce and issue an annual composite informational report 1411
on community schools established under this chapter ~~or under~~ 1412
~~Section 50.52 of Amended Substitute House Bill No. 215 of the~~ 1413
~~122nd general assembly~~ to the speaker of the house of 1414
representatives, the president of the senate, and the governor. 1415
The report shall include the number of schools in operation, the 1416
size and characteristics of enrollment for the schools, the 1417
academic performance of the schools, the financial status of the 1418
schools, and any other pertinent information. 1419

Sec. 3314.13. (A) As used in this section: 1420

(1) "All-day kindergarten" ~~and "DPIA index" have~~ has the same 1421
~~meanings~~ meaning as in section 3317.029 of the Revised Code. 1422

(2) "Formula amount" has the same meaning as in section 1423
3317.02 of the Revised Code. 1424

(B) The department of education annually shall pay each 1425
community school established under this chapter ~~or under Section~~ 1426
~~50.52 of Amended Substitute House Bill No. 215 of the 122nd~~ 1427
~~general assembly~~ one-half of the formula amount for each student 1428
~~who~~ to whom both of the following apply: 1429

(1) The student is entitled to attend school under section 1430
3313.64 or 3313.65 of the Revised Code in a school district ~~with~~ 1431
~~a DPIA index of one or greater and who is~~ that is eligible to 1432
receive a payment under division (D) of section 3317.029 of the 1433

Revised Code if it provides all-day kindergarten; 1434

(2) The student is reported by the community school under 1435
division (B)(3) of section 3314.08 of the Revised Code as enrolled 1436
in all-day kindergarten at the community school. If 1437

(C) If a student for whom payment is made under division (B) 1438
of this section is entitled to attend school in a district that 1439
receives any payment for all-day kindergarten under division (D) 1440
of section 3317.029 of the Revised Code, the department shall 1441
deduct the payment to the community school under this section from 1442
the amount paid that school district under that division. If that 1443
school district does not receive payment for all-day kindergarten 1444
under that division because it does not provide all-day 1445
kindergarten, the department shall pay the community school from 1446
state funds appropriated generally for disadvantaged pupil impact 1447
aid. 1448

~~(C)~~(D) The department shall adjust the amounts deducted from 1449
school districts and paid to community schools under this section 1450
to reflect any enrollments of students in all-day kindergarten in 1451
community schools for less than the equivalent of a full school 1452
year. 1453

Sec. 3314.15. (A) Each community school located in the pilot 1454
project area, or in a county contiguous to the pilot project area, 1455
that is in existence on the effective date of this section 1456
pursuant to a contract entered into with its sponsor prior to that 1457
date under former Section 50.52.4 of Am. Sub. H.B. No. 215 of the 1458
122nd general assembly, is subject to this chapter and shall be 1459
considered for all purposes of the Revised Code to be established 1460
under this chapter. However, until that contract expires, but not 1461
later than June 30, 2003, the community school may continue to 1462
operate in accordance with that contract to the extent it does not 1463
conflict with the provisions of Section 50.52 of that act in 1464

effect immediately prior to the effective date of this section. 1465
The school is subject to any provisions of this chapter that do 1466
not conflict with that contract. If the governing authority of 1467
such a community school renews the contract with a sponsor, the 1468
renewed contract shall comply with this chapter. 1469

(B) A preliminary agreement for a community school entered 1470
into prior to the effective date of this section under former 1471
Section 50.52.4 of Am. Sub. H.B. No. 215 of the 122nd general 1472
assembly remains valid on and after that date for as long as the 1473
proposed governing authority and proposed sponsor of the community 1474
school continue the agreement. If they agree to proceed to enter 1475
into a contract for the community school, the contract shall be 1476
entered into under section 3314.02 and shall comply with section 1477
3314.03 of the Revised Code. 1478

(C) A community school described in division (A) of this 1479
section that is located in a county contiguous to the pilot 1480
project area may continue in existence as long as there is a valid 1481
contract between the school and a sponsor. Any such contract 1482
entered into after the effective date of this section shall be 1483
subject to this chapter. Any public entity listed in division 1484
(C)(1) of section 3314.02 of the Revised Code may be a sponsor for 1485
the community school as if it were located in the pilot project 1486
area. 1487

Sec. 3315.17. (A) The board of education of each city, 1488
exempted village, local, and joint vocational school district 1489
shall establish a textbook and instructional materials fund and 1490
shall deposit into that fund four per cent, or another percentage 1491
if established in rules adopted under division ~~(B)~~(C) of this 1492
section, of all revenues received by the district for operating 1493
expenses. Money in the fund shall be used solely for textbooks, 1494
instructional software, and instructional materials, supplies, and 1495

equipment. Any money in the fund that is not used in any fiscal 1496
year shall carry forward to the next fiscal year. 1497

(B) Notwithstanding division (A) of this section, if in a 1498
fiscal year a district board deposits in the textbook and 1499
instructional materials fund an amount of money greater than the 1500
amount required to be deposited by this section or the rules 1501
adopted under division (C) of this section, the board may deduct 1502
the excess amount of money from the amount of money required to be 1503
deposited in succeeding fiscal years. 1504

(C) The state superintendent of public instruction and the 1505
auditor of state jointly shall adopt rules in accordance with 1506
Chapter 119. of the Revised Code defining what constitutes 1507
textbooks, instructional software, and instructional materials, 1508
supplies, and equipment for which money in a school district's 1509
textbook and instructional materials fund may be used. The jointly 1510
adopted rules also may designate a percentage, other than four per 1511
cent, of district operating revenues that must be deposited into 1512
the fund. The auditor of state shall adopt rules under section 1513
117.20 of the Revised Code authorizing up to a three-year phase-in 1514
period for district boards to meet the percentage requirements of 1515
division (A) of this section, and specifying the manner in which 1516
district boards may deduct from a required deposit an excess 1517
amount deposited into the textbook and instructional materials 1518
fund in a prior fiscal year. 1519

~~(C)~~(D) Notwithstanding division (A) of this section, a 1520
district board of education in any fiscal year may appropriate 1521
money in the district textbook and instructional materials fund 1522
for purposes other than those permitted by that division if both 1523
of the following occur during that fiscal year: 1524

(1) All of the following certify to the district board in 1525
writing that the district has sufficient textbooks, instructional 1526

software, and instructional materials, supplies, and equipment to	1527
ensure a thorough and efficient education within the district:	1528
(a) The district superintendent;	1529
(b) In districts required to have a business advisory	1530
council, a person designated by vote of the business advisory	1531
council;	1532
(c) If the district teachers are represented by an exclusive	1533
bargaining representative for purposes of Chapter 4117. of the	1534
Revised Code, the president of that organization or the	1535
president's designee.	1536
(2) The district board adopts, by unanimous vote of all	1537
members of the board, a resolution stating that the district has	1538
sufficient textbooks, instructional software, and instructional	1539
materials, supplies, and equipment to ensure a thorough and	1540
efficient education within the district.	1541
(D) (E) Notwithstanding any provision to the contrary in	1542
Chapter 4117. of the Revised Code, the requirements of this	1543
section prevail over any conflicting provisions of agreements	1544
between employee organizations and public employers entered into	1545
on or after the effective date of this section <u>November 21, 1997.</u>	1546
Sec. 3316.05. (A) Pursuant to the powers of the general	1547
assembly and for the purposes of this chapter, upon the	1548
declaration of a fiscal emergency in any school district pursuant	1549
to division (B) of section 3316.03 of the Revised Code, there is	1550
established, with respect to that school district, a body both	1551
corporate and politic constituting an agency and instrumentality	1552
of the state and performing essential governmental functions of	1553
the state to be known as the "financial planning and supervision	1554
commission for (name of school district)," which, in that	1555
name, may exercise all authority vested in such a commission by	1556

this chapter. A separate commission is established with respect to 1557
each school district as to which there is a fiscal emergency as 1558
determined under this chapter. 1559

(B) A commission appointed after July 1, 1999, shall consist 1560
of ~~seven~~ five voting members, including women and at least one 1561
Hispanic or African American if Hispanic and African Americans 1562
together constitute at least twenty per cent of the student 1563
population of the district, as follows: 1564

(1) ~~Four~~ Two ex officio members: the director of budget and 1565
management, or a designee of the director, and the superintendent 1566
of public instruction, or a designee of the superintendent of the 1567
~~school district, and the mayor of the municipal corporation with~~ 1568
~~the largest number of residents living within the school district,~~ 1569
~~except that if more than fifty per cent of the residents of the~~ 1570
~~district reside outside the municipal corporation containing the~~ 1571
~~greatest number of district residents or if there is no municipal~~ 1572
~~corporation located in the school district, the county auditor of~~ 1573
~~the county with the largest number of residents living within the~~ 1574
~~school district shall be a member of the commission in lieu of a~~ 1575
~~mayor.~~ 1576

~~The director of budget and management may designate an~~ 1577
~~individual within the office of budget and management; the mayor~~ 1578
~~may designate a responsible official within his office or the~~ 1579
~~fiscal officer of the municipal corporation; the superintendent of~~ 1580
~~public instruction may designate an employee within the department~~ 1581
~~of education; and the superintendent of the school district may~~ 1582
~~designate an employee of the school district to attend the~~ 1583
~~meetings of the commission when the ex officio member making the~~ 1584
~~designation is absent or unable for any reason to attend. A~~ 1585
~~designee, when present, shall be counted in determining whether a~~ 1586
~~quorum is present at any meeting of the commission and may vote~~ 1587

and participate in all proceedings and actions of the commission. 1588
The designations shall be in writing, executed by the member 1589
making the designation, and filed with the secretary of the 1590
commission. The designations may be changed from time to time in 1591
like manner, but due regard shall be given to the need for 1592
continuity. 1593

(2) Three appointed members, who shall be appointed within 1594
fifteen days after the declaration of the fiscal emergency, one by 1595
the governor, one by the superintendent of public instruction, and 1596
one by the mayor ~~or county auditor who is a member of the~~ 1597
commission of the municipal corporation with the largest number of 1598
residents living within the school district, except that if more 1599
than fifty per cent of the residents of the district reside 1600
outside the municipal corporation containing the greatest number 1601
of district residents or if there is no municipal corporation 1602
located in the school district, the county auditor of the county 1603
with the largest number of residents living within the school 1604
district shall make the appointment in lieu of a mayor. All of the 1605
appointed members shall serve at the pleasure of the appointing 1606
authority during the life of the commission. In the event of the 1607
death, resignation, incapacity, removal, or ineligibility to serve 1608
of an appointed member, the appointing authority shall appoint a 1609
successor within fifteen days after the vacancy occurs. 1610

(a) The member appointed by the governor and the member 1612
appointed by the mayor or county auditor shall be an individual: 1613

(i) Who has knowledge and experience in financial matters, 1614
financial management, or business organization or operations, 1615
including at least five years of experience in the public or 1616
private sector in the management of business or financial 1617
enterprise, or in management consulting, public accounting, or 1618
other similar professional activity; 1619

(ii) Whose residency, office, or principal place of professional or business activity is situated within the school district. 1620
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(b) The member appointed by the superintendent of public instruction shall be a parent of a child currently enrolled in a public school within the district. 1623
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(C) Immediately after appointment of the initial appointed members of the commission, the superintendent of public instruction shall call the first meeting of the commission and shall cause written notice of the time, date, and place of the first meeting to be given to each member of the commission at least forty-eight hours in advance of the meeting. 1626
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(D) The superintendent of public instruction shall serve as the commission's chairperson and the commission shall elect one of its members as vice-chairperson and may appoint a secretary and any other officers, who need not be members of the commission, as it considers necessary. 1632
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(E) The commission may adopt and alter bylaws and rules, which shall not be subject to section 111.15 or Chapter 119. of the Revised Code, for the conduct of its affairs and for the manner, subject to this chapter, in which its powers and functions shall be exercised and embodied. 1637
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(F) ~~Four~~ Three members of the commission constitute a quorum of the commission. The affirmative vote of ~~four~~ three members of the commission is necessary for any action taken by vote of the commission. No vacancy in the membership of the commission shall impair the rights of a quorum by such vote to exercise all the rights and perform all the duties of the commission. Members of the commission, and their designees, are not disqualified from voting by reason of the functions of the other office they hold and are not disqualified from exercising the functions of the 1642
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other office with respect to the school district, its officers, or 1651
the commission. 1652

(G) The auditor of state shall act as the financial 1653
supervisor for the school district under contract with the 1654
commission unless the auditor of state elects to contract for that 1655
service. At the request of the commission the auditor of state 1656
shall designate employees of the auditor of state's office to 1657
assist the commission and to coordinate the work of the auditor of 1658
state's office. Upon the declaration of a fiscal emergency in any 1659
school district, the school district shall provide the commission 1660
with such reasonable office space in the principal building 1661
housing the administrative offices of the school district, where 1662
feasible, as the commission determines is necessary to carry out 1663
its duties under this chapter. 1664

The attorney general shall serve as the legal counsel for the 1665
commission. 1666

(H) The members of the commission, the superintendent of 1667
public instruction, the auditor of state, and any person 1668
authorized to act on behalf of or assist them shall not be 1669
personally liable or subject to any suit, judgment, or claim for 1670
damages resulting from the exercise of or failure to exercise the 1671
powers, duties, and functions granted to them in regard to their 1672
functioning under this chapter, but the commission, the 1673
superintendent of public instruction, the auditor of state, and 1674
such other persons shall be subject to mandamus proceedings to 1675
compel performance of their duties under this chapter. 1676

(I) At the request of the commission the administrative head 1677
of any state agency shall temporarily assign personnel skilled in 1678
accounting and budgeting procedures to assist the commission in 1679
its duties. 1680

(J) The appointed members of the commission are not subject 1681

to section 102.02 of the Revised Code, each appointed member of
the commission shall file with the commission a signed written
statement setting forth the general nature of sales of goods,
property, or services or of loans to the school district with
respect to which that commission is established, in which the
appointed member has a pecuniary interest or in which any member
of the appointed member's immediate family, as defined in section
102.01 of the Revised Code, or any corporation, partnership, or
enterprise of which the appointed member is an officer, director,
or partner, or of which the appointed member or a member of the
appointed member's immediate family, as so defined, owns more than
a five per cent interest, has a pecuniary interest, and of which
sale, loan, or interest such member has knowledge. The statement
shall be supplemented from time to time to reflect changes in the
general nature of any such sales or loans.

(K) Meetings of the commission shall be subject to section
121.22 of the Revised Code except that division (C) of such
section requiring members to be physically present to be part of a
quorum or vote does not apply if the commission holds a meeting by
teleconference and if provisions are made for public attendance at
any location involved in such teleconference.

Sec. 3316.06. (A) Within ~~sixty~~ one hundred twenty days after
the first meeting of a school district financial planning and
supervision commission, the commission shall adopt a financial
recovery plan regarding the school district for which the
commission was created. During the formulation of the plan, the
commission shall seek appropriate input from the school district
board and from the community. This plan shall contain the
following:

(1) Actions to be taken to:

(a) Eliminate all fiscal emergency conditions declared to

exist pursuant to division (B) of section 3316.03 of the Revised Code; 1713
1714

(b) Satisfy any judgments, past-due accounts payable, and all past-due and payable payroll and fringe benefits; 1715
1716

(c) Eliminate the deficits in all deficit funds; 1717

(d) Restore to special funds any moneys from such funds that were used for purposes not within the purposes of such funds, or borrowed from such funds by the purchase of debt obligations of the school district with the moneys of such funds, or missing from the special funds and not accounted for, if any; 1718
1719
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(e) Balance the budget, avoid future deficits in any funds, and maintain on a current basis payments of payroll, fringe benefits, and all accounts; 1723
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1725

(f) Avoid any fiscal emergency condition in the future; 1726

(g) Restore the ability of the school district to market long-term general obligation bonds under provisions of law applicable to school districts generally. 1727
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(2) The management structure that will enable the school district to take the actions enumerated in division (A)(1) of this section. The plan shall specify the level of fiscal and management control that the commission will exercise within the school district during the period of fiscal emergency, and shall enumerate respectively, the powers and duties of the commission and the powers and duties of the school board during that period. The commission may elect to assume any of the powers and duties of the school board it considers necessary, including all powers related to personnel, curriculum, and legal issues in order to successfully implement the actions described in division (A)(1) of this section. 1730
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(3) The target dates for the commencement, progress upon, and 1742

completion of the actions enumerated in division (A)(1) of this 1743
section and a reasonable period of time expected to be required to 1744
implement the plan. The commission shall prepare a reasonable time 1745
schedule for progress toward and achievement of the requirements 1746
for the plan, and the plan shall be consistent with that time 1747
schedule. 1748

(4) The amount and purpose of any issue of debt obligations 1749
that will be issued, together with assurances that any such debt 1750
obligations that will be issued will not exceed debt limits 1751
supported by appropriate certifications by the fiscal officer of 1752
the school district and the county auditor. Debt obligations 1753
issued pursuant to section 133.301 of the Revised Code shall 1754
include assurances that such debt shall be in an amount not to 1755
exceed the amount certified under division (B) of such section. If 1756
the commission considers it necessary in order to maintain or 1757
improve educational opportunities of pupils in the school 1758
district, the plan may include a proposal to restructure or 1759
refinance outstanding debt obligations incurred by the board under 1760
section 3313.483 of the Revised Code contingent upon the approval, 1761
during the period of the fiscal emergency, by district voters of a 1762
tax levied under section 718.09, 718.10, 5705.194, 5705.21, 1763
5748.02, or 5748.08 of the Revised Code, that is not a renewal or 1764
replacement levy and that will provide new operating revenue. 1765
Notwithstanding any provision of Chapter 133. or sections 3313.483 1766
~~through~~ to 3313.4811 of the Revised Code, following the required 1767
approval of the district voters and with the approval of the 1768
commission, the school district may issue securities to evidence 1769
the restructuring or refinancing. Those securities may extend the 1770
original period for repayment, not to exceed ten years, and may 1771
alter the frequency and amount of repayments, interest or other 1772
financing charges, and other terms of agreements under which the 1773
debt originally was contracted, at the discretion of the 1774

commission, provided that any loans received pursuant to section 1775
3313.483 of the Revised Code shall be paid from funds the district 1776
would otherwise receive under sections 3317.022 to 3317.025 of the 1777
Revised Code, as required under division (E)(3) of section 1778
3313.483 of the Revised Code. The securities issued for the 1779
purpose of restructuring or refinancing the debt shall be repaid 1780
in equal payments and at equal intervals over the term of the debt 1781
and are not eligible to be included in any subsequent proposal for 1782
the purpose of restructuring or refinancing debt under this 1783
section. 1784

(B) Any financial recovery plan may be amended subsequent to 1785
its adoption. Each financial recovery plan shall be updated 1786
annually. 1787

Sec. 3317.01. As used in this section and section 3317.011 of 1788
the Revised Code, "school district," unless otherwise specified, 1789
means any city, local, exempted village, joint vocational, or 1790
cooperative education school district and any educational service 1791
center. 1792

This chapter shall be administered by the state board of 1793
education. The superintendent of public instruction shall 1794
calculate the amounts payable to each school district and shall 1795
certify the amounts payable to each eligible district to the 1796
treasurer of the district as provided by this chapter. No moneys 1797
shall be distributed pursuant to this chapter without the approval 1798
of the controlling board. 1799

The state board of education shall, in accordance with 1800
appropriations made by the general assembly, meet the financial 1801
obligations of this chapter, except that moneys to meet the 1802
financial obligations of section 3301.17 of the Revised Code shall 1803
be supplemented from funds available to the state from the United 1804
States or any agency or department thereof for a driver education 1805

course of instruction. 1806

Annually, the department of education shall calculate and 1807
report to each school district the district's total state and 1808
local funds for providing an adequate basic education to the 1809
district's nonhandicapped students, utilizing the determination in 1810
section 3317.012 of the Revised Code. In addition, the department 1811
shall calculate and report separately for each school district the 1812
district's total state and local funds for providng an adequate 1813
education for its handicapped students, utilizing the 1814
determinations in both sections 3317.012 and 3317.013 of the 1815
Revised Code. 1816

Not later than the thirty-first day of August of each fiscal 1817
year, the department of education shall provide to each school 1818
district and MR/DD board a preliminary estimate of the amount of 1819
funding that the department calculates the district will receive 1820
under each of divisions (C)(1) and (5) of section 3317.022 of the 1821
Revised Code. No later than the first day of December of each 1822
fiscal year, the department shall update that preliminary 1823
estimate. 1824

Moneys distributed pursuant to this chapter shall be 1825
calculated and paid on a fiscal year basis, beginning with the 1826
first day of July and extending through the thirtieth day of June. 1827
The moneys appropriated for each fiscal year shall be distributed 1828
at least monthly to each school district unless otherwise provided 1829
for. The state board shall submit a yearly distribution plan to 1830
the controlling board at its first meeting in July. The state 1831
board shall submit any proposed midyear revision of the plan to 1832
the controlling board in January. Any year-end revision of the 1833
plan shall be submitted to the controlling board in June. If 1834
moneys appropriated for each fiscal year are distributed other 1835
than monthly, such distribution shall be on the same basis for 1836
each school district. 1837

The total amounts paid each month shall constitute, as nearly
as possible, one-twelfth of the total amount payable for the
entire year. Payments made during the first six months of the
fiscal year may be based on an estimate of the amounts payable for
the entire year. Payments made in the last six months shall be
based on the final calculation of the amounts payable to each
school district for that fiscal year. Payments made in the last
six months may be adjusted, if necessary, to correct the amounts
distributed in the first six months, and to reflect enrollment
increases when such are at least three per cent. Except as
otherwise provided, payments under this chapter shall be made only
to those school districts in which:

(A) The school district, except for any educational service
center and any joint vocational or cooperative education school
district, levies for current operating expenses at least twenty
mills. Levies for joint vocational or cooperative education school
districts or county school financing districts, limited to or to
the extent apportioned to current expenses, shall be included in
this qualification requirement. School district income tax levies
under Chapter 5748. of the Revised Code, limited to or to the
extent apportioned to current operating expenses, shall be
included in this qualification requirement to the extent
determined by the tax commissioner under division (C) of section
3317.021 of the Revised Code.

(B) The school year next preceding the fiscal year for which
such payments are authorized meets the requirement of section
3313.48 or 3313.481 of the Revised Code, with regard to the
minimum number of days or hours school must be open for
instruction with pupils in attendance, for individualized
parent-teacher conference and reporting periods, and for
professional meetings of teachers. This requirement shall be
waived by the superintendent of public instruction if it had been

necessary for a school to be closed because of disease epidemic, 1870
hazardous weather conditions, inoperability of school buses or 1871
other equipment necessary to the school's operation, damage to a 1872
school building, or other temporary circumstances due to utility 1873
failure rendering the school building unfit for school use, 1874
provided that for those school districts operating pursuant to 1875
section 3313.48 of the Revised Code the number of days the school 1876
was actually open for instruction with pupils in attendance and 1877
for individualized parent-teacher conference and reporting periods 1878
is not less than one hundred seventy-five, or for those school 1879
districts operating on a trimester plan the number of days the 1880
school was actually open for instruction with pupils in attendance 1881
not less than seventy-nine days in any trimester, for those school 1882
districts operating on a quarterly plan the number of days the 1883
school was actually open for instruction with pupils in attendance 1884
not less than fifty-nine days in any quarter, or for those school 1885
districts operating on a pentamester plan the number of days the 1886
school was actually open for instruction with pupils in attendance 1887
not less than forty-four days in any pentamester. 1888

A school district shall not be considered to have failed to 1889
comply with this division or section 3313.481 of the Revised Code 1890
because schools were open for instruction but either twelfth grade 1891
students were excused from attendance for up to three days or only 1892
a portion of the kindergarten students were in attendance for up 1893
to three days in order to allow for the gradual orientation to 1894
school of such students. 1895

The superintendent of public instruction shall waive the 1896
requirements of this section with reference to the minimum number 1897
of days or hours school must be in session with pupils in 1898
attendance for the school year succeeding the school year in which 1899
a board of education initiates a plan of operation pursuant to 1900
section 3313.481 of the Revised Code. The minimum requirements of 1901

this section shall again be applicable to such a district 1902
beginning with the school year commencing the second July 1903
succeeding the initiation of one such plan, and for each school 1904
year thereafter. 1905

A school district shall not be considered to have failed to 1906
comply with this division or section 3313.48 or 3313.481 of the 1907
Revised Code because schools were open for instruction but the 1908
length of the regularly scheduled school day, for any number of 1909
days during the school year, was reduced by not more than two 1910
hours due to hazardous weather conditions. 1911

(C) The school district has on file, and is paying in 1912
accordance with, a teachers' salary schedule which complies with 1913
section 3317.13 of the Revised Code. 1914

A board of education or governing board of an educational 1915
service center which has not conformed with other law and the 1916
rules pursuant thereto, shall not participate in the distribution 1917
of funds authorized by sections 3317.022 to 3317.0211, 3317.11, 1918
3317.16, 3317.17, and 3317.19 of the Revised Code, except for good 1919
and sufficient reason established to the satisfaction of the state 1920
board of education and the state controlling board. 1921

All funds allocated to school districts under this chapter, 1922
except those specifically allocated for other purposes, shall be 1923
used to pay current operating expenses only. 1924

Sec. 3317.014. The average vocational education additional 1925
cost per pupil can be expressed as a multiple of the base cost per 1926
pupil calculated under section 3317.012 of the Revised Code. the 1927
multiples for the following categories of vocational education 1928
programs are as follows: 1929

(A) A multiple of 0.60 for students enrolled in vocational 1930
education job-training and workforce development programs approved 1931

by the department of education in accordance with rules adopted 1932
under section 3313.90 of the Revised Code. 1933

(B) A multiple of 0.30 for students enrolled in vocational 1934
education classes other than job-training and workforce 1935
development programs designated by the department of education as 1936
category two vocational education services. 1937

Vocational education associated services costs can be 1938
expressed as a multiple of 0.05 of the base cost per pupil 1939
calculated under section 3317.012 of the Revised Code. 1940

Sec. 3317.02. As used in this chapter: 1941

(A) Unless otherwise specified, "school district" means city, 1942
local, and exempted village school districts. 1943

(B) "Formula amount" means the base cost for the fiscal year 1944
specified in section 3317.012 of the Revised Code, except that to 1945
allow for the orderly phase-in of the increased funding specified 1946
in that section, the formula amount for fiscal year 1999 shall be 1947
\$3,851; the formula amount for fiscal year 2000 shall be ~~\$4,038~~ 1948
4,052; and the formula amount for fiscal year 2001 shall be ~~\$4,226~~ 1949
4,276 Thereafter, the formula amount shall be as specified in that 1950
section. 1951

(C) "FTE basis" means a count of students based on full-time 1952
equivalency, in accordance with rules adopted by the department of 1953
education pursuant to section 3317.03 of the Revised Code. In 1954
adopting its rules under this division, the department shall 1955
provide for counting any student in ~~a district's~~ category one, 1956
two, or three special education ADM or in category one or two 1957
vocational education ADM in the same proportion the student is 1958
counted in formula ADM. 1959

(D)(1) "Formula ADM" means, for a city, local, or exempted 1960
village school district, the number reported pursuant to division 1961

(A) of section 3317.03 of the Revised Code, and for a joint vocational school district, the number reported pursuant to division (D) of that section. 1962
1963
1964

(2) "Three-year average formula ADM" means the average of a ~~school district's~~ formula ADMs for the current and preceding two 1965
1966
fiscal years. However, as applicable in fiscal years 1999 and 1967
2000, the three-year average for city, local, and exempted village school districts shall be determined utilizing the FY 1997 ADM or 1968
1969
FY 1998 ADM in lieu of formula ADM for fiscal year 1997 or 1998. 1970
In fiscal years 2000 and 2001, the three-year average for joint vocational school districts shall be determined utilizing the 1971
average daily membership reported in fiscal years 1998 and 1999 1972
under division (D) of section 3317.03 of the Revised Code in lieu 1973
of formula ADM for fiscal years 1998 and 1999. 1974
1975

(E) "FY 1997 ADM" or "FY 1998 ADM" means the school 1976
district's average daily membership reported for the applicable 1977
fiscal year under the version of division (A) of section 3317.03 1978
of the Revised Code in effect during that fiscal year, adjusted as 1979
follows: 1980

(1) Minus the average daily membership of handicapped 1981
preschool children; 1982

(2) Minus one-half of the average daily membership attending 1983
kindergarten; 1984

(3) Minus three-fourths of the average daily membership 1985
attending a joint vocational school district; 1986

(4) Plus the average daily membership entitled under section 1987
3313.64 or 3313.65 of the Revised Code to attend school in the 1988
district but receiving educational services in approved units from 1989
an educational service center or another school district under a 1990
compact or a cooperative education agreement, as determined by the 1991
department; 1992

(5) Minus the average daily membership receiving educational services from the district in approved units but entitled under section 3313.64 or 3313.65 of the Revised Code to attend school in another school district, as determined by the department.

(F)(1) "Category one special education ADM" means the average daily membership of handicapped children receiving special education services for those handicaps specified in division (A) of section 3317.013 of the Revised Code and reported under division (B)(5) or (D)(2)(b) of section 3317.03 of the Revised Code.

(2) "Category two special education ADM" means the average daily membership of handicapped children receiving special education services for those handicaps specified in division (B) of section 3317.013 of the Revised Code and reported under division (B)(6) or (D)(2)(c) of section 3317.03 of the Revised Code.

(3) "Category three special education ADM" means the average daily membership of students receiving special education services for students identified as autistic, having traumatic brain injuries, or as both visually and hearing disabled as these terms are defined pursuant to Chapter 3323. of the Revised Code, and reported under division (B)(7) or (D)(2)(d) of section 3317.03 of the Revised Code.

(4) "Category one vocational education ADM" means the average daily membership of students receiving vocational education services described in division (A) of section 3317.014 of the Revised Code and reported under division (B)(8) or (D)(2)(e) of section 3317.03 of the Revised Code.

(5) "Category two vocational education ADM" means the average daily membership of students receiving vocational education services described in division (B) of section 3317.014 of the

Revised Code and reported under division (B)(9) or (D)(2)(f) of 2024
section 3317.03 of the Revised Code. 2025

(6) "Category three vocational education ADM" means the 2026
average daily membership of students receiving other vocational 2027
education programs or services designated as category three 2028
vocational education services by the department of education and 2029
reported under division (B)(10) or (D)(2)(g) of section 3317.03 of 2030
the Revised Code. 2031

(G) "Handicapped preschool child" means a handicapped child, 2032
as defined in section 3323.01 of the Revised Code, who is at least 2033
age three but is not of compulsory school age, as defined in 2034
section 3321.01 of the Revised Code, and who has not entered 2035
kindergarten. 2036

(H) "County MR/DD board" means a county board of mental 2037
retardation and developmental disabilities. 2038

(I) "Recognized valuation" means the amount calculated for a 2039
school district pursuant to section 3317.015 of the Revised Code. 2040

(J) "Transportation ADM" means the number of children 2041
reported under division (B)~~(9)~~(11) of section 3317.03 of the 2042
Revised Code. 2043

(K) "~~Most~~ Average efficient transportation use cost per 2044
~~transported~~ student" for a school district means a statistical 2045
representation of transportation costs as calculated under 2046
division (D)~~(4)~~(3) of section 3317.022 of the Revised Code. 2047

(L) "Taxes charged and payable" means the taxes charged and 2048
payable against real and public utility property after making the 2049
reduction required by section 319.301 of the Revised Code, plus 2050
the taxes levied against tangible personal property. 2051

(M) "Total taxable value" means the sum of the amounts 2052
certified for a city, local, exempted village, or joint vocational 2053

school district under divisions (A)(1) and (2) of section 3317.021 2054
of the Revised Code. 2055

(N)(1) "Cost-of-doing-business factor" means the amount 2056
indicated in this division for the county in which ~~the a city,~~ 2057
local, exempted village, or joint vocational school district is 2058
located, adjusted in accordance with division (N)(2) of this 2059
section. If ~~the a city, local, or exempted village school~~ district 2060
is located in more than one county, the factor is the amount 2061
indicated for the county to which the district is assigned by the 2062
state department of education. If a joint vocational school 2063
district is located in more than one county, the factor is the 2064
amount indicated for the county in which the joint vocational 2065
school with the greatest formula ADM operated by the district is 2066
located. 2067

COST-OF-DOING-BUSINESS 2068

COUNTY	FACTOR	AMOUNT	
Adams	1.0100	<u>1.0074</u>	2070
Allen	1.0272	<u>1.0217</u>	2071
Ashland	1.0362	<u>1.0322</u>	2072
Ashtabula	1.0540	<u>1.0480</u>	2073
Athens	1.0040	<u>1.0046</u>	2074
Auglaize	1.0300	<u>1.0255</u>	2075
Belmont	1.0101	<u>1.0078</u>	2076
Brown	1.0218	<u>1.0194</u>	2077
Butler	1.0662	<u>1.0650</u>	2078
Carroll	1.0180	<u>1.0166</u>	2079
Champaign	1.0432	<u>1.0292</u>	2080
Clark	1.0489	<u>1.0462</u>	2081
Clermont	1.0498	<u>1.0510</u>	2082
Clinton	1.0287	<u>1.0293</u>	2083
Columbiana	1.0320	<u>1.0300</u>	2084
Coshocton	1.0224	<u>1.0205</u>	2085

Crawford	1.0174 <u>1.0152</u>	2086
Cuyahoga	1.0725 <u>1.0697</u>	2087
Darke	1.0360 <u>1.0340</u>	2088
Defiance	1.0214 <u>1.0177</u>	2089
Delaware	1.0512 <u>1.0339</u>	2090
Erie	1.0414 <u>1.0391</u>	2091
Fairfield	1.0383 <u>1.0358</u>	2092
Fayette	1.0281 <u>1.0266</u>	2093
Franklin	1.0548 <u>1.0389</u>	2094
Fulton	1.0382 <u>1.0355</u>	2095
Gallia	1.0000	2096
Geauga	1.0608 <u>1.0568</u>	2097
Greene	1.0418 <u>1.0406</u>	2098
Guernsey	1.0091 <u>1.0072</u>	2099
Hamilton	1.0750	2100
Hancock	1.0270 <u>1.0224</u>	2101
Hardin	1.0384 <u>1.0219</u>	2102
Harrison	1.0111 <u>1.0098</u>	2103
Henry	1.0389 <u>1.0347</u>	2104
Highland	1.0177 <u>1.0139</u>	2105
Hocking	1.0164 <u>1.0149</u>	2106
Holmes	1.0275 <u>1.0237</u>	2107
Huron	1.0348 <u>1.0317</u>	2108
Jackson	1.0176 <u>1.0132</u>	2109
Jefferson	1.0090 <u>1.0084</u>	2110
Knox	1.0276 <u>1.0251</u>	2111
Lake	1.0627 <u>1.0596</u>	2112
Lawrence	1.0154 <u>1.0128</u>	2113
Licking	1.0418 <u>1.0381</u>	2114
Logan	1.0376 <u>1.0188</u>	2115
Lorain	1.0573 <u>1.0535</u>	2116
Lucas	1.0449 <u>1.0413</u>	2117
Madison	1.0475 <u>1.0342</u>	2118

Mahoning	1.0465 <u>1.0426</u>	2119
Marion	1.0289 <u>1.0121</u>	2120
Medina	1.0656 <u>1.0608</u>	2121
Meigs	1.0016 <u>1.0031</u>	2122
Mercer	1.0209 <u>1.0177</u>	2123
Miami	1.0456 <u>1.0425</u>	2124
Monroe	1.0152 <u>1.0118</u>	2125
Montgomery	1.0484 <u>1.0482</u>	2126
Morgan	1.0168 <u>1.0140</u>	2127
Morrow	1.0293 <u>1.0268</u>	2128
Muskingum	1.0194 <u>1.0167</u>	2129
Noble	1.0150 <u>1.0129</u>	2130
Ottawa	1.0529 <u>1.0510</u>	2131
Paulding	1.0216 <u>1.0156</u>	2132
Perry	1.0185 <u>1.0175</u>	2133
Pickaway	1.0350 <u>1.0338</u>	2134
Pike	1.0146 <u>1.0103</u>	2135
Portage	1.0595 <u>1.0556</u>	2136
Preble	1.0523 <u>1.0486</u>	2137
Putnam	1.0308 <u>1.0253</u>	2138
Richland	1.0232 <u>1.0205</u>	2139
Ross	1.0111 <u>1.0089</u>	2140
Sandusky	1.0361 <u>1.0336</u>	2141
Scioto	1.0082 <u>1.0044</u>	2142
Seneca	1.0265 <u>1.0240</u>	2143
Shelby	1.0274 <u>1.0257</u>	2144
Stark	1.0330 <u>1.0313</u>	2145
Summit	1.0642 <u>1.0616</u>	2146
Trumbull	1.0465 <u>1.0425</u>	2147
Tuscarawas	1.0109 <u>1.0099</u>	2148
Union	1.0488 <u>1.0330</u>	2149
Van Wert	1.0181 <u>1.0126</u>	2150
Vinton	1.0065 <u>1.0068</u>	2151

Warren	1.0678 <u>1.0651</u>	2152
Washington	1.0124 <u>1.0110</u>	2153
Wayne	1.0446 <u>1.0406</u>	2154
Williams	1.0316 <u>1.0268</u>	2155
Wood	1.0431 <u>1.0405</u>	2156
Wyandot	1.0227 <u>1.0191</u>	2157

(2) As used in this division, "multiplier" means the number 2158
for the corresponding fiscal year as follows: 2159

FISCAL YEAR OF THE		MULTIPLIER	
COMPUTATION			
1998		9.6/7.5	2162
1999		11.0/7.5	2163
2000		12.4/7.5	2164
2001		13.8/7.5	2165
2002		15.2/7.5	2166
2003		16.6/7.5	2167
2004 and thereafter		18.0/7.5	2168

Beginning in fiscal year 1998, the department shall annually 2169
adjust the cost-of-doing-business factor for each county in 2170
accordance with the following formula: 2171

[(The cost-of-doing-business factor specified under 2172
division (N)(1) of this section - 1) X (the multiplier 2173
for the fiscal year of the calculation)] + 1 2174

The result of such formula shall be the adjusted 2175
cost-of-doing-business factor for that fiscal year. 2176

(O) "Tax exempt value" of a school district means the amount 2177
certified for a school district under division (A)(4) of section 2178
3317.021 of the Revised Code. 2179

(P) "Potential value" of a school district means the adjusted 2180
total taxable value of a school district plus the tax exempt value 2181
of the district. 2182

(Q) "District median income" means the median Ohio adjusted gross income certified for a school district. On or before the first day of July of each year, the tax commissioner shall certify to the department of education for each city, exempted village, and local school district the median Ohio adjusted gross income of the residents of the school district determined on the basis of tax returns filed for the second preceding tax year by the residents of the district.

(R) "Statewide median income" means the median district median income of all city, exempted village, and local school districts in the state.

(S) "Income factor" for a city, exempted village, or local school district means the quotient obtained by dividing that district's median income by the statewide median income.

(T) Except as provided in division (B)(3) of section 3317.012 of the Revised Code, "valuation per pupil" for a city, exempted village, or local school district means the district's recognized valuation divided by the greater of the district's formula ADM or three-year average formula ADM.

(U) Except as provided in section 3317.0213 of the Revised Code, "adjusted valuation per pupil" means the amount calculated in accordance with the following formula:

District valuation per pupil - [\$60,000 X

(1 - district income factor)]

If the result of such formula is negative, the adjusted valuation per pupil shall be zero.

(V) "Income adjusted valuation" means the product obtained by multiplying the school district's adjusted valuation per pupil by the greater of the district's formula ADM or three-year average formula ADM.

(W) Except as provided in division (A)(2) of section 3317.022 2213
of the Revised Code, "adjusted total taxable value" means one of 2214
the following: 2215

(1) In any fiscal year that a school district's income factor 2216
is less than or equal to one, the amount calculated under the 2217
following formula: 2218

$$\begin{aligned} &(\text{Income adjusted valuation} \times 1/5) + && 2219 \\ &(\text{recognized valuation} \times 4/5) && 2220 \end{aligned}$$

(2) In fiscal year 1999, if a school district's income factor 2221
is greater than one, the amount calculated under the following 2222
formula: 2223

$$\begin{aligned} &(\text{Income adjusted valuation} \times 1/15) && 2224 \\ &+ (\text{recognized valuation} \times 14/15) && 2225 \end{aligned}$$

Thereafter, the adjusted total taxable value of a district 2226
with an income factor greater than one shall be its recognized 2227
valuation. 2228

Sec. 3317.022. (A)(1) The department of education shall 2229
compute and distribute state ~~basic aid~~ base cost funding to each 2230
school district for the fiscal year in accordance with the 2231
following formula, using adjusted total taxable value as defined 2232
~~under division (W) of~~ in section 3317.02 of the Revised Code or 2233
division (A)(2) of this section and the information obtained under 2234
section 3317.021 of the Revised Code in the calendar year in which 2235
the fiscal year begins. 2236

Compute the following for each eligible district: 2237

$$\begin{aligned} &[\text{cost-of-doing-business factor} \times && 2238 \\ &\text{the formula amount} \times (\text{the greater of formula ADM} && 2239 \\ &\text{or three-year average formula ADM)}] - && 2240 \\ &(.023 \times \text{adjusted total taxable value}) && 2241 \end{aligned}$$

If the difference obtained is a negative number, the 2242

district's computation shall be zero. 2243

(2)(a) For each school district for which the tax exempt 2244
value of the district equals or exceeds twenty-five per cent of 2245
the potential value of the district, the department of education 2246
shall calculate the difference between the district's tax exempt 2247
value and twenty-five per cent of the district's potential value. 2248

(b) For each school district to which division (A)(2)(a) of 2249
this section applies, the adjusted total taxable value used in the 2250
calculation under division (A)(1) of this section shall be the 2251
adjusted total taxable value modified by subtracting the amount 2252
calculated under division (A)(2)(a) of this section. 2253

(B) As used in ~~division (C)~~ of this section: 2254

(1) The "total special education weight" for a district means 2255
the sum of the following amounts: 2256

(a) The district's category one special education ADM 2257
multiplied by the multiple specified under division (A) of section 2258
3317.013 of the Revised Code; 2259

(b) The sum of the district's category two and category three 2260
special education ADMs multiplied by the multiple specified under 2261
division (B) of section 3317.013 of the Revised Code. 2262

(2) "State share percentage" means the percentage calculated 2263
for a district as follows: 2264

(a) Calculate the ~~basic-aid~~ state base cost funding amount 2265
for the district for the fiscal year under division (A) of this 2266
section. If the district would not receive any state ~~basic-aid~~ 2267
base cost funding for that year under that division, the 2268
district's state share percentage is zero. 2269

(b) If the district would receive ~~basic-aid~~ state base cost 2270
funding under that division, divide that ~~basic-aid~~ amount by an 2271
amount equal to the following: 2272

Cost-of-doing-business factor X	2273
the formula amount X (the greater of formula	2274
ADM or three-year average formula ADM)	2275
The resultant number is the district's state share	2276
percentage.	2277
(3) "Related services" includes:	2278
(a) Child study, special education supervisors and	2279
coordinators, speech and hearing services, adaptive physical	2280
development services, occupational or physical therapy, teacher	2281
assistants for handicapped children whose handicaps are described	2282
in division (B) of section 3317.013 or division (F)(3) of section	2283
3317.02 of the Revised Code, behavioral intervention, interpreter	2284
services, work study, nursing services, and specialized	2285
integrative services as those terms are defined by the department;	2286
(b) Speech and language services provided to any student with	2287
a handicap, including any student whose primary or only handicap	2288
is a speech and language handicap;	2289
(c) Any related service not specifically covered by other	2290
state funds but specified in federal law, including but not	2291
limited to, audiology and school psychological services;	2292
(d) Any service included in units funded under former	2293
division (O)(1) of section 3317.023 of the Revised Code;	2294
(e) Any other related service needed by handicapped children	2295
in accordance with their individualized education plans.	2296
<u>(4) The "total vocational education weight" for a district</u>	2297
<u>means the sum of the following amounts:</u>	2298
(a) <u>The district's category one vocational education ADM</u>	2299
<u>multiplied by the multiple specified in division (A) of section</u>	2300
<u>3317.014 of the Revised Code;</u>	2301
(b) <u>The district's category two vocational education ADM</u>	2302

multiplied by the multiple specified in division (B) of section 2303
3317.014 of the Revised Code. 2304

(C)(1) The department shall compute and distribute state 2305
special education and related services additional weighted costs 2306
funds to each school district in accordance with the following 2307
formula: 2308

The district's state share percentage 2309
X the formula amount for the year 2310
for which the aid is calculated 2311
X the district's total special education weight 2312

(2) In any fiscal year, a school district receiving funds 2313
under division (C)(1) of this section shall spend on related 2314
services the lesser of the following: 2315

(a) The amount the district spent on related services in the 2316
preceding fiscal year; 2317

(b) $1/8 \times [\text{cost-of-doing-business factor} \times \text{the formula amount}$ 2318
 $\times (\text{the category one special education ADM} + \text{category two special}$ 2319
 $\text{education ADM} + \text{category three special education ADM})] + \text{the}$ 2320
amount calculated for the fiscal year under division (C)(1) of 2321
this section + the local share of special education and related 2322
services additional weighted costs 2323

(3) The local share of special education and related services 2324
additional weighted costs equals: 2325

(1 - the district's state share percentage) X 2326
the district's total special education weight X 2327
the formula amount 2328

(4) The department shall compute and pay in accordance with 2329
this division additional state aid to school districts for 2330
students in category three special education ADM. If a district's 2331
costs for the fiscal year for a student in its category three 2332
special education ADM are twenty-five thousand dollars or more, 2333

the district may submit to the superintendent of public 2334
instruction documentation, as prescribed by the superintendent, of 2335
all its costs for that student. Upon submission of documentation 2336
for a student of the type and in the manner prescribed, the 2337
department shall pay to the district an amount equal to the 2338
district's costs for the student in excess of twenty-five thousand 2339
dollars multiplied by the district's state share percentage. 2340

(5)(a) As used in this division, the "personnel allowance" 2341
means twenty thousand dollars in fiscal year 2000 and twenty-five 2342
thousand dollars in fiscal year 2001. 2343

(b) For the provision of speech services to students and for 2344
no other purpose, the department of education shall pay each 2345
school district an amount calculated under the following formula: 2346

(formula ADM divided by 2000) X the personnel 2347
allowance X the state share percentage 2348

(6) In any fiscal year, a school district receiving funds 2349
under division (C)(1) of this section shall spend those funds only 2350
for the purposes that the department designates as approved for 2351
special education expenses. 2352

~~(D)(1) As used in this division, "log density" means the~~ 2353
~~logarithmic calculation (base 10) of each district's~~ 2354
~~transportation ADM per linear mile;~~ 2355

(a) "Daily bus miles per student" equals the number of bus 2356
miles traveled per day, divided by transportation base. 2357

(b) "Transportation base" equals total student count as 2358
defined in section 3301.011 of the Revised Code, minus the number 2359
of students enrolled in preschool handicapped units, plus the 2360
number of nonpublic school students included in transportation 2361
ADM. 2362

(c) "Transported student percentage" equals transportation 2363

ADM divided by transportation base. 2364

(2) Analysis of student transportation cost data has resulted 2365
in a finding that an average efficient transportation use cost per 2366
student can be calculated by means of a regression formula that 2367
has as its two independent variables the number of daily bus miles 2368
per student and the transported student percentage. For fiscal 2369
year 1997 transportation cost data, the average efficient 2370
transportation use cost per student is expressed as follows: 2371

50.67477 + (140.94357 X daily bus miles per student) + 2373

(108.36864 X transported student percentage) 2374

(3) In addition to funds paid under divisions (A) and (C), 2375
(E), and (F) of this section, each district with a transported 2376
student percentage greater than zero shall receive a payment equal 2377
to sixty per cent a percentage of the product of the district's 2378
transportation ADM base times the district's most average 2379
efficient transportation use cost per transported student. That 2380
percentage shall be the following percentage specified for 2381

~~(3) In fiscal years 1999 through 2002, notwithstanding the~~ 2382
~~amount calculated for each district under division (D)(2) of this~~ 2383
~~section, each district shall receive in the corresponding fiscal~~ 2384
~~year the following percentage of the district's transportation ADM~~ 2385
~~times the district's most efficient transportation use cost per~~ 2386
~~transported student:~~ 2387

FISCAL YEAR	PERCENTAGE	
1999	50%	2389
2000	52.5%	2390
2001	55%	2391
2002	57.5%	2392
2003 AND THEREAFTER	60%	2393

~~(4) For purposes of funding the student transportation~~ 2394
~~portion, the~~ The department of education shall annually determine 2395

the ~~most~~ average efficient transportation use cost per ~~transported~~ 2396
student for each school district. ~~This cost per student shall be~~ 2397
~~an amount equal to the number ten to a power calculated in~~ 2398
~~accordance with the following formula:~~ 2399

$$\text{(-0.413148 X log density) + 2.493129} \quad 2400$$

~~(5) The department of education shall annually update the~~ 2401
~~most efficient transportation use cost per transported student for~~ 2402
~~each district in accordance with the principles stated in division~~ 2403
~~(D)(2) of this section, updating the intercept and regression~~ 2404
~~coefficients of the regression formula modeled in that division~~ 2405
~~(D)(4) of this section, including the figures and log density~~ 2406
~~component of that formula, based on an annual statewide analysis~~ 2407
~~of each district's transportationADM per linear mile daily bus~~ 2408
~~miles per student, transported student percentage, and~~ 2409
~~transportation cost data. The department shall notify the office~~ 2410
~~of budget and management of such update by September of every~~ 2411
~~year.~~ 2412

The department ~~of education~~ shall use the ~~most recent~~ 2413
available prior fiscal year's data as of the first day of July of 2414
each year to complete the annual update. ~~The department shall and~~ 2415
apply a 2.8 per cent inflation cost adjustment factor ~~for each~~ 2416
~~fiscal year since the fiscal year for which the data applies to~~ 2417
~~adjust the amount calculated for each district under division~~ 2418
~~(D)(2) or (3) of this section to the current fiscal year level.~~ 2419

(4) Notwithstanding divisions (D)(2) and (3) of this section, 2420
in fiscal year 2000, each school district shall receive the 2421
greater of the amount calculated for it under those divisions or 2422
the amount the district received in fiscal year 1999 under 2423
divisions (D)(2) to (4) of the version of this section in effect 2424
for that fiscal year and division (B) of Section 20 of Am. Sub. 2425
H.B. 650 of the 122nd general assembly. 2426

(5) In addition to funds paid under divisions (D)(2) to (4) 2427

of this section, a school district shall receive a rough road 2428
subsidy if both of the following apply: 2429

(a) Its county rough road percentage is higher than the 2430
statewide rough road percentage, as those terms are defined in 2431
division (D)(6) of this section; 2432

(b) Its district student density is lower than the statewide 2433
student density, as those terms are defined in that division. 2434

(6) The rough road subsidy paid to each district meeting the 2435
qualifications of division (D)(5) of this section shall be 2436
calculated in accordance with the following formula: 2437

(per rough mile subsidy X total rough road miles) X 2438
density multiplier 2439

where: 2440

(a) "Per rough mile subsidy" equals the amount calculated in 2441
accordance with the following formula: 2442

0.75 - 0.75 X [(maximum rough road percentage - county 2443
rough road percentage)/(maximum rough road percentage - 2444
statewide rough road percentage)] 2445

(i) "Maximum rough road percentage" means the highest county 2446
rough road percentage in the state. 2447

(ii) "County rough road percentage" equals the percentage of 2448
the mileage of state, municipal, county, and township roads that 2449
is rated by the department of transportation as type A, B, C, E2, 2450
or F in the county in which the school district is located or, if 2451
the district is located in more than one county, the county to 2452
which it is assigned for purposes of determining its 2453
cost-of-doing-business factor. 2454

(iii) "Statewide rough road percentage" means the percentage 2455
of the statewide total mileage of state, municipal, county, and 2456
township roads that is rated as type A, B, C, E2, or F by the 2457

<u>department of transportation.</u>	2458
(b) <u>"Total rough road miles" means a school district's total</u>	2459
<u>bus miles traveled in one year times its county rough road</u>	2460
<u>percentage.</u>	2461
(c) <u>"Density multiplier" means a figure calculated in</u>	2462
<u>accordance with the following formula:</u>	2463
1 - [(<u>minimum student density - district student</u>	2464
<u>density)/(minimum student density -</u>	2465
<u>statewide student density)]</u>	2466
(i) <u>"Minimum student density" means the lowest district</u>	2467
<u>student density in the state.</u>	2468
(ii) <u>"District student density" means a school district's</u>	2469
<u>transportation base divided by the number of square miles in the</u>	2470
<u>district.</u>	2471
(iii) <u>"Statewide student density" means the sum of the</u>	2472
<u>transportation bases for all school districts divided by the sum</u>	2473
<u>of the square miles in all school districts.</u>	2474
(7) In addition to funds paid under division <u>divisions</u> (D)(2)	2475
er (3) <u>to (6)</u> of this section, each district shall receive in	2476
accordance with rules adopted by the state board of education a	2477
payment for students transported by means other than board-owned	2478
or contractor-operated buses and whose transportation is not	2479
funded under division (J) of section 3317.024 of the Revised Code.	2480
The rules shall include provisions for school district reporting	2481
of such students.	2482
(E)(1) <u>The department shall compute and distribute state</u>	2483
<u>vocational education additional weighted costs funds to each</u>	2484
<u>school district in accordance with the following formula:</u>	2485
<u>state share percentage X</u>	2486
<u>the formula amount X</u>	2487

total vocational education weight 2488

In any fiscal year, a school district receiving funds under 2489
division (E)(1) of this section shall spend those funds only for 2490
the purposes that the department designates as approved for 2491
vocational education expenses. 2492

(2) The department shall compute and distribute to each 2493
school district state funds for vocational education associated 2494
services in accordance with the following formula: 2495

state share percentage X .05 X the formula amount X the sum of 2496
categories one, two, and three vocational education ADM 2497

In any fiscal year, a school district receiving funds under 2498
division (E)(2) of this section shall spend those funds only for 2499
the purposes that the department designates as approved for 2500
vocational education associated services expenses, which may 2501
include such purposes as apprenticeship coordinators, coordinators 2502
for other vocational education services, vocational evaluation, 2503
and other purposes designated by the department. The department 2504
may deny payment under division (E)(2) of this section to any 2505
district that the department determines is not operating those 2506
services or is using funds paid under division (E)(2) of this 2507
section for other purposes. 2508

Sec. 3317.023. (A) Notwithstanding section 3317.022 of the 2509
Revised Code, the amounts required to be paid to a district under 2510
this chapter shall be adjusted by the amount of the computations 2511
made under divisions (B) to (K) of this section. 2512

As used in this section: 2513

(1) "Classroom teacher" means a licensed employee who 2514
provides direct instruction to pupils, excluding teachers funded 2515
from money paid to the district from federal sources; educational 2516
service personnel; and vocational and special education teachers. 2517

(2) "Educational service personnel" shall not include such 2518
specialists funded from money paid to the district from federal 2519
sources or assigned full-time to vocational or special education 2520
students and classes and may only include those persons employed 2521
in the eight specialist areas in a pattern approved by the 2522
department of education under guidelines established by the state 2523
board of education. 2524

(3) "Annual salary" means the annual base salary stated in 2525
the state minimum salary schedule for the performance of the 2526
teacher's regular teaching duties that the teacher earns for 2527
services rendered for the first full week of October of the fiscal 2528
year for which the adjustment is made under division (C) of this 2529
section. It shall not include any salary payments for supplemental 2530
teachers contracts. 2531

(4) "Regular student population" means the formula ADM plus 2532
the number of students reported as enrolled in the district 2533
pursuant to division (A)(1) of section 3313.981 of the Revised 2534
Code; minus the number of students reported under ~~division~~ 2535
division (A)(2) of section 3317.03 of the Revised Code; minus the 2536
FTE of students reported under division (B)(5), (6), (7), ~~or~~ (8), 2537
or (9) of that section who are enrolled in a vocational education 2538
class or receiving special education; and minus one-fourth of the 2539
students enrolled concurrently in a joint vocational school 2540
district. 2541

(B) If the district employs less than one full-time 2542
equivalent classroom teacher for each twenty-five pupils in the 2543
regular student population in any school district, deduct the sum 2544
of the amounts obtained from the following computations: 2545

(1) Divide the number of the district's full-time equivalent 2546
classroom teachers employed by one twenty-fifth; 2547

(2) Subtract the quotient in (1) from the district's regular 2548

student population; 2549

(3) Multiply the difference in (2) by seven hundred fifty-two 2550
dollars. 2551

(C) If a positive amount, add one-half of the amount obtained 2552
by multiplying the number of full-time equivalent classroom 2553
teachers by: 2554

(1) The mean annual salary of all full-time equivalent 2555
classroom teachers employed by the district at their respective 2556
training and experience levels minus; 2557

(2) The mean annual salary of all such teachers at their 2558
respective levels in all school districts receiving payments under 2559
this section. 2560

The number of full-time equivalent classroom teachers used in 2561
this computation shall not exceed one twenty-fifth of the 2562
district's regular student population. In calculating the 2563
district's mean salary under this division, those full-time 2564
equivalent classroom teachers with the highest training level 2565
shall be counted first, those with the next highest training level 2566
second, and so on, in descending order. Within the respective 2567
training levels, teachers with the highest years of service shall 2568
be counted first, the next highest years of service second, and so 2569
on, in descending order. 2570

(D) This division does not apply to a school district that 2571
has entered into an agreement under division (A) of section 2572
3313.42 of the Revised Code. Deduct the amount obtained from the 2573
following computations if the district employs fewer than five 2574
full-time equivalent educational service personnel, including 2575
elementary school art, music, and physical education teachers, 2576
counselors, librarians, visiting teachers, school social workers, 2577
and school nurses for each one thousand pupils in the regular 2578
student population: 2579

(1) Divide the number of full-time equivalent educational service personnel employed by the district by five one-thousandths;	2580 2581 2582
(2) Subtract the quotient in (1) from the district's regular student population;	2583 2584
(3) Multiply the difference in (2) by ninety-four dollars.	2585
(E) If a local school district, or a city or exempted village school district to which a governing board of an educational service center provides services pursuant to section 3313.843 of the Revised Code, deduct the amount of the payment required for the reimbursement of the governing board under section 3317.11 of the Revised Code.	2586 2587 2588 2589 2590 2591
(F)(1) If the district is required to pay to or entitled to receive tuition from another school district under division (C)(2) or (3) of section 3313.64 or section 3313.65 of the Revised Code, or if the superintendent of public instruction is required to determine the correct amount of tuition and make a deduction or credit under section 3317.08 of the Revised Code, deduct and credit such amounts as provided in division (I) of section 3313.64 or section 3317.08 of the Revised Code.	2592 2593 2594 2595 2596 2597 2598 2599
(2) For each child for whom the district is responsible for tuition or payment under division (A)(1) of section 3317.082 or section 3323.091 of the Revised Code, deduct the amount of tuition or payment for which the district is responsible.	2600 2601 2602 2603
(G) If the district has been certified by the superintendent of public instruction under section 3313.90 of the Revised Code as not in compliance with the requirements of that section, deduct an amount equal to ten per cent of the amount computed for the district under section 3317.022 of the Revised Code.	2604 2605 2606 2607 2608
(H) If the district has received a loan from a commercial	2609

lending institution for which payments are made by the 2610
superintendent of public instruction pursuant to division (E)(3) 2611
of section 3313.483 of the Revised Code, deduct an amount equal to 2612
such payments. 2613

(I)(1) If the district is a party to an agreement entered 2614
into under division (D), (E), or (F) of section 3311.06 or 2615
division (B) of section 3311.24 of the Revised Code and is 2616
obligated to make payments to another district under such an 2617
agreement, deduct an amount equal to such payments if the district 2618
school board notifies the department in writing that it wishes to 2619
have such payments deducted. 2620

(2) If the district is entitled to receive payments from 2621
another district that has notified the department to deduct such 2622
payments under division (I)(1) of this section, add the amount of 2623
such payments. 2624

(J) If the district is required to pay an amount of funds to 2625
a cooperative education district pursuant to a provision described 2626
by division (B)(4) of section 3311.52 or division (B)(8) of 2627
section 3311.521 of the Revised Code, deduct such amounts as 2628
provided under that provision and credit those amounts to the 2629
cooperative education district for payment to the district under 2630
division (B)(1) of section 3317.19 of the Revised Code. 2631

(K)(1) If a district is educating a student entitled to 2632
attend school in another district pursuant to a shared education 2633
contract, compact, or cooperative education agreement other than 2634
an agreement entered into pursuant to section 3313.842 of the 2635
Revised Code, credit to that educating district on an FTE basis 2636
both of the following: 2637

(a) An amount equal to the formula amount times the cost of 2638
doing business factor of the school district where the student is 2639
entitled to attend school pursuant to section 3313.64 or 3313.65 2640

of the Revised Code; 2641

(b) An amount equal to the formula amount times the state 2642
share percentage times any multiple applicable to the student 2643
pursuant to section 3317.013 of the Revised Code. 2644

(2) Deduct any amount credited pursuant to division (K)(1) of 2645
this section from amounts paid to the school district in which the 2646
student is entitled to attend school pursuant to section 3313.64 2647
or 3313.65 of the Revised Code. 2648

(3) If the district is required by a shared education 2649
contract, compact, or cooperative education agreement to make 2650
payments to an educational service center, deduct the amounts from 2651
payments to the district and add them to the amounts paid to the 2652
service center pursuant to section 3317.11 of the Revised Code. 2653

Sec. 3317.024. In addition to the moneys paid to eligible 2654
school districts pursuant to section 3317.022 of the Revised Code, 2655
moneys appropriated for the education programs in divisions (A) to 2656
(L), (O), and (P) of this section shall be distributed to school 2657
districts meeting the requirements of section 3317.01 of the 2658
Revised Code; in the case of divisions (I) ~~and~~ (J), ~~and~~, ~~in~~ 2659
~~fiscal year 1999 only, division (P)(1)~~ of this section, to 2660
educational service centers as provided in section 3317.11 of the 2661
Revised Code; in the case of divisions (E), (M), and (N) of this 2662
section, to county MR/DD boards; in the case of division (I) of 2663
this section, to joint vocational and cooperative education school 2664
districts; in the case of division (K) of this section, to 2665
cooperative education school districts; and in the case of 2666
division (Q) of this section, to the institutions defined under 2667
section 3317.082 of the Revised Code providing elementary or 2668
secondary education programs to children other than children 2669
receiving special education under section 3323.091 of the Revised 2670
Code. The following shall be distributed monthly, quarterly, or 2671

annually as may be determined by the state board of education:	2672
(A) A per pupil amount to each school district that	2673
establishes a summer school remediation program that complies with	2674
rules of the state board of education.	2675
(B) An amount for each island school district and each joint	2676
state school district for the operation of each high school and	2677
each elementary school maintained within such district and for	2678
capital improvements for such schools. Such amounts shall be	2679
determined on the basis of standards adopted by the state board of	2680
education.	2681
(C) An amount for each school district operating classes for	2682
children of migrant workers who are unable to be in attendance in	2683
an Ohio school during the entire regular school year. The amounts	2684
shall be determined on the basis of standards adopted by the state	2685
board of education, except that payment shall be made only for	2686
subjects regularly offered by the school district providing the	2687
classes.	2688
(D) An amount for each school district with guidance,	2689
testing, and counseling programs approved by the state board of	2690
education. The amount shall be determined on the basis of	2691
standards adopted by the state board of education.	2692
(E) An amount for the emergency purchase of school buses as	2693
provided for in section 3317.07 of the Revised Code;	2694
(F) An amount for each school district required to pay	2695
tuition for a child in an institution maintained by the department	2696
of youth services pursuant to section 3317.082 of the Revised	2697
Code, provided the child was not included in the calculation of	2698
the district's average daily membership for the preceding school	2699
year.	2700
(G) An <u>In fiscal year 2000 only, an</u> amount to each school	2701

district for supplemental salary allowances for each licensed 2702
employee except those licensees serving as superintendents, 2703
assistant superintendents, principals, or assistant principals, 2704
whose term of service in any year is extended beyond the term of 2705
service of regular classroom teachers, as described in section 2706
3301.0725 of the Revised Code; 2707

(H) An amount for adult basic literacy education for each 2708
district participating in programs approved by the state board of 2709
education. The amount shall be determined on the basis of 2710
standards adopted by the state board of education. 2711

(I) Notwithstanding section 3317.01 of the Revised Code, to 2712
each city, local, and exempted village school district, an amount 2713
pursuant to section 3301.17 of the Revised Code for conducting 2714
driver education courses at high schools for which the state board 2715
of education prescribes minimum standards and to joint vocational 2716
and cooperative education school districts and educational service 2717
centers, an amount pursuant to such section for conducting driver 2718
education courses to pupils enrolled in a high school for which 2719
the state board prescribes minimum standards; 2720

(J) An amount for the approved cost of transporting 2721
developmentally handicapped pupils whom it is impossible or 2722
impractical to transport by regular school bus in the course of 2723
regular route transportation provided by the district or service 2724
center. No district or service center is eligible to receive a 2725
payment under this division for the cost of transporting any pupil 2726
whom it transports by regular school bus and who is included in 2727
the district's transportation ADM. The state board of education 2728
shall establish standards and guidelines for use by the department 2729
of education in determining the approved cost of such 2730
transportation for each district or service center. 2731

(K) An amount to each school district, including each 2732
cooperative education school district, pursuant to section 3313.81 2733

of the Revised Code to assist in providing free lunches to needy children and an amount to assist needy school districts in purchasing necessary equipment for food preparation. The amounts shall be determined on the basis of rules adopted by the state board of education.

(L) An amount to each school district, for each pupil attending a chartered nonpublic elementary or high school within the district. The amount shall equal the amount appropriated for the implementation of section 3317.06 of the Revised Code divided by the average daily membership in grades kindergarten through twelve in nonpublic elementary and high schools within the state as determined during the first full week in October of each school year.

(M) An amount for each county MR/DD board, distributed on the basis of standards adopted by the state board of education, for the approved cost of transportation required for children attending special education programs operated by the county MR/DD board under section 3323.09 of the Revised Code;

(N) An amount for each county MR/DD board, distributed on the basis of standards adopted by the state board of education, for supportive home services for preschool children;

(O) An amount for each school district that establishes a mentor teacher program that complies with rules of the state board of education. No school district shall be required to establish or maintain such a program in any year unless sufficient funds are appropriated to cover the district's total costs for the program.

(P) ~~(1) For fiscal year 1999 only, an~~ An amount to each school district or educational service center for the total number of gifted units approved pursuant to section 3317.05 of the Revised Code. The amount for each such unit shall be the sum of the minimum salary for the teacher of the unit, calculated on the

basis of the teacher's training level and years of experience 2765
pursuant to section 3317.13 of the Revised Code, plus fifteen per 2766
cent of that minimum salary amount, plus two thousand six hundred 2767
seventy-eight dollars. 2768

~~(2) The general assembly intends to begin a review and 2769
revision of the funding formula for gifted education services in 2770
1999. The analysis and any resulting calculations shall be based 2771
upon a rational methodology for calculating the cost of adequate 2772
gifted education services. The analysis shall use data generated 2773
by a study funded through the department of education. 2774~~

(Q) An amount to each institution defined under section 2775
3317.082 of the Revised Code providing elementary or secondary 2776
education to children other than children receiving special 2777
education under section 3323.091 of the Revised Code. This amount 2778
for any institution in any fiscal year shall equal the total of 2779
all tuition amounts required to be paid to the institution under 2780
division (A)(1) of section 3317.082 of the Revised Code. 2781

The state board of education or any other board of education 2782
or governing board may provide for any resident of a district or 2783
educational service center territory any educational service for 2784
which funds are made available to the board by the United States 2785
under the authority of public law, whether such funds come 2786
directly or indirectly from the United States or any agency or 2787
department thereof or through the state or any agency, department, 2788
or political subdivision thereof. 2789

Sec. 3317.029. (A) As used in this section: 2790

(1) "DPIA percentage" means the quotient obtained by dividing 2791
the five-year average number of children ages five to seventeen 2792
residing in the school district and living in a family receiving 2793
family assistance, as certified or adjusted under section 3317.10 2794
of the Revised Code, by the district's three-year average formula 2795

ADM.	2796
(2) "Family assistance" means assistance received under the Ohio works first program or, for the purpose of determining the five-year average number of recipients of family assistance in fiscal years 1999 through 2002, assistance received under an antecedent program known as TANF or ADC.	2797 2798 2799 2800 2801
(3) "Statewide DPIA percentage" means the five-year average of the total number of children ages five to seventeen years residing in the state and receiving family assistance, divided by the sum of the three-year average formula ADMs for all school districts in the state.	2802 2803 2804 2805 2806
(4) "DPIA index" means the quotient obtained by dividing the school district's DPIA percentage by the statewide DPIA percentage.	2807 2808 2809
(5) "Kindergarten ADM" means the number of students reported under section 3317.03 of the Revised Code as enrolled in kindergarten.	2810 2811 2812
(6) "Kindergarten through third grade ADM" means the amount calculated as follows:	2813 2814
(a) Multiply the kindergarten ADM by the sum of one plus the all-day kindergarten percentage;	2815 2816
(b) Add the number of students in grades one through three;	2817
(d) (c) Subtract from the sum calculated under division (A)(6) (e) (b) of this section the number of special education students in grades kindergarten through three.	2818 2819 2820
(7) "Statewide average teacher salary" means thirty-nine thousand ninety-two <u>forty thousand one hundred eighty-seven dollars in fiscal year 2000, and forty-one thousand three hundred twelve dollars in fiscal year 2001</u> , which includes an amount for the value of fringe benefits.	2821 2822 2823 2824 2825

(8) "All-day kindergarten" means a kindergarten class that is 2826
in session five days per week for not less than the same number of 2827
clock hours each day as for pupils in grades one through six. 2828

(9) "All-day kindergarten percentage" means the percentage of 2829
a district's actual total number of students enrolled in 2830
kindergarten who are enrolled in all-day kindergarten. 2831

(10) "Buildings with the highest concentration of need" means 2832
the school buildings in a district with percentages of students 2833
receiving family assistance in grades kindergarten through three 2834
at least as high as the district-wide percentage of students 2835
receiving family assistance. If, however, the information provided 2836
by the department of human services under section 3317.10 of the 2837
Revised Code is insufficient to determine the family assistance 2838
percentage in each building, "buildings with the highest 2839
concentration of need" has the meaning given in rules that the 2840
department of education shall adopt. The rules shall base the 2841
definition of "buildings with the highest concentration of need" 2842
on family income of students in grades kindergarten through three 2843
in a manner that, to the extent possible with available data, 2844
approximates the intent of this division and division (G) of this 2845
section to designate buildings where the family assistance 2846
percentage in those grades equals or exceeds the district-wide 2847
family assistance percentage. 2848

(B) In addition to the amounts required to be paid to a 2849
school district under section 3317.022 of the Revised Code, a 2850
school district shall receive the greater of the amount the 2851
district received in fiscal year 1998 pursuant to division (B) of 2852
section 3317.023 of the Revised Code as it existed at that time or 2853
the sum of the computations made under divisions (C) to (E) of 2854
this section. 2855

(C) A supplemental payment that may be utilized for measures 2856

related to safety and security and for remediation or similar programs, calculated as follows:

(1) If the DPIA index of the school district is greater than or equal to thirty-five-hundredths, but less than one, an amount obtained by multiplying the five-year average number of pupils in a district receiving family assistance by two hundred thirty dollars;

(2) If the DPIA index of the school district is greater than or equal to one, an amount obtained by multiplying the DPIA index by two hundred thirty dollars and multiplying that product by the five-year average number of pupils in a district receiving family assistance.

(D) A payment for all-day kindergarten if the DPIA index of the school district is greater than or equal to one or if the district's three-year average formula ADM exceeded seventeen thousand five hundred, calculated by multiplying the all-day kindergarten percentage by the kindergarten ADM and multiplying that product by the formula amount.

(E) A class-size reduction payment based on calculating the number of new teachers necessary to achieve a lower student-teacher ratio, as follows:

(1) Determine or calculate a formula number of teachers per one thousand students based on the DPIA index of the school district as follows:

(a) If the DPIA index of the school district is less than six-tenths, the formula number of teachers is 43.478, which is the number of teachers per one thousand students at a student-teacher ratio of twenty-three to one;

(b) If the DPIA index of the school district is greater than or equal to six-tenths, but less than two and one-half, the

formula number of teachers is calculated as follows: 2887

$$43.478 + [(DPIA \text{ index} - 0.6) / 1.9] \times 23.188$$
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Where 43.478 is the number of teachers per one thousand 2889
students at a student-teacher ratio of twenty-three to one; 1.9 is 2890
the interval from a DPIA index of six-tenths to a DPIA index of 2891
two and one-half; and 23.188 is the difference in the number of 2892
teachers per one thousand students at a student-teacher ratio of 2893
fifteen to one and the number of teachers per one thousand 2894
students at a student-teacher ratio of twenty-three to one. 2895

(c) If the DPIA index of the school district is greater than 2896
or equal to two and one-half, the formula number of teachers is 2897
66.667, which is the number of teachers per one thousand students 2898
at a student-teacher ratio of fifteen to one. 2899

(2) Multiply the formula number of teachers determined or 2900
calculated in division (E)(1) of this section by the kindergarten 2901
through third grade ADM for the district and divide that product 2902
by one thousand; 2903

(3) Calculate the number of new teachers as follows: 2904

(a) Multiply the kindergarten through third grade ADM by 2905
43.478, which is the number of teachers per one thousand students 2906
at a student-teacher ratio of twenty-three to one, and divide that 2907
product by one thousand; 2908

(b) Subtract the quotient obtained in division (E)(3)(a) of 2909
this section from the product in division (E)(2) of this section. 2910

(4) Multiply the greater of the difference obtained under 2911
division (E)(3) of this section or zero by the statewide average 2912
teachers salary. 2913

(F) This division applies only to school districts whose DPIA 2914
index is one or greater. 2915

(1) Each school district subject to this division shall first 2916

utilize funds received under this section so that, when combined 2917
with other funds of the district, sufficient funds exist to 2918
provide all-day kindergarten to at least the number of children in 2919
the district's all-day kindergarten percentage. 2920

(2) Up to an amount equal to the district's DPIA index 2921
multiplied by the five-year average number of pupils in a district 2922
receiving family assistance multiplied by two hundred thirty 2923
dollars of the money distributed under this section may be 2924
utilized for one or both of the following: 2925

(a) Programs designed to ensure that schools are free of 2926
drugs and violence and have a disciplined environment conducive to 2927
learning; 2928

(b) Remediation for students who have failed or are in danger 2929
of failing any of the proficiency tests administered pursuant to 2930
section 3301.0710 of the Revised Code. 2931

(3) Except as otherwise required by division (G) of this 2932
section, all other funds distributed under this section to 2933
districts subject to this division shall be utilized for the 2934
purpose of the third grade guarantee. The third grade guarantee 2935
consists of increasing the amount of instructional attention 2936
received per pupil in kindergarten through third grade, either by 2937
reducing the ratio of students to instructional personnel or by 2938
increasing the amount of instruction and curriculum-related 2939
activities by extending the length of the school day or the school 2940
year. 2941

School districts may implement a reduction of the ratio of 2942
students to instructional personnel through any or all of the 2943
following methods: 2944

(a) Reducing the number of students in a classroom taught by 2945
a single teacher; 2946

(b) Employing full-time educational aides or educational
paraprofessionals issued a permit or license under section
3319.088 of the Revised Code;

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(c) Instituting a team-teaching method that will result in a
lower student-teacher ratio in a classroom.

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Districts may extend the school day either by increasing the
amount of time allocated for each class, increasing the number of
classes provided per day, offering optional academic-related
after-school programs, providing curriculum-related extra
curricular activities, or establishing tutoring or remedial
services for students who have demonstrated an educational need.
In accordance with section 3319.089 of the Revised Code, a
district extending the school day pursuant to this division may
utilize a participant of the work experience program who has a
child enrolled in a public school in that district and who is
fulfilling the work requirements of that program by volunteering
or working in that public school. If the work experience program
participant is compensated, the school district may use the funds
distributed under this section for all or part of the
compensation.

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Districts may extend the school year either through adding
regular days of instruction to the school calendar or by providing
summer programs.

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(G) Each district subject to division (F) of this section
shall not expend any funds received under division (E) of this
section in any school buildings that are not buildings with the
highest concentration of need, unless there is a ratio of
instructional personnel to students of no more than fifteen to one
in each kindergarten and first grade class in all buildings with
the highest concentration of need. This division does not require
that the funds used in buildings with the highest concentration of

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need be spent solely to reduce the ratio of instructional 2978
personnel to students in kindergarten and first grade. A school 2979
district may spend the funds in those buildings in any manner 2980
permitted by division (F)(3) of this section, but may not spend 2981
the money in other buildings unless the fifteen-to-one ratio 2982
required by this division is attained. 2983

(H)(1) By the first day of August of each fiscal year, each 2984
school district wishing to receive any funds under division (D) of 2985
this section shall submit to the department of education an 2986
estimate of its all-day kindergarten percentage. Each district 2987
shall update its estimate throughout the fiscal year in the form 2988
and manner required by the department, and the department shall 2989
adjust payments under this section to reflect the updates. 2990

(2) Annually by the end of December, the department of 2991
education, utilizing data from the information system established 2992
under section 3301.0714 of the Revised Code and after consultation 2993
with the legislative office of education oversight, shall 2994
determine for each school district subject to division (F) of this 2995
section whether in the preceding fiscal year the district's ratio 2996
of instructional personnel to students; and its number of 2997
kindergarten students receiving all-day kindergarten appear 2998
reasonable, given the amounts of money the district received for 2999
that fiscal year pursuant to divisions (D) and (E) of this 3000
section. If the department is unable to verify from the data 3001
available that students are receiving reasonable amounts of 3002
instructional attention and all-day kindergarten, given the funds 3003
the district has received under this section and that class-size 3004
reduction funds are being used in school buildings with the 3005
highest concentration of need as required by division (G) of this 3006
section, the department shall conduct a more intensive 3007
investigation to ensure that funds have been expended as required 3008
by this section. The department shall file an annual report of its 3009

findings under this division with the chairpersons of the	3010
committees in each house of the general assembly dealing with	3011
finance and education.	3012
(I) Any school district with a DPIA index less than one and a	3013
three-year average formula ADM exceeding seventeen thousand five	3014
hundred shall first utilize funds received under this section so	3015
that, when combined with other funds of the district, sufficient	3016
funds exist to provide all-day kindergarten to at least the number	3017
of children in the district's all-day kindergarten percentage.	3018
Such a district shall expend at least seventy per cent of the	3019
remaining funds received under this section, and any other	3020
district with a DPIA index less than one shall expend at least	3021
seventy per cent of all funds received under this section, for any	3022
of the following purposes:	3023
(1) The purchase of technology for instructional purposes;	3024
(2) All-day kindergarten;	3025
(3) Reduction of class sizes;	3026
(4) Summer school remediation;	3027
(5) Dropout prevention programs;	3028
(6) Guaranteeing that all third graders are ready to progress	3029
to more advanced work;	3030
(7) Summer education and work programs;	3031
(8) Adolescent pregnancy programs;	3032
(9) Head start or preschool programs;	3033
(10) Reading improvement programs described by the department	3034
of education;	3035
(11) Programs designed to ensure that schools are free of	3036
drugs and violence and have a disciplined environment conducive to	3037
learning;	3038

(12) Furnishing, free of charge, materials used in courses of instruction, except for the necessary textbooks required to be furnished without charge pursuant to section 3329.06 of the Revised Code, to pupils living in families participating in Ohio works first in accordance with section 3313.642 of the Revised Code;

(13) School breakfasts provided pursuant to section 3313.813 of the Revised Code.

Each district shall submit to the department, in such format and at such time as the department shall specify, a report on the programs for which it expended funds under this division.

(J) If at any time the superintendent of public instruction determines that a school district receiving funds under division (D) of this section has enrolled less than the all-day kindergarten percentage reported for that fiscal year, the superintendent shall withhold from the funds otherwise due the district under this section a proportional amount as determined by the difference in the certified all-day kindergarten percentage and the percentage actually enrolled in all-day kindergarten.

The superintendent shall also withhold an appropriate amount of funds otherwise due a district for any other misuse of funds not in accordance with this section.

Sec. 3317.0212. Divisions (B) and (C) of this section do not apply to a school district with a formula ADM of one hundred fifty or less.

(A) As used in this section:

(1) "Fundamental FY 1997 state aid" or "fundamental FY 1998 state aid" for a district means the total amount of state money received by the district for the applicable fiscal year as reported on the department of education's form "SF-12," adjusted

as follows:	3069
(a) Minus the amount for transportation;	3070
(b) Minus any amounts for approved preschool handicapped units;	3071 3072
(c) Minus any additional amount attributable to the reappraisal guarantee of division (C) of section 3317.04 of the Revised Code;	3073 3074 3075
(d) Plus the amount deducted for payments to an educational service center;	3076 3077
(e) Plus an estimated portion of the state money distributed in the applicable fiscal year to other school districts or educational service centers for approved units, other than preschool handicapped or gifted education units, attributable to the costs of providing services in those units to students entitled to attend school in the district;	3078 3079 3080 3081 3082 3083
(f) Minus an estimated portion of the state money distributed to the school district in the applicable fiscal year for approved units, other than preschool handicapped units or gifted education units, attributable to the costs of providing services in those units to students entitled to attend school in another school district;	3084 3085 3086 3087 3088 3089
(g) Plus any additional amount paid in the applicable fiscal year pursuant to the vocational education recomputation required by Section 45.12 of Amended Substitute House Bill No. 117 of the 121st general assembly or former Section 50.22 of Amended Substitute House Bill No. 215 of the 122nd general assembly;	3090 3091 3092 3093 3094
(h) Plus any additional amount paid in the applicable fiscal year pursuant to the special education recomputation required by former division (I) of section 3317.023 of the Revised Code;	3095 3096 3097
(i) Plus any amount paid for equity aid in the applicable	3098

fiscal year under section 3317.0213 of the Revised Code; 3099

(j) Plus any amount received for the applicable fiscal year 3100
pursuant to section 3317.027 of the Revised Code; 3101

(k) Plus any amount received for the applicable fiscal year 3102
resulting from a recomputation made under division (B) of section 3103
3317.022 of the Revised Code. 3104

(2) "Enhanced FY ~~1998~~ 1999 state aid" for a district means 3105
its ~~fundamental~~ FY ~~1998~~ state basic aid for fiscal year 1999, plus 3106
any amounts for which the district was eligible pursuant to 3107
division ~~(K)~~ (D) of the version of section ~~3317.024~~ 3317.022 of 3108
the Revised Code, ~~as that division existed in effect that~~ fiscal 3109
year ~~1998~~. 3110

(3) "State basic aid" for a district for any fiscal year 3111
after fiscal year ~~1998~~ 1999 means the sum of the following: 3112

(a) The amount computed for the district for ~~basic formula~~ 3113
~~aid and base cost funding~~, special education funding, and 3114
vocational education funding under divisions (A), ~~(B)~~, and (C)(1) 3115
and (5), and (E) of section 3317.022 and sections 3317.025 and 3116
3317.027 of the Revised Code and DPIA aid under section 3317.029 3117
of the Revised Code in the current fiscal year before any 3118
deduction or credit required by division (B), (D), (E), (F), (G), 3119
(H), (I), (J), or (K) of section 3317.023 or division (J) of 3120
section 3317.029 of the Revised Code; 3121

(b) Any amounts for which the district is eligible pursuant 3122
to division (C) of section 3317.023, divisions (G) and (P) of 3123
section 3317.024, and the supplemental unit allowance paid for 3124
gifted units under division (B) of section 3317.162 of the Revised 3125
Code; 3126

(c) Any equity aid for which the district is eligible under 3127
section 3317.0213 of the Revised Code. 3128

(4) "State basic aid for fiscal year 1999" means a district's 3129
"state basic aid" for that year, as defined in the version of this 3130
section in effect in fiscal year 1999, plus an appropriate 3131
proportion, as determined by the department of education, of the 3132
amount received by the school district in fiscal year 1999 from 3133
the vocational education set-aside and attributable to the 3134
district's students. 3135

(5) "Vocational education set-aside" means the up to 3136
\$24,193,118 earmarked for additional school district vocational 3137
education grants under appropriation item 200-545, vocational 3138
education enhancements, in Am. Sub. H.B. 770 of the 122nd general 3139
assembly. 3140

(B) Upon request of the department of education, the 3141
treasurer of any school district or educational service center 3142
shall furnish data needed to calculate the amounts specified in 3143
divisions (A)(1)(e) and (f) of this section. The department shall 3144
compute and pay the state basic aid guarantee for each school 3145
district for the fiscal year as follows: 3146

(1) Subtract the amount of state basic aid from the amount of 3147
fundamental FY 1998 state aid. If a negative number, this 3148
computation shall be deemed to be zero. 3149

(2) ~~Compute the following amounts:~~ 3150

~~(a) Formula $ADM \times (state\ basic\ aid / formulaADM)$;~~ 3151

~~(b) The greater of formula ADM or three year average formula~~ 3152
~~ADM $\times (fundamental\ FY1998\ state\ aid / FY\ 1998\ ADM)$.~~ 3153

~~(3) If the amount computed under division (B)(2)(b) of this~~ 3154
~~section is greater than the amount computed under division~~ 3155
~~(B)(2)(a) of this section, determine the amount by which it is~~ 3156
~~greater. If the amount computed under division (B)(2)(b) of this~~ 3157
~~section is not greater than the amount computed under division~~ 3158

~~(B)(2)(a) of this section, this computation shall be deemed to be zero.~~ 3159
3160

~~(4) Except as provided in division (C) of this section, the department shall determine for each district the lesser of the amounts computed in divisions (B)(1) and (3) of this section and, if greater than zero, pay the district that any positive amount calculated under division (B)(1) of this section.~~ 3161
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(C) In fiscal year ~~1999~~ 2000, the department shall calculate for each district the sum of the district's state basic aid for that fiscal year ~~1999~~, plus any amount calculated under division (B)(1) of this section, plus the transportation portion of state aid computed for the district for that fiscal year under division (D) of the version of section 3317.022 of the Revised Code ~~for the district for in effect that~~ fiscal year ~~1999~~. If a district's enhanced FY ~~1998~~ 1999 state aid is greater than that sum, then the department shall pay the district in that fiscal year ~~1999~~ one hundred per cent of the difference ~~or the amount required by division (B)(4) of this section, whichever is greater.~~ 3166
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(D)(1) The state basic aid guarantee in any fiscal year for a school district with a formula ADM of one hundred fifty or less shall be the greatest of the following amounts: 3177
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- (a) The district's state basic aid for the fiscal year; 3180
- (b) The district's fundamental FY 1998 state aid; 3181
- (c) The district's fundamental FY 1997 state aid. 3182

(2) If in any fiscal year the state basic aid for a school district with a formula ADM of one hundred fifty or less is less than the guarantee amount determined for the district under division (D)(1) of this section, the department of education shall pay the district the amount of the difference. 3183
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Sec. 3317.0213. No money shall be distributed under this 3188

section after fiscal year 2001 <u>2002</u> .	3189
(A) As used in this section:	3190
(1) "ADM" for any school district means:	3191
(a) In fiscal year 1999, the FY 1998 ADM;	3192
(b) In fiscal years 2000 and 2001 <u>through 2002</u> , the formula	3193
ADM reported for the previous fiscal year.	3194
(2) "Average taxable value" means the average of the amounts	3195
certified for a district in the second, third, and fourth	3196
preceding fiscal years under divisions (A)(1) and (2) of section	3197
3317.021 of the Revised Code.	3198
(3) "Valuation per pupil" for a district means:	3199
(a) In fiscal year 1999, the district's average taxable	3200
value, divided by the district's FY 1998 ADM;	3201
(b) In a fiscal year that occurs after fiscal year 1999, the	3202
district's average taxable value, divided by the district's	3203
formula ADM for the preceding fiscal year.	3204
(4) "Threshold valuation" means:	3205
(a) In fiscal year 1999, the adjusted valuation per pupil of	3206
the school district with the two hundred twenty-ninth lowest	3207
adjusted valuation per pupil in the state, according to data	3208
available at the time of the computation under division (B) of	3209
this section;	3210
(b) In fiscal year 2000, the adjusted valuation per pupil of	3211
the district with the one hundred sixty-third <u>ninety-sixth</u> lowest	3212
such valuation in the state;	3213
(c) In fiscal year 2001, the adjusted valuation per pupil of	3214
the district with the one hundred eighteenth <u>sixty-third</u> lowest	3215
such valuation in the state;	3216

(d) In fiscal year 2002, the adjusted valuation per pupil of the district with the one-hundred-eighteenth lowest such valuation in the state. 3217
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(5) "Adjusted valuation per pupil" for a district means an amount calculated in accordance with the following formula: 3220
3221

The district's valuation per pupil - ($\$30,000 \times (\text{one minus the district's income factor})$) 3222
3223

(6) "Millage rate" means .012 in fiscal year 1999, .011 in fiscal year 2000, and .010 in fiscal ~~year~~ years 2001 and 2002. 3224
3225

(B) Beginning in fiscal year 1993, during August of each fiscal year, the department of education shall distribute to each school district meeting the requirements of section 3317.01 of the Revised Code whose adjusted valuation per pupil is less than the threshold valuation, an amount calculated in accordance with the following formula: 3226
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(The threshold valuation - the district's adjusted valuation per pupil) \times millage rate \times ADM 3232
3233

Sec. 3317.0216. (A) As used in this section: 3234

(1) "Total taxes charged and payable for current expenses" means the sum of the taxes charged and payable as certified under division (A)(3) of section 3317.021 of the Revised Code, and the tax liability for the preceding year under any school district income tax levied by the district pursuant to Chapter 5748. of the Revised Code to the extent the revenue from the income tax is allocated or apportioned to current expenses. 3235
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(2) "State equalization enhancement payments" means any payment made to a school district pursuant to section 3317.0215 of the Revised Code for the preceding fiscal year. 3242
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(3) "Charge-off amount" means the product obtained by multiplying two and three-tenths per cent by adjusted total 3245
3246

taxable value.	3247
(4) "Total receipts available for current expenses" of a	3248
school district means the sum of total taxes charged and payable	3249
for current expenses and the district's state equalization	3250
enhancement payments.	3251
(5) "Local share of special education and related services	3252
additional weighted costs" has the same meaning as in division	3253
(C)(3) of section 3317.022 of the Revised Code.	3254
<u>(6) "Local share of vocational education and associated</u>	3255
<u>services additional weighted costs" for each school district means</u>	3256
<u>the amount determined as follows:</u>	3257
<u>(1 - state share percentage as defined in section</u>	3258
<u>3317.022 of the Revised Code) X [(total vocational</u>	3259
<u>education weight as defined in that section X</u>	3260
<u>the formula amount) + the district's payment under division (E)(2)</u>	3261
<u>of section 3317.02 of the Revised Code]</u>	3262
(B) Upon receiving the certifications under section 3317.021	3263
of the Revised Code, the department of education shall determine	3264
for each city, local, and exempted village school district whether	3265
the district's charge-off amount is greater than the district's	3266
total receipts available for current expenses, and if it is, shall	3267
pay the district the amount of the difference. A payment shall not	3268
be made to any school district for which the computation under	3269
division (A) of section 3317.022 of the Revised Code equals zero.	3270
(C)(1) If a district's charge-off amount is equal to or	3271
greater than its total receipts available for current expenses,	3272
the department shall, in addition to the payment required under	3273
division (B) of this section, pay the district the amount of the	3274
local share of special education expenses <u>and related services</u>	3275
<u>additional weighted costs and the amount of the local share of</u>	3276
<u>vocational education and associated services additional weighted</u>	3277

<u>costs.</u>	3278
(2) If a district's charge-off amount is less than its total receipts available for current expenses, the department shall pay the district any amount by which <u>the sum of its local share of special education and related services additional weighted costs plus its local share of vocational education and associated services additional weighted costs</u> exceeds its total receipts available for current expenses minus its charge-off amount.	3279 3280 3281 3282 3283 3284 3285
Sec. 3317.03. Notwithstanding divisions (A)(1), (B)(1), and (C) of this section, any student enrolled in kindergarten more than halftime shall be reported as one-half student under this section.	3286 3287 3288 3289
(A) The superintendent of each city and exempted village school district and of each educational service center shall, for the schools under the superintendent's supervision, certify to the state board of education on or before the fifteenth day of October in each year for the first full school week in October the formula ADM, which shall consist of the average daily membership during such week of the sum of the following:	3290 3291 3292 3293 3294 3295 3296
(1) On an FTE basis, the number of students in grades kindergarten through twelve receiving any educational services from the district, except that the following categories of students shall not be included in the determination:	3297 3298 3299 3300
(a) Students enrolled in adult education classes;	3301
(b) Adjacent or other district students enrolled in the district under an open enrollment policy pursuant to section 3313.98 of the Revised Code;	3302 3303 3304
(c) Students receiving services in the district pursuant to a compact, cooperative education agreement, or a contract, but who are entitled to attend school in another district pursuant to	3305 3306 3307

section 3313.64 or 3313.65 of the Revised Code; 3308

(d) Students for whom tuition is payable pursuant to sections 3317.081 and 3323.141 of the Revised Code. 3309
3310

(2) On an FTE basis, the number of students entitled to 3311
attend school in the district pursuant to section 3313.64 or 3312
3313.65 of the Revised Code, but receiving educational services in 3313
grades kindergarten through twelve from one or more of the 3314
following entities: 3315

(a) A community school pursuant to Chapter 3314. of the 3316
Revised Code ~~or Section 50.52 of Amended Substitute House Bill No.~~ 3317
~~215 of the 122nd general assembly;~~ 3318

(b) An alternative school pursuant to sections 3313.974 to 3319
3313.979 of the Revised Code as described in division (I)(2)(a) or 3320
(b) of this section; 3321

(c) A college pursuant to Chapter 3365. of the Revised Code; 3322

(d) An adjacent or other school district under an open 3323
enrollment policy adopted pursuant to section 3313.98 of the 3324
Revised Code; 3325

(e) An educational service center or cooperative education 3326
district; 3327

(f) Another school district under a cooperative education 3328
agreement, compact, or contract. 3329

(3) One-fourth of the number of students enrolled in a joint 3330
vocational school district or under a vocational education 3331
compact; 3332

(4) The number of handicapped children, other than 3333
handicapped preschool children, entitled to attend school in the 3334
district pursuant to section 3313.64 or 3313.65 of the Revised 3335
Code who are placed with a county MR/DD board, minus the number of 3336
such children placed with a county MR/DD board in fiscal year 3337

1998. If this calculation produces a negative number, the number 3338
reported under division (A)(4) of this section shall be zero. 3339

(B) To enable the department of education to obtain the data 3340
needed to complete the calculation of payments pursuant to this 3341
chapter, in addition to the formula ADM, each superintendent shall 3342
report separately the following student counts: 3343

(1) The total average daily membership in regular day classes 3344
included in the report under division (A)(1) or (2) of this 3345
section for kindergarten, and each of grades one through twelve in 3346
schools under the superintendent's supervision; 3347

(2) The average daily membership of all handicapped preschool 3348
children included in a unit approved for the district under 3349
section 3317.05 of the Revised Code, in accordance with rules 3350
adopted under that section; 3351

(3) The number of children entitled to attend school in the 3352
district pursuant to section 3313.64 or 3313.65 of the Revised 3353
Code who are participating in a pilot project scholarship program 3354
established under sections 3313.974 to 3313.979 of the Revised 3355
Code as described in division (I)(2)(a) or (b) of this section, 3356
are enrolled in a college under Chapter 3365. of the Revised Code, 3357
are enrolled in an adjacent or other school district under section 3358
3313.98 of the Revised Code, are enrolled in a community school 3359
established under Chapter 3314. of the Revised Code ~~or Section~~ 3360
~~50.52 of Amended Substitute House Bill No. 215 of the 122nd~~ 3361
~~general assembly~~, or are participating in a program operated by a 3362
county MR/DD board or a state institution; 3363

(4) The number of pupils enrolled in joint vocational 3364
schools; 3365

(5) The average daily membership of handicapped children 3366
reported under division (A)(1) or (2) of this section receiving 3367
category one special education services, described in division (A) 3368

of section 3317.013 of the Revised Code; 3369

(6) The average daily membership of handicapped children 3370
reported under division (A)(1) or (2) of this section receiving 3371
category two special education services, described in division (B) 3372
of section 3317.013 of the Revised Code; 3373

(7) The average daily membership of handicapped children 3374
reported under division (A)(1) or (2) of this section identified 3375
as having any of the handicaps specified in division (F)(3) of 3376
section 3317.02 of the Revised Code; 3377

(8) The average daily membership of pupils reported under 3378
division (A)(1) or (2) of this section enrolled in category one 3379
vocational education programs or classes, described in division 3380
(A) of section 3317.014 of the Revised Code, operated by the 3381
school district or by another district, other than a joint 3382
vocational school district, or by an educational service center; 3383

(9) The average daily membership of pupils reported under 3384
division (A)(1) or (2) of this section enrolled in category two 3385
vocational education programs or services, described in division 3386
(B) of section 3317.014 of the Revised Code, operated by the 3387
school district or another school district, other than a joint 3388
vocational school district, or by an educational service center; 3389

(10) The average daily membership of pupils reported under 3390
division (A)(1) or (2) of this section enrolled in category three 3391
vocational education programs or services, as designated by the 3392
department of education, that are operated by the school district 3393
or by another school district, other than a joint vocational 3394
school district, or by an educational service center; 3395

(11) The average number of children transported by the school 3396
district on board-owned or contractor-owned and -operated buses, 3397
reported in accordance with rules adopted by the department of 3398
education; 3399

~~(10)~~(12)(a) The number of children, other than handicapped 3400
preschool children, the district placed with a county MR/DD board 3401
in fiscal year 1998; 3402

(b) The number of handicapped children, other than 3403
handicapped preschool children, placed with a county MR/DD board 3404
in the current fiscal year to receive category one special 3405
education services, described in division (A) of section 3317.013 3406
of the Revised Code; 3407

(c) The number of handicapped children, other than 3408
handicapped preschool children, placed with a county MR/DD board 3409
in the current fiscal year to receive category two special 3410
education services, described in division (B) of section 3317.013 3411
of the Revised Code; 3412

(d) The number of handicapped children, other than 3413
handicapped preschool children, placed with a county MR/DD board 3414
in the current fiscal year to receive category three special 3415
education services, described in division (F)(3) of section 3416
3317.02 of the Revised Code. 3417

(C) Except as otherwise provided in this section for 3418
kindergarten students, the average daily membership in divisions 3419
(B)(1) to ~~(8)~~(10) of this section shall be based upon the number 3420
of full-time equivalent students. The state board of education 3421
shall adopt rules defining full-time equivalent students and for 3422
determining the average daily membership therefrom for the 3423
purposes of divisions (A) ~~and~~, (B), and (D) of this section. No 3424
child shall be counted as more than a total of one child in the 3425
sum of the average daily memberships of a school district under 3426
division (A) ~~or under~~, divisions (B)(1) to ~~(8)~~(10), or division 3427
(D) of this section. Based on the information reported under this 3428
section, the department of education shall determine the total 3429
student count, as defined in section 3301.011 of the Revised Code, 3430

for each school district. 3431

(D)(1) ~~The superintendent of each joint vocational and~~ 3432
~~cooperative education school district shall certify to the~~ 3433
~~superintendent of public instruction, in a manner prescribed by~~ 3434
~~the state board of education, the applicable on or before the~~ 3435
~~fifteenth day of October in each year for the first full school~~ 3436
~~week in October the formula ADM, which shall consist of the~~ 3437
~~average daily memberships for all students in the joint vocational~~ 3438
~~or cooperative education school district, membership during such~~ 3439
~~week, on an FTE basis, of the number of students receiving any~~ 3440
~~educational services from the district, except that the following~~ 3441
~~categories of students shall not be included in the determination:~~ 3442

(a) Students enrolled in adult education classes; 3443

(b) Adjacent or other district joint vocational students 3444
enrolled in the district under an open enrollment policy pursuant 3445
to section 3313.98 of the Revised Code; 3446

(c) Students receiving services in the district pursuant to a 3447
compact, cooperative education agreement, or a contract, but who 3448
are entitled to attend school in a city, local, or exempted 3449
village school district whose territory is not part of the 3450
territory of the joint vocational district; 3451

(d) Students for whom tuition is payable pursuant to sections 3452
3317.081 and 3323.141 of the Revised Code. 3453

(2) To enable the department of education to obtain the data 3454
needed to complete the calculation of payments pursuant to this 3455
chapter, in addition to the formula adm, each superintendent shall 3456
report separately the average daily membership included in the 3457
report under division (D)(1) of this section for each of the 3458
following categories of students: 3459

(a) Students enrolled in each grade included in the joint 3460
vocational district schools; 3461

(b) Handicapped children receiving category one special education services, described in division (A) of section 3317.013 of the Revised Code; 3462
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3464

(c) Handicapped children receiving category two special education services, described in division (B) of section 3317.013 of the Revised Code; 3465
3466
3467

(d) Handicapped children identified as having any of the handicaps specified in division (F)(3) of section 3317.02 of the Revised Code; 3468
3469
3470

(e) Students receiving category one vocational education services, described in division (A) of section 3317.014 of the Revised Code; 3471
3472
3473

(f) Students receiving category two vocational education services, described in division (B) of section 3317.014 of the Revised Code; 3474
3475
3476

(g) Students receiving category three vocational education services, as designated by the department. 3477
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The superintendent of each joint vocational school district shall also ~~indicating~~ indicate the city, local, or exempted village school district ~~of residence for~~ in which each joint vocational district pupil is entitled to attend school pursuant to section 3313.64 or 3313.65 of the Revised Code. 3479
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(E) In each school of each city, local, exempted village, joint vocational, and cooperative education school district there shall be maintained a record of school membership, which record shall accurately show, for each day the school is in session, the actual membership enrolled in regular day classes. For the purpose of determining average daily membership, the membership figure of any school shall not include any pupils except those pupils described by division (A) of this section. The record of 3484
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membership for each school shall be maintained in such manner that 3492
no pupil shall be counted as in membership prior to the actual 3493
date of entry in the school and also in such manner that where for 3494
any cause a pupil permanently withdraws from the school that pupil 3495
shall not be counted as in membership from and after the date of 3496
such withdrawal. There shall not be included in the membership of 3497
any school any of the following: 3498

(1) Any pupil who has graduated from the twelfth grade of a 3499
public high school; 3500

(2) Any pupil who is not a resident of the state; 3501

(3) Any pupil who was enrolled in the schools of the district 3502
during the previous school year when tests were administered under 3503
section 3301.0711 of the Revised Code but did not take one or more 3504
of the tests required by that section and was not excused pursuant 3505
to division (C)(1) of that section; 3506

(4) Any pupil who has attained the age of twenty-two years, 3507
except for the following: 3508

(a) Persons suffering from tuberculosis and receiving 3509
treatment in any approved state, county, district, or municipal 3510
tuberculosis hospital who have not graduated from the twelfth 3511
grade of a public high school; 3512

(b) Veterans of the armed services whose attendance was 3513
interrupted before completing the recognized twelve-year course of 3514
the public schools by reason of induction or enlistment in the 3515
armed forces and who apply for reenrollment in the public school 3516
system of their residence not later than four years after 3517
termination of war or their honorable discharge. 3518

If, however, any veteran described by division (E)(4)(b) of 3519
this section elects to enroll in special courses organized for 3520
veterans for whom tuition is paid under the provisions of federal 3521

laws, or otherwise, that veteran shall not be included in average 3522
daily membership. 3523

Notwithstanding division (E)(3) of this section, the 3524
membership of any school may include a pupil who did not take a 3525
test required by section 3301.0711 of the Revised Code if the 3526
superintendent of public instruction grants a waiver from the 3527
requirement to take the test to the specific pupil. The 3528
superintendent may grant such a waiver only for good cause in 3529
accordance with rules adopted by the state board of education. 3530

The average daily membership figure of any local, city, ~~or~~ 3531
exempted village, or joint vocational school district shall be 3532
determined by dividing the figure representing the sum of the 3533
number of pupils enrolled during each day the school of attendance 3534
is actually open for instruction during the first full school week 3535
in October by the total number of days the school was actually 3536
open for instruction during that week. For purposes of state 3537
funding, "enrolled" persons are only those pupils who are 3538
attending school, those who have attended school during the 3539
current school year and are absent for authorized reasons, and 3540
those handicapped children currently receiving home instruction. 3541

The average daily membership figure of any ~~joint vocational~~ 3542
~~or~~ cooperative education school district shall be determined in 3543
accordance with rules adopted by the state board of education. 3544

(F)(1) If the formula ADM for the first full school week in 3545
February is at least three per cent greater than that certified 3546
for the first full school week in the preceding October, the 3547
superintendent of schools of any city ~~or~~, exempted village, or 3548
joint vocational school district or educational service center 3549
shall certify such increase to the superintendent of public 3550
instruction. Such certification shall be submitted no later than 3551
the fifteenth day of February. For the balance of the fiscal year, 3552

beginning with the February payments, the superintendent of public 3553
instruction shall use the increased formula ADM in calculating or 3554
recalculating the amounts to be allocated in accordance with 3555
section 3317.022 or 3317.16 of the Revised Code. In no event shall 3556
the superintendent use an increased membership certified to the 3557
superintendent after the fifteenth day of February. 3558

(2) If during the first full school week in February the 3560
total number of units for handicapped preschool children that are 3561
eligible for approval under division (B) of section 3317.05 of the 3562
Revised Code exceeds the number of such units that have been 3563
approved for the year under such division, the superintendent of 3564
schools of any city, exempted village, or cooperative education 3565
school district or educational service center shall make the 3566
certifications required by this section for such week. If the 3567
state board of education determines additional units can be 3568
approved for the fiscal year within any limitations set forth in 3569
the acts appropriating moneys for the funding of such units, the 3570
board shall approve additional units for the fiscal year on the 3571
basis of such average daily membership. For each unit so approved, 3572
the department of education shall pay an amount computed in the 3573
manner prescribed in section 3317.161 or 3317.19 and section 3574
3317.162 of the Revised Code. 3575

~~(3) If during the first full school week in February the 3576
total number of special education units that are eligible for 3577
approval under division (D)(1) of section 3317.05 of the Revised 3578
Code for a joint vocational school district exceeds the number of 3579
those units that have been approved for the year under that 3580
division, the superintendent of the district shall make the 3581
certifications required by this section for that week. If the 3582
state board of education determines additional units can be 3583
approved for the fiscal year within any limitations set forth in 3584~~

~~the acts appropriating moneys for the funding of such units, the
state board shall approve additional units for the fiscal year on
the basis of the average daily membership certified. For each unit
approved, the department of education shall pay an amount computed
in the manner prescribed by section 3317.16 of the Revised Code.~~

(G)(1)(a) The superintendent of an institution operating a
special education program pursuant to section 3323.091 of the
Revised Code shall, for the programs under such superintendent's
supervision, certify to the state board of education the average
daily membership of all handicapped children in classes or
programs approved annually by the state board of education, in the
manner prescribed by the superintendent of public instruction.

(b) The superintendent of an institution with vocational
education units approved under division (A) of section 3317.05 of
the Revised Code shall, for the units under the superintendent's
supervision, certify to the state board of education the average
daily membership in those units, in the manner prescribed by the
superintendent of public instruction.

(2) The superintendent of each county MR/DD board that
maintains special education classes or units approved by the state
board of education pursuant to section 3317.05 of the Revised Code
shall do both of the following:

(a) Certify to the state board, in the manner prescribed by
the board, the average daily membership in classes and units
approved under division (D)(1) of section 3317.05 of the Revised
Code for each school district that has placed children in the
classes or units;

(b) Certify to the state board, in the manner prescribed by
the board, the average daily membership in preschool handicapped
units approved under division (B) of section 3317.05 of the

Revised Code. 3616

(3) If during the first full school week in February the 3617
average daily membership of the classes or units maintained by the 3618
county MR/DD board that are eligible for approval under division 3619
(D)(1) of section 3317.05 of the Revised Code is greater than the 3620
average daily membership for the preceding October, the 3621
superintendent of the board shall make the certifications required 3622
by this section for such week and, if during the first full school 3623
week in February the average daily membership of the units 3624
maintained by the county MR/DD board that are eligible for 3625
approval under division (B) of section 3317.05 of the Revised Code 3626
is greater than the average daily membership for the preceding 3627
October, the superintendent shall certify the average daily 3628
membership for the first full school week in February for such 3629
units to the state board of education. If the state board 3630
determines that additional classes or units can be approved for 3631
the fiscal year within any limitations set forth in the acts 3632
appropriating moneys for the funding of such classes and units, 3633
the board shall approve and fund additional units for the fiscal 3634
year on the basis of such average daily membership. For each unit 3635
so approved, the department of education shall pay an amount 3636
computed in the manner prescribed in sections 3317.161 and 3637
3317.162 of the Revised Code. 3638

(H) Except as provided in division (I) of this section, when 3639
any city, local, or exempted village school district provides 3640
instruction for a nonresident pupil whose attendance is 3641
unauthorized attendance as defined in section 3327.06 of the 3642
Revised Code, that pupil's membership shall not be included in 3643
that district's membership figure used in the calculation of that 3644
district's formula ADM or included in the determination of any 3645
unit approved for the district under section 3317.05 of the 3646
Revised Code. The reporting official shall report separately the 3647

average daily membership of all pupils whose attendance in the
district is unauthorized attendance, and the membership of each
such pupil shall be credited to the school district in which the
pupil is entitled to attend school under division (B) of section
3313.64 or section 3313.65 of the Revised Code as determined by
the department of education.

(I)(1) A city, local, exempted village, or joint vocational
school district admitting a scholarship student of a pilot project
district pursuant to division (C) of section 3313.976 of the
Revised Code may count such student in its average daily
membership.

(2) In any year for which funds are appropriated for pilot
project scholarship programs, a school district implementing a
state-sponsored pilot project scholarship program that year
pursuant to sections 3313.974 through 3313.979 of the Revised Code
may count in average daily membership:

(a) All children residing in the district and utilizing a
scholarship to attend kindergarten in any alternative school, as
defined in division (A)(9) of section 3313.974 of the Revised
Code;

(b) All children who were enrolled in the district in the
preceding year who are utilizing a scholarship to attend any such
alternative school.

(J) The superintendent of each cooperative education school
district shall certify to the superintendent of public
instruction, in a manner prescribed by the state board of
education, the applicable average daily memberships for all
students in the cooperative education district, also indicating
the city, local, or exempted village district where each pupil is
entitled to attend school under section 3313.64 or 3313.65 of the
Revised Code.

Sec. 3317.033. In accordance with rules which the state board 3679
of education shall adopt, each joint vocational school district 3680
shall do both of the following: 3681

(A) Maintain a record of district membership of any persons 3682
who are not eligible to be included in the average daily 3683
membership determined under division (D) of section 3317.03 of the 3684
Revised Code ~~and who are participating in a program funded with a~~ 3685
~~secondary vocational education job training unit approved under~~ 3686
~~division (A) of section 3317.05 of the Revised Code;~~ 3687

(B) Annually certify to the state board of education the 3688
number of persons for whom a record is maintained under division 3689
(A) of this section. These numbers shall be reported ~~for each unit~~ 3690
~~and~~ on a full-time equivalent basis. 3691

Sec. 3317.05. (A) For the purpose of calculating payments 3692
under sections ~~3317.16,~~ 3317.161, and 3317.162 of the Revised 3693
Code, the state board of education shall determine for each ~~joint~~ 3694
~~vocational school district and~~ institution, by the last day of 3695
January of each year and based on information certified under 3696
section 3317.03 of the Revised Code, the number of vocational 3697
education units or fractions of units approved by the state board 3698
on the basis of standards and rules adopted by the state board. As 3699
used in this division, "institution" means an institution operated 3700
by a department specified in section 3323.091 of the Revised Code 3701
and that provides vocational education programs under the 3702
supervision of the division of vocational education of the 3703
department of education that meet the standards and rules for 3704
these programs, including licensure of professional staff involved 3705
in the programs, as established by the state board of education. 3706

(B) For the purpose of calculating payments under sections 3707
3317.11, 3317.161, 3317.162, and 3317.19 of the Revised Code, the 3708

state board shall determine, based on information certified under 3709
section 3317.03 of the Revised Code, the following by the last day 3710
of January of each year for each educational service center, for 3711
each school district, including each cooperative education school 3712
district, for each institution eligible for payment under section 3713
3323.091 of the Revised Code, and for each county MR/DD board: the 3714
number of classes operated by the school district, service center, 3715
institution, or county MR/DD board for handicapped preschool 3716
children, or fraction thereof, including in the case of a district 3717
or service center that is a funding agent, classes taught by a 3718
licensed teacher employed by that district or service center under 3719
section 3313.841 of the Revised Code, approved annually by the 3720
state board on the basis of standards and rules adopted by the 3721
state board. 3722

(C) For the purpose of calculating payments under sections 3723
3317.11, 3317.161, 3317.162, and 3317.19 of the Revised Code, the 3724
state board shall determine, based on information certified under 3725
section 3317.03 of the Revised Code, the following by the last day 3726
of January of each year for each school district, including each 3727
cooperative education school district, for each institution 3728
eligible for payment under section 3323.091 of the Revised Code, 3729
and for each county MR/DD board: the number of preschool 3730
handicapped related services units for child study, occupational, 3731
physical, or speech and hearing therapy, special education 3732
supervisors, and special education coordinators approved annually 3733
by the state board on the basis of standards and rules adopted by 3734
the state board. 3735

(D) For the purpose of calculating payments under sections 3736
~~3317.167~~, 3317.161, and 3317.162 of the Revised Code, the state 3737
board shall determine, based on information certified under 3738
section 3317.03 of the Revised Code, the following by the last day 3739
of January of each year for each ~~joint vocational school district,~~ 3740

~~for each~~ institution eligible for payment under section 3323.091 3741
of the Revised Code, and for each county MR/DD board: 3742

(1) The number of classes operated by ~~a joint vocational~~ 3743
~~school district,~~ an institution, or county MR/DD board for 3744
handicapped children other than handicapped preschool children, or 3745
fraction thereof, approved annually by the state board on the 3746
basis of standards and rules adopted by the state board; 3747

(2) The number of related services units for children other 3748
than handicapped preschool children for child study, occupational, 3749
physical, or speech and hearing therapy, special education 3750
supervisors, and special education coordinators approved annually 3751
by the state board on the basis of standards and rules adopted by 3752
the state board. 3753

(E) All of the arithmetical calculations made under this 3754
section shall be carried to the second decimal place. The total 3755
number of units for school districts, service centers, and 3756
institutions approved annually by the state board under this 3757
section shall not exceed the number of units included in the state 3758
board's estimate of cost for these units and appropriations made 3759
for them by the general assembly. 3760

In the case of units described in division (D)(1) of this 3761
section operated by county MR/DD boards and institutions eligible 3762
for payment under section 3323.091 of the Revised Code, the state 3763
board shall approve only units for persons who are under age 3764
twenty-two on the first day of the academic year, but not less 3765
than six years of age on the thirtieth day of September of that 3766
year, except that such a unit may include one or more children who 3767
are under six years of age on the thirtieth day of September if 3768
such children have been admitted to the unit pursuant to rules of 3769
the state board. In the case of handicapped preschool units 3770
described in division (B) of this section operated by county MR/DD 3771
boards and institutions eligible for payment under section 3772

3323.091 of the Revised Code, the state board shall approve only
preschool units for children who are under age six but not less
than age three on the thirtieth day of September of the academic
year, except that such a unit may include one or more children who
are under age three or are age six or over on the thirtieth day of
September if such children have been admitted to the unit pursuant
to rules of the state board of education. The number of units for
county MR/DD boards and institutions eligible for payment under
section 3323.091 of the Revised Code approved by the state board
under this section shall not exceed the number that can be funded
with appropriations made for such purposes by the general
assembly.

No unit shall be approved under divisions (B) to (D) of this
section unless a plan has been submitted and approved under
Chapter 3323. of the Revised Code.

(F) ~~For fiscal year 1999 only, the~~ The department shall
approve units or fractions thereof for gifted children on the
basis of standards and rules adopted by the board.

Sec. 3317.051. (A)(1) Notwithstanding sections 3317.05 and
3317.11 of the Revised Code, a unit funded pursuant to division
(P)~~(1)~~ of section 3317.024 or division (A)(2) of section 3317.161
of the Revised Code shall not be approved for state funding in one
school district, including any ~~joint vocational or~~ cooperative
education school district or any educational service center, to
the extent that such unit provides programs in or services to
another district which receives payment pursuant to section
3317.04 of the Revised Code.

(2) Any city, local, exempted village, or cooperative
education school district or any educational service center may
combine partial unit eligibility for handicapped preschool
programs pursuant to section 3317.05 of the Revised Code, and such

combined partial units may be approved for state funding in one 3804
school district or service center. 3805

(B) After units have been initially approved for any fiscal 3806
year under section 3317.05 of the Revised Code, no unit shall be 3807
subsequently transferred from a school district or educational 3808
service center to another city, exempted village, local, ~~joint~~ 3809
~~vocational~~, or cooperative education school district or 3810
educational service center or to an institution or county MR/DD 3811
board solely for the purpose of reducing the financial obligations 3812
of the school district in a fiscal year it receives payment 3813
pursuant to section 3317.04 of the Revised Code. 3814

Sec. 3317.06. Moneys paid to school districts under division 3815
(L) of section 3317.024 of the Revised Code shall be used for the 3816
following independent and fully severable purposes: 3817

(A) To purchase such secular textbooks or electronic 3818
textbooks as have been approved by the superintendent of public 3819
instruction for use in public schools in the state and to loan 3820
such textbooks or electronic textbooks to pupils attending 3821
nonpublic schools within the district or to their parents and to 3822
hire clerical personnel to administer such lending program. Such 3823
loans shall be based upon individual requests submitted by such 3824
nonpublic school pupils or parents. Such requests shall be 3825
submitted to the school district in which the nonpublic school is 3826
located. Such individual requests for the loan of textbooks or 3827
electronic textbooks shall, for administrative convenience, be 3828
submitted by the nonpublic school pupil or the pupil's parent to 3829
the nonpublic school, which shall prepare and submit collective 3830
summaries of the individual requests to the school district. As 3831
used in this section, ~~"textbook:~~ 3832

(1) "Textbook" means any book or book substitute ~~which~~ that a 3833
pupil uses as a consumable or nonconsumable text ~~or,~~ text 3834

substitute, or text supplement in a particular class or program in 3835
the school the pupil regularly attends. 3836

(2) "Electronic textbook" means computer software, 3837
interactive videodisc, magnetic media, CD-ROM, computer 3838
courseware, local and remote computer-assisted instruction, 3839
on-line service, electronic medium, or other means of conveying 3840
information to the student or otherwise contributing to the 3841
learning process through electronic means. 3842

(B) To provide speech and hearing diagnostic services to 3843
pupils attending nonpublic schools within the district. Such 3844
service shall be provided in the nonpublic school attended by the 3845
pupil receiving the service. 3846

(C) To provide physician, nursing, dental, and optometric 3847
services to pupils attending nonpublic schools within the 3848
district. Such services shall be provided in the school attended 3849
by the nonpublic school pupil receiving the service. 3850

(D) To provide diagnostic psychological services to pupils 3851
attending nonpublic schools within the district. Such services 3852
shall be provided in the school attended by the pupil receiving 3853
the service. 3854

(E) To provide therapeutic psychological and speech and 3855
hearing services to pupils attending nonpublic schools within the 3856
district. Such services shall be provided in the public school, in 3857
nonpublic schools, in public centers, or in mobile units located 3858
on or off of the nonpublic premises. If such services are provided 3859
in the public school or in public centers, transportation to and 3860
from such facilities shall be provided by the school district in 3861
which the nonpublic school is located. 3862

(F) To provide guidance and counseling services to pupils 3863
attending nonpublic schools within the district. Such services 3864

shall be provided in the public school, in nonpublic schools, in
public centers, or in mobile units located on or off of the
nonpublic premises. If such services are provided in the public
school or in public centers, transportation to and from such
facilities shall be provided by the school district in which the
nonpublic school is located.

(G) To provide remedial services to pupils attending
nonpublic schools within the district. Such services shall be
provided in the public school, in nonpublic schools, in public
centers, or in mobile units located on or off of the nonpublic
premises. If such services are provided in the public school or in
public centers, transportation to and from such facilities shall
be provided by the school district in which the nonpublic school
is located.

(H) To supply for use by pupils attending nonpublic schools
within the district such standardized tests and scoring services
as are in use in the public schools of the state;

(I) To provide programs for children who attend nonpublic
schools within the district and are handicapped children as
defined in division (A) of section 3323.01 of the Revised Code or
gifted children. Such programs shall be provided in the public
school, in nonpublic schools, in public centers, or in mobile
units located on or off of the nonpublic premises. If such
programs are provided in the public school or in public centers,
transportation to and from such facilities shall be provided by
the school district in which the nonpublic school is located.

(J) To hire clerical personnel to assist in the
administration of programs pursuant to divisions (B), (C), (D),
(E), (F), (G), and (I) of this section and to hire supervisory
personnel to supervise the providing of services and textbooks
pursuant to this section-;j

(K) To purchase any secular, neutral, and nonideological 3896
computer software (including site-licensing), prerecorded video 3897
laserdiscs, digital video on demand (DVD), compact discs, and 3898
video cassette cartridges ~~and, wide area connectivity and related~~ 3899
technology as it relates to internet access, mathematics or 3900
science equipment and materials, instructional materials, and 3901
school library materials that are in general use in the public 3902
schools of the state and loan such ~~computer software, prerecorded~~ 3903
~~video laserdiscs, compact discs, and video cassette cartridges,~~ 3904
~~equipment, and materials~~ items to pupils attending nonpublic 3905
schools within the district or to their parents, and to hire 3906
clerical personnel to administer the lending program. Only 3907
~~computer software, prerecorded video laserdiscs, compact discs,~~ 3908
~~and video cassette cartridges, equipment, and materials~~ such items 3909
that are incapable of diversion to religious use and that are 3910
susceptible of loan to individual pupils and are furnished for the 3911
use of individual pupils shall be purchased and loaned under this 3912
division. As used in this section, "instructional materials" means 3913
prepared learning materials that are secular, neutral, and 3914
nonideological in character and are of benefit to the instruction 3915
of school children, and may include educational resources and 3916
services developed by the Ohio schoolnet commission. 3917

(L) To purchase instructional equipment, including computer 3918
hardware, for use by pupils attending nonpublic schools within the 3919
district, if such usage only occurs when these pupils are being 3920
provided the secular remedial, diagnostic, or therapeutic services 3921
pursuant to division (B), (D), (E), (F), (G), or (I) of this 3922
section-; 3923

(M) To purchase mobile units to be used for the provision of 3924
services pursuant to divisions (E), (F), (G), and (I) of this 3925
section and to pay for necessary repairs and operating costs 3926
associated with these units. 3927

Clerical and supervisory personnel hired pursuant to division 3928
(J) of this section shall perform their services in the public 3929
schools, in nonpublic schools, public centers, or mobile units 3930
where the services are provided to the nonpublic school pupil, 3931
except that such personnel may accompany pupils to and from the 3932
service sites when necessary to ensure the safety of the children 3933
receiving the services. 3934

Health services provided pursuant to divisions (B), (C), (D), 3935
and (E) of this section may be provided under contract with the 3936
department of health, city or general health districts, or private 3937
agencies whose personnel are properly licensed by an appropriate 3938
state board or agency. 3939

Transportation of pupils provided pursuant to divisions (E), 3940
(F), (G), and (I) of this section shall be provided by the school 3941
district from its general funds and not from moneys paid to it 3942
under division (L) of section 3317.024 of the Revised Code unless 3943
a special transportation request is submitted by the parent of the 3944
child receiving service pursuant to such divisions. If such an 3945
application is presented to the school district, it may pay for 3946
the transportation from moneys paid to it under division (L) of 3947
section 3317.024 of the Revised Code. 3948

No school district shall provide health or remedial services 3949
to nonpublic school pupils as authorized by this section unless 3950
such services are available to pupils attending the public schools 3951
within the district. 3952

Materials, equipment, computer software, textbooks, 3953
electronic textbooks, and health and remedial services provided 3954
for the benefit of nonpublic school pupils pursuant to this 3955
section and the admission of pupils to such nonpublic schools 3956
shall be provided without distinction as to race, creed, color, or 3957
national origin of such pupils or of their teachers. 3958

No school district shall provide services for use in 3959
religious courses, devotional exercises, religious training, or 3960
any other religious activity. 3961

As used in this section, "parent" includes a person standing 3962
in loco parentis to a child. 3963

Notwithstanding section 3317.01 of the Revised Code, payments 3964
shall be made under this section to any city, local, or exempted 3965
village school district within which is located one or more 3966
nonpublic elementary or high schools. 3967

The allocation of payments for materials, equipment, 3968
textbooks, electronic textbooks, health services, and remedial 3969
services to city, local, and exempted village school districts 3970
shall be on the basis of the state board of education's estimated 3971
annual average daily membership in nonpublic elementary and high 3972
schools located in the district. 3973

Payments made to city, local, and exempted village school 3974
districts under this section shall be equal to specific 3975
appropriations made for the purpose. All interest earned by a 3976
school district on such payments shall be used by the district for 3977
the same purposes and in the same manner as the payments may be 3978
used. 3979

The department of education shall adopt guidelines and 3980
procedures under which such programs and services shall be 3981
provided, under which districts shall be reimbursed for 3982
administrative costs incurred in providing such programs and 3983
services, and under which any unexpended balance of the amounts 3984
appropriated by the general assembly to implement this section may 3985
be transferred to the auxiliary services personnel unemployment 3986
compensation fund established pursuant to section 4141.47 of the 3987
Revised Code. The department shall also adopt guidelines and 3988
procedures limiting the purchase and loan of ~~computer software,~~ 3989

~~equipment, and materials under the items described in~~ division (K) 3990
of this section to items that are in general use in the public 3991
schools of the state, that are incapable of diversion to religious 3992
use, and that are susceptible to individual use rather than 3993
classroom use. Within thirty days after the end of each biennium, 3994
each board of education shall remit to the department all moneys 3995
paid to it under division (L) of section 3317.024 of the Revised 3996
Code and any interest earned on those moneys that are not required 3997
to pay expenses incurred under this section during the biennium 3998
for which the money was appropriated and during which the interest 3999
was earned. If a board of education subsequently determines that 4000
the remittal of moneys leaves the board with insufficient money to 4001
pay all valid expenses incurred under this section during the 4002
biennium for which the remitted money was appropriated, the board 4003
may apply to the department of education for a refund of money, 4004
not to exceed the amount of the insufficiency. If the department 4005
determines the expenses were lawfully incurred and would have been 4006
lawful expenditures of the refunded money, it shall certify its 4007
determination and the amount of the refund to be made to the 4008
administrator of the bureau of employment services who shall make 4009
a refund as provided in section 4141.47 of the Revised Code. 4010

Sec. 3317.16. (A) As used in this section: 4011

(1) "State share percentage" means the percentage calculated 4012
for a joint vocational school district as follows: 4013

(a) Calculate the state base cost funding amount for the 4014
district under division (B) of this section. If the district would 4015
not receive any base cost funding for that year under that 4016
division, the district's state share percentage is zero. 4017

(b) If the district would receive base cost funding under 4018
that division, divide that base cost amount by an amount equal to 4019
the following: 4020

cost-of-doing-business factor X 4021
the formula amount X 4022
the greater of formula ADM or 4023
three-year average formula ADM 4024

The resultant number is the district's state share 4025
percentage. 4026

(2) The "total special education weight" for a joint 4027
vocational school district shall be calculated in the same manner 4028
as prescribed in division (B)(1) of section 3317.022 of the 4029
Revised Code. 4030

(3) The "total vocational education weight" for a joint 4031
vocational school district shall be calculated in the same manner 4032
as prescribed in division (B)(4) of section 3317.022 of the 4033
Revised Code. 4034

(4) The "adjusted total taxable value" of a joint vocational 4035
school district shall be determined by adding the adjusted total 4036
taxable values of all its constituent school districts for the 4037
applicable fiscal year. 4038

(B) The department of education shall compute and distribute 4039
state base cost funding to each joint vocational school district 4040
for the fiscal year in accordance with the following formula: 4041

(cost-of-doing-business factor X 4042
formula amount X the greater of formula 4043
ADM or three-year average formula ADM) - 4044
(.0005 X adjusted total taxable value) 4045

If the difference obtained under this division is a negative 4046
number, the district's computation shall be zero. 4047

(C)(1) The department shall compute and distribute state 4048
vocational education additional weighted costs funds to each joint 4049
vocational school district in accordance with the following 4050
formula: 4051

state share percentage X formula amount X 4052

total vocational education weight 4053

(2) The department shall compute and distribute to each joint 4054
vocational school district state funds for vocational education 4055
associated services costs in accordance with the following 4056
formula: 4057

state share percentage X .05 X 4058

the formula amount X the sum of 4059

categories one, two, and three vocational 4060

education ADM 4061

In any fiscal year, a joint vocational school district 4062
receiving funds under division (C)(2) of this section shall spend 4063
those funds only for the purposes that the department designates 4064
as approved for vocational education associated services expenses, 4065
which may include such purposes as apprenticeship coordinators, 4066
coordinators for other vocational education services, vocational 4067
evaluation, and other purposes designated by the department. The 4068
department may deny payment under division (C)(2) of this section 4069
to any district that the department determines is not operating 4070
those services or is using funds paid under division (C)(2) of 4071
this section for other purposes. 4072

(D) The department shall compute and distribute state special 4073
education and related services additional weighted costs funds to 4074
each joint vocational school district in accordance with the 4075
following formula: 4076

state share percentage X formula amount X 4077

total special education weight 4078

(E) Each fiscal year, the department shall pay each joint 4079
vocational school district an amount for adult technical and 4080
vocational education and specialized consultants. 4081

(F)(1) In any fiscal year, a joint vocational school district 4082

receiving funds under division (D) of this section shall spend on 4083
the related services specified in division (B)(3) of section 4084
3317.022 of the Revised Code at least the lesser of the following: 4085
4086

(a) The amount the district spent on those related services 4087
in the preceding fiscal year; 4088

(b) $1/8 \times$ [cost-of-doing-business factor \times the formula amount 4089
 \times (the category one special education ADM + category two special 4090
education ADM + category three special education ADM)] + the 4091
amount calculated for the fiscal year under division (D) of this 4092
section + the local share of special education and related 4093
services additional weighted costs . 4094

(2) A joint vocational school district's local share of 4095
special education and related services additional weighted costs 4096
equals: 4097

(1 - state share percentage) \times 4098
Total special education weight \times 4099
the formula amount 4100

(G) In any fiscal year, if the total of all payments made to 4101
a joint vocational school district under divisions (B) to (D) of 4102
this section is less than the amount that district received in 4103
fiscal year 1999 under the version of this section in effect that 4104
year, plus the amount that district received under the version of 4105
section 3317.162 of the Revised Code in effect that year and minus 4106
the amounts received that year for driver education and adult 4107
education, the department shall pay the district an additional 4108
amount equal to the difference between those two amounts. 4109

Sec. 3317.162. (A) As used in this section: 4110

(1) "State share percentage" has the same meaning as in 4111
section 3317.022 of the Revised Code. 4112

(2) "Dollar amount" means the amount shown in the following table for the corresponding type of unit and the appropriate fiscal year:

	DOLLAR AMOUNT		
TYPE OF UNIT	FY 1999		4117
	<u>FY 2000</u>	<u>FY 2001</u>	4118
Division (B) of section 3317.05 of the Revised Code	\$8,334	<u>\$8,334</u>	4119
Division (C) of that section	\$3,234	<u>\$3,234</u>	4120
Division (F) of that section	\$3,550		4121
	<u>\$4,550</u>	<u>\$5,550</u>	4122

(3) "Average unit amount" means the amount shown in the following table for the corresponding type of unit ~~and the appropriate fiscal year:~~

	AVERAGE UNIT AMOUNT		
TYPE OF UNIT	FY 1999		4127
	<u>FY 2000</u>	<u>FY 2001</u>	4128
Division (B) of section 3317.05 of the Revised Code	\$7,799	<u>\$7,799</u>	4129
Division (C) of that section	\$2,966	<u>\$2,966</u>	4130
Division (F) of that section	\$3,251		4131
	<u>\$4,251</u>	<u>\$5,251</u>	4132

(B) In the case of each unit described in division (B), (C), or (F) of section 3317.05 of the Revised Code and allocated to a city, local, or exempted village school district, the department of education, in addition to the amounts specified in division (P)~~(1)~~ of section 3317.024 and sections ~~3317.167~~, 3317.161~~7~~, and 3317.19 of the Revised Code, shall pay a supplemental unit allowance equal to the sum of the following amounts:

(1) An amount equal to 50% of the average unit amount for the

unit; 4141

(2) An amount equal to the percentage of the dollar amount 4142
for the unit that equals the district's state share percentage. 4143

If, prior to the fifteenth day of May of a fiscal year, a 4144
school district's aid computed under section 3317.022 of the 4145
Revised Code is recomputed pursuant to section 3317.027 or 4146
3317.028 of the Revised Code, the department shall also recompute 4147
the district's entitlement to payment under this section utilizing 4148
a new state share percentage. Such new state share percentage 4149
shall be determined using the district's recomputed basic aid 4150
amount pursuant to section 3317.027 or 3317.028 of the Revised 4151
Code. During the last six months of the fiscal year, the 4152
department shall pay the district a sum equal to one-half of the 4153
recomputed payment in lieu of one-half the payment otherwise 4154
calculated under this section. 4155

(C)(1) In the case of each unit allocated to ~~a joint~~ 4156
~~vocational school district or an~~ institution pursuant to division 4157
(A) of section 3317.05 of the Revised Code, the department, in 4158
addition to the amount specified in section ~~3317.16 or~~ 3317.161 of 4159
the Revised Code, shall pay a supplemental unit allowance of 4160
\$7,227 ~~in fiscal year 1999~~. 4161

(2) In the case of each unit described in division (B) or 4162
(D)(1) of section 3317.05 of the Revised Code that is allocated to 4163
any entity other than a city, exempted village, or local school 4164
district, the department, in addition to the amount specified in 4165
section 3317.161 of the Revised Code, shall pay a supplemental 4166
unit allowance of \$7,799 ~~in fiscal year 1999~~. 4167

(3) In the case of each unit described in division (C) or 4168
(D)(2) of section 3317.05 of the Revised Code and allocated to any 4169
entity other than a city, exempted village, or local school 4170
district, the department, in addition to the amounts specified in 4171

section 3317.161 of the Revised Code, shall pay a supplemental
unit allowance of \$2,966 ~~in fiscal year 1999~~.

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(4) In the case of each unit described in division (F) of
section 3317.05 of the Revised Code and allocated to ~~any entity~~
~~other than a city, exempted village, or local school district~~ an
educational service center, the department, in addition to the
amounts specified in division (P) of section 3317.161 3317.024 of
the Revised Code, shall pay a supplemental unit allowance of
~~\$3,251~~ 4,251 in fiscal year ~~1999~~ 2000 and \$5,251 in fiscal year
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Sec. 3317.51. (A) The distance learning fund is hereby
created in the state treasury. The fund shall consist of moneys
paid to the ~~information, learning, and technology authority~~ Ohio
SchoolNet commission by any telephone company as a part of a
settlement agreement between such company and the public utilities
commission in fiscal year 1995 in part to establish distance
learning throughout the state. The authority shall administer the
fund and expend moneys from it to finance technology grants to
eligible schools chartered by the state board of education to
establish distance learning in those schools. Chartered schools
are eligible for funds if they are within the service area of the
telephone company. Investment earnings of the fund shall be
credited to the fund.

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(B) For purposes of this section, "distance learning" means
the creation of a learning environment involving a school setting
and at least one other location outside of the school which allows
for information available at one site to be accessed at the other
through the use of such educational applications as one-way or
two-way transmission of data, voice, and video, singularly or in
appropriate combinations.

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Sec. 3318.01. As used in sections 3318.01 to 3318.20 of the Revised Code:

(A) "Ohio school facilities commission" means the commission created pursuant to section 3318.30 of the Revised Code.

(B) "Classroom facilities" means rooms in which pupils regularly assemble in public school buildings to receive instruction and education and such facilities and building improvements for the operation and use of such rooms as may be needed in order to provide a complete educational program, and may include space within which a child day-care facility or a community resource center is housed.

(C) "Project" means a project to construct or acquire classroom facilities, or to reconstruct or make additions to existing classroom facilities, to be used for housing the applicable school district and its functions.

(D) "School district" means a local, exempted village, or city school district as such districts are defined in Chapter 3311. of the Revised Code, acting as an agency of state government, performing essential governmental functions of state government pursuant to sections 3318.01 and 3318.20 of the Revised Code.

(E) "School district board" means the board of education of a school district.

(F) "Net bonded indebtedness" means the difference between the sum of the par value of all outstanding and unpaid bonds and notes which a school district board is obligated to pay, any amounts the school district is obligated to pay under lease-purchase agreements entered into under section 3313.375 of the Revised Code, and the par value of bonds authorized by the electors but not yet issued, the proceeds of which can lawfully be

used for the project, and the amount held in the sinking fund and
other indebtedness retirement funds for their redemption. Notes
issued for school buses in accordance with section 3327.08 of the
Revised Code, notes issued in anticipation of the collection of
current revenues, and bonds issued to pay final judgments shall
not be considered in calculating the net bonded indebtedness.

"Net bonded indebtedness" does not include indebtedness
arising from the acquisition of land to provide a site for
classroom facilities constructed, acquired, or added to pursuant
to sections 3318.01 to 3318.20 of the Revised Code.

(G) "Board of elections" means the board of elections of the
county containing the most populous portion of the school
district.

(H) "County auditor" means the auditor of the county in which
the greatest value of taxable property of such school district is
located.

(I) "Tax duplicates" means the general tax lists and
duplicates prescribed by sections 319.28 and 319.29 of the Revised
Code.

(J) "Required level of indebtedness" means:

(1) In the case of districts in the first percentile, five
per cent of the district's valuation for the year preceding the
year in which the controlling board approved the project under
section 3318.04 of the Revised Code.

(2) In the case of districts ranked in a subsequent
percentile, five per cent of the district's valuation for the year
preceding the year in which the controlling board approved the
project under section 3318.04 of the Revised Code, plus [two
one-hundredths of one per cent multiplied by (the percentile in
which the district ranks minus one)].

(K) "Required percentage of the basic project costs" means 4262
one per cent of the basic project costs times the percentile in 4263
which the district ranks. 4264

(L) "Basic project cost" means a cost amount determined in 4265
accordance with rules adopted under section 111.15 of the Revised 4266
Code by the Ohio school facilities commission. The basic project 4267
cost calculation shall take into consideration the square footage 4268
and cost per square foot necessary for the grade levels to be 4269
housed in the classroom facilities, the variation across the state 4270
in construction and related costs, the cost of the installation of 4271
site utilities and site preparation, the cost of insuring the 4272
project until it is completed, and the professional planning, 4273
administration, and design fees that a district may have to pay to 4274
undertake a classroom facilities project. 4275

(M) A "school district's portion of the basic project cost" 4276
means the amount determined under section 3318.032 of the Revised 4277
Code. 4278

(N) "Child day-care facility" means space within a classroom 4279
facility in which the needs of infants, toddlers, preschool 4280
children, and school children are provided for by persons other 4281
than the parent or guardian of such children for any part of the 4282
day, including persons not employed by the school district 4283
operating such classroom facility. 4284

~~(N)~~(O) "Community resource center" means space within a 4285
classroom facility in which comprehensive services that support 4286
the needs of families and children are provided by community-based 4287
social service providers. 4288

~~(O)~~(P) "Valuation" means the total value of all property in 4289
the district as listed and assessed for taxation on the tax 4290
duplicates. 4291

~~(P)~~(O) "Percentile" means the percentile in which the 4292

district is ranked pursuant to division ~~(C)~~(D) of section 3318.011 4293
of the Revised Code. 4294

~~(Q)~~(R) "Installation of site utilities" means the 4295
installation of a site domestic water system, site fire protection 4296
system, site gas distribution system, site sanitary system, site 4297
storm drainage system, and site telephone and data system. 4298

~~(R)~~(S) "Site preparation" means the earthwork necessary for 4299
preparation of the building foundation system, the paved 4300
pedestrian and vehicular circulation system, playgrounds on the 4301
project site, and lawn and planting on the project site. 4302

Sec. 3318.011. For purposes of providing assistance under 4303
sections 3318.01 to 3318.20 of the Revised Code, the department of 4304
education shall annually do all of the following: 4305

(A) Calculate the adjusted valuation per pupil of each city, 4306
local, and exempted village school district according to the 4307
following formula set forth in section 3317.0213 of the Revised 4308
Code: 4309

The district's valuation per pupil - 4310
[\$30,000 X (1 - the district's income factor)]. 4311

For purposes of this calculation: 4312

(1) "Valuation per pupil" for a district means its average 4313
taxable value, divided by its formula ADM reported under section 4314
3317.03 of the Revised Code for the previous fiscal year. 4315

(2) "Average taxable value" means the average of the amounts 4316
certified for a district in the second, third, and fourth 4317
preceding fiscal years under divisions (A)(1) and (2) of section 4318
3317.021 of the Revised Code. 4319

(3) "Income factor" has the same meaning as in section 4320
3317.02 of the Revised Code. 4321

(B) Calculate the three-year average adjusted valuation per 4322

pupil of each city, local, and exempted village school district 4323
for the preceding three fiscal years; 4324

(C) Rank all such districts in order of adjusted valuation 4325
per pupil from the district with the lowest three-year average 4326
adjusted valuation per pupil to the district with the highest 4327
three-year average adjusted valuation per pupil; 4328

~~(C)~~(D) Divide such ranking into percentiles with the first 4329
percentile containing the one per cent of school districts having 4330
the lowest three-year average adjusted ~~valuation~~ valuations per 4331
pupil and the one-hundredth percentile containing the one per cent 4332
of school districts having the highest three-year average adjusted 4333
~~valuation~~ valuations per pupil; 4334

~~(D)~~(E) Determine the school districts that have ~~an~~ three-year 4335
average adjusted ~~valuation~~ valuations per pupil that ~~is~~ are 4336
greater than the median three-year average adjusted valuation per 4337
pupil for all school districts in the state; 4338

~~(E)~~(F) Certify the information described in divisions (A) to 4339
~~(D)~~(E) of this section to the Ohio school facilities commission. 4340

Sec. 3318.021. Notwithstanding section 3318.02 of the Revised 4341
Code, the Ohio school facilities commission annually may conduct 4342
on-site visits to no more than five school districts in the 4343
twentieth to fortieth percentiles as determined under section 4344
3318.011 of the Revised Code, if a district board adopts a 4345
resolution certifying to the commission the board's intent to 4346
participate in the school building assistance expedited local 4347
partnership program under section 3318.36 of the Revised Code. 4348

Sec. 3318.032. The portion of the basic project cost supplied 4349
by the school district shall be the greater of: 4350

(A) The required percentage of the basic project costs, 4351
determined based on the district's percentile ranking at the time 4352

the controlling board approved the project under section 3318.04 4353
of the Revised Code; 4354

(B) An amount necessary to raise the school district's net 4355
bonded indebtedness, as of the date the controlling board approved 4356
the project, to within five thousand dollars of the required level 4357
of indebtedness. 4358

The amount of the district's share determined under this 4359
section shall be calculated only as of the date the controlling 4360
board approved the project, and that amount applies throughout the 4361
one-year period permitted under section 3318.05 of the Revised 4362
Code for the district's electors to approve the propositions 4363
described in that section. If the amount reserved and encumbered 4364
for a project is released because the electors do not approve 4365
those propositions within that year, and the school district later 4366
receives the controlling board's approval for the project, the 4367
district's portion shall be recalculated in accordance with this 4368
section as of the date of the controlling board's subsequent 4369
approval. 4370

Sec. 3318.05. The conditional approval of the Ohio school 4371
facilities commission for a project shall lapse and the amount 4372
reserved and encumbered for such project shall be released unless 4373
the school district board accepts such conditional approval within 4374
one hundred twenty days following the date of certification of the 4375
conditional approval to the school district board and the electors 4376
of the school district vote favorably on both of the propositions 4377
described in divisions (A) and (B) of this section within one year 4378
of the date of such certification. The propositions described in 4379
divisions (A) and (B) of this section shall be combined in a 4380
single proposal. If the district board or the district's electors 4381
fail to meet such requirements and the amount reserved and 4382
encumbered for the district's project is released, the district 4383

shall be given first priority for project funding as such funds 4384
become available. 4385

(A) On the question of issuing bonds of the school district 4386
board, for the school district's portion of the basic project 4387
cost, in ~~either whatever amount may be necessary to raise the net~~ 4388
~~bonded indebtedness of the school district to within five thousand~~ 4389
~~dollars of the required level of indebtedness calculated for the~~ 4390
~~year preceding the year in which the resolution declaring the~~ 4391
~~necessity of the election is adopted, or an amount equal to the~~ 4392
~~required percentage~~ school district's portion of the basic project 4393
~~costs, whichever is greater~~ cost; and 4394

(B) On the question of levying a tax the proceeds of which 4395
shall be used to pay the cost of maintaining the classroom 4396
facilities included in the project, except that in any year the 4397
district's three-year average adjusted valuation per pupil is 4398
greater than the state-wide median three-year average adjusted 4399
valuation per pupil, one-half of the proceeds of the tax shall be 4400
used for such maintenance and one-half of such proceeds shall be 4401
~~used to pay the cost of the purchase of the classroom facilities~~ 4402
~~from paid to the state under the provisions of sections 3318.01 to~~ 4403
~~3318.20 of the Revised Code.~~ Such tax shall be at the rate of 4404
one-half mill for each dollar of valuation until ~~the purchase~~ 4405
~~price the state is paid~~ an amount not to exceed the amount of the 4406
project cost supplied by the state, but in no case longer than 4407
twenty-three years. Proceeds of the tax to be used for maintenance 4408
of the classroom facilities shall be deposited into a separate 4409
fund established by the school district for such purpose. 4410

Sec. 3318.06. After receipt of the conditional approval of 4411
the Ohio school facilities commission, the school district board 4412
by a majority of all of its members shall, if it desires to 4413
proceed with the project, declare all of the following by 4414

resolution: 4415

(A) That ~~with a net bonded indebtedness of within five~~ 4416
~~thousand dollars of the required level of indebtedness or by~~ 4417
issuing bonds in an amount equal to the ~~required percentage~~ school 4418
district's portion of the basic project ~~costs~~ cost, the district 4419
is unable to provide adequate classroom facilities without 4420
assistance from the state; 4421

(B) That to qualify for such state assistance it is necessary 4422
to levy a tax outside the ten-mill limitation the proceeds of 4423
which shall be used to pay the cost of maintaining the classroom 4424
facilities included in the project, except that in any year the 4425
district's three-year average adjusted valuation per pupil is 4426
greater than the ~~state-wide~~ statewide median three-year average 4427
adjusted valuation per pupil, one-half of the proceeds of the tax 4428
shall be used for such maintenance and one-half of such proceeds 4429
shall be ~~used to pay the cost of the purchase of the classroom~~ 4430
~~facilities from~~ paid to the state; 4431

(C) That the question of such tax levy shall be submitted to 4432
the electors of the school district at the next general or primary 4433
election, if there be a general or primary election not less than 4434
seventy-five and not more than ninety-five days after the day of 4435
the adoption of such resolution or, if not, at a special election 4436
to be held at a time specified in the resolution which shall be 4437
not less than seventy-five days after the day of the adoption of 4438
the resolution and which shall be in accordance with the 4439
requirements of section 3501.01 of the Revised Code. 4440

Such resolution shall also state that the question of issuing 4441
bonds of the board shall be combined in a single proposal with the 4442
question of such tax levy. More than one election under this 4443
section may be held in any one calendar year. Such resolution 4444
shall specify both of the following: 4445

(1) That the rate which it is necessary to levy shall be at 4446
the rate of one-half mill for each one dollar of valuation, and 4447
that such tax shall be levied until ~~the purchase price is paid~~ it 4448
generates an amount not to exceed the amount of the project cost 4449
supplied by the state, but in no case longer than twenty-three 4450
years; 4451

(2) That the proceeds of the tax shall be used to pay the 4452
cost of maintaining the classroom facilities included in the 4453
project, except in any year the district's three-year average 4454
adjusted valuation per pupil is greater than the statewide median 4455
three-year average adjusted valuation per pupil, one-half of the 4456
proceeds of the tax shall be used for such maintenance and 4457
one-half of the proceeds of the tax shall be ~~used to pay the cost~~ 4458
~~of the purchase of the classroom facilities from~~ paid to the state 4459
~~under sections 3318.01 to 3318.20 of the Revised Code.~~ 4460

A copy of such resolution shall after its passage and not 4461
less than seventy-five days prior to the date set therein for the 4462
election be certified to the county board of elections. 4463

The resolution of the school district board, in addition to 4464
meeting other applicable requirements of section 133.18 of the 4465
Revised Code, shall state that the amount of bonds to be issued 4466
will be ~~either whatever amount may be necessary to raise the net~~ 4467
~~bonded indebtedness of the school district to within five thousand~~ 4468
~~dollars of the required level of indebtedness calculated for the~~ 4469
~~year preceding the year in which such resolution is adopted or an~~ 4470
amount equal to the ~~required percentage~~ school district's portion 4471
of the basic project ~~costs~~ cost, ~~whichever is greater~~ and state 4472
~~that~~ the maximum maturity of the bonds which, notwithstanding 4473
section 133.20 of the Revised Code, may be any number of years not 4474
exceeding twenty-three as determined by the board. In estimating 4475
the amount of bonds to be issued, the board shall take into 4476
consideration the amount of moneys then in the bond retirement 4477

fund and the amount of moneys to be collected for and disbursed 4478
from the bond retirement fund during the remainder of the year in 4479
which the resolution of necessity is adopted. 4480

Notice of the election shall include the fact that the tax 4481
levy shall be at the rate of one-half mill for each one dollar of 4482
valuation, that the levy shall be made until ~~the purchase price is~~ 4483
~~paid~~ it generates an amount not to exceed the amount of the 4484
project cost supplied by the state, but in no case longer than 4485
twenty-three years, and that the proceeds of the tax shall be used 4486
to pay the cost of maintaining the classroom facilities included 4487
in the project, except in any year the district's three-year 4488
average adjusted valuation per pupil is greater than the statewide 4489
median three-year average adjusted valuation per pupil, one-half 4490
of the proceeds of the tax shall be used for such maintenance and 4491
one-half of the proceeds of the tax shall be ~~used to pay the cost~~ 4492
~~of the purchase of the classroom facilities from paid to~~ the state 4493
~~under sections 3318.01 to 3318.20 of the Revised Code.~~ 4494

The form of the ballot to be used at such election shall be: 4495

"A majority affirmative vote is necessary for passage. 4496

Shall bonds be issued by the ~~Board of Education of the~~ 4497
..... (here insert name of school district) ~~for the purpose~~ 4498
~~of~~ (here insert purpose of bond issue) in either an 4499
amount sufficient to raise the net indebtedness of the school 4500
district to within five thousand dollars of (here 4501
insert five, six, or seven per cent depending on the district's 4502
required level of indebtedness) of the total value of all property 4503
in the school district as listed and assessed for taxation on the 4504
tax duplicate for the year (here insert the year 4505
preceding the year in which the resolution declaring the necessity 4506
of the election was adopted) or an amount equal to 4507
(here insert the required percentage of the basic project costs), 4508
~~whichever is greater, and a levy of taxes be made outside of the~~ 4509

~~ten mill limitation for a maximum period of (here 4510
insert longest maturity) years to pay the principal and interest 4511
of such bonds, the amount of such bonds being estimated to be 4512
..... (here insert estimated amount of bond issue) for 4513
which the levy of taxes is estimated by the county auditor to 4514
average (here insert number of mills) mills for each 4515
one dollar of valuation, which amounts to (here 4516
insert rate expressed in dollars and cents) for each one hundred 4517
dollars of valuation school district to pay the local share of 4518
school construction under the State of Ohio Classroom Facilities 4519
Assistance Program in the principal amount of (here 4520
insert principal amount of the bond issue), to be repaid annually 4521
over a maximum period of (here insert the maximum 4522
number of years over which the principal of the bonds may be paid) 4523
years, and an annual levy of property taxes be made outside the 4524
ten-mill limitation, estimated by the county auditor to average 4525
over the repayment period of the bond issue (here 4526
insert the number of mills estimated) mills for each one dollar of 4527
tax valuation, which amounts to (rate expressed in 4528
cents or dollars and cents, such as "thirty-six cents" or "\$0.36") 4529
for each one hundred dollars of tax valuation to pay the annual 4530
debt charges on the bonds and to pay debt charges on any notes 4531
issued in anticipation of the bonds?" 4532~~

and 4533

"Shall an additional levy of taxes be made for ~~the~~ a period 4534
not to exceed twenty-three years to benefit of the 4535
(here insert name of school district) school district, the 4536
proceeds of which shall be used to pay the cost of maintaining the 4537
classroom facilities included in the project, except that in any 4538
year the district's three-year average adjusted valuation per 4539
pupil is greater than the ~~state-wide~~ statewide median three-year 4540
average adjusted valuation per pupil, one-half of the proceeds of 4541
the tax shall be used for such maintenance and one-half of such 4542

proceeds shall be ~~used to pay the cost of the purchase of~~ 4543
~~classroom facilities from~~ paid to the state, at the rate of 4544
one-half mill for each one dollar of valuation ~~until the purchase~~ 4545
~~price is paid but in no case longer than twenty three years?~~ 4546

FOR THE BOND ISSUE AND TAX LEVY 4547
4548

AGAINST THE BOND ISSUE AND TAX LEVY 4549
4550

" 4551

(D) If it is necessary for the school district to acquire a 4552
site for the classroom facilities to be acquired pursuant to 4553
sections 3318.01 to 3318.20 of the Revised Code, the district 4554
board may propose either to issue bonds of the board or to levy a 4555
tax to pay for the acquisition of such site, and may combine the 4556
question of doing so with the questions specified in division (C) 4557
of this section. Bonds issued under this division for the purpose 4558
of acquiring a site are a general obligation of the school 4559
district and are Chapter 133. securities. 4560

The form of that portion of the ballot to include the 4561
question of either issuing bonds or levying a tax for site 4562
acquisition purposes shall be one of the following: 4563

(1) "Shall bonds be issued by the ~~board of education of the~~ 4564
..... (here insert name of the school district) ~~for the~~ 4565
~~purpose of~~ (~~purpose of the bond issue, which shall be~~ 4566
~~for the purpose~~ school district to pay costs of acquiring a site 4567
for classroom facilities) under the State of Ohio Classroom 4568
Facilities Assistance Program in the principal amount of 4569
..... (here insert principal amount of the bond issue), to be 4570
repaid annually over a maximum period of (here insert 4571
maximum number of years over which the principal of the bonds may 4572
be paid) years, and an annual levy of property taxes be made 4573
outside the ten-mill limitation, estimated by the county auditor 4574

to average over the repayment period of the bond issue 4575
(here insert number of mills) mills for each one dollar of tax 4576
valuation, which amount to (here insert rate expressed 4577
in cents or dollars and cents, such as "thirty-six cents" or 4578
"\$0.36") for each one hundred dollars of valuation to pay the 4579
annual debt charges on the bonds and to pay debt charges on any 4580
notes issued in anticipation of the bonds?" 4581

(2) "Shall an additional levy of taxes outside the ten-mill 4582
limitation be made for the benefit of the (here insert 4583
name of the school district) school district for the 4584
purpose (~~purpose of the levy, which shall be for the~~ 4585
~~purpose~~ of acquiring a site for classroom facilities) in the sum 4586
of (here insert annual amount the levy is to produce) 4587
~~and a levy of taxes to be made outside of the ten mill limitation~~ 4588
estimated by the county auditor to average (here insert 4589
number of mills) mills for each one hundred dollars of valuation, 4590
for a period of (here insert number of years the millage 4591
is to be imposed) years?" 4592

Where it is necessary to combine the question of issuing 4593
bonds of the school district and levying a tax as described in 4594
division (C) of this section with the question of issuing bonds of 4595
the school district for acquisition of a site, the question 4596
specified in division (C) of this section to be voted on shall be 4597
"For the Bond Issues and the Tax Levy" and "Against the Bond 4598
Issues and the Tax Levy." 4599

Where it is necessary to combine the question of issuing 4600
bonds of the school district and levying a tax as described in 4601
division (C) of this section with the question of levying a tax 4602
for the acquisition of a site, the question specified in division 4603
(C) of this section to be voted on shall be "For the Bond Issue 4604
and the Tax Levies" and "Against the Bond Issue and the Tax 4605
Levies." 4606

If a majority of those voting upon a proposition hereunder 4607
which includes the question of issuing bonds vote in favor 4608
thereof, and if the agreement provided for by section 3318.08 of 4609
the Revised Code has been entered into, the school district board 4610
may proceed under Chapter 133. of the Revised Code, with the 4611
issuance of bonds or bond anticipation notes in accordance with 4612
the terms of the agreement. 4613

Sec. 3318.08. If the requisite favorable vote on the election 4614
is obtained, the Ohio school facilities commission, upon 4615
certification of the results of the election to it, shall enter 4616
into a written agreement with the school district board for the 4617
construction and sale of the project, which agreement shall 4618
include, but need not be limited to, the following provisions: 4619

(A) The sale and issuance of bonds or notes in anticipation 4620
thereof, as soon as practicable after the execution of the 4621
agreement, in ~~either an amount which will raise the net bonded~~ 4622
~~indebtedness of the school district, as of the date of~~ 4623
~~the resolution authorizing the issuance of such bonds or notes, to~~ 4624
~~within five thousand dollars of the required level of indebtedness~~ 4625
~~calculated for the year preceding the year in which the resolution~~ 4626
~~declaring the necessity of the election was adopted or an amount~~ 4627
equal to the ~~required percentage~~ school district's portion of the 4628
basic project ~~costs, whichever is greater~~ cost; provided, that if 4629
at that time the county treasurer of each county in which the 4630
school district is located has not commenced the collection of 4631
taxes on the general duplicate of real and public utility property 4632
for ~~such~~ the year in which the controlling board approved the 4633
project, the school district board shall authorize the issuance of 4634
a first installment of bond anticipation notes in an amount 4635
specified by the agreement, which amount shall not exceed an 4636
amount necessary to raise the net bonded indebtedness of the 4637

school district as ~~to~~ of the date of ~~such authorizing resolution~~ 4638
~~the controlling board's approval~~ to within five thousand dollars 4639
of the required level of indebtedness for the preceding year. In 4640
the event that a first installment of bond anticipation notes is 4641
issued, the school district board shall, as soon as practicable 4642
after the county treasurer of each county in which the school 4643
district is located has commenced the collection of taxes on the 4644
general duplicate of real and public utility property for the year 4645
in which the ~~resolution declaring the necessity of the election~~ 4646
~~was adopted~~ controlling board approved the project, authorize the 4647
issuance of a second and final installment of bond anticipation 4648
notes or a first and final issue of bonds. ~~The~~ 4649

The combined value of the first and second installment of 4650
bond anticipation notes or the value of the first and final issue 4651
of bonds shall be equal to ~~either an amount which will raise the~~ 4652
~~net indebtedness of the school district as of the date of such~~ 4653
~~authorizing resolution to within five thousand dollars of the~~ 4654
~~required level of indebtedness, or an amount equal to the required~~ 4655
~~percentage~~ school district's portion of the basic project costs, 4656
~~whichever is greater~~ cost. The proceeds of any such bonds shall be 4657
used first to retire any bond anticipation notes. Otherwise, the 4658
proceeds of such bonds and of any bond anticipation notes, except 4659
the premium and accrued interest thereon, shall be deposited in 4660
the school district's project construction fund. In determining 4661
the amount of net bonded indebtedness for the purpose of fixing 4662
the amount of an issue of either bonds or bond anticipation notes, 4663
gross indebtedness shall be reduced by moneys in the bond 4664
retirement fund only to the extent of the moneys therein on the 4665
first day of the year preceding the year in which the ~~resolution~~ 4666
~~authorizing such bonds or notes is adopted~~ controlling board 4667
approved the project. Should there be a decrease in the tax 4668
valuation of the school district so that the amount of 4669
indebtedness ~~which~~ that can be incurred on the tax duplicates for 4670

the year in which the ~~resolution declaring the necessity of the~~ 4671
~~election was adopted~~ controlling board approved the project is 4672
less than the amount of the first installment of bond anticipation 4673
notes, there shall be paid from the school district's project 4674
construction fund to the school district's bond retirement fund to 4675
be applied against such notes an amount sufficient to cause the 4676
net bonded indebtedness of the school district, as of the first 4677
day of the year following the year in which the ~~resolution~~ 4678
~~declaring the necessity of the election was adopted~~ controlling 4679
board approved the project, to be within five thousand dollars of 4680
the required level of indebtedness for the year in which ~~that~~ 4681
~~resolution was adopted~~ the controlling board approved the project. 4682
The maximum amount of indebtedness to be incurred by any school 4683
district board as its share of the cost of the project is either 4684
an amount ~~which~~ that will cause its net bonded indebtedness, as of 4685
the first day of the year following the year in which the 4686
~~resolution declaring the necessity of the bond issue was adopted~~ 4687
controlling board approved the project, to be within five thousand 4688
dollars of the required level of indebtedness ~~calculated for the~~ 4689
~~year preceding the year in which that resolution was adopted,~~ or an 4690
amount equal to the required percentage of the basic project 4691
costs, whichever is greater. All bonds and bond anticipation notes 4692
shall be issued in accordance with Chapter 133. of the Revised 4693
Code, and notes may be renewed as provided in section 133.22 of 4694
the Revised Code. 4695

(B) The transfer of such funds of the school district board 4696
available for the project, together with the proceeds of the sale 4697
of the bonds or notes, except premium, accrued interest, and 4698
interest included in the amount of the issue, to the school 4699
district's project construction fund; 4700

(C) The levy of the tax authorized at the election for the 4701
payment of maintenance costs or ~~the cost of purchasing the~~ 4702

~~classroom facilities~~ payments to the state, as specified in 4703
division (B) of section 3318.05 of the Revised Code; 4704

(D) Ownership of or interest in the project during the period 4705
of construction, which shall be divided between the commission and 4706
the school district board in proportion to their respective 4707
contributions to the school district's project construction fund; 4708
4709

(E) ~~The transfer~~ Maintenance of the state's interest in the 4710
project ~~to the school district upon completion of the project~~ 4711
until any obligations issued for the project under section 3318.26 4712
of the Revised Code are no longer outstanding; 4713

(F) The insurance of the project by the school district from 4714
the time there is an insurable interest therein and so long as ~~any~~ 4715
~~part of the purchase price remains unpaid~~ the state retains any 4716
ownership or interest in the project pursuant to division (D) of 4717
this section, in such amounts and against such risks as the 4718
commission shall require; provided, that the cost of any required 4719
insurance until the project is completed shall be a part of the 4720
basic project cost; 4721

(G) The certification by the director of budget and 4722
management that funds are available and have been set aside to 4723
meet the state's share of the basic project cost as approved by 4724
the controlling board pursuant to section 3318.04 of the Revised 4725
Code; 4726

(H) Authorization of the school district board to advertise 4727
for and receive construction bids for the project, for and on 4728
behalf of the commission, and to award contracts in the name of 4729
the state subject to approval by the commission; 4730

(I) Provisions for the disbursement of moneys from the school 4731
district's project account upon issuance by the commission or the 4732
commission's designated representative of vouchers for work done 4733

to be certified to the commission by the treasurer of the school district board; 4734
4735

(J) Disposal of any balance left in the school district's project construction fund upon completion of the project; 4736
4737

~~(K) Prohibition against alienation of any interest in the project by the school district board or its successor in interest without the consent of the commission so long as any part of the purchase price of the project remains unpaid, but in no case longer than twenty three years;~~ 4738
4739
4740
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4742

~~(L)~~ Limitations upon use of the project or any part of it so long as any ~~part of the purchase price of the project remains unpaid, but in no case longer than twenty three years~~ obligations issued to finance the project under section 3318.26 of the Revised Code are outstanding; 4743
4744
4745
4746
4747

~~(M)~~(L) Provision for vesting ~~absolute~~ the state's interest in the project ~~in~~ to the school district board when the ~~purchase price has been paid or at the expiration of the period of twenty three years~~ obligations issued to finance the project under section 3318.26 of the Revised Code are outstanding; 4748
4749
4750
4751
4752

~~(N)~~(M) Provision for deposit of an executed copy of the agreement in the office of the commission ~~and the office of the county recorder of the county or counties in which the project is situated;~~ 4753
4754
4755
4756

~~(O)~~(N) Provision for termination of the contract and release of the funds encumbered at the time of the conditional approval, if the proceeds of the sale of the bonds of the school district board are not paid into the school district's project construction fund and if bids for the construction of the project have not been taken within such period after the execution of the agreement as may be fixed by the commission; 4757
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4763

~~(P)~~(O) Provision for the school district to maintain the 4764
project in accordance with a plan approved by the commission; 4765

~~(Q)~~(P) Provision that all state funds reserved and encumbered 4766
to pay the state share of the cost of the project pursuant to 4767
section 3318.03 of the Revised Code be spent on the construction 4768
or acquisition of the project prior to the expenditure of any 4769
funds provided by the school district to pay for its share of the 4770
project cost, unless the school district certifies to the 4771
commission that expenditure by the school district is necessary to 4772
maintain the tax-exempt status of notes or bonds issued by the 4773
school district to pay for its share of the project cost in which 4774
case, the school district may commit to spend, or spend, a portion 4775
of the funds it provides; 4776

(Q) A provision stipulating that the commission may prohibit 4777
the district from proceeding with any project if the commission 4778
determines that the site is not suitable for construction 4779
purposes. The commission may perform soil tests in its 4780
determination of whether a site is appropriate for construction 4781
purposes. 4782

Sec. 3318.081. If the board of education of a school district 4783
authorized to impose a tax pursuant to section 3318.06 of the 4784
Revised Code determines that taxable value of property subject to 4785
the tax has increased to the extent it will not be necessary to 4786
impose such tax for twenty-three years in order to ~~pay the~~ 4787
~~purchase price~~ generate an amount equal to the amount of the 4788
project cost supplied by the state, it may request the county 4789
auditor to determine the amount ~~of the purchase price~~ remaining to 4790
be paid and the estimated rate of taxation required each year to 4791
~~repay~~ pay such remainder in equal installments over the maximum 4792
number of remaining years the tax may be in effect. The auditor 4793
shall make such determination upon request and certify the results 4794

thereof to the board of education. 4795

Upon receipt of the auditor's determination, the board of 4796
education may request the Ohio school facilities commission to 4797
enter into a supplemental agreement under which the district may 4798
~~repay~~ pay the remainder of the ~~purchase price~~ amount in annual 4799
amounts equal to the quotient obtained by dividing the amount 4800
remaining to be paid by the maximum number of remaining years the 4801
tax may be in effect. If such an agreement is entered into, the 4802
commission shall certify a copy thereof to the county auditor and 4803
the tax authorized by section 3318.06 of the Revised Code 4804
thereafter shall be levied at the rate required to make the annual 4805
payments required by the supplemental agreement rather than the 4806
rate required by such section. 4807

Sec. 3318.082. The board of education of any school district 4808
imposing a tax for the purpose of paying the ~~cost of the purchase~~ 4809
~~of classroom facilities from the~~ state pursuant to section 3318.06 4810
of the Revised Code prior to the effective date of the amendments 4811
to that section by Amended Substitute House Bill No. 748 of the 4812
121st General Assembly, may enter into a supplemental agreement 4813
with the Ohio school facilities commission under which the 4814
proceeds of such tax shall be distributed in accordance with the 4815
requirements of section 3318.06 of the Revised Code, as amended by 4816
Amended Substitute House Bill No. 748 of the 121st general 4817
assembly. 4818

Sec. 3318.083. If, after the Ohio school facilities 4819
commission and a school district enter into a written agreement 4820
under section 3318.08 of the Revised Code for the construction of 4821
a classroom facilities project, the commission approves an 4822
increase in the basic project cost above the amount budgeted plus 4823
any interest earned and available in the project construction 4824

fund, the state and the school district shall share the increased 4825
cost in proportion to their respective contributions to the 4826
district's project construction fund. 4827

Sec. 3318.13. Notwithstanding any provision of sections 4828
5705.27 to 5705.50 of the Revised Code, the tax to be levied on 4829
all taxable property within a school district for the purpose of 4830
paying the cost of maintaining the classroom facilities included 4831
in the project or for paying the ~~purchase price of the project to~~ 4832
~~the~~ state under the agreement provided in section 3318.08 of the 4833
Revised Code or the supplemental agreement provided in section 4834
3318.081 of the Revised Code shall be included in the budget of 4835
the school district for each year upon the certification to the 4836
county budget commission or commissions of the county or counties 4837
in which said school district is located, by the Ohio school 4838
facilities commission of the balance due the state under said 4839
agreement or supplemental agreement. Such certification shall be 4840
made on or before the fifteenth day of July in each year. 4841
Thereafter, the respective county budget commissions shall treat 4842
such certification as an additional item on the tax budget for the 4843
school district as to which such certification has been made and 4844
shall provide for the levy therefor in the manner provided in 4845
sections 5705.27 to 5705.50 of the Revised Code for tax levies 4846
included directly in the budgets of the subdivisions. 4847

The levy of taxes shall be included in the next annual tax 4848
budget that is certified to the county budget commission after the 4849
execution of the agreement for the project. 4850

Sec. 3318.14. Notwithstanding the provision of section 321.31 4851
of the Revised Code, immediately after each settlement with the 4852
county auditor, on presentation of the warrant of the county 4853
auditor therefor, the county treasurer shall pay to the school 4854

district the proceeds of the tax levy provided in section 3318.13 4855
of the Revised Code to be used to pay the cost of maintaining the 4856
classroom facilities included in the project and pay to the Ohio 4857
school facilities commission any proceeds of the tax levy provided 4858
in section 3318.13 of the Revised Code to be ~~applied to the unpaid~~ 4859
~~purchase price of the project~~ paid to the state. 4860

Sec. 3318.15. There is hereby created the public school 4861
building fund within the state treasury consisting of all moneys 4862
received from ~~the sale of classroom facilities pursuant to~~ 4863
~~sections 3318.01 to 3318.20~~ payments to the state pursuant to 4864
division (C) of section 3318.08 of the Revised Code, any moneys 4865
transferred or appropriated to the fund by the general assembly, 4866
and any grants, gifts, or contributions received by the Ohio 4867
school facilities commission to be used for the purposes of the 4868
fund. All investment earnings of the fund shall be credited to the 4869
fund. 4870

Moneys transferred or appropriated to the fund by the general 4871
assembly and moneys in the fund from grants, gifts, and 4872
contributions shall be used ~~to acquire classroom facilities for~~ 4873
~~sale to school districts pursuant to~~ the purposes of sections 4874
3318.01 to 3318.20 of the Revised Code. The moneys in the fund 4875
received from ~~the sale of classroom facilities~~ payments to the 4876
state pursuant to division (C) of section 3318.08 of the Revised 4877
Code shall be held in a separate account in the fund. Such moneys 4878
may be used partially ~~to acquire additional classroom facilities~~ 4879
~~for sale to school districts pursuant to~~ the purposes of sections 4880
3318.01 to 3318.20 of the Revised Code and partially to pay bond 4881
service charges as defined in division (C) of section 3318.21 of 4882
the Revised Code on obligations, ~~the proceeds of which are~~ 4883
~~deposited into the school districts facilities fund created in~~ 4884
~~section 3318.23 of the Revised Code.~~ 4885

~~Sec. 3318.16. Title to interests~~ The Ohio school facilities 4886
commission shall have an interest in real property purchased with 4887
moneys in the school district's project construction fund ~~shall be~~ 4888
~~taken in the name of the state of Ohio. Upon completion of the~~ 4889
~~project, the title to such interest in real property shall be~~ 4890
~~conveyed to the school district board and the Ohio school~~ 4891
~~facilities commission shall execute and deliver deeds to complete~~ 4892
~~the transfer of such interests.~~ 4893

~~Upon completion of the project, the interest of the state in~~ 4894
~~the project shall be transferred to the school district board,~~ 4895
~~which interest is equal to that portion of the final cost of the~~ 4896
~~project represented by funds contributed by the state for the~~ 4897
~~project. The purchase price to be paid by the school district~~ 4898
~~board for the state's interest in the project shall be the total~~ 4899
~~amount of funds contributed by the state for the project.~~ 4900

Once obligations issued to finance a project under section 4901
3318.26 of the Revised Code are no longer outstanding, any 4902
interest held by the commission shall be transferred to the school 4903
district. 4904

Sec. 3318.17. A (A) Except as provided in division (B) of 4905
this section, when a school district board may purchase receives 4906
classroom facilities assistance from the state from time to time 4907
under the procedure set forth in sections 3318.01 to 3318.12 of 4908
the Revised Code. ~~The, the~~ levy of taxes required by ~~section~~ 4909
sections 3318.13 and 3318.14 of the Revised Code shall be at the 4910
rate of one-half mill for each one dollar of valuation and shall 4911
be for a maximum period of twenty-three years after the last 4912
purchase, except that in those years in which a supplemental 4913
agreement authorized by section 3318.081 of the Revised Code is in 4914
effect, the rate shall be as prescribed for such section for the 4915

period during which such agreement is in effect. Where a school 4916
district has purchased classroom facilities from the state on 4917
which any portion of the purchase price remains unpaid and it 4918
desires to purchase additional classroom facilities, the notice of 4919
election and form of ballot set forth in section 3318.06 of the 4920
Revised Code shall provide that the levy is an extension of an 4921
existing levy for a maximum period of twenty-three years. Where 4922
there has been more than one purchase of classroom facilities from 4923
the state, any proceeds of the tax to be used to pay the purchase 4924
price of such facilities shall be applied to the unpaid purchase 4925
price of the projects in the order in which they were purchased. 4926

(B) When a school district levies a tax under sections 4927
3318.13 and 3318.14 of the Revised Code after the effective date 4928
of this amendment, the levy shall: 4929

(1) Be an additional levy of one-half mill for each dollar of 4930
valuation; 4931

(2) Continue for the lesser of the number of years required 4932
to generate revenue equal to the amount of money supplied by the 4933
state for a classroom facilities project or twenty-three years; 4934

(3) Not reduce the number of years remaining on any other 4935
levy passed under sections 3318.13 and 3318.14 of the Revised Code 4936
prior to or after the effective date of this amendment. 4937

The notice of election and form of the ballot required by 4938
section 3318.06 of the Revised Code shall provide that a levy 4939
under this division is an additional levy for the specified 4940
classroom facilities project. 4941

Sec. 3318.18. ~~The unpaid purchase price of a project~~ Money to 4942
be paid to the state pursuant to division (B) of section 3318.05 4943
of the Revised Code shall constitute an indebtedness of the school 4944
district but shall not be included in the calculation of 4945

indebtedness under sections 133.04 and 133.06 of the Revised Code. 4946
In the event all or a portion of the territory comprising a school 4947
district, ~~which that~~ has ~~outstanding an~~ indebtedness to the state 4948
representing ~~the unpaid purchase price of~~ tax levy money resulting 4949
from a project ~~or projects~~, is transferred to another school 4950
district, or, if a new school district is created to include all 4951
or a portion of such school district, the outstanding indebtedness 4952
for money owed as a result of each project shall be apportioned 4953
between the acquiring school district and the original school 4954
district in the ratio, as of the effective date of the transfer, 4955
which the assessed valuation of the territory transferred to the 4956
acquiring school district bears to the assessed valuation of the 4957
original school district. 4958

The amount of the indebtedness so assumed, or partially 4959
assumed, by the new school district or acquiring school district 4960
shall be equal to one-half mill multiplied by the total value of 4961
all property as listed and assessed for taxation in the original 4962
school district or territory transferred for each ~~of the years~~ 4963
year of the original twenty-three or fewer years remaining as 4964
specified in the portion of the agreement ~~for payment of purchase~~ 4965
~~price between the original school district and the state board of~~ 4966
~~education~~ contained in division (C) of section 3318.08 of the 4967
Revised Code. On or before the first day of July of each year, the 4968
department of taxation shall certify to the Ohio school facilities 4969
commission the amount of the tax duplicate of the original school 4970
district or territory transferred for the calendar year ending on 4971
the thirty-first day of December immediately preceding. This tax 4972
duplicate shall be used in the calculation of the indebtedness so 4973
assumed. 4974

The acquiring school district shall levy a tax outside the 4975
ten-mill limitation upon all property in the acquiring school 4976
district to pay the indebtedness so assumed until the indebtedness 4977

so assumed has been discharged but not longer than twenty-three 4978
years after the original incurrence of the indebtedness, provided, 4979
that the levy in the acquiring school district in any year shall 4980
not exceed the levy in the original school district to ~~pay the~~ 4981
~~purchase price of projects acquired from~~ make payments to the 4982
state. The proceeds of the aforesaid tax levy in the acquiring 4983
school district shall be applied to the discharge of indebtedness 4984
first incurred in point of time whether or not it be an 4985
indebtedness assumed from another school district. 4986

Sec. 3318.21. As used in sections 3318.21 to 3318.29 of the 4987
Revised Code: 4988

(A) "Allowable costs" means all or part of the costs of a 4989
permanent improvement that may be financed with, and paid from the 4990
proceeds of, securities issued pursuant to section 133.15 of the 4991
Revised Code. 4992

(B) "Bond proceedings" means the resolution, order, trust 4993
agreement, indenture, loan agreement, lease agreement, and other 4994
agreements, amendments and supplements to the foregoing, or any 4995
one or more or combination thereof, authorizing or providing for 4996
the terms and conditions applicable to, or providing for the 4997
security or liquidity of, obligations issued pursuant to section 4998
3318.26 of the Revised Code, and the provisions contained in the 4999
obligations. 5000

(C) "Bond service charges" means principal, including 5001
mandatory sinking fund requirements for retirement of obligations, 5002
and interest, and redemption premium, if any, required to be paid 5003
by the state on obligations, and, if provided in the applicable 5004
bond proceedings, may include any corresponding lease or sublease 5005
payments to be made with respect thereto to the issuing authority 5006
by the state or any agency of state government. 5007

(D) "Bond service fund" means the applicable fund and 5008
accounts therein created for and pledged to the payment of bond 5009
service charges, which may be, or may be part of, either the 5010
school building program bond service fund created by division (R) 5011
of section 3318.26 of the Revised Code ~~or the school facilities~~ 5012
~~bond service fund created by division (S) of section 3318.26 of~~ 5013
~~the Revised Code~~, including all moneys and investments, and 5014
earnings from investments, credited and to be credited thereto. 5015

(E) "Issuing authority" means the treasurer of state, or the 5016
officer who by law performs the functions of such officer. 5017

(F) "Obligations" means bonds, notes, or other evidence of 5018
obligation including interest coupons pertaining thereto, issued 5019
pursuant to section 3318.26 of the Revised Code. 5020

(G) "Permanent improvement" or "improvement" means a 5021
permanent improvement or improvement as defined under division 5022
(CC) of section 133.01 of the Revised Code to be used for housing 5023
agencies of state government, including classroom facilities as 5024
defined in division (B) of section 3318.01 of the Revised Code. 5025

(H) "Pledged receipts," in the case of obligations issued to 5026
provide moneys for the school building program assistance fund 5027
created in section 3318.25 of the Revised Code, means any or all 5028
of the following: 5029

(1) Moneys in the lottery profits education fund created in 5030
section 3770.06 of the Revised Code appropriated by the general 5031
assembly and pledged for the purpose of paying bond service 5032
charges on one or more issuances of such obligations; 5033

(2) Accrued interest received from the sale of obligations; 5034

(3) Income from the investment of the special funds; 5035

(4) Any gifts, grants, donations, and pledges, and receipts 5036
therefrom, available for the payment of bond service charges. 5037

~~(I) "Pledged receipts," in the case of obligations issued to provide moneys for the school districts facilities fund created in section 3318.23 of the Revised Code, means any or all of the following:~~ 5038
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~~(1) Moneys from the sale of classroom facilities accruing in the public school building fund created in section 3318.15 of the Revised Code, which moneys are pledged for the purpose of paying bond service charges on one or more issuances of such obligations.~~ 5042
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~~(2) Moneys accruing to the state from the repayment, including interest, of loans from the school districts facilities fund made pursuant to section 3318.24 of the Revised Code;~~ 5046
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~~(3) Accrued interest received from the sale of obligations;~~ 5049

~~(4) Income from the investment of the special funds;~~ 5050

~~(5) Any gifts, grants, donations, and pledges, and receipts therefrom, available for the payment of bond service charges.~~ 5051
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~~(J)~~ "School district" means a school district as defined under division (D) of section 3318.01 of the Revised Code, acting as an agency of state government, performing essential governmental functions of state government pursuant to sections 3318.21 to 3318.29 of the Revised Code. 5053
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~~(K)~~(J) "Securities" means securities as defined under division (KK) in section 133.01 of the Revised Code. 5058
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~~(L)~~(K) "Special funds" or "funds" means, except where the context does not permit, the bond service fund, and any other funds, including reserve funds, created under the bond proceedings, and either the school building program bond service fund created by division (R) of section 3318.26 of the Revised Code or the school facilities bond service fund created by division (S) of section 3318.26 of the Revised Code to the extent provided in the bond proceedings, including all moneys and 5060
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investments, and earnings from investment, credited and to be 5068
credited thereto. 5069

Sec. 3318.25. There is hereby created in the state treasury 5070
the school building program assistance fund. The fund shall 5071
consist of the proceeds of obligations issued for the purposes of 5072
such fund pursuant to section 3318.26 of the Revised Code that are 5073
payable from moneys in the lottery profits education fund created 5074
in section 3770.06 of the Revised Code. All investment earnings of 5075
the fund shall be credited to the fund. Moneys in the fund shall 5076
be used as directed by the Ohio school facilities commission for 5077
the cost to the state of ~~acquiring~~ constructing classroom 5078
facilities ~~for sale to school districts pursuant to~~ under sections 5079
3318.01 to 3318.20 of the Revised Code. 5080

Sec. 3318.26. (A) Subject to the limitations provided in 5081
section 3318.29 of the Revised Code, the issuing authority, upon 5082
the certification by the Ohio school facilities commission to the 5083
issuing authority of the amount of moneys or additional moneys 5084
needed in the ~~school districts facilities fund for the purpose of~~ 5085
~~making loans for allowable costs from~~ such fund or in the school 5086
building program assistance fund for the purposes of sections 5087
3318.01 to 3318.20 of the Revised Code, or needed for capitalized 5088
interest, for funding reserves, and for paying costs and expenses 5089
incurred in connection with the issuance, carrying, securing, 5090
paying, redeeming, or retirement of the obligations or any 5091
obligations refunded thereby, including payment of costs and 5092
expenses relating to letters of credit, lines of credit, 5093
insurance, put agreements, standby purchase agreements, indexing, 5094
marketing, remarketing and administrative arrangements, interest 5095
swap or hedging agreements, and any other credit enhancement, 5096
liquidity, remarketing, renewal, or refunding arrangements, all of 5097
which are authorized by this section, shall issue obligations of 5098

the state under this section in the required amount. The proceeds 5099
of such obligations, except for obligations issued to provide 5100
moneys for the school building program assistance fund or except 5101
for such portion to be deposited in special funds, including 5102
reserve funds, as may be provided in the bond proceedings, shall 5103
as provided in the bond proceedings be deposited by the treasurer 5104
of state to the school districts facilities fund. The issuing 5105
authority may appoint trustees, paying agents, and transfer agents 5106
and may retain the services of financial advisors and accounting 5107
experts and retain or contract for the services of marketing, 5108
remarketing, indexing, and administrative agents, other 5109
consultants, and independent contractors, including printing 5110
services, as are necessary in the issuing authority's judgment to 5111
carry out this section. The costs of such services are payable 5112
from the school districts facilities fund, the school building 5113
program assistance fund, or any special fund determined by the 5114
issuing authority. 5115

(B) The holders or owners of such obligations shall have no 5116
right to have moneys raised by taxation obligated or pledged, and 5117
moneys raised by taxation shall not be obligated or pledged, for 5118
the payment of bond service charges. Such holders or owners shall 5119
have no rights to payment of bond service charges from any money 5120
or property received by the commission, treasurer of state, or the 5121
state, or from any other use of the proceeds of the sale of the 5122
obligations, and no such moneys may be used for the payment of 5123
bond service charges, except for accrued interest, capitalized 5124
interest, and reserves funded from proceeds received upon the sale 5125
of the obligations and except as otherwise expressly provided in 5126
the applicable bond proceedings pursuant to written directions by 5127
the treasurer of state. The right of such holders and owners to 5128
payment of bond service charges shall be limited to all or that 5129
portion of the pledged receipts and those special funds pledged 5130

thereto pursuant to the bond proceedings in accordance with this 5131
section, and each such obligation shall bear on its face a 5132
statement to that effect. 5133

(C) Obligations shall be authorized by resolution or order of 5134
the issuing authority and the bond proceedings shall provide for 5135
the purpose thereof and the principal amount or amounts, and shall 5136
provide for or authorize the manner or agency for determining the 5137
principal maturity or maturities, not exceeding the limits 5138
specified in section 3318.29 of the Revised Code, the interest 5139
rate or rates or the maximum interest rate, the date of the 5140
obligations and the dates of payment of interest thereon, their 5141
denomination, and the establishment within or without the state of 5142
a place or places of payment of bond service charges. Sections 5143
9.98 to 9.983 of the Revised Code are applicable to obligations 5144
issued under this section, subject to any applicable limitation 5145
under section 3318.29 of the Revised Code. The purpose of such 5146
obligations may be stated in the bond proceedings in terms 5147
describing the general purpose or purposes to be served. The bond 5148
proceedings shall also provide, subject to the provisions of any 5149
other applicable bond proceedings, for the pledge of all, or such 5150
part as the issuing authority may determine, of the pledged 5151
receipts and the applicable special fund or funds to the payment 5152
of bond service charges, which pledges may be made either prior or 5153
subordinate to other expenses, claims, or payments, and may be 5154
made to secure the obligations on a parity with obligations 5155
theretofore or thereafter issued, if and to the extent provided in 5156
the bond proceedings. The pledged receipts and special funds so 5157
pledged and thereafter received by the state are immediately 5158
subject to the lien of such pledge without any physical delivery 5159
thereof or further act, and the lien of any such pledges is valid 5160
and binding against all parties having claims of any kind against 5161
the state or any governmental agency of the state, irrespective of 5162

whether such parties have notice thereof, and shall create a
perfected security interest for all purposes of Chapter 1309. of
the Revised Code, without the necessity for separation or delivery
of funds or for the filing or recording of the bond proceedings by
which such pledge is created or any certificate, statement or
other document with respect thereto; and the pledge of such
pledged receipts and special funds is effective and the money
therefrom and thereof may be applied to the purposes for which
pledged without necessity for any act of appropriation, except as
required by section 3770.06 of the Revised Code. Every pledge, and
every covenant and agreement made with respect thereto, made in
the bond proceedings may therein be extended to the benefit of the
owners and holders of obligations authorized by this section, and
to any trustee therefor, for the further security of the payment
of the bond service charges.

(D) The bond proceedings may contain additional provisions as
to:

(1) The redemption of obligations prior to maturity at the
option of the issuing authority at such price or prices and under
such terms and conditions as are provided in the bond proceedings;

(2) Other terms of the obligations;

(3) Limitations on the issuance of additional obligations;

(4) The terms of any trust agreement or indenture securing
the obligations or under which the same may be issued;

(5) The deposit, investment and application of special funds,
and the safeguarding of moneys on hand or on deposit, without
regard to Chapter 131., 133., or 135. of the Revised Code, but
subject to any special provisions of sections 3318.21 to 3318.29
of the Revised Code, with respect to particular funds or moneys,
provided that any bank or trust company that acts as depository of
any moneys in the special funds may furnish such indemnifying

bonds or may pledge such securities as required by the issuing authority; 5194
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(6) Any or every provision of the bond proceedings being binding upon such officer, board, commission, authority, agency, department, or other person or body as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision; 5196
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(7) Any provision that may be made in a trust agreement or indenture; 5201
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(8) The lease or sublease of any interest of the school district or the state in one or more projects as defined in division (C) of section 3318.01 of the Revised Code, or in one or more permanent improvements, to or from the issuing authority, as provided in one or more lease or sublease agreements between the school or the state and the issuing authority; 5203
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(9) Any other or additional agreements with the holders of the obligations, or the trustee therefor, relating to the obligations or the security therefor, ~~including in the case of obligations issued to provide moneys for the school district facilities fund the assignment of security obtained or to be obtained for loans under section 3318.24 of the Revised Code.~~ 5209
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(E) The obligations may have the great seal of the state or a facsimile thereof affixed thereto or printed thereon. The obligations and any coupons pertaining to obligations shall be signed or bear the facsimile signature of the issuing authority. Any obligations or coupons may be executed by the person who, on the date of execution, is the proper issuing authority although on the date of such bonds or coupons such person was not the issuing authority. In case the issuing authority whose signature or a facsimile of whose signature appears on any such obligation or coupon ceases to be the issuing authority before delivery thereof, 5215
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such signature or facsimile is nevertheless valid and sufficient 5225
for all purposes as if the issuing authority had remained the 5226
issuing authority until such delivery; and in case the seal to be 5227
affixed to obligations has been changed after a facsimile of the 5228
seal has been imprinted on such obligations, such facsimile seal 5229
shall continue to be sufficient as to such obligations and 5230
obligations issued in substitution or exchange therefor. 5231

(F) All obligations are negotiable instruments and securities 5232
under Chapter 1308. of the Revised Code, subject to the provisions 5233
of the bond proceedings as to registration. The obligations may be 5234
issued in coupon or in registered form, or both, as the issuing 5235
authority determines. Provision may be made for the registration 5236
of any obligations with coupons attached thereto as to principal 5237
alone or as to both principal and interest, their exchange for 5238
obligations so registered, and for the conversion or reconversion 5239
into obligations with coupons attached thereto of any obligations 5240
registered as to both principal and interest, and for reasonable 5241
charges for such registration, exchange, conversion, and 5242
reconversion. 5243

(G) Obligations may be sold at public sale or at private 5244
sale, as determined in the bond proceedings. 5245

(H) Pending preparation of definitive obligations, the 5246
issuing authority may issue interim receipts or certificates which 5247
shall be exchanged for such definitive obligations. 5248

(I) In the discretion of the issuing authority, obligations 5249
may be secured additionally by a trust agreement or indenture 5250
between the issuing authority and a corporate trustee which may be 5251
any trust company or bank having its principal place of business 5252
within the state. Any such agreement or indenture may contain the 5253
resolution or order authorizing the issuance of the obligations, 5254
any provisions that may be contained in any bond proceedings, and 5255

other provisions that are customary or appropriate in an agreement 5256
or indenture of such type, including, but not limited to: 5257

(1) Maintenance of each pledge, trust agreement, indenture, 5258
or other instrument comprising part of the bond proceedings until 5259
the state has fully paid the bond service charges on the 5260
obligations secured thereby, or provision therefor has been made; 5261

(2) In the event of default in any payments required to be 5262
made by the bond proceedings, or any other agreement of the 5263
issuing authority made as a part of the contract under which the 5264
obligations were issued, enforcement of such payments or agreement 5265
by mandamus, the appointment of a receiver, suit in equity, action 5266
at law, or any combination of the foregoing; 5267

(3) The rights and remedies of the holders of obligations and 5268
of the trustee, and provisions for protecting and enforcing them, 5269
including limitations on rights of individual holders of 5270
obligations; 5271

(4) The replacement of any obligations that become mutilated 5272
or are destroyed, lost, or stolen; 5273

(5) Such other provisions as the trustee and the issuing 5274
authority agree upon, including limitations, conditions, or 5275
qualifications relating to any of the foregoing. 5276

(J) Any holder of obligations or a trustee under the bond 5277
proceedings, except to the extent that the holder's or trustee's 5278
rights are restricted by the bond proceedings, may by any suitable 5279
form of legal proceedings, protect and enforce any rights under 5280
the laws of this state or granted by such bond proceedings. Such 5281
rights include the right to compel the performance of all duties 5282
of the issuing authority, the commission, or the director of 5283
budget and management required by sections 3318.21 to 3318.29 of 5284
the Revised Code or the bond proceedings; to enjoin unlawful 5285
activities; and in the event of default with respect to the 5286

payment of any bond service charges on any obligations or in the 5287
performance of any covenant or agreement on the part of the 5288
issuing authority, the commission, or the director of budget and 5289
management in the bond proceedings, to apply to a court having 5290
jurisdiction of the cause to appoint a receiver to receive and 5291
administer the pledged receipts and special funds, other than 5292
those in the custody of the treasurer of state or the commission, 5293
which are pledged to the payment of the bond service charges on 5294
such obligations or which are the subject of the covenant or 5295
agreement, with full power to pay, and to provide for payment of 5296
bond service charges on, such obligations, and with such powers, 5297
subject to the direction of the court, as are accorded receivers 5298
in general equity cases, excluding any power to pledge additional 5299
revenues or receipts or other income or moneys of the issuing 5300
authority or the state or governmental agencies of the state to 5301
the payment of such principal and interest and excluding the power 5302
to take possession of, mortgage, or cause the sale or otherwise 5303
dispose of any permanent improvement. 5304

Each duty of the issuing authority and the issuing 5305
authority's officers and employees, and of each governmental 5306
agency and its officers, members, or employees, undertaken 5307
pursuant to the bond proceedings or any agreement or loan made 5308
under authority of sections 3318.21 to 3318.29 of the Revised 5309
Code, and in every agreement by or with the issuing authority, is 5310
hereby established as a duty of the issuing authority, and of each 5311
such officer, member, or employee having authority to perform such 5312
duty, specifically enjoined by the law resulting from an office, 5313
trust, or station within the meaning of section 2731.01 of the 5314
Revised Code. 5315

The person who is at the time the issuing authority, or the 5316
issuing authority's officers or employees, are not liable in their 5317
personal capacities on any obligations issued by the issuing 5318

authority or any agreements of or with the issuing authority. 5319

(K) The issuing authority may authorize and issue obligations 5320
for the refunding, including funding and retirement, and advance 5321
refunding with or without payment or redemption prior to maturity, 5322
of any obligations previously issued by the issuing authority. 5323
Such obligations may be issued in amounts sufficient for payment 5324
of the principal amount of the prior obligations, any redemption 5325
premiums thereon, principal maturities of any such obligations 5326
maturing prior to the redemption of the remaining obligations on a 5327
parity therewith, interest accrued or to accrue to the maturity 5328
dates or dates of redemption of such obligations, and any 5329
allowable costs including expenses incurred or to be incurred in 5330
connection with such issuance and such refunding, funding, and 5331
retirement. Subject to the bond proceedings therefor, the portion 5332
of proceeds of the sale of obligations issued under this division 5333
to be applied to bond service charges on the prior obligations 5334
shall be credited to an appropriate account held by the trustee 5335
for such prior or new obligations or to the appropriate account in 5336
the bond service fund for such obligations. Obligations authorized 5337
under this division shall be deemed to be issued for those 5338
purposes for which such prior obligations were issued and are 5339
subject to the provisions of this section pertaining to other 5340
obligations, except as otherwise provided in this section; 5341
provided that, unless otherwise authorized by the general 5342
assembly, any limitations imposed by the general assembly pursuant 5343
to this section with respect to bond service charges applicable to 5344
the prior obligations shall be applicable to the obligations 5345
issued under this division to refund, fund, advance refund or 5346
retire such prior obligations. 5347

(L) The authority to issue obligations under this section 5348
includes authority to refund or refinance any obligations 5349
previously issued by the state under sections 3318.21 to 3318.29 5350

of the Revised Code. 5351

The authority to issue obligations under this section also 5352
includes authority to issue obligations in the form of bond 5353
anticipation notes and to renew the same from time to time by the 5354
issuance of new notes. The holders of such notes or interest 5355
coupons pertaining thereto shall have a right to be paid solely 5356
from the pledged receipts and special funds that may be pledged to 5357
the payment of the bonds anticipated, or from the proceeds of such 5358
bonds or renewal notes, or both, as the issuing authority provides 5359
in the resolution or order authorizing such notes. Such notes may 5360
be additionally secured by covenants of the issuing authority to 5361
the effect that the issuing authority and the state will do such 5362
or all things necessary for the issuance of such bonds or renewal 5363
notes in appropriate amount, and apply the proceeds thereof to the 5364
extent necessary, to make full payment of the principal of and 5365
interest on such notes at the time or times contemplated, as 5366
provided in such resolution or order. For such purpose, the 5367
issuing authority may issue bonds or renewal notes in such 5368
principal amount and upon such terms as may be necessary to 5369
provide funds to pay when required the principal of and interest 5370
on such notes, notwithstanding any limitations prescribed by or 5371
for purposes of this section. Subject to this division, all 5372
provisions for and references to obligations in this section are 5373
applicable to notes authorized under this division. 5374

The issuing authority in the bond proceedings authorizing the 5375
issuance of bond anticipation notes shall set forth for such bonds 5376
an estimated interest rate and a schedule of principal payments 5377
for such bonds and the annual maturity dates thereof, and for 5378
purposes of any limitation on bond service charges prescribed 5379
under section 3318.29 of the Revised Code, the amount of bond 5380
service charges on such bond anticipation notes shall be deemed to 5381
be the bond service charges for the bonds anticipated thereby as 5382

set forth in the bond proceedings applicable to such notes, but 5383
this provision does not modify any authority in this section to 5384
pledge pledged receipts and special funds to, and covenant to 5385
issue bonds to fund, the payment of principal of and interest and 5386
any premium on such notes. 5387

(M) Obligations issued under this section are lawful 5388
investments for banks, societies for savings, savings and loan 5389
associations, deposit guarantee associations, trust companies, 5390
trustees, fiduciaries, insurance companies, including domestic for 5391
life and domestic not for life, trustees or other officers having 5392
charge of sinking and bond retirement or other special funds of 5393
political subdivisions and taxing districts of this state, the 5394
commissioners of the sinking fund of the state, the administrator 5395
of workers' compensation, the state teachers retirement system, 5396
the public employees retirement system, the school employees 5397
retirement system, and the police and firemen's disability and 5398
pension fund, notwithstanding any other provisions of the Revised 5399
Code or rules adopted pursuant thereto by any governmental agency 5400
of the state with respect to investments by them, and also are 5401
acceptable as security for the deposit of public moneys. 5402

(N) Unless otherwise provided in any applicable bond 5403
proceedings, moneys to the credit of or in the special funds 5404
established by or pursuant to this section may be invested by or 5405
on behalf of the issuing authority only in notes, bonds, or other 5406
obligations of the United States, or of any agency or 5407
instrumentality of the United States, obligations guaranteed as to 5408
principal and interest by the United States, obligations of this 5409
state or any political subdivision of this state, and certificates 5410
of deposit of any national bank located in this state and any 5411
bank, as defined in section 1101.01 of the Revised Code, subject 5412
to inspection by the superintendent of financial institutions. If 5413
the law or the instrument creating a trust pursuant to division 5414

(I) of this section expressly permits investment in direct obligations of the United States or an agency of the United States, unless expressly prohibited by the instrument, such moneys also may be invested in no front end load money market mutual funds consisting exclusively of obligations of the United States or an agency of the United States and in repurchase agreements, including those issued by the fiduciary itself, secured by obligations of the United States or an agency of the United States; and in collective investment funds established in accordance with section 1111.14 of the Revised Code and consisting exclusively of any such securities, notwithstanding division (A)(1)(c) of that section. The income from such investments shall be credited to such funds as the issuing authority determines, and such investments may be sold at such times as the issuing authority determines or authorizes.

(O) Provision may be made in the applicable bond proceedings for the establishment of separate accounts in the bond service fund and for the application of such accounts only to the specified bond service charges on obligations pertinent to such accounts and bond service fund and for other accounts therein within the general purposes of such fund. Unless otherwise provided in any applicable bond proceedings, moneys to the credit of or in the several special funds established pursuant to this section shall be disbursed on the order of the treasurer of state, provided that no such order is required for the payment from the bond service fund when due of bond service charges on obligations.

(P) The issuing authority may pledge all, or such portion as the issuing authority determines, of the pledged receipts to the payment of bond service charges on obligations issued under this section, and for the establishment and maintenance of any reserves, as provided in the bond proceedings, and make other provisions therein with respect to pledged receipts as authorized

by this chapter, which provisions shall be controlling 5447
notwithstanding any other provisions of law pertaining thereto. 5448

(Q) The issuing authority may covenant in the bond 5449
proceedings, and any such covenants shall be controlling 5450
notwithstanding any other provision of law, that the state and 5451
applicable officers and governmental agencies of the state, 5452
including the general assembly, so long as any obligations are 5453
outstanding, shall: 5454

(1) Maintain statutory authority for and cause to be operated 5455
the state lottery, including the transfers to and from the lottery 5456
profits education fund created in section 3770.06 of the Revised 5457
Code so that the pledged receipts shall be sufficient in amount to 5458
meet bond service charges, and the establishment and maintenance 5459
of any reserves and other requirements provided for in the bond 5460
proceedings; 5461

(2) Take or permit no action, by statute or otherwise, that 5462
would impair the exclusion from gross income for federal income 5463
tax purposes of the interest on any obligations designated by the 5464
bond proceeding as tax-exempt obligations. 5465

(R) There is hereby created the school building program bond 5466
service fund, which shall be in the custody of the treasurer of 5467
state but shall be separate and apart from and not a part of the 5468
state treasury. All moneys received by or on account of the 5469
issuing authority or state agencies and required by the applicable 5470
bond proceedings, consistent with this section, to be deposited, 5471
transferred, or credited to the school building program bond 5472
service fund, and all other moneys transferred or allocated to or 5473
received for the purposes of the fund, shall be deposited and 5474
credited to such fund and to any separate accounts therein, 5475
subject to applicable provisions of the bond proceedings, but 5476
without necessity for any act of appropriation, except as required 5477

by section 3770.06 of the Revised Code. During the period 5478
beginning with the date of the first issuance of obligations and 5479
continuing during such time as any such obligations are 5480
outstanding, and so long as moneys in the school building program 5481
bond service fund are insufficient to pay all bond service charges 5482
on such obligations becoming due in each year, a sufficient amount 5483
of the moneys from the lottery profits education fund included in 5484
pledged receipts, subject to appropriation for such purpose as 5485
provided in section 3770.06 of the Revised Code, are committed and 5486
shall be paid to the school building program bond service fund in 5487
each year for the purpose of paying the bond service charges 5488
becoming due in that year. The school building program bond 5489
service fund is a trust fund and is hereby pledged to the payment 5490
of bond service charges solely on obligations issued to provide 5491
moneys for the school building program assistance fund to the 5492
extent provided in the applicable bond proceedings, and payment 5493
thereof from such fund shall be made or provided for by the 5494
treasurer of state in accordance with such bond proceedings 5495
without necessity for any act of appropriation except as required 5496
by section 3770.06 of the Revised Code. 5497

~~(S) There is hereby created the school facilities bond 5498
service fund, which shall be in the custody of the treasurer of 5499
state but shall be separate and apart from and not a part of the 5500
state treasury. All moneys received by or on account of the 5501
issuing authority or state agencies and required by the applicable 5502
bond proceedings, consistent with this section, to be deposited, 5503
transferred, or credited to the school facilities bond service 5504
fund, and all other moneys transferred or allocated to or received 5505
for the purposes of the fund, shall be deposited and credited to 5506
such fund and to any separate accounts therein, subject to 5507
applicable provisions of the bond proceedings, but without 5508
necessity for any act of appropriation. During the period 5509~~

~~beginning with the date of the first issuance of obligations and 5510
continuing during such time as any such obligations are 5511
outstanding, and so long as moneys in the school facilities bond 5512
service fund are insufficient to pay all bond service charges on 5513
such obligations becoming due in each year, a sufficient amount of 5514
the moneys from the public school building fund included in 5515
pledged receipts are committed and shall be paid to the bond 5516
service fund in each year for the purpose of paying the bond 5517
service charges becoming due in that year. The school facilities 5518
bond service fund is a trust fund and is hereby pledged to the 5519
payment of bond service charges on obligations issued to provide 5520
moneys for the school districts facilities fund to the extent 5521
provided in the applicable bond proceedings, and payment thereof 5522
from such fund shall be made or provided for by the treasurer of 5523
state in accordance with such bond proceedings without necessity 5524
for any act or appropriation. 5525~~

~~(T) The obligations, the transfer thereof, and the income 5526
therefrom, including any profit made on the sale thereof, at all 5527
times shall be free from taxation within the state. 5528~~

Sec. 3318.29. The maximum maturity of any obligations issued 5529
pursuant to section 3318.26 of the Revised Code to provide moneys 5530
for the school building program assistance fund shall be ten 5531
years. The terms of the obligations shall be such that in any 5532
fiscal year the aggregate amount of moneys from the lottery 5533
profits education fund, and not from other sources, that are 5534
pledged to pay bond service charges on obligations issued to 5535
provide moneys for the school building program assistance fund 5536
shall not exceed ten million dollars. 5537

As used in this section, "other sources" includes the annual 5538
investment income on special funds to the extent the income will 5539
be available for payment of any bond service charges in lieu of 5540

use of moneys from the lottery profits education fund. The annual 5541
investment income shall be estimated on the basis of the expected 5542
funding of those special funds and assumed investment earnings 5543
thereon at a rate equal to the weighted average yield on 5544
investments of those special funds determined as of any date 5545
within sixty days immediately preceding the date of issuance of 5546
the bonds in respect of which the determination is being made. 5547

The determinations required by this section shall be made by 5548
the treasurer of state at the time of issuance of an issue of 5549
obligations and shall be conclusive for purposes of such issuance 5550
of obligations from and after their issuance and delivery. 5551

~~The maximum maturity of obligations issued pursuant to 5552
section 3318.26 of the Revised Code to provide moneys for the 5553
school district facilities fund shall not exceed the maximum 5554
maturity of the loan made from such fund pursuant to section 5555
3318.24 of the Revised Code utilizing the proceeds of such 5556
obligations or ten years, whichever is less. The terms of the 5557
obligations shall be such that in any fiscal year the aggregate 5558
amount of moneys from the public school building fund that are 5559
pledged to pay bond service charges on obligations issued to 5560
provide moneys for the school districts facilities fund shall not 5561
exceed an amount which shall be established by the Ohio school 5562
facilities commission. 5563~~

Sec. 3318.31. (A) The Ohio school facilities commission may 5564
perform any act and ensure the performance of any function 5565
necessary or appropriate to carry out the purposes of, and 5566
exercise the powers granted under, sections 3318.01 to 3318.33 and 5567
section 3318.36 of the Revised Code, including any of the 5568
following: 5569

(1) Employ and fix the compensation of such employees as will 5570
facilitate the activities and purposes of the commission, and who 5571

shall serve at the pleasure of the commission. 5572

(2) Adopt, amend, and rescind, pursuant to section 111.15 of 5573
the Revised Code, rules for the administration of sections 3318.01 5574
to 3318.33 and section 3318.36 of the Revised Code. 5575

(3) Contract with, retain the services of, or designate, and 5576
fix the compensation of, such agents, accountants, consultants, 5577
advisers, and other independent contractors as may be necessary or 5578
desirable to carry out the purposes of sections 3318.01 to 3318.33 5579
and section 3318.36 of the Revised Code. 5580

(4) Receive and accept any gifts, grants, donations, and 5581
pledges, and receipts therefrom, to be used for the purposes of 5582
sections 3318.01 to 3318.33 and section 3318.36 of the Revised 5583
Code. 5584

(5) Make and enter into all contracts, commitments, and 5585
agreements, and execute all instruments, necessary or incidental 5586
to the performance of its duties and the execution of its rights 5587
and powers under sections 3318.01 to 3318.33 and section 3318.36 5588
of the Revised Code. 5589

(B) The attorney general shall serve as the legal 5590
representative for the commission and may appoint other counsel as 5591
necessary for that purpose in accordance with section 109.07 of 5592
the Revised Code. 5593

Sec. 3318.33. (A) There is hereby created in the state 5594
treasury the Ohio School Facilities Commission Fund, which shall 5595
consist of transfers of moneys authorized by the general assembly 5596
and revenues received by the Ohio School Facilities Commission 5597
under section 3318.31 of the Revised Code. Investment earnings on 5598
moneys in the fund shall be credited to the fund. moneys in the 5599
fund may be used by the Commission to pay personnel and other 5600
administrative expenses, to pay the cost of conducting evaluations 5601

of classroom facilities, to pay the cost of preparing building 5602
design specifications, to pay the cost of providing project 5603
management services, and for other purposes determined by the 5604
Commission to be necessary to fulfill its duties under Chapter 5605
3318. of the Revised Code. 5606

(B) The director of Budget and management may transfer to the 5607
Ohio School Facilities Commission Fund the investment earnings on 5608
the Public School Building Fund, created in section 3318.15 of the 5609
Revised Code. The director of Budget and management may transfer 5610
to the Ohio School Facilities Commission Fund the investment 5611
earnings on the school building program assistance fund, created 5612
under section 3318.25 of the Revised Code, in excess of the 5613
amounts needed to meet estimated federal arbitrage rebate 5614
requirements. 5615

Sec. 3318.35. (A) As used in this section: 5616

(1) "Adjusted valuation per pupil" ~~has~~ means the ~~same meaning~~ 5617
~~as in~~ amount calculated for a district by the department of 5618
education under division (A) of section ~~3317.0213~~ 3318.011 of the 5619
Revised Code. 5620

(2) "Ohio school facilities commission" has the same meaning 5621
as in section 3318.01 of the Revised Code. 5622

(B) The Ohio school facilities commission shall establish and 5623
administer the emergency school building repair program. Under the 5624
program, the commission shall distribute moneys appropriated by 5625
the general assembly for such purpose to school districts, 5626
beginning with those districts with ~~an~~ a current, one-year 5627
adjusted valuation per pupil less than the current, one-year 5628
adjusted valuation per pupil of the school district with the two 5629
hundred ninety-third lowest adjusted valuation per pupil in the 5630
state. The commission shall submit to the controlling board for 5631

its approval or disapproval requests for allocations of lump sums 5632
of money from which the commission may disburse funds to school 5633
districts upon determining that the districts qualify for 5634
emergency building repair assistance. Any school district that 5635
receives moneys under this section shall expend them only to 5636
repair the following: 5637

(1) Heating systems; 5638

(2) Floors, roofs, and exterior doors; 5639

(3) Air ducts and other air ventilation devices; 5640

(4) Emergency exit or egress passageway lighting; 5641

(5) Fire alarm systems; 5642

(6) Handicapped access needs; 5643

(7) Sewage systems; 5644

(8) Water supplies; 5645

(9) Asbestos removal; and 5646

(10) Any other repairs to a school building that meet the 5647
requirements of the life safety code, as interpreted by the 5648
commission. 5649

(C) The Ohio school facilities commission shall adopt rules 5650
in accordance with Chapter 119. of the Revised Code necessary to 5651
carry out its duties and responsibilities under this section. 5652

Sec. 3318.36. (A) As used in this section: 5653

(1) "Ohio school facilities commission," "classroom 5654
facilities," "school district," "school district board," "net 5655
bonded indebtedness," "required percentage of the basic project 5656
costs," "basic project cost," "valuation," and "percentile" have 5657
the same meanings as in section 3318.01 of the Revised Code. 5658

(2) "Required level of indebtedness" means five per cent of 5659

the school district's valuation for the year preceding the year in 5660
which the commission and school district enter into an agreement 5661
under division (B) of this section, plus [two one-hundredths of 5662
one per cent multiplied by (the percentile in which the district 5663
ranks in the fiscal year the commission and the school district 5664
enter into such agreement minus one)]. 5665

(B) There is hereby established the School Building 5666
Assistance Expedited Local Partnership program. Under the program, 5667
the Ohio School Facilities Commission may enter into an agreement 5668
with the school district board of any school district ranked in 5669
the twentieth to fortieth percentiles, as determined under section 5670
3318.011 of the Revised Code in the fiscal year that the 5671
commission and school district board enter into such agreement. 5672
Under the agreement, the school district board may proceed with 5673
the new construction or major repairs of a part of the school 5674
district's classroom facilities needs, as determined under 5675
sections 3318.01 to 3318.20 of the Revised Code, through the 5676
expenditure of local resources prior to the school district's 5677
eligibility for state assistance under sections 3318.01 to 3318.20 5678
of the Revised Code and may apply that expenditure toward meeting 5679
the school district's portion of the basic project cost of the 5680
total of the school district's classroom facilities needs, as 5681
determined under sections 3318.01 to 3318.20 of the Revised Code 5682
and as recalculated under division (E) of this section, that are 5683
eligible for state assistance under sections 3318.01 to 3318.20 of 5684
the Revised Code when the school district becomes eligible for 5685
such state assistance. 5686

The commission may enter into an agreement under this section 5687
with no more than five school districts each year. 5688

To participate in the program, a school district board shall 5689
first adopt a resolution certifying to the commission the board's 5690
intent to participate in the program. 5691

The commission shall consider school districts for participation in the program under this section each year in the order in which they adopt the resolutions required under this section and submit them to the commission. 5692
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Any project under this section shall comply with section 3318.03 of the Revised Code and with any specifications for plans and materials for classroom facilities adopted by the commission under section 3318.04 of the Revised Code. 5696
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(C) If the commission and a school district board enter into an agreement authorized under division (B) of this section, the commission shall conduct on-site visits to the school district and shall conduct an assessment of the school district's classroom facilities needs as authorized in section 3318.021 of the Revised Code within six months of the execution of the agreement. Based on the results of the on-site visits and assessment, the commission shall determine the basic project cost of the school district's classroom facilities needs. The commission shall determine the school district's portion of such basic project cost, which shall be the greater of: 5700
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(1) The required percentage of the basic project costs, determined based on the school district's percentile ranking in the fiscal year the commission and the school district enter into the agreement under division (B) of this section; 5711
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(2) An amount necessary to raise the school district's net bonded indebtedness, as of the fiscal year the commission and the school district enter into the agreement under division (B) of this section, to within five thousand dollars of the required level of indebtedness. 5715
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(D)(1) When the commission determines the basic project cost of the classroom facilities needs of a school district and the school district's portion of that basic project cost under 5720
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division (C) of this section, the project shall be conditionally 5723
approved. Such conditional approval shall be submitted to the 5724
controlling board for approval thereof. The controlling board 5725
shall forthwith approve or reject the commission's determination, 5726
conditional approval, and the amount of the state's portion of the 5727
basic project cost; however, no state funds shall be encumbered 5728
under this section. Upon approval by the controlling board, the 5729
school district board may identify a discrete part of its 5730
classroom facilities needs, which shall include only new 5731
construction of or additions or major repairs to a particular 5732
building, to address with local resources. Upon identifying a part 5733
of the school district's basic project cost to address with local 5734
resources, the school district board may allocate any available 5735
school district moneys to pay the cost of that identified part, 5736
including the proceeds of an issuance of bonds if approved by the 5737
electors of the school district. 5738

All local resources utilized under this division shall first 5739
be deposited in the project construction account required under 5740
section 3318.08 of the Revised Code. 5741

(2) For a school district to qualify for participation in the 5742
program authorized under this section, the electors of the school 5743
district by a majority vote shall approve the levy of taxes 5744
outside the ten-mill limitation for a period not to exceed 5745
twenty-three years at the rate of one-half mill for each dollar of 5746
valuation to be used to pay the cost of maintaining the classroom 5747
facilities included in the basic project cost as determined by the 5748
commission. The form of the ballot to be used to submit the 5749
question whether to approve the tax required under this division 5750
to the electors of the school district shall be the form for an 5751
additional levy of taxes prescribed in division (C) of section 5752
3318.06 of the Revised Code. Proceeds of this additional levy of 5753
taxes shall be deposited into a separate fund as specified in 5754

division (B) of section 3318.05 of the Revised Code.

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(E) If the school district becomes eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code based on its percentile ranking as determined under division (B) of this section, the commission shall conduct a new assessment of the school district's classroom facilities needs and shall recalculate the basic project cost based on this new assessment. The basic project cost recalculated under this division shall include the amount of expenditures made by the school district board under division (D)(1) of this section. The commission shall then recalculate the school district's portion of the new basic project cost by utilizing the proportion of the original basic project cost assigned to the school district as its portion under division (C) of this section. The commission shall deduct the expenditure of school district moneys made under division (D)(1) of this section from the school district's portion of the basic project cost as recalculated under this division. If the amount of school district resources applied by the school district board to the school district's portion of the basic project cost under this section is less than the total amount of such portion as recalculated under this division, the School district board by a majority vote of all of its members shall, if it desires to seek state assistance under sections 3318.01 to 3318.20 of the Revised Code, adopt a resolution as specified in section 3318.06 of the Revised Code to submit to the electors of the school district the question of approval of a bond issue in order to pay any additional amount of school district portion required for state assistance. The tax levy approved under division (D)(2) of this section shall satisfy the requirements to levy the one-half mill additional tax under section 3318.06 of the Revised Code.

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If the amount of school district resources applied by the school district board to the school district's portion of the

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basic project cost under this section is more than the total 5787
amount of such portion as recalculated under this division, the 5788
commission may reimburse to the school district the difference 5789
between the two calculated portions, but at no time shall the 5790
commission expend any state funds on a project in an amount 5791
greater than the state's portion of the basic project cost as 5792
recalculated under this division. 5793

Sec. 3319.22. (A) The state board of education shall adopt 5794
rules establishing the standards and requirements for obtaining 5795
temporary, associate, provisional, and professional educator 5796
licenses of any categories, types, and levels the board elects to 5797
provide. However, no educator license shall be required for 5798
teaching children two years old or younger. 5799

(B) Any rules the state board of education adopts, amends, or 5800
rescinds for educator licenses under this section, division (D) of 5801
section 3301.07 of the Revised Code, or any other law shall be 5802
adopted, amended, or rescinded under Chapter 119. of the Revised 5803
Code except as follows: 5804

(1) Notwithstanding division (D) of section 119.03 and 5805
division (A)(1) of section 119.04 of the Revised Code, the 5806
effective date of any rules, or amendment or rescission of any 5807
rules, shall not be as prescribed in division (D) of section 5808
119.03 and division (A)(1) of section 119.04 of the Revised Code. 5809
Instead, the rules or amendment or rescission of the rules shall 5810
take effect only after the rules or amendment or rescission of the 5811
rules are filed with the chairpersons of the committees of the 5812
house of representatives and of the senate that are primarily 5813
responsible for consideration of education legislation and only 5814
after approval by the general assembly through adoption of a 5815
concurrent resolution by a majority of the members of both the 5816
house of representatives and the senate. The effective date of the 5817

rules shall be the later of the date on which the concurrent 5818
resolution is adopted by the second house or the date prescribed 5819
by section 3319.23 of the Revised Code. 5820

(2) Notwithstanding the authority to adopt, amend, or rescind 5821
emergency rules in division (F) of section 119.03 of the Revised 5822
Code, this authority shall not apply to the state board of 5823
education with regard to rules for educator licenses. 5824

(C)(1) The rules adopted under this section establishing 5825
standards requiring additional coursework for the renewal of any 5826
educator license shall require a school district and a chartered 5827
nonpublic school to establish local professional development 5828
committees. In a nonpublic school, the chief administrative 5829
officer shall establish the committees in any manner acceptable to 5830
such officer. The committees established under this division shall 5831
determine whether coursework that a district or chartered 5832
nonpublic school teacher proposes to complete meets the 5833
requirement of the rules. The rules shall establish a procedure by 5834
which a teacher may appeal the decision of a local professional 5835
development committee. 5836

(2) In any school district in which there is no exclusive 5837
representative established under Chapter 4117. of the Revised 5838
Code, the professional development committees shall be established 5839
as described in division (C)(2) of this section. 5840

Not later than the effective date of the rules adopted under 5841
this section, the board of education of each school district shall 5842
establish the structure for one or more local professional 5843
development committees to be operated by such school district. The 5844
committee structure so established by a district board shall 5845
remain in effect unless within thirty days prior to an anniversary 5846
of the date upon which the current committee structure was 5847
established, the board provides notice to all affected district 5848

employees that the committee structure is to be modified. 5849
Professional development committees may have a district_level or 5850
building_level scope of operations, and may be established with 5851
regard to particular grade or age levels for which an educator 5852
license is designated. 5853

Each professional development committee shall consist of at 5854
least three classroom teachers employed by the district, one 5855
principal employed by the district, and one other employee of the 5856
district appointed by the district superintendent. For committees 5857
with a building_level scope, the teacher and principal members 5858
shall be assigned to that building, and the teacher members shall 5859
be elected by majority vote of the classroom teachers assigned to 5860
that building. For committees with a district_level scope, the 5861
teacher members shall be elected by majority vote of the classroom 5862
teachers of the district, and the principal member shall be 5863
elected by a majority vote of the principals of the district, 5864
unless there are two or fewer principals employed by the district, 5865
in which case the one or two principals employed shall serve on 5866
the committee. If a committee has a particular grade or age level 5867
scope, the teacher members shall be licensed to teach such grade 5868
or age levels, and shall be elected by majority vote of the 5869
classroom teachers holding such a license and the principal shall 5870
be elected by all principals serving in buildings where any such 5871
teachers serve. The district superintendent shall appoint a 5872
replacement to fill any vacancy that occurs on a professional 5873
development committee, except in the case of vacancies among the 5874
elected classroom teacher members, which shall be filled by vote 5875
of the remaining members of the committee so selected. 5876

Terms of office on professional development committees shall 5877
be prescribed by the district board establishing the committees. 5878
The conduct of elections for members of professional development 5879
committees shall be prescribed by the district board establishing 5880

the committees. A professional development committee may include 5881
additional members, except that the majority of members on each 5882
such committee shall be classroom teachers employed by the 5883
district. Any member appointed to fill a vacancy occurring prior 5884
to the expiration date of the term for which a predecessor was 5885
appointed shall hold office as a member for the remainder of that 5886
term. 5887

The initial meeting of any professional development 5888
committee, upon election and appointment of all committee members, 5889
shall be called by a member designated by the district 5890
superintendent. At this initial meeting, the committee shall 5891
select a chairperson and such other officers the committee deems 5892
necessary, and shall adopt rules for the conduct of its meetings. 5893
Thereafter, the committee shall meet at the call of the 5894
chairperson or upon the filing of a petition with the district 5895
superintendent signed by a majority of the committee members 5896
calling for the committee to meet. 5897

(3) In the case of a school district in which an exclusive 5898
representative has been established pursuant to Chapter 4117. of 5899
the Revised Code, professional development committees shall be 5900
established in accordance with any collective bargaining agreement 5901
in effect in the district that includes provisions for such 5902
committees. 5903

If the collective bargaining agreement does not specify a 5904
different method for the selection of teacher members of the 5905
committees, the exclusive representative of the district's 5906
teachers shall select the teacher members. 5907

If the collective bargaining agreement does not specify a 5908
different structure for the committees, the board of education of 5909
the school district shall establish the structure, including the 5910
number of committees and the number of teacher and administrative 5911

members on each committee; the specific administrative members to 5912
be part of each committee; whether the scope of the committees 5913
will be district levels, building ~~level~~ levels, or by type of 5914
grade or age levels for which educator licenses are designated; 5915
the lengths of terms for members; the manner of filling vacancies 5916
on the committees; and the frequency and time and place of 5917
meetings. However, in all cases, except as provided in division 5918
(C)(4) of this section, there shall be a majority of teacher 5919
members of any professional development committee, there shall be 5920
at least five total members of any professional development 5921
committee, and the exclusive representative shall designate 5922
replacement members in the case of vacancies among teacher 5923
members, unless the collective bargaining agreement specifies a 5924
different method of selecting such replacements. 5925

(4) Whenever an administrator's coursework plan is being 5926
discussed or voted upon, the local professional development 5927
committee shall, at the request of one of its administrative 5928
members, cause a majority of the committee to consist of 5929
administrative members by reducing the number of teacher members 5930
voting on the plan. 5931

(5) A public institution or agency that provides educational 5932
services and employs or contracts for services of licensed 5933
educators may establish a local professional development 5934
committee. The local professional development committee may 5935
determine whether the coursework those educators propose to 5936
complete meets the requirement of the rules adopted under this 5937
section for renewal of their educator licenses if the committee's 5938
structure and membership is approved by the department of 5939
education. The department shall issue guidelines for the structure 5940
of local professional development committees established by public 5941
institutions or agencies. 5942

Sec. 3319.235. (A) The standards for the preparation of 5943
teachers adopted under section 3319.23 of the Revised Code shall 5944
require any institution that provides a course of study for the 5945
training of teachers to ensure that graduates of such course of 5946
study are skilled at integrating educational technology in the 5947
instruction of children, as evidenced by the graduate having 5948
either demonstrated proficiency in such skills in a manner 5949
prescribed by the department of education or completed a course 5950
that includes training in such skills. 5951

(B) ~~The office of information, learning, and technology~~ Ohio 5952
SchoolNet commission, established ~~in division (B) of~~ pursuant to 5953
section 3301.80 of the Revised Code, shall establish model 5954
professional development programs to assist teachers who completed 5955
their teacher preparation prior to the effective date of division 5956
(A) of this section to become skilled at integrating educational 5957
technology in the instruction of children. ~~The office~~ commission 5958
shall provide technical assistance to school districts wishing to 5959
establish such programs. 5960

Sec. 3324.01. As used in this section and sections 3324.02 5961
through 3324.06 of the Revised Code: 5962

(A) "Approved" means approved by the department of education 5963
and included on the list compiled by the department under section 5964
3324.02 of the Revised Code. 5965

(B) "Gifted" means students who perform or show potential for 5966
performing at remarkably high levels of accomplishment when 5967
compared to others of their age, experience, or environment and 5968
who are identified under division (A), (B), (C), or (D) of section 5969
3324.03 of the Revised Code. 5970

(C) "School district" does not include a joint vocational 5971
school district. 5972

(D) "Specific academic ability field" means one or more of 5973
the following areas of instruction: 5974

(1) Mathematics; 5975

(2) Science; 5976

(3) Reading, writing, or a combination of these skills; 5977

(4) Social studies. 5978

Sec. 3324.02. (A) The department of education shall construct 5979
lists of existing assessment instruments it approves for use by 5980
school districts, and may include on the lists and make available 5981
to school districts additional assessment instruments developed by 5982
the department. Wherever possible, the department shall approve 5983
assessment instruments that utilize nationally recognized 5984
standards for scoring or are nationally normed. The lists of 5985
instruments shall include: 5986

(1) Initial screening instruments for use in selecting 5987
potentially gifted students for further assessment; 5988

(2) Instruments for identifying gifted students under section 5989
3324.03 of the Revised Code. 5990

(B) The department shall also adopt rules for the 5991
administration of any tests or assessment instruments it approves 5992
on the list required by division (A) of this section and for 5993
establishing the scores or performance levels required under 5994
section 3324.03 of the Revised Code. 5995

(C) The department shall ensure that the approved list of 5996
assessment instruments under this section includes instruments 5997
that allow for appropriate screening and identification of gifted 5998
minority and disadvantaged students, children with disabilities, 5999
and students for whom English is a second language. 6000

(D) Districts shall select screening and identification 6001

instruments from the approved lists for inclusion in their 6002
district policies. 6003

(E) The department shall make Initial lists of approved 6004
assessment instruments and the rules for the administration of the 6005
instruments available by September 1, 1999. 6006

Sec. 3324.03. The board of education of each school district 6007
shall identify gifted students in grades kindergarten through 6008
twelve as follows: 6009

(A) A student shall be identified as exhibiting "superior 6010
cognitive ability" if the student did either of the following 6011
within the preceding twenty-four months: 6012

(1) Scored two standard deviations above the mean, minus the 6013
standard error of measurement, on an approved individual 6014
standardized intelligence test administered by a licensed 6015
psychologist; 6016

(2) Accomplished any one of the following: 6017

(a) Scored at least two standard deviations above the mean, 6018
minus the standard error of measurement, on an approved 6019
standardized group intelligence test; 6020

(b) Performed at or above the ninety-fifth percentile on an 6021
approved individual or group standardized basic or composite 6022
battery of a nationally normed achievement test; 6023

(c) Attained an approved score on one or more above-grade 6024
level standardized, nationally normed approved tests. 6025

(B) A student shall be identified as exhibiting "specific 6026
academic ability" superior to that of children of similar age in a 6027
specific academic ability field if within the preceding 6028
twenty-four months the student performs at or above the 6029
ninety-fifth percentile at the national level on an approved 6030
individual or group standardized achievement test of specific 6031

academic ability in that field. A student may be identified as 6032
gifted in more than one specific academic ability field. 6033

(C) A student shall be identified as exhibiting "creative 6034
thinking ability" superior to children of a similar age, if within 6035
the previous twenty-four months, the student scored one standard 6036
deviation above the mean, minus the standard error of measurement, 6037
on an approved individual or group intelligence test and also did 6038
either of the following: 6039

(1) Attained a sufficient score, as established by the 6040
department of education, on an approved individual or group test 6041
of creative ability; 6042

(2) Exhibited sufficient performance, as established by the 6043
department of education, on an approved checklist of creative 6044
behaviors. 6045

(D) A student shall be identified as exhibiting "visual or 6046
performing arts ability" superior to that of children of similar 6047
age if the student has done both of the following: 6048

(1) Demonstrated through a display of work, an audition, or 6049
other performance or exhibition, superior ability in a visual or 6050
performing arts area; 6051

(2) Exhibited sufficient performance, as established by the 6052
department of education, on an approved checklist of behaviors 6053
related to a specific arts area. 6054

Sec. 3324.04. The board of education of each school district 6055
shall adopt a plan by January 1, 2000, for identifying gifted 6056
students. The plan shall be submitted to the department of 6057
education for approval. The department shall approve the plan 6058
within sixty days if it contains all of the following: 6059

(A) A description of the assessment instruments from the list 6060
adopted by the department that the district will use to screen and 6061

identify gifted students; 6062

(B) Acceptable scheduling procedures for screening and for 6063
administering assessment instruments for identifying gifted 6064
students. These procedures shall provide: 6065

(1) At least two opportunities a year for assessment in the 6066
case of students requesting assessment or recommended for 6067
assessment by teachers, parents, or other students; 6068

(2) Assurance of inclusion in screening and assessment 6069
procedures for minority and disadvantaged students, children with 6070
disabilities, and students for whom English is a second language; 6071

(3) Assurance that any student transferring into the district 6072
will be assessed within ninety days of the transfer at the request 6073
of a parent. 6074

(C) Procedures for notification of parents within thirty days 6075
about the results of any screening procedure or assessment 6076
instrument and the provision of an opportunity for parents to 6077
appeal any decision about the results of any screening procedure 6078
or assessment, the scheduling of children for assessment, or the 6079
placement of a student in any program or for receipt of services; 6080

(D) A commitment that the district will accept scores on 6081
assessment instruments provided by other school districts or 6082
trained personnel outside the school district, provided the 6083
assessment instruments are on the list approved by the department 6084
of education under section 3324.02 of the Revised Code. 6085

The district's plan may provide for the district to contract 6086
with any qualified public or private service provider to provide 6087
screening or assessment services under the plan. 6088

The department shall assist any district whose plan it 6089
disapproves under this section to amend the plan so that it meets 6090
the requirements of this section. 6091

Sec. 3324.05. (A) Each school district shall submit an annual report to the department of education specifying the number of students in each of grades kindergarten through twelfth screened, the number assessed, and the number identified as gifted in each category specified in section 3324.03 of the Revised Code. 6092
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(B) The department of education shall audit each school district's identification numbers at least once every three years and may select any district at random or upon complaint or suspicion of noncompliance for a further audit to determine compliance with sections 3324.03 to 3324.06 of the Revised Code. 6097
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(C) The department shall provide technical assistance to any district found in noncompliance under division (B) of this section. The department may reduce funds received by the district under Chapter 3317. Of the Revised Code by any amount if the district continues to be noncompliant. 6102
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Sec. 3324.06. The board of education of each school district shall adopt a statement of its policy for the screening and identification of gifted students and shall distribute the policy statement to parents. The policy statement shall specify: 6107
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(A) The criteria and methods the district uses to screen students and to select students for further assessment who perform or show potential for performing at remarkably high levels of accomplishment in one of the gifted areas specified in section 3324.03 of the Revised Code; 6111
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(B) The sources of assessment data the district uses to select students for further testing and an explanation for parents of the multiple assessment instruments required to identify gifted students under section 3324.03 of the Revised Code; 6116
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(C) An explanation for parents of the methods the district uses to ensure equal access to screening and further assessment by 6120
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all district students, including minority or disadvantaged 6122
students, children with disabilities, and students for whom 6123
English is a second language; 6124

(D) Provisions to ensure equal opportunity for all district 6125
students identified as gifted to receive any services offered by 6126
the district; 6127

(E) Provisions for students to withdraw from gifted programs 6128
or services, for reassessment of students, and for assessment of 6129
students transferring into the district; 6130

(f) Methods for resolving disagreements between parents and 6131
the district concerning identification and placement decisions. 6132

A copy of the district's policy adopted under this section 6133
shall accompany the district's plan submitted to the department of 6134
education under section 3324.04 of the Revised Code. 6135

Sec. 3332.05. (A) The state board of proprietary school 6136
registration shall issue a certificate of registration to an 6137
applicant of good reputation seeking to offer one or more programs 6138
upon receipt of the fee established in accordance with section 6139
3332.07 of the Revised Code and upon determining the applicant has 6140
the facilities, resources, and faculty to provide students with 6141
the kind of instruction that it proposes to offer and meets the 6142
minimum standards of the board. A certificate of registration 6143
shall be granted or denied within one hundred twenty days of the 6144
receipt of the application therefor by the board. A person shall 6145
obtain a separate certificate for each location at which ~~he~~ the 6146
person offers programs. ~~A~~ The first certificate of registration 6147
issued on or after the effective date of this amendment for each 6148
new location is valid for one year, unless earlier revoked for 6149
cause by the board under section 3332.09 of the Revised Code. Any 6150
other certificate of registration is valid for two years, unless 6151
earlier revoked for cause by the board under that section. 6152

(B) The board shall issue program authorization for an 6153
associate degree, certificate, or diploma program to an applicant 6154
holding a certificate of registration issued pursuant to division 6155
(A) of this section upon receipt of the fee established in 6156
accordance with section 3332.07 of the Revised Code and upon 6157
determining the applicant has the facilities, resources, and 6158
faculty to provide students the kind of program it proposes to 6159
offer and meets the minimum standards of the state board. 6160

The state board shall promptly furnish the Ohio board of 6161
regents a copy of all applications for issuance or renewal of 6162
program authorization to offer any associate degree program. Prior 6163
to the issuance or renewal of such program authorization the state 6164
board shall conduct an on-site visit of the school proposing the 6165
program. A representative of the board of regents shall 6166
participate in the visit. Within twenty-one days of the on-site 6167
visit the representative of the board of regents shall provide the 6168
state board with a written statement recommending approval or 6169
disapproval of the application. 6170

Any program authorization issued by the board under this 6171
division is valid only for the specified program at the location 6172
for which it is issued and does not cover any other program 6173
offered at the school or at other schools operated by the owner. 6174
Program authorization is valid for the period of time specified by 6175
the board, unless earlier suspended or revoked for cause by the 6176
board under section 3332.09 of the Revised Code. 6177

(C) The state board shall accept and review all applications 6178
for program authorization for baccalaureate, master's, and 6179
doctoral degree programs only from schools holding certificates of 6180
registration issued by the board that have held such certificates 6181
for the ten previous consecutive years. After review the board 6182
shall refer any application it finds valid to the Ohio board of 6183
regents for approval. The board of regents shall review, and 6184

approve or disapprove, such degree programs and if so approved, 6185
issue certificates of authorization to such schools to offer such 6186
degree programs pursuant to Chapter 1713. of the Revised Code. The 6187
board of regents shall notify the state board of proprietary 6188
school registration of each school registered with the state board 6189
that receives a certificate of authorization and the approval to 6190
offer any degree program. Upon receipt of such notification and 6191
the fee established in accordance with section 3332.07 of the 6192
Revised Code, the state board shall review, and may issue program 6193
authorization to offer, such a degree program. Any program 6194
authorization issued by the board under this division is valid 6195
only for the specified program at the location for which it is 6196
issued and does not cover any other program offered at the school 6197
or at other schools operated by the owner. Program authorization 6198
is valid for the period of time specified by the board, unless 6199
earlier suspended or revoked for cause by the board under section 6200
3332.09 of the Revised Code. The state board shall not issue such 6201
program authorization unless the degree program has been approved 6202
by the board of regents. 6203

(D) The board may cause an investigation to be made into the 6204
correctness of the information submitted in any application 6205
received under this section. If the board believes that false, 6206
misleading, or incomplete information has been submitted to it in 6207
connection with any application, the board shall conduct a hearing 6208
on the matter pursuant to Chapter 119. of the Revised Code, and 6209
may withhold a certificate of registration or program 6210
authorization upon finding that the applicant has failed to meet 6211
the standards for such certificate or program authorization or has 6212
submitted false, misleading, or incomplete information to the 6213
board. Application for a certificate of registration or program 6214
authorization shall be made in writing to the board on forms 6215
furnished by the board. A certificate of registration or program 6216

authorization is not transferable and shall be prominently
displayed on the premises of an institution.

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The board shall assign registration numbers to all schools
registered with it. Schools shall display their registration
numbers on all school publications and on all advertisements
bearing the name of the school.

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Notwithstanding the requirements of this section for issuance
of certificates of registration and program authorization, the
board may, in accordance with rules adopted by it, grant
certificates of registration and program authorization to schools,
colleges, institutes, or universities that have been approved by
the state department of education pursuant to the "Act of March 3,
1966," 80 Stat. 20, 38 U.S.C.A. 1771.

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Sec. 3332.07. (A) Each application for issuance and renewal
of a certificate of registration, for the issuance and renewal of
program authorization, for issuance and renewal of agent's
permits, and for any other service specified by the state board of
proprietary school registration shall be accompanied by the
required fee. Fees submitted under this section are not returnable
even if approval or renewal is denied.

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(B) Fee schedules for the issuance and renewal of
certificates of registration, for the issuance and renewal of
program authorization, for issuance and renewal of agent's
permits, and for any other service specified by the board shall be
established by rule adopted by the state board. The fee for a
one-year certificate of registration shall be one-half the fee for
a two-year certificate.

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(C) If in any fiscal year the amount received in fees under
this section does not equal or exceed fifty per cent of board
expenditures for the fiscal year, the board shall increase fees

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for the ensuing fiscal year by an amount estimated to be 6247
sufficient to produce revenues equal to fifty per cent of 6248
estimated expenditures for that ensuing fiscal year. 6249

Sec. 3333.04. The Ohio board of regents shall: 6250

(A) Make studies of state policy in the field of higher 6251
education and formulate a master plan for higher education for the 6252
state, considering the needs of the people, the needs of the 6253
state, and the role of individual public and private institutions 6254
within the state in fulfilling these needs; 6255

(B)(1) Report annually to the governor and the general 6256
assembly on the findings from its studies and the master plan for 6257
higher education for the state; 6258

(2) Report at least semiannually to the general assembly and 6259
the governor the enrollment numbers at each state-assisted 6260
institution of higher education. 6261

(C) Approve or disapprove the establishment of new branches 6262
or academic centers of state colleges and universities; 6263

(D) Approve or disapprove the establishment of state 6264
technical colleges or any other state institution of higher 6265
education; 6266

(E) Recommend the nature of the programs, undergraduate, 6267
graduate, professional, state-financed research, and public 6268
services which should be offered by the state colleges, 6269
universities, and other state-assisted institutions of higher 6270
education in order to utilize to the best advantage their 6271
facilities and personnel; 6272

(F) Recommend to the state colleges, universities, and other 6273
state-assisted institutions of higher education graduate or 6274
professional programs, including, but not limited to, doctor of 6275
philosophy, doctor of education, and juris doctor programs, that 6276

could be eliminated because they constitute unnecessary 6277
duplication, as shall be determined using the process developed 6278
pursuant to this section, or for other good and sufficient cause. 6279
For purposes of determining the amounts of any state instructional 6280
subsidies paid to these colleges, universities, and institutions, 6281
the board may exclude students enrolled in any program that the 6282
board has recommended for elimination pursuant to this division 6283
except that the board shall not exclude any such student who 6284
enrolled in the program prior to the date on which the board 6285
initially commences to exclude students under this division. The 6286
board of regents and these colleges, universities, and 6287
institutions shall jointly develop a process for determining which 6288
existing graduate or professional programs constitute unnecessary 6289
duplication. 6290

(G) Recommend to the state colleges, universities, and other 6291
state-assisted institutions of higher education programs which 6292
should be added to their present programs; 6293

(H) Conduct studies for the state colleges, universities, and 6294
other state-assisted institutions of higher education to assist 6295
them in making the best and most efficient use of their existing 6296
facilities and personnel; 6297

(I) Make recommendations to the governor and general assembly 6298
concerning the development of state-financed capital plans for 6299
higher education; the establishment of new state colleges, 6300
universities, and other state-assisted institutions of higher 6301
education; and the establishment of new programs at the existing 6302
state colleges, universities, and other institutions of higher 6303
education; 6304

(J) Review the appropriation requests of the public community 6305
colleges and the state colleges and universities and submit to the 6306
office of budget and management and to the chairpersons of the 6307

finance committees of the house of representatives and of the 6308
senate its recommendations in regard to the biennial higher 6309
education appropriation for the state, including appropriations 6310
for the individual state colleges and universities and public 6311
community colleges. For the purpose of determining the amounts of 6312
instructional subsidies to be paid to state-assisted colleges and 6313
universities, the board shall define "full-time equivalent 6314
student" by program per academic year. The definition may take 6315
into account the establishment of minimum enrollment levels in 6316
technical education programs below which support allowances will 6317
not be paid. Except as otherwise provided in this section, the 6318
board shall make no change in the definition of "full-time 6319
equivalent student" in effect on November 15, 1981, which would 6320
increase or decrease the number of subsidy-eligible full-time 6321
equivalent students, without first submitting a fiscal impact 6322
statement to the president of the senate, the speaker of the house 6323
of representatives, the legislative budget office of the 6324
legislative service commission, and the director of budget and 6325
management. The board shall work in close cooperation with the 6326
director of budget and management in this respect and in all other 6327
matters concerning the expenditures of appropriated funds by state 6328
colleges, universities, and other institutions of higher 6329
education. 6330

(K) Seek the cooperation and advice of the officers and 6331
trustees of both public and private colleges, universities, and 6332
other institutions of higher education in the state in performing 6333
its duties and making its plans, studies, and recommendations; 6334

(L) Appoint advisory committees consisting of persons 6335
associated with public or private secondary schools, members of 6336
the state board of education, or personnel of the state department 6337
of education; 6338

(M) Appoint advisory committees consisting of college and 6339

university personnel, or other persons knowledgeable in the field 6340
of higher education, or both, in order to obtain their advice and 6341
assistance in defining and suggesting solutions for the problems 6342
and needs of higher education in this state; 6343

(N) Approve or disapprove all new degrees and new degree 6344
programs at all state colleges, universities, and other 6345
state-assisted institutions of higher education; 6346

(O) Adopt such rules as are necessary to carry out its duties 6347
and responsibilities; 6348

(P) Establish and submit to the governor and the general 6349
assembly a clear and measurable set of goals and timetables for 6350
their achievement for each program under the supervision of the 6351
board that is designed to accomplish any of the following: 6352

(1) Increased access to higher education; 6353

(2) Job training; 6354

(3) Adult literacy; 6355

(4) Research; 6356

(5) Excellence in higher education; 6357

(6) Reduction in the number of graduate programs within the 6358
same subject area. 6359

In July of each odd-numbered year, the board of regents shall 6360
submit to the governor and the general assembly a report on 6361
progress made toward these goals. 6362

(Q) Make recommendations to the governor and the general 6363
assembly regarding the design and funding of the student financial 6364
aid programs specified in sections 3333.12, 3333.21 to 3333.27, 6365
and 5910.02 of the Revised Code; 6366

(R) Participate in education-related state or federal 6367
programs on behalf of the state and assume responsibility for the 6368

administration of such programs in accordance with applicable 6369
state or federal law; 6370

(S) Adopt rules for student financial aid programs as 6371
required by sections 3333.12, 3333.21 to 3333.27, 3333.28, 6372
~~3333.29~~, and 5910.02 of the Revised Code, and perform any other 6373
administrative functions assigned to the board by those sections; 6374

(T) Administer contracts under sections 3702.74 and 3702.75 6375
of the Revised Code in accordance with rules adopted by the 6376
director of health under section 3702.79 of the Revised Code; 6377

(U) Regularly monitor the occupancy rates of state 6378
universities' dormitory systems for the purpose of recognizing 6379
circumstances in which the financial stability of those 6380
institutions is threatened by the unavoidable costs of debt 6381
service and plant maintenance. In conjunction with the development 6382
of biennial appropriation recommendations, the board shall report 6383
to the general assembly and the legislative service commission its 6384
recommendations for financial assistance to state universities 6385
whose dormitory occupancy rates are less than seventy-five per 6386
cent of designed capacity and whose ability to maintain required 6387
debt payments and required plant maintenance may be jeopardized. 6388

(V) Conduct enrollment audits of state-supported institutions 6390
of higher education; 6391

(W) Appoint consortiums of college and university personnel 6392
to participate in the development and operation of statewide 6393
collaborative efforts, including the Ohio Supercomputer Center, 6394
the Ohio Academic resources network, OhioLink, and the Ohio 6395
learning network. For each CONSORTIUM, The board shall designate a 6396
college or university to serve as That consortium's fiscal agent, 6397
financial officer, and employer. Any funds appropriated to the 6398
board for consortiums shall be distributed to the fiscal agents 6399

for the operation of the consortiums. A consortium shall follow 6400
the rules of the college or university that serves as its fiscal 6401
agent. 6402

Sec. 3333.12. (A) As used in this section: 6403

(1) "Eligible student" means an undergraduate student who is: 6404
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(a) An Ohio resident; 6406

(b) Enrolled in either of the following: 6407

(i) An accredited institution of higher education in this 6408
state that meets the requirements of Title VI of the Civil Rights 6409
Act of 1964 and is state-assisted, is nonprofit and has a 6410
certificate of authorization from the Ohio board of regents 6411
pursuant to Chapter 1713. of the Revised Code, or has a 6412
certificate of registration from the state board of proprietary 6413
school registration and program authorization to award an 6414
associate or bachelor's degree. Students who attend an institution 6415
that holds a certificate of registration shall be enrolled in a 6416
program leading to an associate or bachelor's degree for which 6417
associate or bachelor's degree program the institution has program 6418
authorization issued under section 3332.05 of the Revised Code. 6419

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(ii) A technical education program of at least two years 6421
duration sponsored by a private institution of higher education in 6422
this state that meets the requirements of Title VI of the Civil 6423
Rights Act of 1964. 6424

(c) Enrolled as a full-time student or enrolled as a less 6425
than full-time student for the term expected to be the student's 6426
final term of enrollment and is enrolled for the number of credit 6427
hours necessary to complete the requirements of the program in 6428
which the student is enrolled. 6429

(2) "Gross income" includes all taxable and nontaxable income of the parents, the student, and the student's spouse, except income derived from an Ohio academic scholarship ~~and~~ income earned by the student between the last day of the spring term and the first day of the fall term, ~~as published by the institution in which the student is enrolled. In the case of self-employed persons, business expenses as defined by the Ohio board of regents shall be subtracted from taxable and nontaxable income. Where no gross income or inadequate gross income as determined by the board is reported, the board shall establish a formula for determining the means by which the family maintained itself and translate the data into gross income for Ohio instructional grant purposes. Family income may be verified by supplying to the board a copy of the federal government tax return, by authorizing access to the family federal government income tax return, and other income exclusions designated by the board. Gross income may be verified to the board by the institution in which the student is enrolled using the federal financial aid eligibility verification process~~ or by other means satisfactory to the board.

(3) "Resident," "full-time student," "dependent," "financially independent," and "accredited" shall be defined by rules adopted by the board.

~~(4) "Federal law" means the "Higher Education Amendments of 1986," 101 Stat. 1278, 1408, 20 U.S.C.A. 1085, as amended.~~

~~(5) "Default rate" means the cohort default rate determined by the United States secretary of education pursuant to federal law.~~

~~(6) "School year" means the twelve months that begin on the first day of August of a calendar year and end on the thirty first day of July of the following calendar year.~~

(B) The Ohio board of regents shall establish and administer 6461
an instructional grant program and may adopt rules to carry out 6462
this section. The general assembly shall support the instructional 6463
grant program by such sums and in such manner as it may provide, 6464
but the board may also receive funds from other sources to support 6465
the program. If the amounts available for support of the program 6466
are inadequate to provide grants to all eligible students, 6467
preference in the payment of grants shall be given in terms of 6468
income, beginning with the lowest income category of gross income 6469
and proceeding upward by category to the highest gross income 6470
category. 6471

An instructional grant shall be paid to an eligible student 6472
through the institution in which the student is enrolled, except 6473
that no instructional grant shall be paid to any person serving a 6474
term of imprisonment. Applications for such grants shall be made 6475
as prescribed by the board, and such applications may be made in 6476
conjunction with and upon the basis of information provided in 6477
conjunction with student assistance programs funded by agencies of 6478
the United States government or from financial resources of the 6479
institution of higher education. The institution shall certify 6480
that the student applicant meets the requirements set forth in 6481
divisions (A)(1)(b) and (c) of this section. Instructional grants 6482
shall be provided to an eligible student only as long as the 6483
student is making appropriate progress toward a nursing diploma or 6484
an associate or bachelor's degree. ~~The grant shall cover any two 6485~~
~~semesters, three quarters, or the equivalent of one academic year.~~ 6486
No student shall be eligible to receive a grant for more than ten 6487
semesters, fifteen quarters, or the equivalent of five academic 6488
years. A grant made to an eligible student on the basis of less 6489
than full-time enrollment shall be based on the number of credit 6490
hours for which the student is enrolled and shall be computed in 6491
accordance with a formula adopted by the board. No student shall 6492

receive more than one grant on the basis of less than full-time enrollment. 6493
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An instructional grant shall not exceed the total instructional and general charges of the institution. 6495
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(C) ~~For~~ The tables in this division prescribe the maximum grant amounts covering two semesters, three quarters, or a comparable portion of one academic year. Grant amounts for additional terms in the same academic year shall be determined under division (D) of this section. 6497
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For a full-time student who is a dependent and enrolled in a nonprofit educational institution that is not a state-assisted institution and that has a certificate of authorization issued pursuant to Chapter 1713. of the Revised Code, the amount of the instructional grant for two semesters, three quarters, or a comparable portion of the academic year shall be determined in accordance with the following table: 6502
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Table of Grants 6509

Gross Income	Maximum Grant \$4,428 <u>4,872</u>					6511
	Number of Dependents					
	1		5 or more			6512
Under \$11,001	\$4,428	\$4,428	\$4,428	\$4,428	\$4,428	6513
\$11,001—\$12,000	3,984	4,428	4,428	4,428	4,428	6514 6515
\$12,001—\$13,000	3,534	3,984	4,428	4,428	4,428	6516 6517
\$13,001—\$14,000	3,096	3,534	3,984	4,428	4,428	6518 6519
\$14,001—\$15,000	2,658	3,096	3,534	3,984	4,428	6520 6521
\$15,001—\$16,000	2,220	2,658	3,096	3,534	3,984	6522 6523

							6524
\$16,001 — \$17,000	1,770	2,220	2,658	3,096	3,534		6525
							6526
\$17,001 — \$20,000	1,320	1,770	2,220	2,658	3,096		6527
							6528
\$20,001 — \$23,000	1,092	1,320	1,770	2,220	2,658		6529
							6530
\$23,001 — \$26,000	882	1,092	1,320	1,770	2,220		6531
							6532
\$26,001 — \$29,000	804	882	1,092	1,320	1,770		6533
							6534
\$29,001 — \$31,000	720	804	882	1,092	1,320		6535
Over \$31,000	-0-	-0-	-0-	-0-	-0-		6536
<u>Under \$13,001</u>	<u>\$4,872</u>	<u>\$4,872</u>	<u>\$4,872</u>	<u>\$4,872</u>	<u>\$4,872</u>		6537
<u>\$13,001 - \$14,000</u>	<u>4,386</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>		6538
<u>\$14,001 - \$15,000</u>	<u>3,888</u>	<u>4,386</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>		6539
<u>\$15,001 - \$16,000</u>	<u>3,408</u>	<u>3,888</u>	<u>4,386</u>	<u>4,872</u>	<u>4,872</u>		6540
<u>\$16,001 - \$17,000</u>	<u>2,928</u>	<u>3,408</u>	<u>3,888</u>	<u>4,386</u>	<u>4,872</u>		6541
<u>\$17,001 - \$20,000</u>	<u>2,442</u>	<u>2,928</u>	<u>3,408</u>	<u>3,888</u>	<u>4,386</u>		6542
<u>\$20,001 - \$23,000</u>	<u>1,944</u>	<u>2,442</u>	<u>2,928</u>	<u>3,408</u>	<u>3,888</u>		6543
<u>\$23,001 - \$26,000</u>	<u>1,452</u>	<u>1,944</u>	<u>2,442</u>	<u>2,928</u>	<u>3,408</u>		6544
<u>\$26,001 - \$29,000</u>	<u>1,200</u>	<u>1,452</u>	<u>1,944</u>	<u>2,442</u>	<u>2,928</u>		6545
<u>\$29,001 - \$30,000</u>	<u>966</u>	<u>1,200</u>	<u>1,452</u>	<u>1,944</u>	<u>2,442</u>		6546
<u>\$30,001 - \$31,000</u>	<u>882</u>	<u>966</u>	<u>1,200</u>	<u>1,452</u>	<u>1,944</u>		6547
<u>\$31,001 - \$32,000</u>	<u>792</u>	<u>882</u>	<u>966</u>	<u>1,200</u>	<u>1,452</u>		6548
<u>\$32,001 - \$33,000</u>	<u>396</u>	<u>792</u>	<u>882</u>	<u>966</u>	<u>1,200</u>		6549
<u>\$33,001 - \$34,000</u>	<u>-0-</u>	<u>396</u>	<u>792</u>	<u>882</u>	<u>966</u>		6550
<u>\$34,001 - \$35,000</u>	<u>-0-</u>	<u>-0-</u>	<u>396</u>	<u>792</u>	<u>882</u>		6551
<u>\$35,001 - \$36,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>396</u>	<u>792</u>		6552
<u>\$36,001 - \$37,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>396</u>		6553
<u>Over \$37,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>		6554

For a full-time student who is financially independent and 6555
enrolled in a nonprofit educational institution that is not a 6556

state-assisted institution and that has a certificate of 6557
 authorization issued pursuant to Chapter 1713. of the Revised 6558
 Code, the amount of the instructional grant for two semesters, 6559
three quarters, or a comparable portion of the academic year shall 6560
 be determined in accordance with the following table: 6561

Table of Grants 6562

Gross Income	Maximum Grant \$4,428 <u>4,872</u>							6563
	Number of Dependents							
			0		5 or 2		6565 3	4
	more							
Under \$3,601	\$4,428	\$4,428	\$4,428	\$4,428	\$4,428	\$4,428	\$4,428	6566
								6567
\$3,601—\$4,200	3,984	4,428	4,428	4,428	4,428	4,428	4,428	6568
								6569
\$4,201—\$4,700	3,534	3,984	4,428	4,428	4,428	4,428	4,428	6570
								6571
\$4,701—\$5,200	3,096	3,534	3,984	4,428	4,428	4,428	4,428	6572
								6573
\$5,201—\$5,700	2,658	3,096	3,534	3,984	4,428	4,428	4,428	6574
								6575
\$5,701—\$6,200	2,220	2,658	3,096	3,534	3,984	4,428	4,428	6576
								6577
\$6,201—\$7,200	1,770	2,220	2,658	3,096	3,534	3,984	3,984	6578
								6579
\$7,201—\$8,200	1,320	1,770	2,220	2,658	3,096	3,534	3,534	6580
								6581
\$8,201—\$9,200	1,092	1,320	1,770	2,220	2,658	3,096	3,096	6582
								6583
\$9,201—\$10,700	882	1,092	1,320	1,770	2,220	2,658	2,658	6584
								6585
\$10,701—\$12,200	804	882	1,092	1,320	1,770	2,220	2,220	6586
								6587
\$12,201—\$13,700	720	804	882	1,092	1,320	1,770	1,770	6588

									6589
\$13,701 — \$15,200	0	720	804	882	1,092	1,320			6590
									6591
\$15,201 — \$18,200	0	0	720	804	882	1,092			6592
									6593
\$18,201 — \$21,200	0	0	0	720	804	882			6594
									6595
\$21,201 — \$24,200	0	0	0	0	720	804			6596
									6597
\$24,201 — \$28,900	0	0	0	0	0	0	720		6598
Over \$28,900	0	0	0	0	0	0	0		6599
<u>Under \$4,201</u>	<u>\$4,872</u>	<u>\$4,872</u>	<u>\$4,872</u>	<u>\$4,872</u>	<u>\$4,872</u>	<u>\$4,872</u>	<u>\$4,872</u>		6600
<u>\$4,201 - \$4,800</u>	<u>4,386</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>		6601
<u>\$4,801 - \$5,300</u>	<u>3,888</u>	<u>4,386</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>		6602
<u>\$5,301 - \$5,800</u>	<u>3,408</u>	<u>3,888</u>	<u>4,386</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>		6603
<u>\$5,801 - \$6,300</u>	<u>2,928</u>	<u>3,408</u>	<u>3,888</u>	<u>4,386</u>	<u>4,872</u>	<u>4,872</u>	<u>4,872</u>		6604
<u>\$6,301 - \$6,800</u>	<u>2,442</u>	<u>2,928</u>	<u>3,408</u>	<u>3,888</u>	<u>4,386</u>	<u>4,872</u>	<u>4,872</u>		6605
<u>\$6,801 - \$7,800</u>	<u>1,944</u>	<u>2,442</u>	<u>2,928</u>	<u>3,408</u>	<u>3,888</u>	<u>4,386</u>	<u>4,386</u>		6606
<u>\$7,801 - \$8,800</u>	<u>1,452</u>	<u>1,944</u>	<u>2,442</u>	<u>2,928</u>	<u>3,408</u>	<u>3,888</u>	<u>3,888</u>		6607
<u>\$8,801 - \$9,800</u>	<u>1,200</u>	<u>1,452</u>	<u>1,944</u>	<u>2,442</u>	<u>2,928</u>	<u>3,408</u>	<u>3,408</u>		6608
<u>\$9,801 - \$11,300</u>	<u>966</u>	<u>1,200</u>	<u>1,452</u>	<u>1,944</u>	<u>2,442</u>	<u>2,928</u>	<u>2,928</u>		6609
<u>\$11,301 - \$12,800</u>	<u>882</u>	<u>966</u>	<u>1,200</u>	<u>1,452</u>	<u>1,944</u>	<u>2,442</u>	<u>2,442</u>		6610
<u>\$12,801 - \$14,300</u>	<u>792</u>	<u>882</u>	<u>966</u>	<u>1,200</u>	<u>1,452</u>	<u>1,944</u>	<u>1,944</u>		6611
<u>\$14,301 - \$15,800</u>	<u>396</u>	<u>792</u>	<u>882</u>	<u>966</u>	<u>1,200</u>	<u>1,452</u>	<u>1,452</u>		6612
<u>\$15,801 - \$18,800</u>	<u>0</u>	<u>396</u>	<u>792</u>	<u>882</u>	<u>966</u>	<u>1,200</u>	<u>1,200</u>		6613
<u>\$18,801 - \$21,800</u>	<u>0</u>	<u>0</u>	<u>396</u>	<u>792</u>	<u>882</u>	<u>966</u>	<u>966</u>		6614
<u>\$21,801 - \$24,800</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>396</u>	<u>792</u>	<u>882</u>	<u>882</u>		6615
<u>\$24,801 - \$29,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>396</u>	<u>792</u>	<u>792</u>		6616
<u>\$29,501 - \$34,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>396</u>	<u>396</u>		6617
<u>Over \$34,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		6618

For a full-time student who is a dependent and enrolled in an 6619
educational institution that holds a certificate of registration 6620
from the state board of proprietary school registration, the 6621

amount of the instructional grant for two semesters, three
quarters, or a comparable portion of the academic year shall be
determined in accordance with the following table:

Table of Grants							6625
Maximum Grant \$3,750 <u>4,128</u>							6626
Gross Income	Number of Dependents						6627
			1	5 or	more		6628
							6629
Under \$11,001	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	6630
							6631
\$11,001—\$12,000	3,384	3,750	3,750	3,750	3,750	3,750	6632
							6633
\$12,001—\$13,000	2,988	3,384	3,750	3,750	3,750	3,750	6634
							6635
\$13,001—\$14,000	2,616	2,988	3,384	3,750	3,750	3,750	6636
							6637
\$14,001—\$15,000	2,268	2,616	2,988	3,384	3,750	3,750	6638
							6639
\$15,001—\$16,000	1,860	2,268	2,616	2,988	3,384	3,384	6640
							6641
\$16,001—\$17,000	1,506	1,860	2,268	2,616	2,988	2,988	6642
							6643
\$17,001—\$20,000	1,152	1,506	1,860	2,268	2,616	2,616	6644
							6645
\$20,001—\$23,000	924	1,152	1,506	1,860	2,268	2,268	6646
							6647
\$23,001—\$26,000	738	924	1,152	1,506	1,860	1,860	6648
							6649
\$26,001—\$29,000	696	738	924	1,152	1,506	1,506	6650
							6651
\$29,001—\$31,000	612	696	738	924	1,152	1,152	6652
							6653
Over \$31,000	—0—	—0—	—0—	—0—	—0—	—0—	6653

<u>Under \$13,001</u>	<u>\$4,128</u>	<u>\$4,128</u>	<u>\$4,128</u>	<u>\$4,128</u>	<u>\$4,128</u>	6654
<u>\$13,001 - \$14,000</u>	<u>3,726</u>	<u>4,128</u>	<u>4,128</u>	<u>4,128</u>	<u>4,128</u>	6655
<u>\$14,001 - \$15,000</u>	<u>3,288</u>	<u>3,726</u>	<u>4,128</u>	<u>4,128</u>	<u>4,128</u>	6656
<u>\$15,001 - \$16,000</u>	<u>2,874</u>	<u>3,288</u>	<u>3,726</u>	<u>4,128</u>	<u>4,128</u>	6657
<u>\$16,001 - \$17,000</u>	<u>2,490</u>	<u>2,874</u>	<u>3,288</u>	<u>3,726</u>	<u>4,128</u>	6658
<u>\$17,001 - \$20,000</u>	<u>2,046</u>	<u>2,490</u>	<u>2,874</u>	<u>3,288</u>	<u>3,726</u>	6659
<u>\$20,001 - \$23,000</u>	<u>1,656</u>	<u>2,046</u>	<u>2,490</u>	<u>2,874</u>	<u>3,288</u>	6660
<u>\$23,001 - \$26,000</u>	<u>1,266</u>	<u>1,656</u>	<u>2,046</u>	<u>2,490</u>	<u>2,874</u>	6661
<u>\$26,001 - \$29,000</u>	<u>1,014</u>	<u>1,266</u>	<u>1,656</u>	<u>2,046</u>	<u>2,490</u>	6662
<u>\$29,001 - \$30,000</u>	<u>810</u>	<u>1,014</u>	<u>1,266</u>	<u>1,656</u>	<u>2,046</u>	6663
<u>\$30,001 - \$31,000</u>	<u>762</u>	<u>810</u>	<u>1,014</u>	<u>1,266</u>	<u>1,656</u>	6664
<u>\$31,001 - \$32,000</u>	<u>672</u>	<u>762</u>	<u>810</u>	<u>1,014</u>	<u>1,266</u>	6665
<u>\$32,001 - \$33,000</u>	<u>336</u>	<u>672</u>	<u>762</u>	<u>810</u>	<u>1,014</u>	6666
<u>\$33,001 - \$34,000</u>	<u>-0-</u>	<u>336</u>	<u>672</u>	<u>762</u>	<u>810</u>	6667
<u>\$34,001 - \$35,000</u>	<u>-0-</u>	<u>-0-</u>	<u>336</u>	<u>672</u>	<u>762</u>	6668
<u>\$35,001 - \$36,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>336</u>	<u>672</u>	6669
<u>\$36,001 - \$37,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>336</u>	6670
<u>Over \$37,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	6671

For a full-time student who is financially independent and 6672
enrolled in an educational institution that holds a certificate of 6673
registration from the state board of proprietary school 6674
registration, the amount of the instructional grant for two 6675
semesters, three quarters, or a comparable portion of the academic 6676
year shall be determined in accordance with the following table: 6677

Table of Grants 6678

				Maximum Grant \$3,750 <u>4,128</u>	6679	
Gross Income				Number of Dependents	6680	
				0	5 or 2 6681 3	
				more	4	
					6682	
Under \$3,601	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	6683
						6684
\$3,601 - \$4,200	3,384	3,750	3,750	3,750	3,750	6685

<u>\$4,801 - \$5,300</u>	<u>3,288</u>	<u>3,726</u>	<u>4,128</u>	<u>4,128</u>	<u>4,128</u>	<u>4,128</u>	6719
<u>\$5,301 - \$5,800</u>	<u>2,874</u>	<u>3,288</u>	<u>3,726</u>	<u>4,128</u>	<u>4,128</u>	<u>4,128</u>	6720
<u>\$5,801 - \$6,300</u>	<u>2,490</u>	<u>2,874</u>	<u>3,288</u>	<u>3,726</u>	<u>4,128</u>	<u>4,128</u>	6721
<u>\$6,301 - \$6,800</u>	<u>2,046</u>	<u>2,490</u>	<u>2,874</u>	<u>3,288</u>	<u>3,726</u>	<u>4,128</u>	6722
<u>\$6,801 - \$7,800</u>	<u>1,656</u>	<u>2,046</u>	<u>2,490</u>	<u>2,874</u>	<u>3,288</u>	<u>3,726</u>	6723
<u>\$7,801 - \$8,800</u>	<u>1,266</u>	<u>1,656</u>	<u>2,046</u>	<u>2,490</u>	<u>2,874</u>	<u>3,288</u>	6724
<u>\$8,801 - \$9,800</u>	<u>1,014</u>	<u>1,266</u>	<u>1,656</u>	<u>2,046</u>	<u>2,490</u>	<u>2,874</u>	6725
<u>\$9,801 - \$11,300</u>	<u>810</u>	<u>1,014</u>	<u>1,266</u>	<u>1,656</u>	<u>2,046</u>	<u>2,490</u>	6726
<u>\$11,301 - \$12,800</u>	<u>762</u>	<u>810</u>	<u>1,014</u>	<u>1,266</u>	<u>1,656</u>	<u>2,046</u>	6727
<u>\$12,801 - \$14,300</u>	<u>672</u>	<u>762</u>	<u>810</u>	<u>1,014</u>	<u>1,266</u>	<u>1,656</u>	6728
<u>\$14,301 - \$15,800</u>	<u>336</u>	<u>672</u>	<u>762</u>	<u>810</u>	<u>1,014</u>	<u>1,266</u>	6729
<u>\$15,801 - \$18,800</u>	<u>-0-</u>	<u>336</u>	<u>672</u>	<u>762</u>	<u>810</u>	<u>1,014</u>	6730
<u>\$18,801 - \$21,800</u>	<u>-0-</u>	<u>-0-</u>	<u>336</u>	<u>672</u>	<u>762</u>	<u>810</u>	6731
<u>\$21,801 - \$24,800</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>336</u>	<u>672</u>	<u>762</u>	6732
<u>\$24,801 - \$29,500</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>336</u>	<u>672</u>	6733
<u>\$29,501 - \$34,500</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>336</u>	6734
<u>Over \$34,500</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	6735

For a full-time student who is a dependent and enrolled in a state-assisted educational institution, the amount of the instructional grant for two semesters, three quarters, or a comparable portion of the academic year shall be determined in accordance with the following table:

Table of Grants

Gross Income	Maximum Grant \$1,782 <u>1,956</u>					Number of Dependents	
						1	5 or more
Under \$11,001	\$1,782	\$1,782	\$1,782	\$1,782	\$1,782		
\$11,001 - \$12,000	1,602	1,782	1,782	1,782	1,782		
\$12,001 - \$13,000	1,416	1,602	1,782	1,782	1,782		

\$13,001 — \$14,000	1,254	1,416	1,602	1,782	1,782	6751
						6752
\$14,001 — \$15,000	1,074	1,254	1,416	1,602	1,782	6753
						6754
\$15,001 — \$16,000	882	1,074	1,254	1,416	1,602	6755
						6756
\$16,001 — \$17,000	708	882	1,074	1,254	1,416	6757
						6758
\$17,001 — \$20,000	534	708	882	1,074	1,254	6759
						6760
\$20,001 — \$23,000	432	534	708	882	1,074	6761
						6762
\$23,001 — \$26,000	348	432	534	708	882	6763
						6764
\$26,001 — \$29,000	324	348	432	534	708	6765
						6766
\$29,001 — \$31,000	294	324	348	432	534	6767
Over \$31,000	—0—	—0—	—0—	—0—	—0—	6768
<u>Under \$13,001</u>	<u>\$1,956</u>	<u>\$1,956</u>	<u>\$1,956</u>	<u>\$1,956</u>	<u>\$1,956</u>	6769
<u>\$13,001 - \$14,000</u>	<u>1,764</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	6770
<u>\$14,001 - \$15,000</u>	<u>1,554</u>	<u>1,764</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	6771
<u>\$15,001 - \$16,000</u>	<u>1,380</u>	<u>1,554</u>	<u>1,764</u>	<u>1,956</u>	<u>1,956</u>	6772
<u>\$16,001 - \$17,000</u>	<u>1,182</u>	<u>1,380</u>	<u>1,554</u>	<u>1,764</u>	<u>1,956</u>	6773
<u>\$17,001 - \$20,000</u>	<u>966</u>	<u>1,182</u>	<u>1,380</u>	<u>1,554</u>	<u>1,764</u>	6774
<u>\$20,001 - \$23,000</u>	<u>774</u>	<u>966</u>	<u>1,182</u>	<u>1,380</u>	<u>1,554</u>	6775
<u>\$23,001 - \$26,000</u>	<u>582</u>	<u>774</u>	<u>966</u>	<u>1,182</u>	<u>1,380</u>	6776
<u>\$26,001 - \$29,000</u>	<u>468</u>	<u>582</u>	<u>774</u>	<u>966</u>	<u>1,182</u>	6777
<u>\$29,001 - \$30,000</u>	<u>378</u>	<u>468</u>	<u>582</u>	<u>774</u>	<u>966</u>	6778
<u>\$30,001 - \$31,000</u>	<u>348</u>	<u>378</u>	<u>468</u>	<u>582</u>	<u>774</u>	6779
<u>\$31,001 - \$32,000</u>	<u>318</u>	<u>348</u>	<u>378</u>	<u>468</u>	<u>582</u>	6780
<u>\$32,001 - \$33,000</u>	<u>162</u>	<u>318</u>	<u>348</u>	<u>378</u>	<u>468</u>	6781
<u>\$33,001 - \$34,000</u>	<u>—0—</u>	<u>162</u>	<u>318</u>	<u>348</u>	<u>378</u>	6782
<u>\$34,001 - \$35,000</u>	<u>—0—</u>	<u>—0—</u>	<u>162</u>	<u>318</u>	<u>348</u>	6783

									6816
\$10,701 — \$12,200	324	348	432	534	708	882			6817
									6818
\$12,201 — \$13,700	294	324	348	432	534	708			6819
									6820
\$13,701 — \$15,200	0	294	324	348	432	534			6821
									6822
\$15,201 — \$18,200	0	0	294	324	348	432			6823
									6824
\$18,201 — \$21,200	0	0	0	294	324	348			6825
									6826
\$21,201 — \$24,200	0	0	0	0	294	324			6827
									6828
\$24,201 — \$28,900	0	0	0	0	0	294			6829
Over \$28,900	0	0	0	0	0	0			6830
<u>Under \$4,201</u>	<u>\$1,956</u>	<u>\$1,956</u>	<u>\$1,956</u>	<u>\$1,956</u>	<u>\$1,956</u>	<u>\$1,956</u>	<u>\$1,956</u>		6831
<u>4,201 - \$4,800</u>	<u>1,764</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>		6832
<u>\$4,801 - \$5,300</u>	<u>1,554</u>	<u>1,764</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>		6833
<u>\$5,301 - \$5,800</u>	<u>1,380</u>	<u>1,554</u>	<u>1,764</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>		6834
<u>\$5,801 - \$6,300</u>	<u>1,182</u>	<u>1,380</u>	<u>1,554</u>	<u>1,764</u>	<u>1,956</u>	<u>1,956</u>	<u>1,956</u>		6835
<u>\$6,301 - \$6,800</u>	<u>966</u>	<u>1,182</u>	<u>1,380</u>	<u>1,554</u>	<u>1,764</u>	<u>1,956</u>	<u>1,956</u>		6836
<u>\$6,801 - \$7,800</u>	<u>774</u>	<u>966</u>	<u>1,182</u>	<u>1,380</u>	<u>1,554</u>	<u>1,764</u>	<u>1,764</u>		6837
<u>\$7,801 - \$8,800</u>	<u>582</u>	<u>774</u>	<u>966</u>	<u>1,182</u>	<u>1,380</u>	<u>1,554</u>	<u>1,554</u>		6838
<u>\$8,801 - \$9,800</u>	<u>468</u>	<u>582</u>	<u>774</u>	<u>966</u>	<u>1,182</u>	<u>1,380</u>	<u>1,380</u>		6839
<u>\$9,801 - \$11,300</u>	<u>378</u>	<u>468</u>	<u>582</u>	<u>774</u>	<u>966</u>	<u>1,182</u>	<u>1,182</u>		6840
<u>\$11,301 - \$12,800</u>	<u>348</u>	<u>378</u>	<u>468</u>	<u>582</u>	<u>774</u>	<u>966</u>	<u>966</u>		6841
<u>\$12,801 - \$14,300</u>	<u>318</u>	<u>348</u>	<u>378</u>	<u>468</u>	<u>582</u>	<u>774</u>	<u>774</u>		6842
<u>\$14,301 - \$15,800</u>	<u>162</u>	<u>318</u>	<u>348</u>	<u>378</u>	<u>468</u>	<u>582</u>	<u>582</u>		6843
<u>\$15,801 - \$18,800</u>	<u>0</u>	<u>162</u>	<u>318</u>	<u>348</u>	<u>378</u>	<u>468</u>	<u>468</u>		6844
<u>\$18,801 - \$21,800</u>	<u>0</u>	<u>0</u>	<u>162</u>	<u>318</u>	<u>348</u>	<u>378</u>	<u>378</u>		6845
<u>\$21,801 - \$24,800</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>162</u>	<u>318</u>	<u>348</u>	<u>348</u>		6846
<u>\$24,801 - \$29,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>162</u>	<u>318</u>	<u>318</u>		6847
<u>\$29,501 - \$34,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>162</u>	<u>162</u>		6848

Over \$34,500 -0- -0- -0- -0- -0- -0- 6849

(D) For a full-time student enrolled in an eligible 6850
institution for a semester or quarter in addition to the portion 6851
of the academic year covered by a grant determined under division 6852
(C) of this section, the maximum grant amount shall be a 6853
percentage of the maximum prescribed in the applicable table of 6854
that division. The maximum grant for a fourth quarter shall be 6855
one-third of the maximum amount prescribed under that division. 6856
The maximum grant for a third semester shall be one-half of the 6857
maximum amount prescribed under that division. 6858

(E) No grant shall be made to any student in a course of 6859
study in theology, religion, or other field of preparation for a 6860
religious profession unless such course of study leads to an 6861
accredited bachelor of arts, bachelor of science, or associate of 6862
arts degree. 6863

~~(E)~~(F)(1) Except as provided in division ~~(E)~~(F)(2) of this 6864
section, no grant shall be made to any student for enrollment 6865
during a ~~school~~ fiscal year in an institution with a cohort 6866
default rate determined by the United States secretary of 6867
education pursuant to the "Higher Education Amendments of 1986," 6868
100 Stat. 1278, 1408, 20 U.S.C.A. 1085, as amended, as of the 6869
fifteenth day of June preceding ~~such school~~ the fiscal year, equal 6870
to or greater than thirty per cent for each of the preceding two 6871
fiscal years. 6872

(2) Division ~~(E)~~(F)(1) of this section does not apply to the 6873
following: 6874

(a) Any student enrolled in an institution that under the 6875
federal law appeals its loss of eligibility for federal financial 6876
aid and the United States secretary of education determines its 6877
cohort default rate after recalculation is lower than the rate 6878
specified in division ~~(E)~~(F)(1) of this section or the secretary 6879

determines due to mitigating circumstances the institution may 6880
continue to participate in federal financial aid programs. The 6881
board shall adopt rules requiring institutions to provide 6882
information regarding an appeal to the board. 6883

(b) Any student who has previously received a grant under 6884
this section who meets all other requirements of this section. 6885

(3) The board shall adopt rules for the notification of all 6886
institutions whose students will be ineligible to participate in 6887
the grant program pursuant to division ~~(E)~~(F)(1) of this section. 6888

(4) A student's attendance at an institution whose students 6889
lose eligibility for grants under division ~~(E)~~(F)(1) of this 6890
section shall not affect that student's eligibility to receive a 6891
grant when enrolled in another institution. 6892

~~(F)~~(G) Institutions of higher education that enroll students 6893
receiving instructional grants under this section shall report to 6894
the board all students who have received instructional grants but 6895
are no longer eligible for all or part of such grants and shall 6896
refund any moneys due the state within thirty days after the 6897
beginning of the quarter or term immediately following the quarter 6898
or term in which the student was no longer eligible to receive all 6899
or part of the student's grant. There shall be an interest charge 6900
of one per cent per month on all moneys due and payable after such 6901
thirty-day period. The board shall immediately notify the office 6902
of budget and management and the legislative budget office of the 6903
legislative service commission of all refunds so received. 6904

Sec. 3333.27. As used in this section: 6905

(A) "Eligible institution" means a nonprofit Ohio institution 6906
of higher education that holds a certificate of authorization 6907
issued under section 1713.02 of the Revised Code and meets the 6908
requirements of Title VI of the Civil Rights Act of 1964. 6909

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(B) "Resident" and "full-time student" have the meanings
established for purposes of this section by rule of the Ohio board
of regents.

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The board shall establish and administer a student choice
grant program and shall adopt rules for the administration of the
program.

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The board may make a grant to any resident of this state who
is enrolled as a full-time student in a bachelor's degree program
at an eligible institution and maintains an academic record that
meets or exceeds the standard established pursuant to this section
by rule of the board, except that no grant shall be made to any
individual who was enrolled as a student in an institution of
higher education on or before July 1, 1984, or is serving a term
of imprisonment. The grant shall not exceed the lesser of the
total instructional and general charges of the institution in
which the student is enrolled, or an amount equal to one-fourth of
the total of any state instructional subsidy amount distributed by
the board in the second fiscal year of the preceding biennium for
all full-time students enrolled in bachelor's degree programs at
four-year state-assisted institutions of higher education divided
by the sum of the actual number of full-time students enrolled in
bachelor's degree programs at four-year state-assisted
institutions of higher education reported to the board for such
year by the institutions to which the subsidy was distributed.

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The board shall prescribe the form and manner of application
for grants including the manner of certification by eligible
institutions that each applicant from such institution is enrolled
in a bachelor's degree program as a full-time student and has an
academic record that meets or exceeds the standard established by
the board.

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A grant awarded to an eligible student shall be paid to the institution in which the student is enrolled, and the institution shall reduce the student's instructional and general charges by the amount of the grant. Each grant awarded shall be prorated and paid in equal installments at the time of enrollment for each term of the academic year for which the grant is awarded. No student shall be eligible to receive a grant for more than ten semesters, fifteen quarters, or the equivalent of five academic years.

The receipt of an Ohio student choice grant shall not affect a student's eligibility for assistance, or the amount of such assistance, granted under section 3315.33, 3333.12, 3333.22, 3333.26, 5910.03, 5910.032, or 5919.34 of the Revised Code. If a student receives assistance under one or more of such sections, the student choice grant made to the student shall not exceed the difference between the amount of assistance received under such sections and the total instructional and general charges of the institution in which the student is enrolled.

The general assembly shall support the student choice grant program by such sums and in such manner as it may provide, but the board may also receive funds from other sources to support the program.

No grant shall be made to any student enrolled in a course of study leading to a degree in theology, religion, or other field of preparation for a religious profession unless the course of study leads to an accredited bachelor of arts or bachelor of science degree.

Institutions of higher education that enroll students receiving grants under this section shall report to the board the name of each student who has received such a grant but who is no longer eligible for all or part of such grant and shall refund all moneys due to the state within thirty days after the beginning of

the term immediately following the term in which the student was 6972
no longer eligible to receive all or part of the grant. There 6973
shall be an interest charge of one per cent per month on all 6974
moneys due and payable after such thirty-day period. The board 6975
shall immediately notify the office of budget and management and 6976
the legislative budget office of the legislative service 6977
commission of all refunds received. 6978

Sec. 3345.22. (A) A student, faculty or staff member, or 6979
employee of a college or university ~~which~~ that receives any state 6980
funds in support thereof, arrested for any offense covered by 6981
division (D) of section 3345.23 of the Revised Code shall be 6982
afforded a hearing, as provided in this section, to determine 6983
whether ~~he~~ the person shall be immediately suspended from ~~such~~ the 6984
college or university. ~~Such~~ The hearing shall be held within not 6985
more than five days after ~~his~~ the person's arrest, subject to 6986
reasonable continuances for good cause shown, which continuances 6987
shall not exceed a total of ten days. 6988

(B) The arresting authority shall immediately notify the 6989
president of the college or university of the arrest of a student, 6990
faculty or staff member, or employee of ~~such~~ the college or 6991
university for any offense covered by division (D) of section 6992
3345.23 of the Revised Code, ~~and the president shall immediately~~ 6993
~~notify the chancellor of the Ohio board of regents of such arrest.~~ 6994
The hearing to determine whether the person shall be immediately 6995
suspended shall be held in the county where the college or 6996
university is located, before a referee appointed by the ~~board of~~ 6997
~~regents~~ president. ~~Such~~ The referee shall be an attorney admitted 6998
to the practice of law in Ohio, but ~~he~~ the referee shall not be 6999
attorney for, or a faculty or staff member or employee of, any 7000
college or university. Immediate notice of the time and place of 7001
~~such~~ the hearing shall be given or sent to ~~such~~ the person. 7002

(C) The referee may administer oaths, issue subpoenas to 7003
compel the attendance of witnesses and the production of evidence, 7004
and enforce ~~such the~~ subpoenas, as well as preserve the order and 7005
decorum of the proceedings over which ~~he the referee~~ presides, by 7006
means of contempt proceedings in the court of common pleas as 7007
provided by law. 7008

(D) The hearing shall be adversary in nature, and shall be 7009
conducted fairly and impartially, but the formalities of the 7010
criminal process are not required. A person whose suspension is 7011
being considered has the right to be represented by counsel, but 7012
counsel need not be furnished for ~~him the person~~. ~~Such the~~ person 7013
also has the right to cross-examine witnesses against ~~him the~~ 7014
person, to testify, and to present the testimony of witnesses and 7015
other evidence in ~~his the person's~~ behalf. In the absence of a 7016
waiver of the right against compulsory self-incrimination, the 7017
testimony of a person whose suspension is being considered, given 7018
at ~~such the~~ hearing, shall not subsequently be used in any 7019
criminal proceeding against ~~him the person~~. The referee may 7020
require the separation of witnesses, and may bar from the 7021
proceedings any person whose presence is not essential to ~~such the~~ 7022
proceedings, except that members of the news media shall not be 7023
barred from ~~such the~~ proceedings. 7024

(E) Upon hearing, if the referee finds by a preponderance of 7025
the evidence that the person whose suspension is being considered 7026
committed any offense covered by division (D) of section 3345.23 7027
of the Revised Code, ~~he the referee~~ shall order the person 7028
suspended, except that when the good order and discipline of a 7029
college or university will not be prejudiced or compromised 7030
thereby, the referee may permit the person to return to the 7031
college or university on terms of strict disciplinary probation. 7032
Subsequent violation of the terms of the probation automatically 7033
effects a suspension. A person suspended under this section may be 7034

readmitted pursuant to division (A) of section 3345.23 of the Revised Code. A suspension under this section is in effect until the person is acquitted or convicted of the crime for which ~~he~~ the person was arrested. If convicted, ~~he~~ the person is dismissed pursuant to section 3345.23 of the Revised Code.

(F) Upon acquittal, or upon any final judicial determination not resulting in conviction, of the charges for which a person is suspended pursuant to this section, ~~such~~ the suspension automatically terminates, and the person suspended shall be reinstated and the record of the suspension expunged from ~~his~~ the person's college or university record.

(G) An order of a referee pursuant to this section may be appealed on questions of law and fact to the court of common pleas of the county in which the college or university is located, within twenty days after the date of the order. If the court to which ~~such~~ an appeal is taken determines that the good order and discipline of a college or university will not be prejudiced thereby, it may permit the person suspended to return to the college or university on terms of strict disciplinary probation.

(H) A person afforded a hearing pursuant to this section who does not appear at the hearing shall be declared suspended by the hearing officer.

Sec. 3770.01. (A) There is hereby created the state lottery commission consisting of nine members appointed by the governor with the advice and consent of the senate. No more than five members of the commission shall be members of the same political party. Of the additional and new appointments made to the commission pursuant to the amendment of August 1, 1980, three shall be for terms ending August 1, 1981, three shall be for terms ending August 1, 1982, and three shall be for terms ending August 1, 1983. Thereafter, terms of office shall be for three years,

each term ending on the same day of the same month of the year as 7066
did the term which it succeeds. ~~Each~~ 7067

(B) Each member shall hold office from the date of 7068
appointment until the end of the term for which the member was 7069
appointed. ~~The members of the commission shall represent the~~ 7070
~~various geographic regions of the state.~~ Any member appointed to 7071
fill a vacancy occurring prior to the expiration of the term for 7072
which the member's predecessor was appointed shall hold office for 7073
the remainder of ~~such~~ that term. Any member shall continue in 7074
office subsequent to the expiration date of the member's term 7075
until the member's successor takes office, or until a period of 7076
sixty days has elapsed, whichever occurs first. 7077

(C) All members of the commission shall be citizens of the 7078
United States and residents of this state. The members of the 7079
commission shall represent the various geographic regions of the 7080
state. No member of the commission shall have any pecuniary 7081
interest in any contract or license awarded by the commission. One 7082
person appointed as a member of the commission shall represent an 7083
organization that deals with problem gambling and assists 7084
recovering gambling addicts. Each person appointed as a member of 7085
the commission, except the member appointed as a representative of 7086
an organization that deals with problem gambling and assists 7087
recovering gambling addicts, shall have prior experience or 7088
education in business administration, management, sales, 7089
marketing, or advertising. 7090

(D) The commission shall elect annually one of its members to 7091
serve as chairperson for a term of one year. Election as 7092
chairperson shall not extend a member's appointive term. Each 7093
member of the commission shall receive an annual salary of five 7094
thousand dollars, payable in monthly installments. Each member of 7095
the commission also shall ~~also~~ receive the member's actual and 7096

necessary expenses incurred in the discharge of the member's 7097
official duties. 7098

(E) Each member of the commission, before entering upon the 7099
discharge of the member's official duties, shall give a bond, 7100
payable to the treasurer of state, in the sum of ten thousand 7101
dollars with sufficient sureties to be approved by the treasurer 7102
of state, which bond shall be filed with the secretary of state. 7103

(F) The governor may remove any member of the commission for 7104
malfeasance, misfeasance, or nonfeasance in office, giving ~~such~~ 7105
the member a copy of the charges against the member and affording 7106
the member an opportunity to be publicly heard in person or by 7107
counsel in the member's own defense upon not less than ten days' 7108
notice. If ~~such~~ the member is removed, the governor shall file in 7109
the office of the secretary of state a complete statement of all 7110
charges made against the member and the governor's finding ~~thereon~~ 7111
on the charges, together with a complete report of the 7112
proceedings, and the governor's decision ~~thereon~~ on the charges is 7113
final. 7114

(G) The commission shall maintain offices at locations in the 7115
state as it may ~~deem~~ consider necessary for the efficient 7116
performance of its functions. The director shall maintain an 7117
office in Columbus to coordinate the activities of the state 7118
lottery commission with other state departments. 7119

Sec. 3770.06. (A) There is hereby created the state lottery 7120
gross revenue fund, which shall be in the custody of the treasurer 7121
of state but shall not be part of the state treasury. All gross 7122
revenues received from sales of lottery tickets, fines, fees, and 7123
related proceeds shall be deposited into the fund. The treasurer 7124
of state shall invest any portion of the fund not needed for 7125
immediate use in the same manner as, and subject to all provisions 7126
of law with respect to the investment of, state funds. The 7127

treasurer of state shall disburse money from the fund on order of 7128
the director of the state lottery commission or the director's 7129
designee. All revenues of the state lottery gross revenue fund 7130
that are not paid to holders of winning lottery tickets, that are 7131
not required to meet short-term prize liabilities, that are not 7132
paid to lottery sales agents in the form of agent bonuses, 7133
commissions, or reimbursements, and that are not paid to financial 7134
institutions to reimburse such institutions for sales agent 7135
nonsufficient funds shall be transferred to the state lottery 7136
fund, which is hereby created in the state treasury. All 7137
investment earnings of the fund shall be credited to the fund. 7138
Moneys shall be disbursed from the state lottery fund pursuant to 7139
vouchers approved by the director of the state lottery commission. 7140
Total disbursements for monetary prize awards to holders of 7141
winning lottery tickets and purchases of goods and services 7142
awarded as prizes to holders of winning lottery tickets shall be 7143
of an amount equal to at least fifty per cent of the total revenue 7144
accruing from the sale of lottery tickets. 7145

(B) Pursuant to Section 6 of Article XV, Ohio Constitution, 7146
there is hereby established in the state treasury the lottery 7147
profits education fund. Whenever, in the judgment of the director 7148
of budget and management, the amount to the credit of the state 7149
lottery fund is in excess of that needed to meet the maturing 7150
obligations of the commission and as working capital for its 7151
further operations, the director shall transfer the excess to the 7152
lottery profits education fund, provided that the amount to be 7153
transferred into the lottery profits education fund shall equal no 7154
less than thirty per cent of the total revenue accruing from the 7155
sale of lottery tickets. Investment earnings of the lottery 7156
profits education fund shall be credited to the fund. There shall 7157
also be credited to the fund any repayments of moneys loaned from 7158
the educational excellence investment fund. The lottery profits 7159

education fund shall be used solely for the support of elementary, 7160
secondary, vocational, and special education programs as 7161
determined in appropriations made by the general assembly. When 7162
determining the availability of money in the lottery profits 7163
education fund, the director of budget and management may consider 7164
all balances and estimated revenues of the fund. 7165

From the amounts that the director of budget and management 7166
transfers in any fiscal year from the state lottery fund to the 7167
lottery profits education fund, the director shall transfer the 7168
initial ten million dollars of such amounts from the lottery 7169
profits education fund to the school building program bond service 7170
fund created in division (R) of section 3318.26 of the Revised 7171
Code to be pledged for the purpose of paying bond service charges 7172
as defined in division (C) of section 3318.21 of the Revised Code 7173
on one or more issuances of obligations, which obligations are 7174
issued to provide moneys for the school building program 7175
assistance fund created in section 3318.25 of the Revised Code. 7176

(C) There is hereby established in the state treasury the 7177
deferred prizes trust fund. With the approval of the director of 7178
budget and management, an amount sufficient to fund annuity prizes 7179
shall be transferred from the state lottery fund and credited to 7180
the trust fund. The treasurer of state shall credit all earnings 7181
arising from investments purchased under this division to the 7182
fund. Within sixty days after the end of each fiscal year, the 7183
director of budget and management shall certify the amount of 7184
investment earnings necessary to have been credited to the trust 7185
fund during the fiscal year just ending to provide for continued 7186
funding of deferred prizes. Any earnings credited in excess of 7187
this certified amount shall be transferred to the lottery profits 7188
education fund. To provide all or a part of the amounts necessary 7189
to fund deferred prizes awarded by the commission, the treasurer 7190
of state, in consultation with the commission, may invest moneys 7191

contained in the deferred prizes trust fund in accordance with 7192
~~section 135.143 of the Revised Code~~ obligations of the type 7193
permitted for the investment of state funds but whose maturities 7194
are thirty years or less. Investments of the deferred prizes trust 7195
fund are not subject to the provisions of division (A)(10) of 7196
section 135.143 of the Revised Code limiting to five per cent the 7197
amount of the state's total average portfolio that may be invested 7198
in debt interests and limiting to one half of one per cent the 7199
amount that may be invested in debt interests of a single issuer. 7200
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All purchases made under this division shall be effected on a 7202
delivery versus payment method and shall be in the custody of the 7203
treasurer of state. 7204

The treasurer of state may retain an investment advisor, if 7205
necessary. The commission shall pay any costs incurred by the 7206
treasurer of state in retaining an investment advisor. 7207

(D) The auditor of state shall conduct annual audits of all 7208
funds and such other audits as the auditor of state or the general 7209
assembly considers necessary. The auditor of state may examine all 7210
records, files, and other documents of the commission, and such 7211
records of lottery sales agents as pertain to their activities as 7212
agents, for purposes of conducting authorized audits. 7213

The state lottery commission shall establish an internal 7215
audit program before the beginning of each fiscal year, subject to 7216
the approval of the auditor of state. At the end of each fiscal 7217
year, the commission shall prepare and submit an annual report to 7218
the auditor of state for the auditor of state's review and 7219
approval, specifying the internal audit work completed by the end 7220
of that fiscal year and reporting on compliance with the annual 7221
internal audit program. The form and content of the report shall 7222
be prescribed by the auditor of state under division (C) of 7223

section 117.20 of the Revised Code. 7224

Sec. 4117.101. Notwithstanding sections 4117.08 and 4117.10 7225
of the Revised Code, no agreement entered into under this chapter 7226
may contain any provision that in any way limits the effect or 7227
operation of Chapter 3314. of the Revised Code or limits the 7228
authority of a school district board of education, or the 7229
governing board of an educational service center described in 7230
division (C)(1)(e) of section 3314.02 of the Revised Code, to 7231
enter into a contract with a community school under that chapter. 7232
However, nothing in this section shall be construed to prohibit an 7233
agreement entered into under this chapter from containing 7234
requirements and procedures governing the reassignment of teachers 7235
who are employed in a school at the time it is converted to a 7236
community school pursuant to Chapter 3314. of the Revised Code and 7237
who do not choose or are not chosen to teach in that community 7238
school. 7239

Sec. 5705.29. The tax budget shall present the following 7240
information in such detail as is prescribed by the auditor of 7241
state, unless an alternative form of the budget is permitted under 7242
section 5705.281 of the Revised Code: 7243

(A)(1) A statement of the necessary current operating 7244
expenses for the ensuing fiscal year for each department and 7245
division of the subdivision, classified as to personal services 7246
and other expenses, and the fund from which such expenditures are 7247
to be made. Except in the case of a school district, this estimate 7248
may include a contingent expense not designated for any particular 7249
purpose, and not to exceed three per cent of the total amount of 7250
appropriations for current expenses. In the case of a school 7251
district, this estimate may include a contingent expense not 7252
designated for any particular purpose and not to exceed thirteen 7253

per cent of the total amount of appropriations for current expenses.	7254 7255
(2) A statement of the expenditures for the ensuing fiscal year necessary for permanent improvements, exclusive of any expense to be paid from bond issues, classified as to the improvements contemplated by the subdivision and the fund from which such expenditures are to be made;	7256 7257 7258 7259 7260
(3) The amounts required for the payment of final judgments;	7261
(4) A statement of expenditures for the ensuing fiscal year necessary for any purpose for which a special levy is authorized, and the fund from which such expenditures are to be made;	7262 7263 7264
(5) Comparative statements, so far as possible, in parallel columns of corresponding items of expenditures for the current fiscal year and the two preceding fiscal years.	7265 7266 7267
(B)(1) An estimate of receipts from other sources than the general property tax during the ensuing fiscal year, which shall include an estimate of unencumbered balances at the end of the current fiscal year, and the funds to which such estimated receipts are credited;	7268 7269 7270 7271 7272
(2) The amount each fund requires from the general property tax, which shall be the difference between the contemplated expenditure from the fund and the estimated receipts, as provided in this section. The section of the Revised Code under which the tax is authorized shall be set forth.	7273 7274 7275 7276 7277
(3) Comparative statements, so far as possible, in parallel columns of taxes and other revenues for the current fiscal year and the two preceding fiscal years.	7278 7279 7280
(C)(1) The amount required for debt charges;	7281
(2) The estimated receipts from sources other than the tax levy for payment of such debt charges, including the proceeds of	7282 7283

refunding bonds to be issued to refund bonds maturing in the next 7284
succeeding fiscal year; 7285

(3) The net amount for which a tax levy shall be made, 7286
classified as to bonds authorized and issued prior to January 1, 7287
1922, and those authorized and issued subsequent to such date, and 7288
as to what portion of the levy will be within and what in excess 7289
of the ten-mill limitation. 7290

(D) An estimate of amounts from taxes authorized to be levied 7291
in excess of the ten-mill limitation on the tax rate, and the fund 7292
to which such amounts will be credited, together with the sections 7293
of the Revised Code under which each such tax is exempted from all 7294
limitations on the tax rate. 7295

(E)(1) A board of education may include in its budget for the 7296
fiscal year in which a levy proposed under section 5705.194, 7297
5705.21, or 5705.213, or the original levy under section 5705.212 7298
of the Revised Code is first extended on the tax list and 7299
duplicate an estimate of expenditures to be known as a voluntary 7300
contingency reserve balance, which shall not be greater than 7301
twenty-five per cent of the total amount of the levy estimated to 7302
be available for appropriation in such year. 7303

(2) A board of education may include in its budget for the 7304
fiscal year following the year in which a levy proposed under 7305
section 5705.194, 5705.21, or 5705.213, or the original levy under 7306
section 5705.212 of the Revised Code is first extended on the tax 7307
list and duplicate an estimate of expenditures to be known as a 7308
voluntary contingency reserve balance, which shall not be greater 7309
than twenty per cent of the amount of the levy estimated to be 7310
available for appropriation in such year. 7311

(3) Except as provided in division (E)(4) of this section, 7312
the full amount of any reserve balance the board includes in its 7313
budget shall be retained by the county auditor and county 7314

treasurer out of the first semiannual settlement of taxes until 7315
the beginning of the next succeeding fiscal year, and thereupon, 7316
with the depository interest apportioned thereto, it shall be 7317
turned over to the board of education, to be used for the purposes 7318
of such fiscal year. 7319

(4) A board of education, by a two-thirds vote of all members 7320
of the board, may appropriate any amount withheld as a voluntary 7321
contingency reserve balance during the fiscal year for any lawful 7322
purpose, provided that prior to such appropriation the board of 7323
education has authorized the expenditure of all amounts 7324
appropriated for contingencies under section 5705.40 of the 7325
Revised Code. Upon request by the board of education, the county 7326
auditor shall draw a warrant on the district's account in the 7327
county treasury payable to the district in the amount requested. 7328

(F)(1) A board of education may include a spending reserve in 7329
its budget for fiscal years ending on or before June 30, 2002. The 7330
spending reserve shall consist of an estimate of expenditures not 7331
to exceed the district's spending reserve balance. A district's 7332
spending reserve balance is the amount by which the designated 7333
percentage of the district's estimated personal property taxes to 7334
be settled during the calendar year in which the fiscal year ends 7335
exceeds the estimated amount of personal property taxes to be so 7336
settled and received by the district during that fiscal year. 7337
Moneys from a spending reserve shall be appropriated in accordance 7338
with section 133.301 of the Revised Code. 7339

(2) For the purposes of computing a school district's 7340
spending reserve balance for a fiscal year, the designated 7341
percentage shall be as follows: 7342

Fiscal year ending in:	Designated percentage	
1998	50%	7344
1999	40%	7345
2000	30%	7346

2001	20%	7347
2002	10%	7348

(G) Except as otherwise provided in this division, the county budget commission shall not reduce the taxing authority of a subdivision as a result of the creation of a reserve balance account. Except as otherwise provided in this division, the county budget commission shall not consider the amount in a reserve balance account of a township, county, or municipal corporation as an unencumbered balance or as revenue for the purposes of division (E)(3) or (4) of section 5747.51 or division (E)(3) or (4) of section 5747.62 of the Revised Code. The county budget commission may require documentation of the reasonableness of the reserve balance held in any reserve balance account. The commission shall consider any amount in a reserve balance account that it determines to be unreasonable as unencumbered and as revenue for the purposes of sections 5747.51 and 5747.62 of the Revised Code and may take such amounts into consideration when determining whether to reduce the taxing authority of a subdivision.

(H)(1) Each board of education shall include in its tax budget and shall establish a reserve balance account to accumulate currently available resources to stabilize the school district's budget against cyclical changes in revenues and expenditures. The balance in the reserve balance account shall not at any time be less than five per cent of general fund revenues for the most recently concluded fiscal year, except as provided in division (H)(2) or (3) of this section, and except for deficiencies arising from the appropriation of money from the account for unanticipated deficiencies in revenue or other emergencies pursuant to a resolution adopted by two-thirds of the membership of the board of education specifying the reason for the appropriation. The auditor of state and the superintendent of public instruction jointly

shall adopt rules governing conditions that constitute 7379
unanticipated deficiencies in revenue or emergencies for which 7380
appropriations may be made from a reserve balance account. The 7381
rules also shall provide that a board of education that borrows 7382
against its spending reserve established in its tax budget for a 7383
fiscal year under division (F) of this section is not subject to 7384
division (H)(2) of this section for that fiscal year. A board of 7385
education shall not appropriate money from a reserve balance 7386
account without filing a schedule for replenishing the account 7387
with the superintendent of public instruction and receiving 7388
approval of the schedule from the superintendent of public 7389
instruction. 7390

(2)(a) Beginning with the fiscal year ending in 1999 and 7391
continuing each fiscal year until the balance in the reserve 7392
balance account equals five per cent of the district's revenues 7393
received for current expenses for the preceding fiscal year, if 7394
the growth in a district's total revenues received for current 7395
expenses from one fiscal year to the next is at least three per 7396
cent ~~or more~~, the board of education shall credit to its reserve 7397
balance account, from the general fund or from other sources that 7398
may lawfully be credited to the general fund, an amount ~~not less~~ 7399
~~than one per cent of the revenue received for current expenses for~~ 7400
~~the fiscal year, at which time the balance in the reserve balance~~ 7401
~~account shall be maintained that, when added to the account~~ 7402
balance, is not less than: 7403

(i) One per cent of revenues received for current expenses 7404
for the prior fiscal year; plus 7405

(ii) The sum of the amounts credited under this section for 7406
all fiscal years that amounts were required to be credited under 7407
this section. 7408

Each board shall maintain the balance in the district's 7409

reserve balance account at not less than five per cent of the 7410
district's revenues received for current expenses for the 7411
preceding fiscal year, except as otherwise ~~required~~ authorized 7412
under division (H)~~(1)~~ of this section. 7413

(b) Notwithstanding division (H)(2)(a) of this section, in no 7414
year shall a board be required to credit to its reserve balance 7415
account more than one per cent of revenues received for current 7416
expenses for the prior fiscal year. 7417

(3) The balance in the reserve balance account of a school 7418
district may be less than five per cent of the general fund 7419
revenue for the most recently concluded fiscal year in any fiscal 7420
year in which the school district is in a state of fiscal watch or 7421
fiscal emergency pursuant to section 3316.03 of the Revised Code. 7422

(4) Notwithstanding any provision to the contrary in Chapter 7423
4117. of the Revised Code, the requirements of division (H) of 7424
this section prevail over any conflicting provisions of agreements 7425
between employee organizations and public employers entered into 7426
after November 21, 1997. 7427

(5) Notwithstanding division (H)(2) of this section, a school 7428
district may, pursuant to rules adopted by the auditor of state, 7429
credit less than one per cent of its prior year's revenue received 7430
for current expenses into its reserve balance account. 7431

(6) A school district board may apply to the state 7432
superintendent of public instruction for a one-time waiver of the 7433
deposit requirements of division (H)(2) of this section when it 7434
determines that meeting the requirements in the current or next 7435
fiscal year would cause the district to reduce or eliminate 7436
important educational services. The district shall apply in the 7437
form and manner required by the state superintendent, and the 7438
application may request a waiver of all or part of the deposit 7439

required for the current or next fiscal year. The state 7440
superintendent may grant a waiver if the state superintendent and 7441
the Auditor of State determine that meeting the requirement in the 7442
current or next fiscal year would cause the school district to 7443
reduce or eliminate important educational services. A waiver may 7444
entirely exempt the district from making any deposit into its 7445
reserve balance account during the current or next fiscal year or, 7446
regardless of whether the district board applied for a waiver of 7447
the entire deposit, may simply reduce the amount of the deposit 7448
otherwise required during the current or next fiscal year by 7449
division (H)(2) of this section. A waiver is valid for one fiscal 7450
year: either the fiscal year in which the district board applied 7451
for it or the immediately following fiscal year. A district board 7452
may receive only one waiver under division (H)(6) of this section. 7453
Sec. 5705.412. Notwithstanding section 5705.41 of the Revised 7454
Code, no school district shall adopt any appropriation measure, 7455
make any contract, give any order involving the expenditure of 7456
money, or increase during any school year any wage or salary 7457
schedule unless there is attached thereto a certificate signed by 7458
the treasurer and president of the board of education and the 7459
superintendent that the school district has in effect for the 7460
remainder of the fiscal year and the succeeding fiscal year the 7461
authorization to levy taxes including the renewal or replacement 7462
of existing levies which, when combined with the estimated revenue 7463
from all other sources available to the district at the time of 7464
certification, are sufficient to provide the operating revenues 7465
necessary to enable the district to maintain all personnel, 7466
programs, and services essential to the provision of an adequate 7467
educational program for all the days set forth in its adopted 7468
school calendars for the current fiscal year and for a number of 7469
days in the succeeding fiscal year equal to the number of days 7470
instruction was held or is scheduled for the current fiscal year. 7471

However, a certificate attached to an appropriation measure under 7472
this section shall cover only the fiscal year in which the 7473
appropriation measure is effective and shall not consider the 7474
renewal or replacement of an existing levy as the authority to 7475
levy taxes that are subject to appropriation in the current fiscal 7476
year unless the renewal or replacement levy has been approved by 7477
the electors and is subject to appropriation in the current fiscal 7478
year. In addition, a certificate attached, in accordance with this 7479
section, to any contract shall cover the term of the contract or 7480
the current fiscal year plus the two immediately succeeding fiscal 7481
years, whichever period of years is greater. If the board of 7482
education has not adopted a school calendar for the school year 7483
beginning on the first day of the fiscal year in which a 7484
certificate is required, the certificate attached to an 7485
appropriation measure shall include the number of days on which 7486
instruction was held in the preceding fiscal year and other 7487
certificates required under this section shall include that number 7488
of days for the fiscal year in which the certificate is required 7489
and the succeeding fiscal year. Every contract made, order given, 7490
or schedule adopted or put into effect without such a certificate 7491
shall be void, and no payment of any amount due thereon shall be 7492
made. The department of education and the auditor of state jointly 7493
shall develop rules governing the methods by which treasurers, 7494
presidents of boards of education, and superintendents shall 7495
estimate revenue and determine whether such revenue is sufficient 7496
to provide necessary operating revenue for the purpose of making 7497
certifications required by this section. 7498

The auditor of state shall be responsible for determining 7499
whether school districts are in compliance with this section. At 7500
the time a school district is audited pursuant to section 117.11 7501
of the Revised Code, the auditor of state shall review each 7502
certificate issued under this section since the district's last 7503

audit, and the appropriation measure, contract, order, or wage and salary schedule to which such certificate was attached. This provision shall not preclude any court from making a determination regarding compliance with this section. If noncompliance is determined, the provisions of section 117.28 of the Revised Code shall have effect.

~~The treasurer shall forward a copy of each certificate of available resources required under this section to the auditor of any county in which a part of the district is located. The county auditor shall not distribute property taxes or any payment under Chapter 3317. of the Revised Code to a school district that has not forwarded copies of all such certificates. If a county auditor determines that a copy of a certificate has not been forwarded as required, or has reason to believe that a certificate for which a copy has been forwarded contains false statements or that a certificate has not been signed and attached to an appropriation measure, contract, order, or wage and salary schedule as required by this section, the auditor shall provide immediate written notification to the superintendent of public instruction. In the case of a certificate which the auditor has reason to believe contains false information or the failure to sign and attach a certificate as required, the auditor shall also provide immediate written notification to the auditor of state and the county prosecuting attorney, city director of law, or other chief law officer of the district.~~

This section does not apply to any contract, order, or increase in any wage or salary schedule that is necessary in order to enable a board of education to comply with division (B) of section 3317.13 of the Revised Code, provided the contract, order, or increase does not exceed the amount required to be paid to be in compliance with such division.

Any officer, employee, or other person who knowingly expends

or authorizes the expenditure of any public funds or knowingly
authorizes or executes any contract, order, or schedule contrary
to this section, knowingly expends or authorizes the expenditure
of any public funds on the void contract, order, or schedule, or
knowingly issues a certificate under this section which contains
any false statements is liable to the school district for the full
amount paid from the district's funds on the contract, order, or
schedule. The officer, employee, or other person is jointly and
severally liable in person and upon any official bond that the
officer, employee, or other person has given to the school
district to the extent of any payments on the void claim, not to
exceed twenty thousand dollars. However, no officer, employee, or
other person shall be liable for a mistaken estimate of available
resources made in good faith and based upon reasonable grounds. If
an officer, employee, or other person is found to have complied
with rules adopted by the department of education under this
section governing methods by which revenue shall be estimated and
determined sufficient to provide necessary operating revenue for
the purpose of making certifications required by this section, the
officer, employee, or other person shall not be liable under this
section if the estimates and determinations made according to
those rules do not, in fact, conform with actual revenue. The
prosecuting attorney of the county, the city director of law, or
other chief law officer of the district shall enforce this
liability by civil action brought in any court of appropriate
jurisdiction in the name of and on behalf of the school district.
If the prosecuting attorney, city director of law, or other chief
law officer of the district fails, upon the written request of any
taxpayer, to institute action for the enforcement of the
liability, the taxpayer may institute the action in the taxpayer's
own name in behalf of the subdivision.

This section does not require the attachment of an additional 7567

certificate beyond that required by section 5705.41 of the Revised
Code for any purchase order, for current payrolls of, or contracts
of employment with, regular employees or officers.

This section does not require the attachment of a certificate
to a temporary appropriation measure if all of the following
apply:

(A) The amount appropriated does not exceed twenty-five per
cent of the total amount from all sources available for
expenditure from any fund during the preceding fiscal year;

(B) The measure will not be in effect on or after the
thirtieth day following the earliest date on which the district
may pass an annual appropriation measure;

(C) An amended official certificate of estimated resources
for the current year, if required, has not been certified to the
board of education under division (B) of section 5705.36 of the
Revised Code.

Sec. 5747.01. Except as otherwise expressly provided or
clearly appearing from the context, any term used in this chapter
has the same meaning as when used in a comparable context in the
Internal Revenue Code, and all other statutes of the United States
relating to federal income taxes.

As used in this chapter:

(A) "Adjusted gross income" or "Ohio adjusted gross income"
means adjusted gross income as defined and used in the Internal
Revenue Code, adjusted as provided in ~~divisions (A)(1) to (17) of~~
this section:

(1) Add interest or dividends on obligations or securities of
any state or of any political subdivision or authority of any
state, other than this state and its subdivisions and authorities.

(2) Add interest or dividends on obligations of any authority, commission, instrumentality, territory, or possession of the United States that are exempt from federal income taxes but not from state income taxes.

(3) Deduct interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission, or instrumentality of the United States to the extent included in federal adjusted gross income but exempt from state income taxes under the laws of the United States.

(4) Deduct disability and survivor's benefits to the extent included in federal adjusted gross income.

(5) Deduct benefits under Title II of the Social Security Act and tier 1 railroad retirement benefits to the extent included in federal adjusted gross income under section 86 of the Internal Revenue Code.

(6) Add, in the case of a taxpayer who is a beneficiary of a trust that makes an accumulation distribution as defined in section 665 of the Internal Revenue Code, the portion, if any, of such distribution that does not exceed the undistributed net income of the trust for the three taxable years preceding the taxable year in which the distribution is made. "Undistributed net income of a trust" means the taxable income of the trust increased by (a)(i) the additions to adjusted gross income required under division (A) of this section and (ii) the personal exemptions allowed to the trust pursuant to section 642(b) of the Internal Revenue Code, and decreased by (b)(i) the deductions to adjusted gross income required under division (A) of this section, (ii) the amount of federal income taxes attributable to such income, and (iii) the amount of taxable income that has been included in the adjusted gross income of a beneficiary by reason of a prior accumulation distribution. Any undistributed net income included

in the adjusted gross income of a beneficiary shall reduce the 7628
undistributed net income of the trust commencing with the earliest 7629
years of the accumulation period. 7630

(7) Deduct the amount of wages and salaries, if any, not 7631
otherwise allowable as a deduction but that would have been 7632
allowable as a deduction in computing federal adjusted gross 7633
income for the taxable year, had the targeted jobs credit allowed 7634
and determined under sections 38, 51, and 52 of the Internal 7635
Revenue Code not been in effect. 7636

(8) Deduct any interest or interest equivalent on public 7637
obligations and purchase obligations to the extent included in 7638
federal adjusted gross income. 7639

(9) Add any loss or deduct any gain resulting from the sale, 7640
exchange, or other disposition of public obligations to the extent 7641
included in federal adjusted gross income. 7642

(10) Regarding tuition credits purchased under Chapter 3334. 7643
of the Revised Code: 7644

(a) Deduct the following: 7645

(i) For credits that as of the end of the taxable year have 7646
not been refunded pursuant to the termination of a tuition payment 7647
contract under section 3334.10 of the Revised Code, the amount of 7648
income related to the credits, to the extent included in federal 7649
adjusted gross income; 7650

(ii) For credits that during the taxable year have been 7651
refunded pursuant to the termination of a tuition payment contract 7652
under section 3334.10 of the Revised Code, the excess of the total 7653
purchase price of the tuition credits refunded over the amount of 7654
refund, to the extent the amount of the excess was not deducted in 7655
determining federal adjusted gross income; 7656

(b) Add the following: 7657

(i) For credits that as of the end of the taxable year have not been refunded pursuant to the termination of a tuition payment contract under section 3334.10 of the Revised Code, the amount of loss related to the credits, to the extent the amount of the loss was deducted in determining federal adjusted gross income;

(ii) For credits that during the taxable year have been refunded pursuant to the termination of a tuition payment contract under section 3334.10 of the Revised Code, the excess of the amount of refund over the purchase price of each tuition credit refunded, to the extent not included in federal adjusted gross income.

(11) Deduct, in the case of a self-employed individual as defined in section 401(c)(1) of the Internal Revenue Code and to the extent not otherwise allowable as a deduction in computing federal adjusted gross income for the taxable year, the amount paid during the taxable year for insurance that constitutes medical care for the taxpayer, the taxpayer's spouse, and dependents. No deduction under division (A)(11) of this section shall be allowed to any taxpayer who is eligible to participate in any subsidized health plan maintained by any employer of the taxpayer or of the spouse of the taxpayer. No deduction under division (A)(11) of this section shall be allowed to the extent that the sum of such deduction and any related deduction allowable in computing federal adjusted gross income for the taxable year exceeds the taxpayer's earned income, within the meaning of section 401(c) of the Internal Revenue Code, derived by the taxpayer from the trade or business with respect to which the plan providing the medical coverage is established.

(12) Deduct any amount included in federal adjusted gross income solely because the amount represents a reimbursement or refund of expenses that in a previous year the taxpayer had deducted as an itemized deduction pursuant to section 63 of the

Internal Revenue Code and applicable United States department of 7690
the treasury regulations. 7691

(13) Deduct any portion of the deduction described in section 7692
1341(a)(2) of the Internal Revenue Code, for repaying previously 7693
reported income received under a claim of right, that meets both 7694
of the following requirements: 7695

(a) It is allowable for repayment of an item that was 7696
included in the taxpayer's adjusted gross income for a prior 7697
taxable year and did not qualify for a credit under division (A) 7698
or (B) of section 5747.05 of the Revised Code for that year; 7699

(b) It does not otherwise reduce the taxpayer's adjusted 7700
gross income for the current or any other taxable year. 7701

(14) Deduct an amount equal to the deposits made to, and net 7702
investment earnings of, a medical savings account during the 7703
taxable year, in accordance with section 3924.66 of the Revised 7704
Code. The deduction allowed by division (A)(14) of this section 7705
does not apply to medical savings account deposits and earnings 7706
otherwise deducted or excluded for the current or any other 7707
taxable year from the taxpayer's federal adjusted gross income. 7708

(15)(a) Add an amount equal to the funds withdrawn from a 7709
medical savings account during the taxable year, and the net 7710
investment earnings on those funds, when the funds withdrawn were 7711
used for any purpose other than to reimburse an account holder 7712
for, or to pay, eligible medical expenses, in accordance with 7713
section 3924.66 of the Revised Code; 7714

(b) Add the amounts distributed from a medical savings 7715
account under division (A)(2) of section 3924.68 of the Revised 7716
Code during the taxable year. 7717

(16) Add any amount claimed as a credit under section 7718
5747.059 of the Revised Code to the extent that such amount 7719

satisfies either of the following:

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(a) The amount was deducted or excluded from the computation of the taxpayer's federal adjusted gross income as required to be reported for the taxpayer's taxable year under the Internal Revenue Code;

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(b) The amount resulted in a reduction of the taxpayer's federal adjusted gross income as required to be reported for any of the taxpayer's taxable years under the Internal Revenue Code.

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(17) Deduct the amount contributed by the taxpayer to an individual development account program established by a county department of human services pursuant to sections 329.11 to 329.14 of the Revised Code for the purpose of matching funds deposited by program participants. On request of the tax commissioner, the taxpayer shall provide any information that, in the tax commissioner's opinion, is necessary to establish the amount deducted under division (A)(17) of this section.

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(18) Beginning in taxable year 2001, if the taxpayer is married and files a joint return and the combined federal adjusted gross income of the taxpayer and the taxpayer's spouse for the taxable year does not exceed one hundred thousand dollars, or if the taxpayer is single and has a federal adjusted gross income for the taxable year not exceeding fifty thousand dollars, deduct amounts paid during the taxable year for qualified tuition and fees paid to an eligible institution for the taxpayer, the taxpayer's spouse, or any dependent of the taxpayer, who is a resident of this state and is enrolled in or attending a program that culminates in a degree or diploma at an eligible institution. The deduction may be claimed only to the extent that qualified tuition and fees are not otherwise deducted or excluded for any taxable year from federal or Ohio adjusted gross income. The deduction may not be claimed for educational expenses for which

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the taxpayer claims a credit under section 5747.27 of the Revised Code. 7751
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(19) Add any reimbursement received during the taxable year of any amount the taxpayer deducted under division (A)(18) of this section in any previous taxable year to the extent the amount is not otherwise included in Ohio adjusted gross income. 7753
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(B) "Business income" means income arising from transactions, activities, and sources in the regular course of a trade or business and includes income from tangible and intangible property if the acquisition, rental, management, and disposition of the property constitute integral parts of the regular course of a trade or business operation. 7757
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(C) "Nonbusiness income" means all income other than business income and may include, but is not limited to, compensation, rents and royalties from real or tangible personal property, capital gains, interest, dividends and distributions, patent or copyright royalties, or lottery winnings, prizes, and awards. 7763
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(D) "Compensation" means any form of remuneration paid to an employee for personal services. 7769
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(E) "Fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any other person acting in any fiduciary capacity for any individual, trust, or estate. 7771
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(F) "Fiscal year" means an accounting period of twelve months ending on the last day of any month other than December. 7774
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(G) "Individual" means any natural person. 7776

(H) "Internal Revenue Code" means the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 1, as amended. 7777
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(I) "Resident" means: 7779

(1) An individual who is domiciled in this state, subject to 7780

section 5747.24 of the Revised Code; 7781

(2) The estate of a decedent who at the time of death was 7782
domiciled in this state. The domicile tests of section 5747.24 of 7783
the Revised Code and any election under section 5747.25 of the 7784
Revised Code are not controlling for purposes of division (I)(2) 7785
of this section. 7786

(J) "Nonresident" means an individual or estate that is not a 7787
resident. An individual who is a resident for only part of a 7788
taxable year is a nonresident for the remainder of that taxable 7789
year. 7790

(K) "Pass-through entity" has the same meaning as in section 7791
5733.04 of the Revised Code. 7792

(L) "Return" means the notifications and reports required to 7793
be filed pursuant to this chapter for the purpose of reporting the 7794
tax due and includes declarations of estimated tax when so 7795
required. 7796

(M) "Taxable year" means the calendar year or the taxpayer's 7797
fiscal year ending during the calendar year, or fractional part 7798
thereof, upon which the adjusted gross income is calculated 7799
pursuant to this chapter. 7800

(N) "Taxpayer" means any person subject to the tax imposed by 7801
section 5747.02 of the Revised Code or any pass-through entity 7802
that makes the election under division (D) of section 5747.08 of 7803
the Revised Code. 7804

(O) "Dependents" means dependents as defined in the Internal 7805
Revenue Code and as claimed in the taxpayer's federal income tax 7806
return for the taxable year or which the taxpayer would have been 7807
permitted to claim had the taxpayer filed a federal income tax 7808
return. 7809

(P) "Principal county of employment" means, in the case of a 7810

nonresident, the county within the state in which a taxpayer 7811
performs services for an employer or, if those services are 7812
performed in more than one county, the county in which the major 7813
portion of the services are performed. 7814

(Q) As used in sections 5747.50 to 5747.55 of the Revised 7815
Code: 7816

(1) "Subdivision" means any county, municipal corporation, 7817
park district, or township. 7818

(2) "Essential local government purposes" includes all 7819
functions that any subdivision is required by general law to 7820
exercise, including like functions that are exercised under a 7821
charter adopted pursuant to the Ohio Constitution. 7822

(R) "Overpayment" means any amount already paid that exceeds 7823
the figure determined to be the correct amount of the tax. 7824

(S) "Taxable income" applies to estates only and means 7825
taxable income as defined and used in the Internal Revenue Code 7826
adjusted as follows: 7827

(1) Add interest or dividends on obligations or securities of 7828
any state or of any political subdivision or authority of any 7829
state, other than this state and its subdivisions and authorities; 7830

(2) Add interest or dividends on obligations of any 7831
authority, commission, instrumentality, territory, or possession 7832
of the United States that are exempt from federal income taxes but 7833
not from state income taxes; 7834

(3) Add the amount of personal exemption allowed to the 7835
estate pursuant to section 642(b) of the Internal Revenue Code; 7836

(4) Deduct interest or dividends on obligations of the United 7837
States and its territories and possessions or of any authority, 7838
commission, or instrumentality of the United States that are 7839
exempt from state taxes under the laws of the United States; 7840

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(5) Deduct the amount of wages and salaries, if any, not 7842
otherwise allowable as a deduction but that would have been 7843
allowable as a deduction in computing federal taxable income for 7844
the taxable year, had the targeted jobs credit allowed under 7845
sections 38, 51, and 52 of the Internal Revenue Code not been in 7846
effect; 7847

(6) Deduct any interest or interest equivalent on public 7848
obligations and purchase obligations to the extent included in 7849
federal taxable income; 7850

(7) Add any loss or deduct any gain resulting from sale, 7851
exchange, or other disposition of public obligations to the extent 7852
included in federal taxable income; 7853

(8) Except in the case of the final return of an estate, add 7854
any amount deducted by the taxpayer on both its Ohio estate tax 7855
return pursuant to section 5731.14 of the Revised Code, and on its 7856
federal income tax return in determining either federal adjusted 7857
gross income or federal taxable income; 7858

(9) Deduct any amount included in federal taxable income 7859
solely because the amount represents a reimbursement or refund of 7860
expenses that in a previous year the decedent had deducted as an 7861
itemized deduction pursuant to section 63 of the Internal Revenue 7862
Code and applicable treasury regulations; 7863

(10) Deduct any portion of the deduction described in section 7864
1341(a)(2) of the Internal Revenue Code, for repaying previously 7865
reported income received under a claim of right, that meets both 7866
of the following requirements: 7867

(a) It is allowable for repayment of an item that was 7868
included in the taxpayer's taxable income or the decedent's 7869
adjusted gross income for a prior taxable year and did not qualify 7870
for a credit under division (A) or (B) of section 5747.05 of the 7871

Revised Code for that year.	7872
(b) It does not otherwise reduce the taxpayer's taxable income or the decedent's adjusted gross income for the current or any other taxable year.	7873 7874 7875
(11) Add any amount claimed as a credit under section 5747.059 of the Revised Code to the extent that the amount satisfies either of the following:	7876 7877 7878
(a) The amount was deducted or excluded from the computation of the taxpayer's federal taxable income as required to be reported for the taxpayer's taxable year under the Internal Revenue Code;	7879 7880 7881 7882
(b) The amount resulted in a reduction in the taxpayer's federal taxable income as required to be reported for any of the taxpayer's taxable years under the Internal Revenue Code.	7883 7884 7885
(T) "School district income" and "school district income tax" have the same meanings as in section 5748.01 of the Revised Code.	7886 7887 7888
(U) As used in divisions (A)(8), (A)(9), (S)(6), and (S)(7) of this section, "public obligations," "purchase obligations," and "interest or interest equivalent" have the same meanings as in section 5709.76 of the Revised Code.	7889 7890 7891 7892
(V) "Limited liability company" means any limited liability company formed under Chapter 1705. of the Revised Code or under the laws of any other state.	7893 7894 7895
(W) "Pass-through entity investor" means any person who, during any portion of a taxable year of a pass-through entity, is a partner, member, shareholder, or investor in that pass-through entity.	7896 7897 7898 7899
(X) "Banking day" has the same meaning as in section 1304.01 of the Revised Code.	7900 7901

- (Y) "Month" means a calendar month. 7902
- (Z) "Quarter" means the first three months, the second three 7903
months, the third three months, or the last three months of the 7904
taxpayer's taxable year. 7905
- (AA)(1) "Eligible institution" means a state university or 7906
state institution of higher education as defined in section 7907
3345.011 of the Revised Code, or a private, nonprofit college, 7908
university, or other post-secondary institution located in this 7909
state that possesses a certificate of authorization issued by the 7910
Ohio board of regents pursuant to Chapter 1713. of the Revised 7911
Code or a certificate of registration issued by the state board of 7912
proprietary school registration under Chapter 3332. of the Revised 7913
Code. 7914
- (2) "Qualified tuition and fees" means tuition and fees 7915
imposed by an eligible institution as a condition of enrollment or 7916
attendance, not exceeding two thousand five hundred dollars in 7917
each of the individual's first two years of post-secondary 7918
education. If the individual is a part-time student, "qualified 7919
tuition and fees" includes tuition and fees paid for the academic 7920
equivalent of the first two years of post-secondary education 7921
during a maximum of five taxable years, not exceeding a total of 7922
five thousand dollars. "Qualified tuition and fees" does not 7923
include: 7924
- (a) Expenses for any course or activity involving sports, 7925
games, or hobbies unless the course or activity is part of the 7926
individual's degree or diploma program; 7927
- (b) The cost of books, room and board, student activity fees, 7928
athletic fees, insurance expenses, or other expenses unrelated to 7929
the individual's academic course of instruction; 7930
- (c) Tuition, fees, or other expenses paid or reimbursed 7931
through an employer, scholarship, grant in aid, or other 7932

educational benefit program. 7933

(BB) Any term used in this chapter that is not otherwise 7934
defined in this section and that is not used in a comparable 7935
context in the Internal Revenue Code and other statutes of the 7936
United States relating to federal income taxes has the same 7937
meaning as in section 5733.40 of the Revised Code. 7938

Sec. 5910.032. (A) A war orphans scholarship, as provided 7939
under sections 5910.01 to 5910.06 of the Revised Code, shall be 7940
granted to the child of any person who, in the course of honorable 7941
service in the armed services of the United States, was declared 7942
by the United States department of defense to be a prisoner of war 7943
or missing in action as a result of the United States' 7944
participation in armed conflict on or after January 1, 1960, ~~and~~ 7945
~~who~~ if either of the following apply: 7946

(1) The parent, at the time of entry into the armed services 7947
of the United States, or at the time the ~~person~~ parent was 7948
declared to be a prisoner of war or missing in action, was a 7949
resident of Ohio; 7950

(2) If the parent did not enter the armed services as a 7951
resident of Ohio and was not a resident of Ohio when declared a 7952
prisoner of war or missing in action, the child has resided in 7953
Ohio for the year immediately preceding the year in which the 7954
application for the scholarship is made and any four of the last 7955
ten years. Such 7956

The scholarships shall be in addition to the total number of 7957
scholarships provided under section 5910.05 of the Revised Code. 7958
Notwithstanding section 5910.03 of the Revised Code, scholarships 7959
provided under this section shall be made to any such child who, 7960
at the time of application, has attained the sixteenth, but not 7961
the twenty-first, birthday. The termination of a child's parent or 7962
guardian's status as a prisoner of war or being missing in action 7963

does not affect such child's eligibility for the benefit provided 7964
by this section. 7965

(B) Scholarships provided under this section shall consist of 7966
either of the following: 7967

(1) A scholarship of the type described in division (A) of 7968
section 5910.04 of the Revised Code together with reasonable and 7969
necessary expenses for room, board, books, and laboratory fees. 7970
The additional amount for such expenses shall be paid from moneys 7971
appropriated by the general assembly for such purpose. 7972

(2) A scholarship of the type described in division (B) of 7973
section 5910.04 of the Revised Code together with an additional 7974
grant equal to the average value of the reasonable and necessary 7975
expenses granted under division (B)(1) of this section during the 7976
preceding year for room, board, books, and laboratory fees. The 7977
additional grant shall be paid from moneys appropriated by the 7978
general assembly for such purpose, and shall be paid to the child 7979
through the institution in which the child is enrolled. In no case 7980
shall the additional grant exceed the amount actually expended by 7981
the child for room, board, books, and laboratory fees. 7982

Sec. 5919.34. (A) As used in this section: 7983

(1) "Academic term" means any one of the following: 7984

(a) Fall term, which consists of fall semester or fall 7985
quarter, as appropriate; 7986

(b) Winter term, which consists of winter semester, winter 7987
quarter, or spring semester, as appropriate; 7988

(c) Spring term, which consists of spring quarter; 7989

(d) Summer term, which consists of summer semester or summer 7990
quarter, as appropriate. 7991

(2) "Eligible applicant" means any individual to whom all of 7992

the following apply: 7993

(a) The individual does not possess a baccalaureate degree~~+~~. 7994

(b) The individual has enlisted, re-enlisted, or extended 7995
current enlistment in the Ohio national guard~~+~~. 7996

(c) The individual is actively enrolled as a full-time or 7997
part-time student for at least six credit hours of course work in 7998
a semester or quarter in a two-year or four-year degree-granting 7999
program at an institution of higher education or in a 8000
diploma-granting program at an institution of higher education 8001
that is a school of nursing~~+~~. 8002

(d) The individual has not accumulated ninety-six eligibility 8003
units under division (E) of this section. 8004

~~(2)~~(3) "Institution of higher education" means an Ohio 8005
institution of higher education that is state-assisted, that is 8006
nonprofit and has received a certificate of authorization from the 8007
Ohio board of regents pursuant to Chapter 1713. of the Revised 8008
Code, or that holds a certificate of registration and program 8009
authorization issued by the state board of proprietary school 8010
registration pursuant to section 3332.05 of the Revised Code. 8011

~~(3)~~(4) "State university" has the same meaning as in section 8012
3345.011 of the Revised Code. 8013

(B) There is hereby created an instructional grant program to 8014
be known as the Ohio national guard tuition grant program. The For 8015
the fiscal year 2000, the number of participants in the program 8016
for the fall term is limited to two thousand five hundred; the 8017
number of participants in the program for the winter term is 8018
limited to two thousand five hundred; the number of participants 8019
in the program for the spring term is limited to one thousand six 8020
hundred seventy-five; and the number of participants in the 8021
program for the summer term is limited to six hundred. for the 8022
fiscal year 2001 and succeeding fiscal years, the number of 8023

participants in the program for the fall term is limited to three 8024
thousand five hundred; the number of PARTICIPANTS in the program 8025
for the winter term is limited to three thousand five hundred; the 8026
number of participants in the program for the spring term is 8027
limited to two thousand three hundred forty-five; and the number 8028
of participants in the program for the summer term is limited to 8029
four thousand per academic term eight hundred. no member of the 8030
national guard may receive an instructional grant under the Ohio 8031
national guard tuition grant program unless the member applies for 8032
and accepts all available grants, SCHOLARSHIPS, and other 8033
financial aid other than benefits available under "The Montgomery 8034
G.I. Bill Act of 1984," Pub. L. No. 98-525, 98 Stat. 2553 (1984). 8035
the adjutant general shall reduce any instructional grants a 8036
member receives by the amount of other grants, scholarships, and 8037
financial aid, other than benefits received under "the Montgomery 8038
G.I. Bill Act of 1984," Pub. L. No. 98-525, 98 Stat. 2553 (1984), 8039
the member receives. 8040

(C) If the adjutant general estimates that appropriations for 8041
all instructional grants applied for under this section and likely 8042
to be used during a an academic term are inadequate for all 8043
eligible applicants for that academic term to receive grants, the 8044
adjutant general shall promptly inform all applicants not 8045
receiving grants for that academic term of the next academic term 8046
that appropriations will be adequate for the grants. Any such 8047
eligible applicant may again apply for grants beginning that 8048
academic term if the applicant is in compliance with all 8049
requirements established by this section and the adjutant general 8050
for the program. The adjutant general shall process all 8051
applications for instructional grants for each academic term in 8052
the order in which they are received. The grants shall be made 8053
without regard to financial need. At no time shall one person be 8054
placed in priority over another because of sex, race, or religion. 8055

(D) For each academic term that an eligible applicant is 8056
approved for an instructional grant under this section and remains 8057
a current member in good standing of the Ohio national guard, the 8058
institution of higher education in which the applicant is enrolled 8059
shall, if the applicant's enlistment obligation extends beyond the 8060
end of that academic term, be paid on the applicant's behalf the 8061
applicable one of the following amounts: 8062

(1) If the institution is state-assisted, an amount equal to 8063
~~sixty~~ one hundred per cent of the institution's tuition charges; 8064

(2) If the institution is a nonprofit private institution, an 8065
amount equal to ~~sixty~~ one hundred per cent of the average tuition 8066
charges of all state universities; 8067

(3) If the institution is an institution that holds a 8068
certificate of registration from the state board of proprietary 8069
school registration, the lesser of the following: 8070

(a) An amount equal to ~~sixty~~ one hundred per cent of the 8071
total instructional and general charges of the institution; 8072

(b) An amount equal to ~~sixty~~ one hundred per cent of the 8073
average tuition charges of all state universities. 8074

(E) A grant recipient under this section shall be entitled to 8075
receive instructional grants under this section for the number of 8076
quarters or semesters it takes the recipient to accumulate 8077
ninety-six eligibility units as determined under divisions (E)(1) 8078
to (3) of this section. 8079

(1) To determine the maximum number of semesters or quarters 8080
for which a recipient is entitled to grants under this section, 8081
the adjutant general shall convert a recipient's credit hours of 8082
enrollment for each academic term into eligibility units in 8083
accordance with the following table: 8084

Number equal to The or The following number of eligibility units if a 8085

of following quarter
credit number
hours of
of eligibility
enrollment units
in a if a
an semester
academic

term

12 or more hours	12 8 units	8086
	units	
9 but less than 12	9 6 units	8087
	units	
6 but less than 9	6 4 units	8088
	units	

(2) A grant recipient under this section may continue to 8089
apply for grants under this section until the recipient has 8090
accumulated ninety-six eligibility units. 8091

(3) If a grant recipient withdraws from courses prior to the 8092
end of a an academic term so that the recipient's enrollment for 8093
that academic term is less than six credit hours, no grant shall 8094
be paid on behalf of that person for that academic term except 8095
that, if a grant has already been paid on behalf of the person for 8096
that academic term, the adjutant general shall add to that 8097
person's accumulated eligibility units the number of eligibility 8098
units for which the grant was paid. 8099

(F) A grant recipient under this section who fails to 8100
complete the term of enlistment, re-enlistment, or extension of 8101
current enlistment the recipient was serving at the time an 8102
instructional grant was paid on behalf of the recipient under this 8103
section is liable to the state for repayment of a percentage of 8104
all instructional grants paid on behalf of the recipient under 8105

this section, plus interest at the rate of ten per cent per annum 8106
calculated from the dates the grants were paid. This percentage 8107
shall equal the percentage of the current term of enlistment, 8108
re-enlistment, or extension of enlistment a recipient has not 8109
completed as of the date the recipient is discharged from the Ohio 8110
national guard. 8111

The attorney general may commence a civil action on behalf of 8112
the adjutant general to recover the amount of the grants and the 8113
interest provided for in this division and the expenses incurred 8114
in prosecuting the action, including court costs and reasonable 8115
attorney's fees. A grant recipient is not liable under this 8116
division if the recipient's failure to complete the term of 8117
enlistment being served at the time an instructional grant was 8118
paid on behalf of the recipient under this section is due to the 8119
recipient's death; discharge from the national guard due to 8120
disability; or the recipient's enlistment, for a term not less 8121
than the recipient's remaining term in the national guard, in the 8122
active component of the United States armed forces or the active 8123
reserve ~~forces~~ component of the United States armed forces. 8124

(G) On or before the first day of each academic term, the 8125
adjutant general shall provide an eligibility roster to each 8126
institution of higher education at which one or more instructional 8127
grant recipients have applied for enrollment. The institution 8128
shall use the roster to certify the actual full-time or part-time 8129
enrollment of each instructional grant recipient listed as 8130
enrolled at the institution and return the roster to the adjutant 8131
general within thirty days after the first day of the academic 8132
term. The adjutant general shall report to the Ohio board of 8133
regents the number of students in the grant program at each 8134
institution of higher education, and the adjutant general and the 8135
Ohio board of regents shall provide for payment of the appropriate 8136
number and amount of instructional grants to each institution of 8137

higher education pursuant to division (D) of this section. Within 8138
thirty days after the adjutant general receives all the rosters, 8139
~~he~~ the adjutant general shall report to the director of budget and 8140
management, the speaker of the house of representatives, and the 8141
president of the senate the number of students in the tuition 8142
grant program and a projection of the cost of the program for the 8143
remainder of the biennium. 8144

Section 2. That existing sections 9.90, 125.05, 3301.80, 8145
3301.801, 3302.01, 3302.02, 3302.07, 3311.213, 3313.603, 3313.608, 8146
3314.02, 3314.03, 3314.05, 3314.06, 3314.08, 3314.09, 3314.11, 8147
3314.12, 3314.13, 3315.17, 3316.05, 3316.06, 3317.01, 3317.02, 8148
3317.022, 3317.023, 3317.024, 3317.029, 3317.0212, 3317.0213, 8149
3317.0216, 3317.03, 3317.033, 3317.05, 3317.051, 3317.06, 8150
3317.162, 3317.51, 3318.01, 3318.011, 3318.05, 3318.06, 3318.08, 8151
3318.081, 3318.082, 3318.13, 3318.14, 3318.15, 3318.16, 3318.17, 8152
3318.18, 3318.21, 3318.25, 3318.26, 3318.29, 3318.31, 3318.35, 8153
3319.22, 3319.235, 3332.05, 3332.07, 3333.04, 3333.12, 3333.27, 8154
3345.22, 3770.01, 3770.06, 4117.101, 5705.29, 5705.412, 5747.01, 8155
5910.032, and 5919.34 and sections 3313.21, 3317.0214, 3317.053, 8156
3317.16, 3318.23, 3318.24, and 3318.27 of the Revised Code are 8157
hereby repealed. 8158

Section 3. Except as otherwise provided, all appropriation 8160
line items (ALI) in this act are hereby appropriated out of any 8161
moneys in the state treasury to the credit of the designated fund, 8162
which are not otherwise appropriated. For all appropriations made 8163
in this act, those amounts in the first column are for fiscal year 8164
2000 and those amounts in the second column are for fiscal year 8165
2001. 8166

<u>FND ALI</u>	<u>ALI TITLE</u>	<u>FY 2000</u>	<u>FY 2001</u>	
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Section 4. EDU DEPARTMENT OF EDUCATION 8169

General Revenue Fund				8170
GRF 200-100 Personal Services	\$	11,940,600	\$ 12,265,000	8171
GRF 200-320 Maintenance and Equipment	\$	9,293,979	\$ 4,943,979	8172
GRF 200-406 Head Start	\$	97,992,016	\$ 101,843,825	8173
GRF 200-408 Public Preschool	\$	18,316,606	\$ 18,756,205	8174
GRF 200-410 Professional Development	\$	26,593,834	\$ 27,418,834	8175
GRF 200-411 Family and Children First	\$	10,642,188	\$ 10,642,188	8176
GRF 200-416 Vocational Education Match	\$	2,325,916	\$ 2,381,738	8177
GRF 200-420 Technical Systems Development	\$	3,450,000	\$ 2,350,000	8178
GRF 200-422 School Management Assistance	\$	1,387,186	\$ 1,440,836	8179
GRF 200-424 Policy Analysis	\$	505,354	\$ 637,655	8180
GRF 200-426 Ohio Educational Computer Network	\$	25,089,772	\$ 37,004,086	8181
GRF 200-431 School Improvement Models	\$	25,100,000	\$ 24,975,000	8182
GRF 200-432 School Conflict Management	\$	411,645	\$ 421,524	8183
GRF 200-437 Student Proficiency	\$	16,097,983	\$ 15,692,045	8184
GRF 200-441 American Sign Language	\$	231,449	\$ 237,003	8185
GRF 200-442 Child Care Licensing	\$	1,477,003	\$ 1,518,359	8186
GRF 200-445 OhioReads Admin/Volunteer Support	\$	5,000,000	\$ 5,000,000	8187
GRF 200-446 Education Management Information System	\$	13,799,674	\$ 12,649,674	8188
GRF 200-447 GED Testing/Adult High School	\$	2,033,187	\$ 2,081,983	8189

GRF 200-455	Community Schools	\$ 3,500,000	\$ 3,500,000	8190
GRF 200-500	School Finance Equity	\$ 47,042,224	\$ 33,378,557	8191
GRF 200-501	Base Cost Funding	\$ 3,449,393,212	\$ 3,733,621,495	8192
GRF 200-502	Pupil Transportation	\$ 265,946,768	\$ 291,182,101	8193
GRF 200-503	Bus Purchase Allowance	\$ 38,132,291	\$ 39,047,466	8194
GRF 200-505	School Lunch Match	\$ 9,450,000	\$ 9,450,000	8195
GRF 200-509	Adult Literacy	\$ 9,361,964	\$ 9,586,651	8196
	Education			
GRF 200-511	Auxiliary Services	\$ 110,255,190	\$ 118,083,309	8197
GRF 200-513	Summer Intervention	\$ 15,000,000	\$ 15,000,000	8198
GRF 200-514	Post-Secondary/Adult	\$ 21,171,866	\$ 21,679,991	8199
	Vocational Education			
GRF 200-520	Disadvantaged Pupil	\$ 391,208,953	\$ 391,208,954	8200
	Impact Aid			
GRF 200-521	Gifted Pupil Program	\$ 40,923,510	\$ 42,081,624	8201
GRF 200-524	Educational Excellence	\$ 10,445,999	\$ 9,703,001	8202
	and Competency			
GRF 200-532	Nonpublic	\$ 48,062,292	\$ 51,474,714	8203
	Administrative Cost			
	Reimbursement			
GRF 200-533	School-Age Child Care	\$ 1,070,720	\$ 1,096,417	8204
GRF 200-534	Desegregation Costs	\$ 12,000,000	\$ 11,700,000	8205
GRF 200-540	Special Education	\$ 126,826,848	\$ 137,220,164	8206
	Enhancements			
GRF 200-545	Vocational Education	\$ 30,393,259	\$ 32,662,107	8207
	Enhancements			
GRF 200-546	Charge-Off Supplement	\$ 10,000,000	\$ 20,000,000	8208
GRF 200-547	Power Equalization	\$ 21,900,000	\$ 34,700,000	8209
GRF 200-551	Reading Improvement	\$ 1,704,454	\$ 1,745,361	8210
GRF 200-552	County MR/DD Boards	\$ 1,627,152	\$ 1,666,204	8211
	Vehicle Purchases			
GRF 200-553	County MR/DD Boards	\$ 8,006,400	\$ 9,895,910	8212
	Transportation			

		Operating					
GRF	200-558	Emergency Loan	\$	6,940,447	\$	5,470,150	8213
		Interest Subsidy					
GRF	200-566	OhioReads Grants	\$	25,000,000	\$	25,000,000	8214
GRF	200-570	School Improvement	\$	10,000,000	\$	10,000,000	8215
		Incentive Grants					
GRF	200-572	Teacher Incentive	\$	5,000,000	\$	0	8216
		Grants					
GRF	200-573	Character Education	\$	1,050,000	\$	1,050,000	8217
GRF	200-574	Substance Abuse	\$	2,300,000	\$	2,420,000	8218
		Prevention					
GRF	200-575	12th Grade Proficiency	\$	17,500,000	\$	17,500,000	8219
		Stipend					
GRF	200-901	Property Tax	\$	636,200,000	\$	673,960,000	8220
		Allocation - Education					
GRF	200-906	Tangible Tax Exemption	\$	69,000,000	\$	71,000,000	8221
		- Education					
TOTAL GRF		General Revenue Fund	\$	5,718,101,941	\$	6,108,344,109	8222
		General Services Fund Group					8223
138	200-606	Computer Services	\$	4,255,067	\$	4,374,209	8224
4D1	200-602	Ohio	\$	293,321	\$	301,534	8225
		Prevention/Education					
		Resource Center					
4L2	200-681	Teacher Certification	\$	3,774,544	\$	3,880,232	8226
		and Licensure					
452	200-638	Miscellaneous Revenue	\$	295,000	\$	295,000	8227
5H3	200-687	School District	\$	30,000,000	\$	30,000,000	8228
		Solvency Assistance					
596	200-656	Ohio Career	\$	699,399	\$	718,084	8229
		Information System					
TOTAL GSF		General Services					8230
Fund Group			\$	39,317,331	\$	39,569,059	8231

		Federal Special Revenue Fund Group				8232	
309	200-601	Educationally Disadvantaged	\$	8,560,567	\$	8,988,595	8233
366	200-604	Adult Basic Education	\$	14,901,137	\$	14,901,137	8234
3H9	200-605	Head Start Collaboration Project	\$	250,000	\$	250,000	8235
367	200-607	School Food Services	\$	9,492,000	\$	9,783,000	8236
3T4	200-613	Public Charter Schools	\$	3,157,895	\$	4,725,000	8237
368	200-614	Veterans' Training	\$	609,517	\$	626,584	8238
369	200-616	Vocational Education	\$	7,500,000	\$	8,000,000	8239
3L6	200-617	Federal School Lunch	\$	163,500,000	\$	170,500,000	8240
3L7	200-618	Federal School Breakfast	\$	40,500,000	\$	44,500,000	8241
3L8	200-619	Child and Adult Care Programs	\$	58,600,000	\$	58,600,000	8242
3L9	200-621	Vocational Education Basic Grant	\$	55,583,418	\$	57,139,754	8243
3M0	200-623	ESEA Chapter One	\$	375,633,666	\$	394,415,350	8244
370	200-624	Education of All Handicapped Children	\$	274,949	\$	0	8245
3T5	200-625	Coordinated School Health	\$	536,437	\$	536,437	8246
3N7	200-627	School-to-Work	\$	13,864,500	\$	14,252,706	8247
371	200-631	EEO Title IV	\$	488,052	\$	508,917	8248
374	200-647	E.S.E.A. Consolidated Grants	\$	107,096	\$	110,094	8249
376	200-653	J.T.P.A.	\$	5,123,365	\$	5,266,819	8250
3R3	200-654	Goals 2000	\$	19,453,001	\$	20,425,651	8251
378	200-660	Math/Science Technology Investments	\$	11,686,926	\$	12,271,272	8252
3C5	200-661	Federal Dependent Care Programs	\$	17,996,709	\$	17,996,709	8253
3D1	200-664	Drug Free Schools	\$	20,026,500	\$	20,587,242	8254

3D2	200-667	Honors Scholarship Program	\$	1,976,400	\$	2,371,680	8255
3E2	200-668	AIDS Education Project	\$	620,774	\$	620,774	8256
3S7	200-673	Child Care School Age	\$	5,135,000	\$	5,278,000	8257
3M1	200-678	ESEA Chapter Two	\$	61,901,429	\$	16,591,501	8258
3M2	200-680	Ind W/Disab Education Act	\$	143,000,000	\$	162,000,000	8259
3P9	200-686	SRRC/FRC Evaluation Project	\$	51,350	\$	52,788	8260
TOTAL FED Federal Special							8261
Revenue Fund Group			\$	1,040,530,688	\$	1,051,300,010	8262
State Special Revenue Fund Group							8263
4M4	200-637	Emergency Service Telecommunication Training	\$	762,548	\$	783,899	8264
4R7	200-695	Indirect Cost Recovery	\$	2,868,561	\$	2,948,881	8265
4V7	200-633	Interagency Vocational Support	\$	645,359	\$	663,429	8266
454	200-610	Guidance and Testing	\$	503,912	\$	516,484	8267
455	200-608	Commodity Foods	\$	8,000,000	\$	8,000,000	8268
598	200-659	Auxiliary Services Mobile Units	\$	1,292,714	\$	1,328,910	8269
620	200-615	Educational Grants	\$	1,500,000	\$	1,500,000	8270
TOTAL SSR State Special Revenue							8271
Fund Group			\$	15,573,094	\$	15,741,603	8272
Lottery Profits Education Fund Group							8273
017	200-612	Base Cost Funding	\$	656,247,000	\$	660,467,000	8274
017	200-682	Lease Rental Payment Reimbursement	\$	29,753,000	\$	29,733,000	8275
TOTAL LPE Lottery Profits							8276
Education Fund Group			\$	686,000,000	\$	690,200,000	8277
TOTAL ALL BUDGET FUND GROUPS			\$	7,499,523,054	\$	7,905,154,781	8278

Section 4.01. 8280

Personal Services

Of the foregoing appropriation item 200-100, Personal 8281
Services, \$120,000 in each fiscal year shall be used to support 8282
the salary and fringe benefits of a teacher in residence and 8283
support staff at the Governor's Office. 8284

Maintenance and Equipment 8285

Of the foregoing appropriation item 200-320, Maintenance and 8286
Equipment, up to \$25,000 may be expended in each year of the 8287
biennium for State Board of Education out-of-state travel. 8288

Of the foregoing appropriation item 200-320, Maintenance and 8289
Equipment, \$4,000,000 in fiscal year 2000 shall be reserved to 8290
fund expenses associated with the Department of Education's move 8291
from the Ohio Departments Building. The unencumbered balance of 8292
the appropriation at the end of fiscal year 2000 is hereby 8293
transferred to fiscal year 2001 to pay the cost of the move of the 8294
Department of Education from the Ohio Departments Building. 8295

Of the foregoing appropriation item 200-320, Maintenance and 8296
Equipment, \$30,000 in each fiscal year shall be used to fund the 8297
travel expenses and administrative overhead of the Teacher in 8298
Residence and support staff at the Governor's Office. 8299

Section 4.02. 8300

Head Start

The foregoing appropriation item 200-406, Head Start, shall 8301
be distributed by the Department of Education to Head Start 8302
agencies. A "Head Start agency" means an entity that has been 8303
approved to be an agency in accordance with Section 641 [42 U.S.C. 8304
9836] of the Head Start Act and amendments thereto, or an entity 8305
designated for state Head Start funding under this section. 8306

Participation in state funded Head Start programs is voluntary. 8307

Moneys distributed under this heading shall not be used to 8308
reduce expenditures from funds received by a Head Start agency 8309
from any other sources. Section 3301.31 of the Revised Code does 8310
not apply to funds distributed under this heading. In lieu of 8311
section 3301.31 of the Revised Code, distribution of moneys under 8312
this heading shall be as follows: 8313

(A) In fiscal years 2000 and 2001, up to two per cent of the 8314
total appropriation may be used by the Department for 8315
administrative costs of complying with this section; developing 8316
program capacity; and assisting programs with facilities planning, 8317
construction, renovation, or lease agreements in combination with 8318
the Community Development Finance Fund (CDFF). Up to \$3,000,000 in 8319
fiscal year 2000 and \$1,500,000 in fiscal year 2001 may be used 8320
for training in early literacy for Head Start classroom teachers 8321
and administrators to support the OhioReads Initiative. 8322

(B) The department shall provide an annual report to the 8323
Governor, the Speaker of the House of Representatives, the 8324
President of the Senate, the State Board of Education, Head Start 8325
grantees, and other interested parties. The report shall include 8326
the following: 8327

(1) The number and per cent of eligible children by county 8328
and by grantee; 8329

(2) The amount of state funds requested for continuation per 8330
grantee; 8331

(3) The amount of state funds received for continuation per 8332
grantee; 8333

(4) A summary of program performance on the state critical 8334
performance indicators; 8335

(5) A summary of developmental progress of children 8336

participating in the state funded Head Start program; 8337

(6) Any other data reflecting the performance of Head Start 8338
that the department considers pertinent. 8339

(C) For purposes of this section, "eligible child" means a 8340
child who is at least three years of age and not of compulsory 8341
school age whose family earns no more than 100 per cent of the 8342
federal poverty level. 8343

The Department of Education, in consultation with the 8344
Department of Human Services, interested parties, and Head Start 8345
agencies shall formulate a method for determining an estimate of 8346
the number of eligible children and the per cent served by 8347
grantee(s) in each county. 8348

(D) After setting aside amounts to make any payments due from 8349
the prior fiscal year, in fiscal years 2000 and 2001, funds shall 8350
first be distributed to recipients of Head Start funds during the 8351
preceding fiscal year. Awards under this division may be reduced 8352
by the amount received in that year for one-time start-up costs 8353
and may be adjusted for actual months of program operation or 8354
enrollment as reported during the first full week of December, and 8355
may be increased by a reasonable percentage for inflation to be 8356
determined by the Department of Education and in accordance with 8357
this section. The Department may redistribute dollars to programs 8358
demonstrating an unmet need based on updated assessments of family 8359
needs and community resources, with special attention to the 8360
projected impact of welfare reform. In fiscal years 2000 and 2001, 8361
the department may authorize recipients to carry over funds to the 8362
subsequent fiscal year. 8363

The Department may reallocate unobligated or unspent money to 8364
participating Head Start agencies for purposes of program 8365
expansion, improvement, or special projects to promote excellence 8366
and innovation. 8367

(E) Costs for developing and administering a Head Start program may not exceed fifteen per cent of the total approved costs of the program. 8368
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All recipients of funds shall maintain such fiscal control and accounting procedures as may be necessary to ensure the disbursement of, and accounting for, these funds. The control of funds provided in this program, and title to property obtained therefrom, shall be under the authority of the approved recipient for purposes provided in the program. The approved recipient shall administer and use such property and funds for the purposes specified. 8371
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Each recipient shall furnish the department an annual audit that includes the review of state funds received under this section. 8379
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(F) The department shall prescribe target levels for critical performance indicators for the purpose of assessing Head Start programs. On-site reviews and follow-up visits shall be based on grantee progress in meeting the prescribed target levels. 8382
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The department may audit a Head Start agency's financial and program records. Head Start agencies that have financial practices not in accordance with standard accounting principles, that fail to substantially meet the Head Start performance standards, or that exhibit below-average performance shall be subject to an on-site review. 8386
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The department shall require corrective plans of action for programs not achieving target levels or financial and program standards. Action plans shall include activities to be conducted by the grantee and timelines for activities to be completed and timelines for additional data submission to the department demonstrating targets have been met. The Policy Council chairperson and the appropriate grantee board official shall sign 8392
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the corrective plans of action. 8399

Programs not meeting performance targets in accordance with 8400
the plan of action and prescribed timelines may have their 8401
continuation funding reduced, be disqualified for expansion 8402
consideration until targets are met, or have all state funds 8403
withdrawn and a new grantee established. 8404

The department shall require school districts to collect 8405
"preschool" information by program type. All data shall be 8406
reported via the Education Management Information System (EMIS). 8407

(G) The Department shall require Head Start grantees to 8408
document child progress, using a common instrument prescribed by 8409
the department, and report results annually. The department shall 8410
determine the dates for documenting and reporting. 8411

The State Board of Education shall adopt rules addressing the 8412
use of screening and assessment data, including, but not limited 8413
to, all the following: 8414

(1) Protection of the identity of individual children through 8415
assignment of a unique but not personally identifiable code; 8416
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(2) Parents' rights; 8418

(3) Use of the data by school personnel as it relates to 8419
kindergarten entrance. 8420

(H) New agencies may be designated for state Head Start 8421
funding if a Head Start agency voluntarily waives its right for 8422
funding or is de-funded based on performance. 8423

When such a condition exists, the department shall conduct a 8424
competitive bidding process to select a new agency to provide 8425
state funded continuation and/or expansion services. The bidding 8426
process shall include notices of competitive bidding mailed to 8427
delegate agencies in the affected area and to newspapers in the 8428

Head Start service area.	8429
Section 3313.646 of the Revised Code does not apply to funds distributed under this section.	8430 8431
(I) It is the intent of the General Assembly that appropriations for appropriation items 200-406, Head Start, and 200-408, Public Preschool, be available for transfer between Head Start and public preschool programs so that unallocated funds may be used between the two programs.	8432 8433 8434 8435 8436
Section 4.03.	8437
<u>Public Preschool</u>	
The Department of Education shall distribute the foregoing appropriation item 200-408, Public Preschool, to pay the costs of comprehensive preschool programs. As used in this section, "school district" means a city, local, exempted village, or joint vocational school district, or an educational service center.	8438 8439 8440 8441 8442
(A) In fiscal years 2000 and 2001, up to two per cent of the total appropriation may be used by the department for administrative costs of complying with this section; developing program capacity; and assisting programs with facilities planning, construction, renovation, or lease agreements in conjunction with the Community Development Finance Fund (CDFS).	8443 8444 8445 8446 8447 8448
(B) The department shall provide an annual report to the Governor, the Speaker of the House of Representatives, the President of the Senate, the State Board of Education, Head Start grantees, and other interested parties. The report shall include:	8449 8450 8451 8452
(1) The number and per cent of eligible children by county and by school district;	8453 8454
(2) The amount of state funds requested for continuation per school district;	8455 8456

(3) The amount of state funds received for continuation per school district;	8457 8458
(4) A summary of program performance on the state critical performance indicators in the public preschool program;	8459 8460
(5) A summary of developmental progress of children participating in the state funded public preschool program;	8461 8462
(6) Any other data reflecting the performance of public preschool programs that the department considers pertinent.	8463 8464
(C) For purposes of this section "eligible child" means a child who is at least three years of age whose family earns no more than 185 per cent of the federal poverty level.	8465 8466 8467
The Department of Education, in consultation with the Department of Human Services, interested parties, and Head Start agencies shall formulate a method for determining an estimate of the number of eligible children and the percentage served by grantees in each county.	8468 8469 8470 8471 8472
(D) After setting aside amounts to make any payments due from the prior fiscal year, in fiscal years 2000 and 2001, funds shall first be distributed to recipients of funds during the preceding fiscal year. Awards under this division may be reduced by the amount received in that fiscal year for one-time start-up costs and may be adjusted for actual months of program operation or enrollment as reported during the first full week of December, and may be increased by a reasonable percentage to be determined by the Department of Education. The department may redistribute dollars to programs demonstrating an unmet need based on updated assessments of family needs and community resources, with special attention to the projected impact of welfare reform. In fiscal years 2000 and 2001, the department may authorize recipients to carry over funds to the subsequent fiscal year.	8473 8474 8475 8476 8477 8478 8479 8480 8481 8482 8483 8484 8485 8486

The department may reallocate unobligated or unspent money to 8487
participating school districts for purposes of program expansion, 8488
improvement, or special projects to promote excellence and 8489
innovation. 8490

(E) Costs for developing and administering a preschool 8491
program may not exceed fifteen per cent of the total approved 8492
costs of the program. 8493

All recipients of funds shall maintain such fiscal control 8494
and accounting procedures as may be necessary to ensure the 8495
disbursement of, and accounting for, these funds. The control of 8496
funds provided in this program, and title to property obtained 8497
therefrom, shall be under the authority of the approved recipient 8498
for purposes provided in the program. The approved recipient shall 8499
administer and use such property and funds for the purposes 8500
specified. 8501

(F) The department shall prescribe target levels for critical 8502
performance indicators for the purpose of assessing public 8503
preschool programs. On-site reviews and follow-up visits shall be 8504
based on progress in meeting the prescribed target levels. 8505
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The department may audit a school district's preschool 8507
financial and program records. School districts that have 8508
financial practices not in accordance with standard accounting 8509
principles, that operate preschool programs that fail to 8510
substantially meet the Head Start performance standards, or that 8511
exhibit below-average performance shall be subject to an on-site 8512
review. 8513

The department shall require corrective plans of action for 8514
programs not achieving target levels or financial and program 8515
standards. Action plans shall include activities to be conducted 8516
by the grantee and timelines for activities to be completed and 8517

timelines for additional data submission to the department 8518
demonstrating that targets have been met. The appropriate school 8519
board official shall sign the corrective plans of action. 8520

Public preschool programs not meeting performance targets in 8521
accordance with the plan of action and prescribed timelines may 8522
have their continuation funding reduced, be disqualified for 8523
expansion consideration until targets are met, or have all state 8524
funds withdrawn and a new program established. 8525

(G) The department shall require public preschool programs to 8526
document child progress, using a common instrument prescribed by 8527
the department, and report results annually. The department shall 8528
determine the dates for documenting and reporting. 8529

The State Board of Education shall adopt rules addressing the 8530
use of screening and assessment data, including, but not limited 8531
to, all of the following: 8532

(1) Protection of the identity of individual children through 8533
assignment of a unique but not personally identifiable code; 8534
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(2) Parents' rights; 8536

(3) Use of the data by school personnel as it relates to 8537
kindergarten entrance. 8538

(H) Each school district shall develop a sliding fee scale 8539
based on the family incomes in the district and shall charge 8540
families who earn more than the federal poverty level for 8541
preschool. 8542

(I) It is the intent of the General Assembly that 8543
appropriations for line item 200-406, Head Start, and 200-408, 8544
Public Preschool, be available for transfer between Head Start and 8545
Public Preschool programs so that unallocated funds may be used 8546
between the two programs. 8547

Section 4.04.

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Professional Development

Of the foregoing appropriation item 200-410, Professional 8549
Development, \$5,997,829 in each fiscal year shall be used by the 8550
Department of Education to develop a statewide comprehensive 8551
system of twelve professional development centers that support 8552
local educators' ability to foster academic achievement in the 8553
students they serve. The centers shall include training teachers 8554
on site-based management concepts to encourage teachers to become 8555
involved in the management of their schools. 8556

Of the foregoing appropriation item 200-410, Professional 8557
Development, \$1,321,292 in each fiscal year shall be used by the 8558
Department of Education to establish programs targeted at 8559
recruiting under-represented populations into the teaching 8560
profession. In each year, the appropriation item shall be used by 8561
the department to include, but not be limited to, alternative 8562
teacher licensure or certification programs emphasizing the 8563
recruitment of highly qualified minority candidates into teaching, 8564
including emphasizing the recruitment of highly qualified minority 8565
candidates into teaching positions in schools which have a high 8566
percentage of minority students. The recruitment programs shall 8567
also target recruiting qualified candidates available as a result 8568
of downsizing of the military and business sectors. Funding shall 8569
also be targeted to statewide, regional, and local programs that 8570
are competitively selected as promising programs demonstrating the 8571
potential of significantly increasing Ohio's minority teaching 8572
force. 8573

Of the foregoing appropriation item 200-410, Professional 8574
Development, \$9,659,713 in each fiscal year shall be distributed 8575
on a per teacher basis to all school districts and joint 8576

vocational school districts for locally developed teacher training 8577
and professional development and for the establishment of local 8578
professional development committees in all school districts and 8579
chartered nonpublic schools. School districts and joint vocational 8580
school districts shall not be precluded from using these funds for 8581
cooperative activities on a county or regional basis. School 8582
districts with pass rates of less than 75 per cent on the fourth 8583
grade reading proficiency test shall allocate no less than 40 per 8584
cent of these funds for professional development for teachers in 8585
elementary literacy skills. 8586

Of the foregoing appropriation item 200-410, Professional 8587
Development, \$115,000 in each fiscal year shall be used to fund 8588
public institutions or agencies that provide educational services 8589
and employ or contract the services of licensed educators for 8590
establishing local professional development committees pursuant to 8591
division (C)(5) of section 3319.22 of the Revised Code. 8592

Of the foregoing appropriation item 200-410, Professional 8593
Development, \$2,125,000 in fiscal year 2000 and \$2,950,000 in 8594
fiscal year 2001 shall be used by the Department of Education to 8595
pay the application fee for teachers from public and chartered 8596
nonpublic schools applying to the National Board for Professional 8597
Teaching Standards for professional teaching certificates or 8598
licenses that the board offers, and to provide grants in each 8599
fiscal year to recognize and reward teachers who become certified 8600
by the board pursuant to section 3319.55 of the Revised Code. 8601

These moneys shall be used to pay for the first 500 8602
applications in fiscal year 2000 and the first 600 applications in 8603
fiscal year 2001 received by the department. Each prospective 8604
applicant for certification or licensure shall submit an 8605
application to the Department of Education. When the department 8606
has collected a group of applications, but no later than 30 days 8607
after receipt of the first application in a group, it shall send 8608

the applications to the National Board for Professional Teaching Standards along with a check to cover the cost of the application fee for all applicants in that group. 8609
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Of the foregoing appropriation item 200-410, Professional Development, up to \$300,000 shall be used each fiscal year by the Department of Education to support the connection of teacher applicants to university programs that enhance applicant learning and professional development during the National Board Certification process. 8612
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Of the foregoing appropriation item 200-410, Professional Development, up to \$1,875,000 in each fiscal year shall be allocated for entry year programs. Each fiscal year, up to \$1,250,000 shall be used for mentors and assessor training, and up to \$1,475,000 for peer review. The Department of Education shall select eligible beginning teachers to participate in a year-long entry year program that provides guidance and coaching by experienced school district and university faculty and regular teacher performance assessment. The program is designed to assess each beginning teacher with the Education Testing Service's Praxis III examination. These funds shall be used to support the supervisory, teaching, and assessment services associated with the pilot residency program in urban, suburban, and rural sites. 8618
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Of the foregoing appropriation item 200-410, Professional Development, up to \$650,000 in each fiscal year shall be used to continue Ohio leadership academies to develop and train superintendents, principals, other administrators, and school board members in new leadership and management practices to support high performance schools. This training shall be coordinated with other locally administered leadership programs. 8631
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Of the foregoing appropriation item 200-410, Professional Development, up to \$850,000 in each fiscal year shall be used to 8638
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support a two-year Principal's Leadership Academy that will serve 8640
principals and their staff teams. An advisory panel comprised of 8641
national business and education experts shall advise the Ohio 8642
Department of Education on content and delivery of curriculum and 8643
instruction. 8644

Of the foregoing appropriation item 200-410, Professional 8645
Development, up to \$975,000 in each fiscal year shall be used to 8646
establish an entry year program for principals. Grants shall be 8647
issued to pilot sites that shall develop prototypes of the program 8648
in a variety of contexts. These sites shall also pilot the School 8649
Leaders Licensure Assessment, which was developed by the 8650
Educational Testing Service at a cost of \$450 per assessment. 8651

Section 4.05. 8652

Family and Children First

(A) Of the foregoing appropriation item 200-411, Family and 8653
Children First, the Department of Education shall transfer up to 8654
\$3,677,188 in each fiscal year by intrastate transfer voucher to 8655
the Department of Mental Retardation and Developmental 8656
Disabilities. These funds shall be spent on direct grants to 8657
county family and children first councils created under section 8658
121.37 of the Revised Code. The funds shall be used as partial 8659
support payment and reimbursement for the maintenance and 8660
treatment costs of multi-need children that come to the attention 8661
of the Family and Children First Cabinet Council pursuant to 8662
section 121.37 of the Revised Code. The Department of Mental 8663
Retardation and Developmental Disabilities shall administer the 8664
distribution of the direct grants to the county councils. The 8665
Department of Mental Retardation and Developmental Disabilities 8666
may use up to five per cent of this amount for administrative 8667
expenses associated with the distribution of funds to the county 8668
councils. 8669

(B) Of the funds appropriated in this item, up to \$1,775,000 8670
in each fiscal year shall be used as administrative grants to 8671
county family and children first councils to provide a portion of 8672
the salary and fringe benefits necessary to fund county council 8673
coordinators, administrative support, training, or parental 8674
involvement. The total initial grant under this provision to any 8675
county family and children first council shall not exceed \$20,000. 8676
In the event that not all counties in the state have established a 8677
county council, at the beginning of the fourth quarter of a fiscal 8678
year, any remaining funds to be used as administrative grants may 8679
be redirected by the Family and Children First Cabinet Council to 8680
other priorities and activities. Of the funds appropriated in this 8681
item, up to \$15,000 shall be used by the Family and Children First 8682
Cabinet Council for administrative costs, including stipends to 8683
family representatives participating in approved activities of the 8684
initiative, educational and informational forums, and technical 8685
assistance to local family and children first councils. 8686

(C) Of the foregoing appropriation item 200-411, Family and 8687
Children First, up to \$5,190,000 in each fiscal year shall be used 8688
to fund school-based or school-linked school readiness resource 8689
centers in school districts where there is a concentration of risk 8690
factors to school readiness and success, including indicators of 8691
poverty, health, and family stability. The purpose of these 8692
centers is to assist in providing services to families of 8693
school-age children who want and need support. 8694

School readiness resource centers shall be located in each of 8695
the state's 21 urban school districts as defined in division (O) 8696
of section 3317.02 of the Revised Code, as that section existed 8697
prior to July 1, 1998. The Ohio Family and Children First Cabinet 8698
Council, in consultation with the Department of Education and 8699
school districts, shall identify individual schools based on 8700
quantitative and qualitative factors that reflect both the need 8701

for school readiness resource centers and the local capacity for 8702
redesigning, as necessary, a delivery system of family support 8703
services. The council and the Department of Education shall 8704
organize and provide technical assistance to the school districts 8705
and communities in planning, developing, and implementing the 8706
centers. The council shall also negotiate a performance agreement 8707
that details required program characteristics, service options, 8708
and expected results. 8709

Each urban school district and community may receive up to 8710
\$240,000 to maintain three school readiness resource centers that 8711
are located in or linked to elementary, middle, and high school 8712
sites that are connected by student assignment patterns within the 8713
school districts. Each school district shall work with a 8714
representative of the local family and children first council and 8715
a representative cross-section of families and community leaders 8716
in the district to operate the school readiness resource centers 8717
based upon conditions agreed to in the performance agreement 8718
negotiated with the state council. 8719

Up to \$50,000 in each fiscal year may be used by the Ohio 8720
Family and Children First Cabinet Council for an evaluation of the 8721
effectiveness of the school readiness resource centers. Up to 8722
\$100,000 in each fiscal year may be used by the cabinet council to 8723
approve technical assistance and oversee the implementation of the 8724
centers. The administration and management of the school readiness 8725
resource centers may be contracted out through a competitive 8726
bidding process established by the cabinet council in consultation 8727
with the Department of Education. 8728

Section 4.06. 8729

Vocational Education Match

The foregoing appropriation item 200-416, Vocational 8730
Education Match, shall be used by the Department of Education to 8731

provide vocational administration matching funds pursuant to 20 8732
U.S.C. 2311. 8733

Technical Systems Development 8734

The foregoing appropriation item 200-420, Technical Systems 8735
Development, shall be used to support several information system 8736
development projects that are designed to improve the performance 8737
and customer service of the Ohio Department of Education. 8738
Implementation of these systems shall allow the department to 8739
provide greater levels of assistance and more timely information 8740
to school districts, administrators, and legislators. 8741

Up to \$2,500,000 in fiscal year 2000 shall be used for 8742
development and testing of the school administration software of 8743
EMIS. Up to \$250,000 in fiscal year 2000 shall be used for the 8744
construction plans of the EMIS redesign. 8745

In fiscal year 2000, up to \$300,000 may be used for the 8746
Department's maintenance contract for database management 8747
software; up to \$100,000 shall be used for Phase I of the 8748
Department's data warehouse software purchase and maintenance 8749
fees; and up to \$300,000 shall be used for Phase II of the data 8750
warehouse project. 8751

In fiscal year 2001, up to \$1,800,000 shall be used for EMIS 8752
conversion, including district support and technical assistance; 8753
up to \$350,000 may be used for the Department's annual maintenance 8754
contract for database management software; and up to \$200,000 8755
shall be used to support the data warehouse project. 8756

School Management Assistance 8757

The foregoing appropriation item 200-422, School Management 8758
Assistance, shall be used by the Department of Education to 8759
provide fiscal technical assistance and inservice education for 8760
school district management personnel and to administer, monitor, 8761

and implement the fiscal watch and fiscal emergency provisions 8762
under Chapter 3316. of the Revised Code. 8763

Policy Analysis 8764

The foregoing appropriation item 200-424, Policy Analysis, 8765
shall be used by the Department of Education to develop software 8766
and other computer assistance to maintain and enhance a system of 8767
administrative, statistical, and legislative education information 8768
to be used for policy analysis. The data base shall be kept 8769
current at all times. Such a system will be used to supply 8770
information and analysis of data to the General Assembly and other 8771
state policy makers, including the Office of Budget and Management 8772
and the Legislative Budget Office of the Legislative Service 8773
Commission. 8774

The Department of Education may use funding from this line 8775
item to purchase or contract for the development of software 8776
systems or contract for policy studies that will assist in the 8777
provision and analysis of policy-related information. 8778

Ohio Educational Computer Network 8779

The foregoing appropriation item 200-426, Ohio Educational 8780
Computer Network, shall be used by the Department of Education to 8781
maintain a system of information technology throughout Ohio and to 8782
provide technical assistance for such a system in support of the 8783
State Education Technology Plan pursuant to section 3301.07 of the 8784
Revised Code. 8785

This system shall support the development, maintenance, and 8786
operation of a network of uniform and compatible computer-based 8787
information and instructional systems. The technical assistance 8788
shall include, but not be restricted to, the development and 8789
maintenance of adequate computer software systems to support 8790
network activities. Program funds may be used, through a formula 8791
and guidelines devised by the department, to subsidize the 8792

activities of not more than twenty-four designated data 8793
acquisition sites, as defined by State Board of Education rules, 8794
to provide to school districts and chartered nonpublic schools 8795
computer-based student and teacher instructional and 8796
administrative information services, including approved 8797
computerized financial accounting, to assure the effective 8798
operation of local automated administrative and instructional 8799
systems. 8800

In order to broaden the scope of the use of technology for 8801
education, the department may use up to \$250,000 in each fiscal 8802
year to coordinate the activities of the computer network with 8803
other agencies funded by the department or the state. In order to 8804
improve the efficiency of network activities, the department and 8805
data acquisition sites may jointly purchase equipment, materials, 8806
and services from funds provided under this appropriation for use 8807
by the network and, when considered practical by the department, 8808
may utilize the services of appropriate state purchasing agencies. 8809

Of the foregoing appropriation item 200-426, Ohio Educational 8810
Computer Network, up to \$10,260,000 in fiscal year 2000 and 8811
\$19,000,000 in fiscal year 2001 shall be used by the Department of 8812
Education to support connections of all public school buildings to 8813
the Ohio Education Computer Network. In each fiscal year the 8814
Department of Education shall use these funds to help reimburse 8815
data acquisition sites or school districts for the operational 8816
costs associated with using the Ohio Education Computer Network. 8817
The Department of Education shall develop a formula and guidelines 8818
for the distribution of these funds to the data acquisition sites 8819
or individual school districts. 8820

For fiscal year 2000, the Department of Education shall use 8821
up to \$1,939,772 to continue to manage and develop the statewide 8822
union catalog and InfOhio Network of library resources that will 8823
be accessible to all school districts through the Ohio Education 8824

Computer Network up to \$1,994,086 in fiscal year 2001 shall be 8825
used for the Union Catalog and InfOhio Network. 8826

The Department of Education shall use up to \$2,430,000 in 8827
fiscal year 2000 and up to \$4,500,000 in fiscal year 2001 to 8828
assist designated data acquisition sites with operational costs 8829
associated with the increased use of the Ohio Education Computer 8830
Network by chartered nonpublic schools. The Department of 8831
Education shall develop a formula and guidelines for distribution 8832
of these funds to designated data acquisition sites. 8833

Section 4.07. 8834

School Improvement Models

The foregoing appropriation item 200-431, School Improvement 8835
Models, shall be used by the Department of Education to continue 8836
to support the creation of a statewide network of school 8837
improvement sites by providing competitive venture capital grants 8838
to schools that demonstrate the capacity to invent or adapt school 8839
improvement models. The department shall showcase projects of 8840
exceptional merit and shall promote the networking of venture 8841
schools with both venture and nonventure schools so that 8842
administrators and teachers outside the district can benefit from 8843
the knowledge gained at these sites. Up to \$8,850,000 in fiscal 8844
year 2000 shall be used to provide grants of \$25,000 to 354 8845
schools and up to \$6,225,000 in fiscal year 2001 shall be used to 8846
provide grants of \$25,000 to 249 schools. 8847

The Superintendent of Public Instruction shall assess 8848
individual school district responses to the performance audits 8849
conducted by the Auditor of State as required by Am. Sub. H.B. 215 8850
of the 122nd General Assembly. These assessments shall be compiled 8851
into a report to the Speaker of the House of Representatives, the 8852
President of the Senate, and the chairs and ranking minority 8853
members of the House and Senate committees on education and 8854

finance. 8855

Of the foregoing appropriation item 200-431, School 8856
Improvement Models, \$5,000,000 shall be used in each fiscal year 8857
for the development and distribution of school report cards 8858
pursuant to section 3302.03 of the Revised Code and the 8859
development of core competencies for the proficiency tests. 8860

Of the foregoing appropriation item 200-431, School 8861
Improvement Models, \$250,000 in each fiscal year shall be used for 8862
the development and operation of a Safe Schools Center. The 8863
Department of Education shall oversee the creation of a center 8864
that provides resources to school district personnel, parents, 8865
juvenile justice representatives, and law enforcement that 8866
identify effective strategies for improving school safety and 8867
reducing threats to the security of students and school personnel. 8868

Of the foregoing appropriation item 200-431, School 8869
Improvement Models, \$5,850,000 in fiscal year 2000 and \$5,300,000 8870
in fiscal year 2001 shall be used to provide technical assistance 8871
for comprehensive school improvement. 8872

Of the foregoing appropriation item 200-431, School 8873
Improvement Models, \$5,150,000 in fiscal year 2000 and \$8,200,000 8874
in fiscal year 2001 shall be used for professional development in 8875
literacy for classroom teachers, administrators, and literacy 8876
specialists to support the OhioReads initiative. 8877

School Conflict Management 8878

Of the foregoing appropriation item 200-432, School Conflict 8879
Management, amounts shall be used by the Department of Education 8880
for the purpose of providing dispute resolution and conflict 8881
management training, consultation, and materials for school 8882
districts, and for the purpose of providing competitive school 8883
conflict management grants to school districts. 8884

The Department of Education shall assist the Commission on
Dispute Resolution and Conflict Management in the development and
dissemination of the school conflict management program.

Student Proficiency

The foregoing appropriation item 200-437, Student
Proficiency, shall be used to develop, field test, print,
distribute, score, and report results from the tests required
under sections 3301.0710 and 3301.0711 of the Revised Code and for
similar purposes as required by section 3301.27 of the Revised
Code.

American Sign Language

Of the foregoing appropriation item 200-441, American Sign
Language, up to \$150,000 in each fiscal year shall be used to
implement pilot projects for the integration of American Sign
Language deaf language into the kindergarten through twelfth-grade
curriculum.

The remainder of the appropriation shall be used by the
Department of Education to provide supervision and consultation to
school districts in dealing with parents of handicapped children
who are deaf or hard of hearing, in integrating American Sign
Language as a foreign language, and in obtaining interpreters and
improving their skills.

Child Care Licensing

The foregoing appropriation item 200-442, Child Care
Licensing, shall be used by the Department of Education to license
and to inspect preschool and school-age child care programs in
accordance with sections 3301.52 to 3301.59 of the Revised Code.

OhioReads Administration/Volunteer Support

The foregoing appropriation item 200-445, OhioReads
Admin/Volunteer Support, may be allocated by the OhioReads Council

for volunteer coordinators in public school buildings, to 8915
educational service centers for costs associated with volunteer 8916
coordination, for background checks for volunteers, to evaluate 8917
the OhioReads Program, and for operating expenses associated with 8918
administering the program. 8919

Section 4.08. 8920

Education Management Information System

The foregoing appropriation item 200-446, Education 8921
Management Information System, shall be used to provide school 8922
districts with the means to implement local automated information 8923
systems, to implement the common student information management 8924
software developed by the Department of Education, and to 8925
implement, develop, and improve the Education Management 8926
Information System (EMIS). 8927

Up to \$1,000,000 in each fiscal year shall be used by the 8928
Department of Education to assist designated data acquisition 8929
sites or school districts with deployment of the common student 8930
information management software, and for hardware, personnel, 8931
equipment, staff development, software, and forms modification, as 8932
well as to support EMIS special report activities in the 8933
department that are designed to use the data collected by the 8934
system. 8935

Up to \$2,714,234 in fiscal year 2000 and \$2,782,090 in fiscal 8936
year 2001 shall be distributed to designated data acquisition 8937
sites for costs relating to the processing, storing, and transfer 8938
of data for the effective operation of the EMIS. These costs may 8939
include, but are not limited to, personnel, hardware, software 8940
development, communications connectivity, professional development 8941
and support services, and to provide services to participate in 8942
the State Education Technology Plan pursuant to section 3301.07 of 8943
the Revised Code. 8944

Up to \$6,023,718 in fiscal year 2000 and \$6,174,310 in fiscal 8945
year 2001 shall be distributed to school districts and joint 8946
vocational school districts on a per-pupil basis. From this money, 8947
each school district with enrollment greater than 100 students and 8948
each vocational school district shall receive a minimum of \$5,000 8949
for each year of the biennium. Each school district with 8950
enrollment between one and one hundred and each county office of 8951
education shall receive \$3,000 for each year of the biennium. This 8952
money shall be used for costs associated with the development and 8953
operation of local automated record based information systems that 8954
provide data as required by the education management information 8955
system, and facilitate local district, school, and classroom 8956
management activities. 8957

GED Testing/Adult High School 8958

The foregoing appropriation item 200-447, GED Testing/Adult 8959
High School, shall be used to provide General Educational 8960
Development (GED) testing at no cost to first time applicants, 8961
pursuant to rules adopted by the State Board of Education. Of the 8962
foregoing appropriation item 200-447, GED Testing/Adult High 8963
School, up to \$250,000 in each fiscal year shall be used by the 8964
department to reimburse local school districts for a portion of the 8965
costs incurred in providing summer instructional or intervention 8966
services to students who have not graduated due to their inability 8967
to pass one or more parts of the state's ninth grade proficiency 8968
test. School districts may provide these services to students 8969
directly or contract with post-secondary or nonprofit 8970
community-based institutions in providing instruction. The 8971
remainder of the appropriation shall be used for state 8972
reimbursement to school districts for adult high school continuing 8973
education programs pursuant to section 3313.531 of the Revised 8974
Code or for costs associated with awarding adult high school 8975
diplomas under section 3313.611 of the Revised Code. 8976

Community Schools 8977

Of the foregoing appropriation item 200-455, Community 8978
Schools, up to \$100,000 in each fiscal year may be used by the 8979
Lucas County Educational Service Center to pay for additional 8980
services provided to community schools, subject to the reporting 8981
by the service center of actual expenses incurred to the 8982
Department of Education. In each fiscal year, up to \$400,000 may 8983
be used by the Office of School Options in the Department of 8984
Education for additional services and responsibilities under 8985
section 3314.11 of the Revised Code. 8986

The remaining appropriation may be used by the Department of 8987
Education and the Lucas County Educational Service Center to make 8988
grants of up to \$50,000 to each proposing group with a preliminary 8989
agreement obtained under division (C)(2) of section 3314.02 of the 8990
Revised Code in order to defray planning and initial start-up 8991
costs. In the first year of operation of a community school, the 8992
Department of Education and the Lucas County Educational Service 8993
Center may make a grant of no more than \$100,000 to the governing 8994
authority of the school to partially defray additional start-up 8995
costs. The amount of the grant shall be based on a thorough 8996
examination of the needs of the community school. The Department 8997
of Education and the Lucas County Educational Service Center shall 8998
not utilize moneys received under this section for any other 8999
purpose other than those specified under this section. The 9000
department shall allocate an amount to the Lucas County 9001
Educational Service Center for grants to schools in the Lucas 9002
County pilot project area under this paragraph. 9003

A community school awarded start-up grants from appropriation 9004
item 200-613, Public Charter Schools (Fund 3T4), shall not be 9005
eligible for grants under this section. 9006

Section 4.09. 9007

School Finance Equity

The foregoing appropriation item 200-500, School Finance 9008
Equity, shall be distributed to school districts based on the 9009
formula specified in section 3317.0213 of the Revised Code. 9010

Section 4.10.

9011

Base Cost Funding

Of the foregoing appropriation item 200-501, Base Cost 9012
Funding, up to \$3,000,000 in fiscal year 2000 shall be expended by 9013
the State Board of Education for the extended service allowance 9014
which shall be the teachers' salaries pursuant to the schedule 9015
contained in section 3317.13 of the Revised Code, plus fifteen per 9016
cent for retirement and sick leave; up to \$425,000 shall be 9017
expended in each year of the biennium for court payments pursuant 9018
to section 2151.357 of the Revised Code; an amount shall be 9019
available each year of the biennium for the cost of the 9020
reappraisal guarantee pursuant to section 3317.04 of the Revised 9021
Code; an amount shall be available in each year of the biennium to 9022
make payments to school districts pursuant to division (A)(2) of 9023
section 3317.022 of the Revised Code; up to \$15,000,000 in each 9024
year of the biennium shall be reserved for payments pursuant to 9025
sections 3317.026, 3317.027, and 3317.028 of the Revised Code 9026
except that the Controlling Board may increase the \$15,000,000 9027
amount if presented with such a request from the Department of 9028
Education. Of the foregoing appropriation item 200-501, Base Cost 9029
Funding, up to \$14,000,000 shall be used in each fiscal year to 9030
provide additional state aid to school districts for students in 9031
category three special education ADM pursuant to division (C)(4) 9032
of section 3317.022 of the Revised Code; up to \$2,000,000 in each 9033
year of the biennium shall be reserved for Youth Services tuition 9034
payments pursuant to section 3317.024 of the Revised Code; up to 9035
\$50,000,000 in fiscal year 2000 and up to \$52,000,000 in fiscal 9036

year 2001 shall be reserved to fund the state reimbursement of 9037
educational service centers pursuant to section 3317.11 of the 9038
Revised Code. 9039

Of the foregoing appropriation item 200-501, Base Cost 9040
Funding, up to \$1,000,000 in each fiscal year shall be used by the 9041
Department of Education for a pilot program to pay for educational 9042
services for youth who have been assigned by a juvenile court or 9043
other authorized agency to any of the facilities described in 9044
division (A) of the section titled "Private Treatment Facility 9045
Pilot Project." 9046

Of the foregoing appropriation item 200-501, Base Cost 9047
Funding, up to \$100,000 in each fiscal year shall be used by the 9048
Department of Education to provide awards to teachers, school 9049
buildings, or school districts that promote parental involvement 9050
in outstanding ways. The practices, methods, and lessons learned 9051
from the award winners shall be shared with all school districts 9052
by the Department of Education. 9053

Of the foregoing appropriation item 200-501, Base Cost 9054
Funding, up to \$2,000,000 in each fiscal year shall be used for a 9055
safe-school help line program for students, parents, and the 9056
community to report threats to the safety of students or school 9057
personnel. Criteria for the distribution of these moneys shall be 9058
established by the Department of Education. 9059

The remaining portion of this appropriation item shall be 9060
expended for the public schools of city, local, exempted village, 9061
and joint vocational school districts, including base cost 9062
funding, special education weight funding, special education 9063
speech service enhancement funding, vocational education weight 9064
funding, vocational education associated service funding, 9065
guarantee funding, and teacher training and experience funding 9066
pursuant to sections 3317.022, 3317.023, 3317.0212, and 3317.16 of 9067

the Revised Code. 9068

Notwithstanding section 3301.17, division (I) of section 9069
3317.024, and division (B)(3) of section 3317.19 of the Revised 9070
Code, the Department of Education shall not pay in fiscal years 9071
2000 and 2001 the driver education subsidy to school districts and 9072
commercial driver training schools. 9073

Section 4.11. 9074

Pupil Transportation

Of the foregoing appropriation item 200-502, Pupil 9075
Transportation, up to \$755,000 may be used by the Department of 9076
Education each year for training prospective and experienced 9077
school bus drivers in accordance with training programs prescribed 9078
by the department; up to \$38,175,000 in fiscal year 2000 and 9079
\$50,490,000 in fiscal year 2001 shall be used for handicapped 9080
transportation; up to \$300,000 in fiscal year 2000 shall be used 9081
by the Department of Education to pay driver education vouchers 9082
issued prior to June 8, 1999; and the remainder shall be used for 9083
the state reimbursement of public school districts' costs in 9084
transporting pupils to and from the school to which they attend in 9085
accordance with the district's policy, State Board of Education 9086
standards, and the Revised Code. 9087

Bus Purchase Allowance 9088

The foregoing appropriation item 200-503, Bus Purchase 9089
Allowance, shall be distributed to school districts and 9090
educational service centers pursuant to rules adopted under 9091
section 3317.07 of the Revised Code. Up to 25 per cent of the 9092
amount appropriated may be used to reimburse school districts and 9093
educational service centers for the purchase of buses to transport 9094
handicapped and nonpublic school students. 9095

School Lunch 9096

The foregoing appropriation item 200-505, School Lunch Match, 9097
shall be used to provide matching funds to obtain federal funds 9098
for the school lunch program. 9099

Section 4.12. 9100

Adult Literacy Education

The foregoing appropriation item 200-509, Adult Literacy 9101
Education, shall be used to support adult basic and literacy 9102
education instructional programs, the State Literacy Resource 9103
Center Program, and the State Advisory Council on Adult Education 9104
and Literacy. 9105

Of the foregoing appropriation item 200-509, Adult Literacy 9106
Education, up to \$520,000 in fiscal year 2000 and \$532,500 in 9107
fiscal year 2001 shall be used for the support and operation of 9108
the State Literacy Resource Center and the State Advisory Council 9109
on Adult Education and Literacy. 9110

The remainder shall be used to continue to satisfy the state 9111
match and maintenance of effort requirements for the support and 9112
operation of the Ohio Department of Education administered 9113
instructional grant program for Adult Basic and Literacy Education 9114
in accordance with the department's state plan for Adult Basic and 9115
Literacy Education as approved by the State Board of Education and 9116
the Secretary of the United States Department of Education. 9117

Auxiliary Services 9118

The foregoing appropriation item 200-511, Auxiliary Services, 9119
shall be used by the State Board of Education for the purpose of 9120
implementing section 3317.06 of the Revised Code. Of the 9121
appropriation, up to \$1,000,000 in each fiscal year of the 9122
biennium may be used for payment of the Post-Secondary Enrollment 9123
Options Program for nonpublic students pursuant to section 3365.10 9124
of the Revised Code. 9125

Summer Intervention 9126

Of the foregoing appropriation item 200-513, Summer 9127
Intervention, up to \$15,000,000 in each fiscal year shall be used 9128
to provide intervention services to students in danger of not 9129
advancing to the fifth grade as a result of a failure to attain 9130
the score designated under division (A)(1) of section 3301.0710 of 9131
the Revised Code on the test to measure skill in reading. These 9132
moneys shall be used to provide equalized reimbursement payments 9133
using the state aid ratio to school districts providing summer 9134
intervention services satisfying criteria defined in division (E) 9135
of section 3313.608 of the Revised Code. The Department of 9136
Education shall establish guidelines for the use and distribution 9137
of these moneys. 9138

Post-Secondary/Adult Vocational Education 9139

The foregoing appropriation item 200-514, 9140
Post-Secondary/Adult Vocational Education, shall be used by the 9141
State Board of Education to provide post-secondary/adult 9142
vocational education pursuant to sections 3313.52 and 3313.53 of 9143
the Revised Code. 9144

Of the foregoing appropriation item 200-514, 9145
Post-Secondary/Adult Vocational Education, up to \$500,000 in each 9146
fiscal year shall be allocated for the Ohio Career Information 9147
System (OCIS) and used for the dissemination of career information 9148
data to public schools, libraries, rehabilitation centers, two- 9149
and four-year colleges and universities, and other governmental 9150
units. 9151

Of the foregoing appropriation item 200-514, 9152
Post-Secondary/Adult Vocational Education, up to \$30,000 in each 9153
fiscal year shall be used for the statewide coordination of the 9154
activities of the Ohio Young Farmers. 9155

The Governor's Workforce Development Board shall examine the 9156

sites statewide participating in the Orientation to Nontraditional
Occupations for Women Program and consider making recommendations
for funding the program under the proposed Department of Job and
Family Services. In the event that the Department of Job and
Family Services is not created through the merger of the
Department of Human Services and Bureau of Employment Services in
fiscal year 2001, the Workforce Development Board shall make any
recommendations for funding the program to the individual
agencies.

Disadvantaged Pupil Impact Aid

The foregoing appropriation item 200-520, Disadvantaged Pupil
Impact Aid, shall be distributed to school districts according to
the provisions of section 3317.029 of the Revised Code. However,
no money shall be distributed for all-day kindergarten to any
school district whose three-year average formula ADM exceeds
17,500 but whose DPIA index is not at least equal to 1.00, unless
the Department of Education certifies that sufficient funds exist
in this appropriation to make all other payments required by
section 3317.029 of the Revised Code.

The Department of Education shall pay all-day, everyday
kindergarten funding to all school districts in fiscal year 2000
and fiscal year 2001 that qualified for and provided the service
in a preceding fiscal year pursuant to section 3317.029 of the
Revised Code, regardless of changes to such districts' DPIA
indexes in fiscal year 2000 and fiscal year 2001.

The Department of Education shall pay to community schools an
amount for all-day kindergarten if the school district in which
the student is entitled to attend school is eligible but does not
receive a payment for all-day kindergarten, pursuant to division
(B) of section 3314.13 of the Revised Code, and the student is
reported by the community school as enrolled in all-day

kindergarten at the community school. 9188

Of the foregoing appropriation item 200-520, Disadvantaged 9189
Pupil Impact Aid, up to \$3,000,000 in each year of the biennium 9190
shall be used for school breakfast programs. Of the \$3,000,000, up 9191
to \$500,000 shall be used each year by the Department of Education 9192
to provide start-up grants to rural school districts and to school 9193
districts with less than 1,500 ADM that start school breakfast 9194
programs. The remainder of the \$3,000,000 shall be used to: (1) 9195
partially reimburse school buildings within school districts that 9196
are required to have a school breakfast program pursuant to 9197
section 3313.813 of the Revised Code, at a rate decided upon by 9198
the department, for each breakfast served to any pupil enrolled in 9199
the district; (2) partially reimburse districts participating in 9200
the National School Lunch Program that have at least 20 per cent 9201
of students who are eligible for free and reduced meals according 9202
to federal standards, at a rate decided upon by the department; 9203
and (3) to partially reimburse districts participating in the 9204
National School Lunch Program for breakfast served to children 9205
eligible for free and reduced meals enrolled in the district, at a 9206
rate decided upon by the department. 9207

Of the portion of the funds distributed to the Cleveland City 9208
School District under section 3317.029 of the Revised Code 9209
calculated under division (F)(2) of that section, up to 9210
\$11,217,000 in fiscal year 2000 and up to \$13,866,000 in fiscal 9211
year 2001 shall be used to operate the pilot school choice program 9212
in the Cleveland City School District pursuant to sections 9213
3313.974 to 3313.979 of the Revised Code. 9214

Of the foregoing appropriation item 200-520, Disadvantaged 9215
Pupil Impact Aid, \$900,000 in fiscal year 2000 and \$1,154,915 in 9216
fiscal year 2001 shall be used to support dropout recovery 9217
programs administered by the Department of Education, Jobs for 9218
Ohio's Graduates program. 9219

Of the foregoing appropriation item 200-520, Disadvantaged 9220
Pupil Impact Aid, up to \$500,000 in each fiscal year shall be used 9221
by the Department of Education to encourage school districts to 9222
set high academic standards and provide a helping hand for 9223
students striving to meet them. A Summer Proficiency Academy shall 9224
be any school district's summer school program that is conducted 9225
for students who have been enrolled in the fourth and sixth 9226
grades, whether district-wide, in several school buildings or 9227
within a cluster of school buildings, that addresses the needs of 9228
students who did not pass at least three of the five parts of 9229
either the fourth-grade or sixth-grade proficiency test, that is 9230
of at least six weeks' duration, and that provides an innovative, 9231
enriching educational experience. The department shall use the 9232
funds indicated in this paragraph to make grants to those school 9233
districts that conduct such Summer Proficiency Academies and that 9234
have valuation per pupil less than 150 per cent of the statewide 9235
average valuation per pupil, to defray 75 per cent of the costs of 9236
conducting such academies. The amount of each grant shall not 9237
exceed \$150,000 and each school district shall be eligible for up 9238
to four grants in each fiscal year. Grants shall be made to school 9239
districts based on the percentage of students failing three or 9240
more tests, with first priority given to districts with the 9241
highest failure rates. As used in this paragraph, "valuation per 9242
pupil" has the same meaning as in division (A)(4) of section 9243
3317.0212 of the Revised Code as it existed prior to July 1, 1998. 9244

There is hereby created the Alternative Education Advisory 9245
Council which shall consist of one representative from each of the 9246
following agencies: The Ohio Department of Education, the 9247
Department of Youth Services, the Ohio Department of Alcohol and 9248
Drug Addiction Services, the Department of Mental Health, the 9249
Office of the Governor or at the Governor's discretion the Office 9250
of the Lieutenant Governor, and the Office of the Attorney 9251

General. The Alternative Education Advisory Council shall cease to exist on June 30, 2001. 9252
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Of the foregoing appropriation item 200-520, Disadvantaged Pupil Impact Aid, \$10,000,000 in each fiscal year shall be used for matching grants to the 21 urban school districts as defined in division (O) of section 3317.02 of the Revised Code as it existed prior to July 1, 1998, and \$10,000,000 in each fiscal year shall be used for matching grants to rural and suburban school districts for alternative educational programs for existing and new at-risk and delinquent youth in grades six through twelve. Programs shall be focused on youth in one or more of the following categories: those who have been expelled or suspended, those at risk of dropping out of school, those who are habitually truant or disruptive, or those on probation or on parole from a Department of Youth Service's facility. The Alternative Education Advisory Council shall develop criteria for the awarding of grants for alternative educational programs to school districts. The grants shall be administered by the Ohio Department of Education. 9254
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Section 4.13. 9271

Gifted Pupil Program

The foregoing appropriation item 200-521, Gifted Pupil Program, shall be used for gifted education units not to exceed 950 in each fiscal year of the biennium pursuant to division (P) of section 3317.024 and division (F) of section 3317.025 of the Revised Code. 9272
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Of the foregoing appropriation item 200-521, Gifted Pupil Program, up to \$5,000,000 in each fiscal year of the biennium may be used as an additional supplement for identifying gifted students pursuant to Chapter 3324. of the Revised Code. 9277
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9280

Of the foregoing appropriation item 200-521, Gifted Pupil 9281

Program, the Department of Education may expend up to \$1,000,000 9282
each year for the Summer Honors Institute for gifted freshmen and 9283
sophomore high school students. Up to \$600,000 in each fiscal year 9284
shall be used for research and demonstration projects. 9285

Section 4.14. 9286

Educational Excellence and Competency

Of the foregoing appropriation item 200-524, Educational 9287
Excellence and Competency, up to \$35,000 in each fiscal year shall 9288
be reserved for the Ohio Science Olympiad and up to \$25,000 in 9289
each fiscal year shall be reserved for the International Science 9290
and Engineering Fair. Up to \$250,000 in each fiscal year shall be 9291
reserved for a Math and Science Initiative to enhance math and 9292
science education for elementary students in a county-wide 9293
collaborative. 9294

Of the foregoing appropriation item 200-524, Educational 9295
Excellence and Competency, up to \$100,000 may be used in fiscal 9296
year 2001 by the Girl Scouts of Central Ohio. 9297

Of the foregoing appropriation item 200-524, Educational 9298
Excellence and Competency, up to \$100,000 in each fiscal year 9299
shall be used for the EQUIP Program. Up to \$50,000 in each fiscal 9300
year shall be used for the Cincinnati Central Clinic. Up to 9301
\$150,000 in fiscal year 2000 and \$125,000 in fiscal year 2001 9302
shall be distributed to the Franklin County Educational Council to 9303
operate the Magellan Program. Up to \$50,000 in each fiscal year 9304
shall be used for the Findlay-Hancock Summer Academic Camp. 9305

Of the foregoing appropriation item 200-524, Educational 9306
Excellence and Competency, up to \$90,000 in fiscal year 2000 and 9307
\$80,000 in fiscal year 2001 shall be used for the Cleveland 9308
Language Project; up to \$20,000 in each fiscal year shall be used 9309
for the Cincinnati Language Project; up to \$20,000 in fiscal year 9310

2000 and \$30,000 in fiscal year 2001 shall be used for the 9311
Columbus Language Project; and up to \$20,000 in each fiscal year 9312
shall be used for the Dayton Language Project; 9313

Of the foregoing appropriation item 200-524, Educational 9314
Excellence and Competency, up to \$50,000 in each year of the 9315
biennium may be used by the Springfield School District to support 9316
the Aid for College Opportunity Program. 9317

The Department of Education shall distribute \$150,000 in 9318
fiscal year 2000 and \$100,000 in fiscal year 2001 to the 9319
Christopher Project. The department shall distribute \$80,000 in 9320
fiscal year 2000 and \$40,000 in fiscal year 2001 to the Regional 9321
District/University Consortium to Validate At-Risk Programs for 9322
Rural School Districts. The Department shall distribute \$75,000 in 9323
each fiscal year to the Cincinnati Artworks Project. In each 9324
fiscal year of the biennium, \$100,000 shall be used for Ledgemont 9325
Education Excellency. In addition, the department shall distribute 9326
\$275,000 in each fiscal year to the Summit County Technology 9327
Project. 9328

Of the foregoing appropriation item 200-524, Educational 9329
Excellence and Competency, \$48,333 in fiscal year 2000 and \$36,667 9330
in fiscal year 2001 shall be distributed to the Ohio Geographical 9331
Alliance at such time as matching funds are provided by the 9332
National Geographical Society. These moneys shall be used by the 9333
Ohio Geographical Alliance to provide geography training to public 9334
school teachers. 9335

In each fiscal year, \$300,000 shall be used for a pilot 9336
project for the integration and implementation of distance 9337
learning, virtual reality, and computer technology to prepare 9338
students for careers in industry. Of this amount, \$65,000 in each 9339
fiscal year shall be distributed to the Math, Science and 9340
Industrial Technology Institute at Kent State University-Trumbull 9341

Campus for purposes of this pilot project and \$235,000 in each 9342
fiscal year shall be distributed to the Trumbull County 9343
Educational Service Center for the Industrial Technology Career 9344
Academy pilot project. In each fiscal year, \$140,000 shall be used 9345
for the Crouse School Readiness Program. 9346

Of the foregoing appropriation item 200-524, Educational 9347
Excellence and Competency, \$850,000 in fiscal year 2000 and 9348
\$850,000 in fiscal year 2001 shall be used to assist local school 9349
districts in the implementation of financial literacy programs as 9350
part of the school curriculum in kindergarten through grade six. 9351
The funds shall be used to purchase financial literacy 9352
instructional materials, including student books, hands-on 9353
material, and supporting teacher guides, which promote economic 9354
awareness by addressing fundamental life skills such as earning 9355
money, saving money, and spending money wisely. The financial 9356
literacy curriculum shall also introduce students to the concepts 9357
of economic interdependence, profit, loss, investment, and supply 9358
and demand. In fiscal year 2001, each school district shall be 9359
eligible for one \$1,000 grant for each kindergarten through sixth 9360
grade level in each school building. A school building with five 9361
or more classes per grade level may receive up to \$2,000 for that 9362
grade level. 9363

The remainder of the appropriation shall be used by the 9364
Department of Education to fund programs each year as follows: 9365

	FY 2000	FY 2001	
Earn and Learn	\$ 686,667	\$ 343,333	9366
Trumbull County "Make Learning			9368
Fun"	\$ 50,000	\$ 25,000	9369
LEAF	\$ 65,000	\$ 65,000	9370
Coventry	\$ 16,667	\$ 8,333	9371
Columbus Youth Corp	\$ 33,333	\$ 16,667	9372
Montgomery County Summer Math			9373

program	\$ 143,333	\$ 71,667	9374
Columbus City District's "I Know I Can"	\$ 645,000	\$ 645,000	9375 9376
Dayton-Montgomery County Scholarship Program	\$ 600,000	\$ 600,000	9377 9378
Cleveland Scholarship	\$ 500,000	\$ 500,000	9379
Cleveland Initiative for Education	\$ 240,000	\$ 120,000	9380
Cincinnati Scholarship Foundation	\$ 600,000	\$ 600,000	9381
Improved Solutions for Urban Systems (ISUS)	\$ 100,000	\$ 100,000	9382 9383
Lorain County Access	\$ 150,000	\$ 150,000	9384
Amer-I-Can	\$ 850,000	\$ 850,000	9385
London Learns	\$ 100,000	\$ 100,000	9386
Project Succeed	\$1,000,000	\$1,000,000	9387
Toledo Tech Academy	\$ 300,000	\$ 300,000	9388
Toledo International Language Center	\$ 133,333	\$ 66,667	9389 9390
Greater Toledo School-To-Work Consortium	\$ 100,000	\$ 100,000	9391 9392
Muskingum Valley Services Center	\$ 100,000	\$ 100,000	9393
O.U. Leadership	\$ 75,000	\$ 75,000	9394
For the Cleveland Initiative in Education program, the grant shall support its mentoring and advocacy program.			9395 9396
Of the foregoing appropriation item 200-524, Educational Excellence and Competency, \$83,000 in fiscal year 2000 and \$83,000 in fiscal year 2001 shall be used for the Shaker Heights Educational Mobility program.			9397 9398 9399 9400
Of the foregoing appropriation item 200-524, Educational Excellence and Competency, up to \$100,000 in fiscal year 2000 and \$150,000 in fiscal year 2001 shall be used for grants to Ohio school districts for the JASON Project, a specially designed interactive science and mathematics curriculum for middle school			9401 9402 9403 9404 9405

students. Grants may provide up to 75 per cent of a school 9406
district's total cost of participation and may be used to purchase 9407
curriculum materials, supplemental videos, and professional 9408
development materials. Grants may also include miscellaneous costs 9409
such as technology equipment and service fees. 9410

Of the foregoing appropriation item 200-524, Educational 9411
Excellence and Competency, up to \$133,333 in fiscal year 2000 and 9412
\$66,667 in fiscal year 2001 shall be used for the W.E.B. Dubois 9413
Talented Tenth Teacher Training Academy. The program will provide 9414
a summer honors program to promising minority students identified 9415
by their school districts as potential future teachers. 9416

Of the foregoing appropriation item 200-524, Educational 9417
Excellence and Competency, up to \$100,000 in each fiscal year 9418
shall be used for the Parenting Healthy Children Initiative of the 9419
Manuel D. and Rhoda Mayerson Foundation. 9420

Of the foregoing appropriation item 200-524, Educational 9421
Excellence and Competency, up to \$200,000 in each fiscal year 9422
shall be used for the Tuscarawas County Innovative Remediation 9423
Program to provide grants to school districts within Tuscarawas 9424
County. 9425

Of the foregoing appropriation item 200-524, Educational 9426
Excellence and Competency, up to \$5,000 in each fiscal year shall 9427
be used for the Buckeye Ranch Animal Therapy Program. 9428

Each program or entity that receives funds under the 9429
foregoing appropriation item 200-524, Educational Excellence and 9430
Competency, shall submit annually to the chairpersons of the 9431
education committees of the House of Representatives and the 9432
Senate and to the Department of Education a report that includes a 9433
description of the services supported by the funds, a description 9434
of the results achieved by those services, an analysis of the 9435
effectiveness of the program, and an opinion as to the program's 9436

applicability to other school districts. No funds shall be 9437
provided by the Department of Education to a district for a fiscal 9438
year until its report for the prior fiscal year has been 9439
submitted. 9440

Of the foregoing appropriation item 200-524, Educational 9441
Excellence and Competency, \$40,000 in each fiscal year shall be 9442
used for the Health Education Center of The Greater Cincinnati 9443
Scholarship Fund to provide scholarships to students in Hamilton, 9444
Butler, Clermont, and Warren Counties to attend health education 9445
programming provided by the center. Eligibility for scholarships 9446
shall be restricted to students currently attending school 9447
districts receiving funding under Title I of the Elementary and 9448
Secondary Education Act of 1965. 9449

Nonpublic Administrative Cost Reimbursement 9450

The foregoing appropriation item 200-532, Nonpublic 9451
Administrative Cost Reimbursement, shall be used by the State 9452
Board of Education for the purpose of implementing section 9453
3317.063 of the Revised Code. 9454

School-Age Child Care 9455

Of the foregoing appropriation item 200-533, School-Age Child 9456
Care, up to \$200,000 in each fiscal year shall be used for the 9457
"Training Ohio's Parents for Success" Program. Up to \$500,000 in 9458
each fiscal year shall be used for the "Parents as Teachers" 9459
Program. 9460

Of the foregoing appropriation item 200-533, School-Age Child 9461
Care, up to \$62,500 in each fiscal year shall be used by the 9462
Cincinnati YWCA for its Home Instruction Program for Preschool 9463
Youngsters (HIPPIY). 9464

As used under this heading "school-age child care" means a 9465
program of child care conducted outside of regular school hours 9466

for school age children. 9467

The remainder of the foregoing appropriation item 200-533, 9468
School-Age Child Care, shall be used by the Department of 9469
Education to provide grants to city, local, and exempted village 9470
school districts and educational service centers for school-age 9471
child care programs. In each fiscal year, the department shall 9472
make grants. All grants shall be awarded by the department on the 9473
basis of project proposals submitted by school district boards of 9474
education or educational service center governing boards. The 9475
board of education of each district or governing board of each 9476
educational service center that receives a grant shall keep a 9477
record of how the grant is used, and issue a report at the end of 9478
the school year for which the grant was made explaining the goals 9479
and objectives determined, the activities implemented, and the 9480
progress made toward achieving goals and objectives. 9481

Desegregation Costs 9482

The foregoing appropriation item 200-534, Desegregation 9483
Costs, shall be used to pay desegregation costs. 9484

(A) Notwithstanding any section of law to the contrary, if in 9485
each fiscal year, due to federal court order, the Department of 9486
Education is obligated to pay for desegregation costs in any 9487
school district, the costs shall be paid from the foregoing 9488
appropriation item 200-534, Desegregation Costs. 9489

Of the foregoing appropriation item 200-534, Desegregation 9490
Costs, in fiscal year 2000 or in fiscal year 2001 any unobligated 9491
balances may be used to cover the legal fees associated with 9492
desegregation cases brought against the state. 9493

By the first day of May of each year, the Department of 9494
Education shall determine if the appropriation exceeds the state's 9495
obligation for desegregation costs. Any appropriations in excess 9496
of the state's obligation shall be transferred to appropriation 9497

item 200-406, Head Start, by the Director of Budget and 9498
Management. 9499

(B) As part of managing state desegregation costs, any board 9500
of education of a school district subject to a federal court 9501
desegregation order that requires the district board to bus 9502
students for the purpose of racial balance shall, within one year 9503
of the effective date of this section: 9504

(1) Update its plan required under Am. Sub. H.B. 298 of the 9505
119th General Assembly designed to satisfy the court so as to 9506
obtain release from the court's desegregation order; and 9507

(2) Submit an updated copy of the plan to the State Board of 9508
Education. 9509

Upon request of the district board, the State Board shall provide 9510
technical assistance to the school district board in developing a 9511
plan. 9512

Within ninety days of the date on which the plan is submitted 9513
to the State Board of Education, the district board, or the 9514
district board and the State Board of Education jointly if both 9515
are parties to the desegregation case, shall submit the plan to 9516
the court and apply for release from the court's desegregation 9517
order. 9518

Of the foregoing appropriation item 200-534, Desegregation 9519
Costs, Dayton City Schools shall receive at least \$9,000,000 in 9520
each of fiscal year 2000 and fiscal year 2001. 9521

Section 4.15. 9522

Special Education Enhancements

Of the foregoing appropriation item 200-540, Special 9523
Education Enhancements, up to \$44,000,000 in fiscal year 2000 and 9524
up to \$48,400,000 in fiscal year 2001 shall be used to fund 9525
special education and related services at MR/DD boards for 9526

eligible students under section 3317.20 of the Revised Code. Up to 9527
\$2,500,000 of these amounts shall be used in each fiscal year to 9528
fund up to 57 special education classroom and related services 9529
units at institutions. 9530

Of the foregoing appropriation item 200-540, Special 9531
Education Enhancements, up to \$3,081,000 in fiscal year 2000 and 9532
\$3,167,268 in fiscal year 2001 shall be used for home instruction 9533
for handicapped children; up to \$1,500,000 in each fiscal year 9534
shall be used for parent mentoring programs; and up to \$2,567,000 9535
in fiscal year 2000 and \$2,639,390 in fiscal year 2001 may be used 9536
for school psychology interns. 9537

Of the foregoing appropriation item 200-540, Special 9538
Education Enhancements, \$2,550,800 in fiscal year 2000 and 9539
\$3,704,000 in fiscal year 2001 shall be used by the Department of 9540
Education to assist school districts in funding aides pursuant to 9541
paragraph (A)(3)(c)(i)(b) of rule 3301-51-04 of the Administrative 9542
Code. 9543

Of the foregoing appropriation item 200-540, Special 9544
Education Enhancements, \$71,934,548 in fiscal year 2000 and 9545
\$76,623,506 in fiscal year 2001 shall be distributed by the 9546
Department of Education to county boards of mental retardation and 9547
developmental disabilities, educational service centers, and 9548
school districts for preschool special education units and 9549
preschool supervisory units in accordance with section 3317.161 of 9550
the Revised Code. The department may reimburse county boards of 9551
mental retardation and developmental disabilities, educational 9552
service centers, and school districts for related services as 9553
defined in rule 3301-31-05 of the Ohio Administrative Code, for 9554
preschool occupational and physical therapy services provided by a 9555
physical therapy assistant and certified occupational therapy 9556
assistant, and for an instructional assistant. To the greatest 9557
extent possible, the Department of Education shall allocate these 9558

units to school districts and educational service centers. The
Controlling Board may approve the transfer of unallocated funds
from appropriation item 200-501, Base Cost Funding, to
appropriation item 200-540, Special Education Enhancements, to
fully fund existing units as necessary or to fully fund additional
units. The Controlling Board may approve the transfer of
unallocated funds from appropriation item 200-540, Special
Education Enhancements, to appropriation item 200-501, Base Cost
Funding, to fully fund existing units, as necessary, or to fully
fund additional units.

The Department of Education shall require school districts,
educational service centers, and county MR/DD boards serving
preschool children with disabilities to document child progress
using a common instrument prescribed by the department and report
results annually. The reporting dates and methodology shall be
determined by the department.

The department shall adopt rules addressing the use of
screening and assessment data including, but not limited to:

(1) Protection of the identity of individual children through
assignment of a unique, but not personally identifiable, code;

(2) Parents' rights; and

(3) Use of the child data by school personnel as it relates
to kindergarten entrance.

Of the foregoing appropriation item 200-540, Special
Education Enhancements, up to \$800,000 in each fiscal year shall
be allocated to provide grants to research-based reading mentoring
programs for students with disabilities in kindergarten through
fourth grade. Priority shall be given to mentoring programs that
have been recognized by the Education Commission of the States as
promising educational practices for accelerating student

achievement, are easily replicated, have strong evaluative 9590
components, and goals aligned to the Ohio Proficiency Test. 9591
Programs may be implemented at times deemed most appropriate. 9592
Certified staff shall administer these programs and testing of 9593
participants shall be required prior to, during, and after 9594
participation in these programs. The results of such tests shall 9595
be reported to the Governor, Superintendent of Public Instruction, 9596
and General Assembly. 9597

Of the foregoing appropriation item 200-540, Special 9598
Education Enhancements, up to \$93,000 in fiscal year 2000 and up 9599
to \$86,000 in fiscal year 2001 shall be used to conduct a 9600
collaborative pilot program to provide educational services and 9601
develop best educational practices for autistic children. The 9602
pilot program shall include, but not be limited to, the 9603
involvement of the Wood County Board of Mental Retardation and 9604
Developmental Disabilities, Wood County Educational Services 9605
Center, Children's Resource Center of Wood County, and the Family 9606
and Children First Council of Wood County. 9607

Of the foregoing appropriation item 200-540, Special 9608
Education Enhancements, up to \$16,000 in fiscal year 2000 may be 9609
used by the Broadmore School to fund the Autistic Children 9610
Rehabilitation Program. 9611

Of the foregoing appropriation item 200-540, Special 9612
Education Enhancements, up to \$300,000 in each fiscal year shall 9613
be expended to conduct a demonstration project involving language 9614
and literacy intervention teams supporting student acquisition of 9615
language and literacy skills. The demonstration project shall 9616
demonstrate improvement of language and literacy skills of at-risk 9617
learners under the instruction of certified speech language 9618
pathologists and educators. Baseline data shall be collected and 9619
comparison data for fiscal year 2000 and fiscal year 2001 shall be 9620
collected and reported to the Governor, OhioReads Council, 9621

Department of Education, and the General Assembly.

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Section 4.16.

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Vocational Education Enhancements

Of the foregoing appropriation item 200-545, Vocational Education Enhancements, up to \$2,500,000 in fiscal year 2000 and \$2,616,000 in fiscal year 2001 shall be used to fund up to 51 vocational education units at institutions. Up to \$9,975,000 in fiscal year 2000 and up to \$10,972,500 in fiscal year 2001 shall be used to fund the Jobs for Ohio Graduates (JOG) program, up to \$2,315,200 in fiscal year 2000 and up to \$2,431,012 in fiscal year 2001 may be used to support tech prep consortia.

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Of the foregoing appropriation item 200-545, Vocational Education Enhancements, up to \$4,270,030 in fiscal year 2000 and up to \$4,483,531 in fiscal year 2001 shall be used by the Department of Education to fund competitive grants to tech prep consortia that expand the number of students enrolled in tech prep programs. Such grant funds shall be used to directly support expanded tech prep programs provided to students enrolled in school districts, including joint vocational school districts.

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If federal funds for vocational education cannot be used for local school district leadership without being matched by state funds, then an amount as determined by the Superintendent of Public Instruction shall be made available from state funds appropriated for vocational education. If any state funds are used for this purpose, federal funds in an equal amount shall be distributed for vocational education in accordance with authorization of the state plan for vocational education for Ohio as approved by the Secretary of the United States Department of Education.

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Of the foregoing appropriation item 200-545, Vocational

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Education Enhancements, \$6,144,277 in fiscal year 2000 and 9651
\$6,451,490 in fiscal year 2001 shall be used to enable students to 9652
develop career plans, to identify initial educational and career 9653
goals, and to develop a career passport which provides a clear 9654
understanding of the student's knowledge, skills, and credentials 9655
to present to future employers, universities, and other training 9656
institutes. The amount shall be allocated to school districts 9657
pursuant to guidelines developed by the Department of Education 9658
for programs described in section 3313.607 of the Revised Code for 9659
children in the kindergarten through twelfth grades. Funds so 9660
allocated shall be used for educational materials, services, 9661
career information, curriculum development, staff development, 9662
mentorships, career exploration, and career assessment instruments 9663
as needed to develop individualized career plans and passports. 9664

Of the foregoing appropriation item 200-545, Vocational 9665
Education Enhancements, \$5,188,703 in fiscal year 2000 and 9666
\$5,707,573 in fiscal year 2001 shall be used to provide an amount 9667
to each eligible school district for the replacement or updating 9668
of equipment essential for the instruction of students in job 9669
skills taught as part of a vocational program or programs approved 9670
for such instruction by the State Board of Education. School 9671
districts replacing or updating vocational education equipment may 9672
purchase or lease such equipment. The Department of Education 9673
shall review and approve all equipment requests and may allot 9674
appropriated funds to eligible school districts on the basis of 9675
the number of units of vocational education in all eligible 9676
districts making application for funds. 9677

The State Board of Education may adopt standards of need for 9678
equipment allocation. Pursuant to the adoption of any such 9679
standards of need by the State Board of Education, appropriated 9680
funds may be allotted to eligible districts according to such 9681
standards. Equipment funds allotted under either process shall be 9682

provided to a school district on a 40, 50, or 60 per cent of cost 9683
on the basis of a district vocational priority index rating 9684
developed by the Department of Education for all districts each 9685
year. The vocational priority index shall give preference to 9686
districts with a large percentage of disadvantaged students and 9687
shall include other socio-economic factors as determined by the 9688
State Board of Education. 9689

Section 4.17. 9690

Charge-Off Supplement

The foregoing appropriation item 200-546, Charge-Off 9691
Supplement, shall be used by the Department of Education to make 9692
payments pursuant to section 3317.0216 of the Revised Code. 9693

Power Equalization 9694

The foregoing appropriation item 200-547, Power Equalization, 9695
shall be used by the Department of Education to make payments 9696
pursuant to section 3317.0215 of the Revised Code. 9697

Reading Improvement 9698

The foregoing appropriation item 200-551, Reading 9699
Improvement, shall be used by the Department of Education to fund 9700
the Reading Recovery Training Network, to cover the cost of 9701
release time for the teacher trainers, and to provide grants to 9702
districts to implement other reading improvement programs on a 9703
pilot basis. Funds for this appropriation item may also be used to 9704
conduct evaluations of the impact and effectiveness of Reading 9705
Recovery and other reading improvement programs. 9706

In addition, the Department of Education shall report to the 9707
General Assembly and the Governor each fiscal year on the progress 9708
that has been made in implementing these programs, including an 9709
evaluation of the effectiveness of the programs. 9710

Twenty per cent of the foregoing appropriation item 200-551, 9711

Reading Improvement, shall be used for the continuation of a 9712
phonics demonstration project as described in Sub. H.B. 81 of the 9713
121st General Assembly. The Department of Education may make a 9714
portion of the funds for the demonstration project available to 9715
additional school districts that want to participate in the 9716
program that did not receive funding under the original project 9717
authorized in Sub. H.B. 81 of the 121st General Assembly. 9718

County MR/DD Boards-Vehicle Purchases 9719

The foregoing appropriation item 200-552, County MR/DD Boards 9720
Vehicle Purchases, shall be used to provide financial assistance 9721
to MR/DD boards for the purchase of vehicles as permitted in 9722
section 3317.07 of the Revised Code. 9723

The foregoing appropriation item 200-553, County MR/DD Boards 9724
Transportation Operating, shall be used to provide financial 9725
assistance for transportation operating costs as provided in 9726
section 3317.024 of the Revised Code. 9727

Emergency Loan Interest Subsidy 9728

The foregoing appropriation item 200-558, Emergency Loan 9729
Interest Subsidy, shall be used to provide a subsidy to school 9730
districts receiving emergency school loans pursuant to section 9731
3313.484 of the Revised Code. The subsidy shall be used to pay 9732
these districts the difference between the amount of interest the 9733
district is paying on an emergency loan, and the interest that the 9734
district would have paid if the interest rate on the loan had been 9735
two per cent. 9736

Section 4.18. 9737

OhioReads Grants

Of the foregoing appropriation item 200-566, OhioReads 9738
Grants, \$20,000,000 each year shall be disbursed by the OhioReads 9739

Office in the Department of Education at the direction of the 9740
OhioReads Council, to provide classroom grants to public schools 9741
in city, local, and exempted village school districts; community 9742
schools; and educational service centers serving kindergarten 9743
through fourth grade students. 9744

Of the foregoing appropriation item 200-566, OhioReads 9745
Grants, \$5,000,000 each year shall be disbursed by the OhioReads 9746
Office in the Department of Education at the direction of the 9747
OhioReads Council, to provide community matching grants to 9748
community organizations and associations, libraries, and others 9749
for tutoring, tutor recruitment and training, and parental 9750
involvement. 9751

Grants awarded by the OhioReads Council are intended to 9752
improve reading outcomes, especially on the fourth grade reading 9753
proficiency test. 9754

School Improvement Incentive Grants 9755

Of the foregoing appropriation item 200-570, School 9756
Improvement Incentive Grants, \$2,000,000 in each fiscal year shall 9757
be used to provide grants of \$25,000 per building for improvements 9758
in reading performance based on selection criteria developed by 9759
the OhioReads Council. 9760

Of the foregoing appropriation items 200-570, School 9761
Improvement Incentive Grants, \$6,500,000 in each fiscal year shall 9762
be used to provide grants of \$25,000 each to elementary schools 9763
and \$50,000 each to middle schools, junior high schools, and high 9764
schools that demonstrate significant improvement on proficiency 9765
tests, attendance rates, and graduation rates based on standards 9766
developed by the Department of Education. 9767

Of the foregoing appropriation item 200-570, School 9768
Improvement Incentive Grants, \$500,000 in each fiscal year shall 9769
be used to provide grants of \$50,000 each to educational service 9770

centers and joint vocational school districts for exemplary 9771
programs or that demonstrate significant improvement on 9772
proficiency tests, attendance rates, and graduation rates based on 9773
standards developed by the Department of Education. 9774

Of the foregoing appropriation item 200-570, School 9775
Improvement Incentive Grants, \$1,000,000 in each fiscal year shall 9776
be used to provide grants of \$25,000 each to schools selected for 9777
superior performance by BEST, Building Excellent Schools for Today 9778
and the 21st Century. 9779

Teacher Incentive Grants 9780

The foregoing appropriation item 200-572, Teacher Incentive 9781
Grants, shall be used by the Department of Education to pay 9782
one-time stipends to qualified teachers of reading, mathematics, 9783
and science. To be eligible, teacher applicants must hold a valid 9784
teaching certificate; be employed by a city, local, exempted 9785
village, or joint vocational school district; and be certified by 9786
the district as necessary to meet an existing need for teachers 9787
with a reading, mathematics, or science credential. 9788

Individuals with an elementary school teaching certificate 9789
that successfully complete a program for a reading endorsement, 9790
and who successfully complete the examination prescribed by the 9791
State Board of Education, shall be paid a stipend of \$1,000. 9792
Individuals with a high school teaching certificate that 9793
successfully complete a program required to add mathematics or 9794
science to that certificate, and who successfully complete the 9795
mathematics or science examination prescribed by the State Board 9796
of Education, shall be paid a stipend of \$1,500. The variance in 9797
stipend amounts reflects the variance in requirements to secure 9798
the different credentials. 9799

Character Education 9800

Of the foregoing appropriation item 200-573, Character 9801

Education, up to \$50,000 in each fiscal year shall be used to 9802
develop, produce, or otherwise obtain a distance learning program, 9803
a video presentation, or other method of offering instruction in 9804
character education to multiple school districts. The program, 9805
presentation, or other method of instruction shall be made 9806
available to all school districts. 9807

The remainder of appropriation item 200-573, Character 9808
Education, shall be used by the Department of Education to provide 9809
matching grants of up to \$50,000 each to school districts to 9810
develop pilot character education programs. 9811

Substance Abuse Prevention 9812

Of the foregoing appropriation item 200-574, Substance Abuse 9813
Prevention, up to \$2,000,000 in fiscal year 2000 and up to 9814
\$2,120,000 in fiscal year 2001 shall be used for the Substance 9815
Abuse Coordinators Program. Of the foregoing appropriation item 9816
200-574, Substance Abuse Prevention, up to \$300,000 in each fiscal 9817
year of the biennium shall be used for the Substance Abuse 9818
Prevention Student Assistance Program. 9819

12th Grade Proficiency Stipend 9820

The foregoing appropriation item 200-575, 12th Grade 9821
Proficiency Stipend, shall be used to fund a \$500 scholarship to 9822
each student who meets the requirements of section 3365.15 of the 9823
Revised Code. 9824

Within thirty days of the effective date of this section, the 9825
Director of Budget and Management shall transfer the appropriation 9826
for this program to the Ohio Board of Regents for its 9827
administration. 9828

Auxiliary Services Mobile Repair 9829

Notwithstanding section 3317.064 of the Revised Code, if the 9830
unobligated cash balance is sufficient, the Treasurer of State 9831

shall transfer \$1,500,000 in fiscal year 2000 within thirty days 9832
of the effective date of this section and \$1,500,000 in fiscal 9833
year 2001 by August 1, 2000, from the Auxiliary Services Personnel 9834
Unemployment Compensation Fund to the Department of Education's 9835
Auxiliary Services Mobile Repair Fund (Fund 598). 9836

Within 30 days after the effective date of this section, the 9837
Superintendent of Public Instruction shall certify to the Director 9838
of Budget and Management the amount of cash to be transferred from 9839
the Miscellaneous Revenue Fund, Fund 452, to the Educational 9840
Grants Fund, Fund 620. 9841

Coordinated School Health and AIDS Education 9842

The Department of Education shall not commit or spend any 9843
moneys from appropriation item 200-625, Coordinated School Health, 9844
or appropriation item 200-668, AIDS Education, for activities in 9845
preparation for or during the 1999-2000 school year or for the 9846
2000-2001 school year until the General Assembly has approved 9847
program plans for these purposes through the adoption of a 9848
concurrent resolution. Before the House of Representatives or the 9849
Senate votes on a concurrent resolution approving program plans, 9850
its standing committee having principal jurisdiction over primary 9851
and secondary education legislation shall conduct at least one 9852
public hearing on the program plans. Tobacco use prevention 9853
programs and dental health programs are exempt from these 9854
requirements. 9855

Section 4.19. 9856

Lottery Profits Education Fund

Appropriation item fund 017 200-612, Base Cost Funding, shall 9857
be used in conjunction with GRF appropriation item 200-501, Base 9858
Cost Funding, to provide payments to school districts pursuant to 9859
Chapter 3317. of the Revised Code. 9860

Of the foregoing appropriation item fund 017 200-612, Base 9861
Cost Funding, \$25,000,000 in each fiscal year shall be used from 9862
the funds transferred from the Unclaimed Prizes Trust Fund 9863
pursuant to the section entitled "Transfers from the Unclaimed 9864
Prizes Fund" of this act. 9865

The Department of Education, with the approval of the 9866
Director of Budget and Management, shall determine the monthly 9867
distribution schedules of the GRF appropriation item 200-501 and 9868
fund 017 appropriation item 200-610. If adjustments to the monthly 9869
distribution schedule are necessary, the Department of Education 9870
shall make such adjustments with the approval of the Director of 9871
Budget and Management. 9872

The Director of Budget and Management shall transfer the 9873
amount appropriated under the Lottery Profits Education Fund for 9874
appropriation item 200-682, Lease Rental Payment Reimbursement, to 9875
the General Revenue Fund on a schedule determined by the director. 9876
These funds shall support the GRF appropriation item 230-428, 9877
Lease Rental Payments, of the School Facilities Commission. 9878

Lottery Profits Transfers* 9879

On 15th day of May of each fiscal year, the Director of 9880
Budget and Management shall determine if lottery profits transfers 9881
will meet the appropriation amounts from the Lottery Profits 9882
Education Fund. 9883

On or after the date specified in each fiscal year, if the 9884
director determines that lottery profits will not meet 9885
appropriations and if other funds are not available to meet the 9886
shortfall, the Superintendent of Public Instruction shall take the 9887
actions specified under the "Reallocation of Funds" section of 9888
this act. 9889

Transfers from the Unclaimed Prizes Fund 9890

By January 15 of fiscal year 2000 and by January 15 of fiscal 9891
year 2001, the Director of Budget and Management shall transfer 9892
\$25,000,000 from the State Lottery Commission's Unclaimed Prizes 9893
Fund to the Lottery Profits Education Fund, to be used solely for 9894
purposes specified in the Department of Education's budget. 9895
Transfers of unclaimed prizes under this provision shall not count 9896
as lottery profits in the determination made concerning excess 9897
profits titled "Lottery Profits" under the Department of Education 9898
in this act. 9899

Teacher Certification and Licensure 9900

The foregoing appropriation item 200-681, Teacher 9901
Certification and Licensure, shall be used by the Department of 9902
Education in each year of the biennium to administer teacher 9903
certification and licensure functions pursuant to sections 9904
3301.071, 3301.074, 3301.50, 3301.51, 3319.088, 3319.22, 3319.24 9905
to 3319.28, 3319.281, 3319.282, 3319.29, 3319.301, 3319.31, and 9906
3319.51 of the Revised Code. 9907

Section 4.20. 9908

Property Tax Allocation

The Superintendent of Public Instruction shall not request 9909
and the Controlling Board shall not approve the transfer of funds 9910
from appropriation item 200-901, Property Tax 9911
Allocation-Education, to any other appropriation line item. 9912

School District Solvency Assistance 9913

The foregoing appropriation item 200-687, School District 9914
Solvency Assistance, shall be used to make advancements to school 9915
districts to enable them to remain solvent pursuant to section 9916
3316.20 of the Revised Code. Advancements shall be subject to 9917
approval by the Controlling Board. Reimbursements from school 9918
districts for any amounts advanced shall be made to the School 9919

District Solvency Assistance Fund. 9920

Section 4.21. 9921

Distribution Formulas*

The Department of Education shall report the following to the 9922
Director of Budget and Management, the Legislative Office of 9923
Education Oversight, and the Legislative Budget Officer of the 9924
Legislative Service Commission: 9925

(A) Changes in formulas for distributing state 9926
appropriations, including administratively defined formula 9927
factors; 9928

(B) Discretionary changes in formulas for distributing 9929
federal appropriations; 9930

(C) Federally mandated changes in formulas for distributing 9931
federal appropriations. 9932

Any such changes shall be reported two weeks prior to the 9933
effective date of the change. 9934

Section 4.22. 9935

Educational Service Centers Funding

Notwithstanding division (B) of section 3317.11 of the 9936
Revised Code, no funds shall be provided to an educational service 9937
center in either fiscal year for any pupils of a city or exempted 9938
village school district unless an agreement to provide services 9939
under section 3313.843 of the Revised Code was entered into by 9940
January 1, 1997, except that funds shall be provided to an 9941
educational service center for any pupils of a city school 9942
district if the agreement to provide services was entered into 9943
within one year of the date upon which such district changed from 9944
a local school district to a city school district. If insufficient 9945
funds are appropriated in fiscal year 2000 for the purposes of 9946

division (B) of section 3317.11 of the Revised Code, the 9947
department shall first distribute to each educational service 9948
center \$32 per pupil in its service center ADM, as defined in that 9949
section. The remaining funds in the fiscal year shall be 9950
distributed to each educational service center at a rate of \$32 9951
per pupil in its client ADM, as defined in that section, that is 9952
attributable to each city and exempted village school district 9953
that had entered into an agreement with an educational service 9954
center for that fiscal year under section 3313.843 of the Revised 9955
Code by January 1, 1997, in order of the dates on which such 9956
agreements were entered into, beginning with the earliest such 9957
date; except that any service center that received funds for the 9958
pupils of a city or exempted village school district in fiscal 9959
year 1999 shall receive funds for the pupils of such district in 9960
fiscal year 2000 if such district has entered into an agreement 9961
with that educational service center for that fiscal year. If 9962
insufficient funds are appropriated in fiscal year 2001 for the 9963
purposes of division (B) of section 3317.11 of the Revised Code, 9964
the department shall first distribute to each educational service 9965
center \$32 per pupil in its service center ADM. The remaining 9966
funds in the fiscal year shall be distributed to each educational 9967
service center at a rate of \$32 per pupil in its client ADM 9968
attributable to each city and exempted village school district 9969
that had entered into an agreement with an educational service 9970
center for that fiscal year under section 3313.843 of the Revised 9971
Code by January 1, 1997, in order of the dates on which such 9972
agreements were entered into, beginning with the earliest such 9973
date; except that any educational service center that received 9974
funds for the pupils in the ADM of a city or exempted village 9975
school district in both fiscal years 1999 and 2000 shall receive 9976
funds for the pupils of such district in fiscal year 2001 if such 9977
district has entered into an agreement with that educational 9978
service center for that fiscal year. 9979

Section 4.23. 9980

Distribution-School District Subsidy Payments

The provisions of this section shall not take effect unless 9981
the Director of Budget and Management adopts an order putting them 9982
into effect and certifies a copy of the order to the 9983
Superintendent of Public Instruction and the Controlling Board. 9984

Notwithstanding any other provision of the Revised Code, the 9985
monthly distribution of payments made to school districts and 9986
educational service centers pursuant to section 3317.01 of the 9987
Revised Code for the first six months of each fiscal year shall 9988
equal, as nearly as possible, six and two-thirds per cent of the 9989
estimate of the amounts payable for each fiscal year. The monthly 9990
distribution of payments for the last six months of each fiscal 9991
year shall equal, as nearly as possible, ten per cent of the final 9992
calculation of the amounts payable to each school district for 9993
that fiscal year. 9994

The treasurer of each school district or educational service 9995
center may accrue, in addition to the payments defined in this 9996
section, to the accounts of the calendar years that end during 9997
each fiscal year, the difference between the sum of the first six 9998
months' payments in each fiscal year and the amounts the district 9999
would have received had the payments been made in, as nearly as 10000
possible in each fiscal year, twelve equal monthly payments. 10001

Notwithstanding the limitations on the amount of borrowing 10002
and time of payment provided for in section 133.10 of the Revised 10003
Code but subject to the provisions of sections 133.26 and 133.30 10004
of the Revised Code, a board of education of a school district may 10005
at any time between July 1, 1999, and December 31, 1999, or at any 10006
time between July 1, 2000, and December 31, 2000, borrow money to 10007
pay any necessary and actual expenses of the school district 10008
during the last six months of calendar years 1999 and 2000 and in 10009

anticipation of the receipt of any portion of the payments to be received by that district in the first six months of calendar years 2000 and 2001 representing the respective amounts accrued pursuant to the preceding paragraph, and issue notes to evidence that borrowing to mature no later than the thirtieth day of June of the calendar year following the calendar year in which such amount was borrowed. The principal amount borrowed in the last six months of calendar years 1999 or 2000 under this paragraph may not exceed the entire amount accrued or to be accrued by the district treasurer in those calendar years pursuant to the preceding paragraph. The proceeds of the notes shall be used only for the purposes for which the anticipated receipts are lawfully appropriated by the board of education. No board of education shall be required to use the authority granted by this paragraph. The receipts so anticipated, and additional amounts from distributions to the districts in the first six months of calendar years 2000 and 2001 pursuant to Chapter 3317. of the Revised Code needed to pay the interest on the notes, shall be deemed appropriated by the board of education to the extent necessary for the payment of the principal of and interest on the notes at maturity, and the amounts necessary to make those monthly distributions are hereby appropriated from the General Revenue Fund. For the purpose of better ensuring the prompt payment of principal of and interest on the notes when due, the resolution of the board of education authorizing the notes may direct that the amount of the receipts anticipated, together with those additional amounts needed to pay the interest on the borrowed amounts, shall be deposited and segregated, in trust or otherwise, to the extent, at the time or times, and in the manner provided in that resolution. The borrowing authorized by this section shall not constitute debt for purposes of section 133.04 of the Revised Code. School districts shall be reimbursed by the state for all necessary and actual costs to districts arising from this

provision, including, without limitation, the interest paid on the 10043
notes while the notes are outstanding. The Department of Education 10044
shall adopt rules that are not inconsistent with this section for 10045
school district eligibility and application for reimbursement of 10046
such costs. Payments of these costs shall be made out of any 10047
anticipated balances in appropriation items distributed under 10048
Chapter 3317. of the Revised Code. The department shall submit all 10049
requests for reimbursement under these provisions to the 10050
Controlling Board for approval. 10051

During the last six months of each calendar year, instead of 10052
deducting the amount the Superintendent of Public Instruction 10053
would otherwise deduct from a school district's or educational 10054
service center's state aid payments in accordance with the 10055
certifications made for such year pursuant to sections 3307.56 and 10056
3309.51 of the Revised Code, the superintendent shall deduct an 10057
amount equal to forty per cent of the amount so certified. The 10058
secretaries of the retirement systems shall compute the 10059
certifications for the ensuing year under such sections as if the 10060
entire amounts certified as due in the calendar year ending the 10061
current fiscal year, but not deducted pursuant to this paragraph, 10062
had been deducted and paid in that calendar year. During the first 10063
six months of the ensuing calendar year, in addition to deducting 10064
the amounts the Superintendent of Public Instruction is required 10065
to deduct under such sections during such period, the 10066
superintendent shall deduct from a district's or educational 10067
service center's state aid payments an additional amount equal to 10068
the amount that was certified as due from the district for the 10069
calendar year that ends during the fiscal year, but that was not 10070
deducted because of this paragraph. The superintendent's 10071
certifications to the Director of Budget and Management during the 10072
first six months of the calendar year shall reflect such 10073
additional deduction. 10074

Section 4.24.

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Reallocation of Funds

(A) As used in this section:

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(1) "Basic aid" means the amount calculated for the school district received for the fiscal year under divisions (A) and (C) of section 3317.022 and sections 3317.023, 3317.025 to 3317.029, 3317.0212, and 3317.0213 of the Revised Code and the amount computed for a joint vocational school district under section 3317.16 of the Revised Code.

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(2) "Nonbasic aid" means the amount computed for a school district for fiscal year 2000 or fiscal year 2001 under Chapter 3317. of the Revised Code and this act, excluding the district's basic aid and the amount computed under such chapter and acts for educational service centers, MR/DD boards, and institutions.

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(B) If in either fiscal year of the biennium the Governor issues an order under section 126.05 of the Revised Code to reduce expenditures and incurred obligations and the order requires the superintendent to reduce such state education payments, or if lottery profits transfers are insufficient to meet the amounts appropriated from the Lottery Profits Education Fund for base cost funding, and if other funds are not sufficient to offset the shortfall, the superintendent shall reduce nonbasic aid payments so that the total amount expended in the fiscal year will not exceed the amount available for expenditure pursuant to the Governor's order. Subject to Controlling Board approval, the superintendent shall reallocate appropriations not yet expended from one program to another.

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(C)(1) If further reductions in nonbasic aid are necessary following the reallocations implemented pursuant to division (B) of this section, the superintendent shall request the Controlling

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Board to approve the use of the money appropriated by this 10104
division. The superintendent shall include with the 10105
superintendent's request a report listing the amount of reductions 10106
that each school district will receive if the request is not 10107
approved, and also the amount of the reduction, if any, that will 10108
still be required if the use of the money appropriated by this 10109
section is approved. 10110

(2) In accordance with division (C)(1) of this section, there 10111
is hereby appropriated to the Department of Education from the 10112
unobligated balance remaining in the Lottery Profits Education 10113
Fund at the end of fiscal year 1999 the lesser of: the unobligated 10114
balance in the fund, or the amount needed to preclude a 10115
reallocation pursuant to this section. The money appropriated by 10116
this division may be spent or distributed by the department only 10117
with the approval of the Controlling Board. 10118

(D) If reductions in nonbasic aid are still necessary 10119
following the actions taken pursuant to divisions (B) and (C) of 10120
this section, the superintendent shall determine by what 10121
percentage expenditures for nonbasic aid must be reduced for the 10122
remainder of the fiscal year to make the total amount distributed 10123
for the year equal the amount appropriated or available for 10124
distribution. The superintendent shall reduce by that percentage 10125
the amount to be paid in nonbasic aid to each city, exempted 10126
village, local, and joint vocational school district, to each 10127
educational service center, to each county board of mental 10128
retardation and developmental disabilities, and to each 10129
institution providing special education programs under section 10130
3323.091 of the Revised Code for the remainder of the fiscal year. 10131

Section 4.25. 10132

Lottery Profits

(A) There is hereby created the Lottery Profits Education 10133

Reserve Fund (Fund 018) in the State Treasury. At no time shall
the amount to the credit of the fund exceed \$75,000,000.
Investment earnings of the Lottery Profits Education Reserve Fund
shall be credited to the fund. Notwithstanding any provisions of
law to the contrary, for fiscal years 2000 and 2001, there is
hereby appropriated to the Department of Education, from the
Lottery Profits Education Reserve Fund, an amount necessary to
make loans authorized by sections 3317.0210, 3317.0211, and
3317.62 of the Revised Code. All loan repayments from loans made
in fiscal years 1992, 1993, 1994, 1995, 1996, 1997, 1998, or 1999
shall be deposited into the credit of the Lottery Profits
Education Reserve Fund.

(B)(1) On or before July 15, 1999, the Director of Budget and
Management shall determine the amount by which lottery profit
transfers received by the Lottery Profits Education Fund for
fiscal year 1999 exceed \$688,873,028. The amount so certified
shall be distributed in fiscal year 2000 pursuant to divisions (C)
and (D) of this section.

(2) On or before July 15, 2000, the Director of Budget and
Management shall determine the amount by which lottery profit
transfers received by the Lottery Profits Education Fund for
fiscal year 2000 exceed \$661,000,000. The amount so determined
shall be distributed in fiscal year 2001 pursuant to divisions (E)
and (F) of this section.

The Director of Budget and Management shall annually certify
the amounts determined pursuant to this section to the Speaker of
the House of Representatives and the President of the Senate.

(C) Not later than June 15, 2000, the Department of
Education, in consultation with the Director of Budget and
Management, shall determine, based upon estimates, if a
reallocation of funds as described in the section of this act

titled "Reallocation of Funds" is required. 10165

If a reallocation of funds is required, then the 10166
Superintendent of Public Instruction shall request Controlling 10167
Board approval for a release of any balances in the Lottery 10168
Profits Education Fund available for the purpose of this division 10169
and pursuant to divisions (C)(1) and (2) of the section of this 10170
act titled "Reallocation of Funds." Any moneys so released are 10171
hereby appropriated. 10172

(D) In fiscal year 2000, if the Department of Education does 10173
not determine that a reallocation of funds is necessary by the 10174
fifteenth day of June, as provided in division (C) of this 10175
section, or if there is a balance in the Lottery Profits Education 10176
Fund after the release of any amount needed to preclude a 10177
reallocation of funds as provided in division (C) of this section, 10178
the moneys in the Lottery Profits Education Fund shall be 10179
allocated as provided in this division. Any amounts so allocated 10180
are hereby appropriated. 10181

An amount equal to five per cent of the estimated lottery 10182
profits of \$688,873,028 in fiscal year 1999 or the amount 10183
remaining in the fund, whichever is the lesser amount, shall be 10184
transferred to the Lottery Profits Education Reserve Fund within 10185
the limitations specified in division (A) of this section and be 10186
reserved and shall not be available for allocation or distribution 10187
during fiscal year 2000. Any amounts exceeding \$75,000,000 shall 10188
be distributed pursuant to division (G) of this section. 10189

(E) Not later than June 15, 2001, the Department of 10190
Education, in consultation with the Director of Budget and 10191
Management, shall determine, based upon estimates, if a 10192
reallocation of funds as described in the section of this act 10193
titled "Reallocation of Funds" is required. 10194

If a reallocation of funds is required, then the 10195

Superintendent of Public Instruction shall request Controlling Board approval for a release of any balances in the Lottery Profits Education Fund available for the purpose of this division and pursuant to divisions (C)(1) and (2) of the section of this act titled "Reallocation of Funds." Any moneys so released are hereby appropriated.

(F) In fiscal year 2001, if the Department of Education does not determine that a reallocation of funds is necessary by the fifteenth day of June, as provided in division (E) of this section, or if there is a balance in the Lottery Profits Education Fund after the release of any amount needed to preclude a reallocation of funds as provided in division (E) of this section, the moneys in the Lottery Profits Education Fund shall be allocated as provided in this division. Any amounts so allocated are hereby appropriated.

An amount equal to five per cent of the estimated lottery profits transfers of \$661,000,000 in fiscal year 2000 or the amount remaining in the fund, whichever is the lesser amount, shall be transferred to the Lottery Profits Education Reserve Fund within the limitations specified in division (A) of this section and be reserved and shall not be available for allocation or distribution during fiscal year 2001. Any amounts exceeding \$75,000,000 shall be distributed pursuant to division (G) of this section.

(G) In the appropriate fiscal year, any remaining amounts after the operations required by division (D) or (F) of this section, respectively, shall be available for distribution in accordance with this division.

(1) As used in this division:

(a) "State basic aid" means:

(i) In the case of a city, local, or exempted village school

district, the amount computed for a district under sections 10227
3317.022, 3317.023, and 3317.025 to 3317.028 of the Revised Code, 10228
plus any amount computed for the district under section 3317.0212 10229
of the Revised Code; 10230

(ii) In the case of a joint vocational school district, the 10231
amount calculated under section 3317.16 of the Revised Code. 10232

(b) "ADM" means: 10233

(i) In the case of a city, local, or exempted village school 10234
district, the district's formula ADM as defined in section 3317.02 10235
of the Revised Code, minus the portion of ADM computed under 10236
division (A)(3) of section 3317.03 of the Revised Code for 10237
students that are enrolled in a joint vocational school district; 10238

(ii) In the case of a joint vocational school district, the 10239
district's formula ADM as defined in that section. 10240

(2) Ninety-seven and forty-three one-hundredths per cent of 10241
the amount made available for distribution under this division in 10242
each fiscal year shall be distributed to city, local, joint 10243
vocational, and exempted village school districts eligible to 10244
receive funds pursuant to Chapter 3317. of the Revised Code in 10245
proportion to the percentage that the ADM of each such district is 10246
of the ADM of all districts and shall be for the use of the public 10247
schools of the district. Two and fifty-seven one-hundredths per 10248
cent of such amount made available for distribution under this 10249
division in each fiscal year shall be distributed to nonpublic 10250
schools for the purposes of section 3317.063 of the Revised Code. 10251
Not later than the first day of March of each fiscal year, the 10252
Department of Education shall compute each school district's share 10253
for that year of the amount to be distributed under this division 10254
and shall, subject to Controlling Board approval, distribute the 10255
shares so determined. 10256

Amounts distributed to school districts pursuant to this 10257

division shall be used solely to purchase textbooks and equipment. 10258
If funds have been appropriated by a board for any purposes 10259
permitted under this section, the amounts distributed to the 10260
district or educational service center under this division shall 10261
be used for additional expenditures for such purposes and shall 10262
not be substituted for funds previously appropriated by the board. 10263

(3) Districts and nonpublic schools shall report to the 10264
Department of Education no later than the last day of May of each 10265
fiscal year on the usage of funds received under this division. 10266
The Department shall compile district data and report on the usage 10267
of all funds distributed under this division to the Controlling 10268
Board by the last day of June of each fiscal year. If the 10269
Department determines that a district used funds distributed 10270
pursuant to this division for purposes not permitted, it shall 10271
reduce the district's state basic aid payments for the ensuing 10272
fiscal year by the amount improperly used. 10273

It is the intent of the General Assembly that moneys 10274
distributed pursuant to this section shall not be included in any 10275
spending base calculations when appropriations for the 2001-2002 10276
biennium are being considered. 10277

4.26.* For the school year commencing July 1, 1999, or the 10278
school year commencing July 1, 2000, or both, the Superintendent 10279
of Public Instruction may waive for the board of education of any 10280
school district the ratio of teachers to pupils in kindergarten 10281
through fourth grade required under paragraph (A)(3) of rule 10282
3301-35-03 of the Administrative Code if the following conditions 10283
apply: 10284

(A) The board of education requests the waiver; 10285

(B) After the Department of Education conducts an on-site 10286
evaluation of the district related to meeting the required ratio, 10287

the board of education demonstrates to the satisfaction of the 10288
Superintendent of Public Instruction that providing the facilities 10289
necessary to meet the required ratio during the district's regular 10290
school hours with pupils in attendance would impose an extreme 10291
hardship on the district; 10292

(C) The board of education provides assurances that are 10293
satisfactory to the Superintendent of Public Instruction that the 10294
board will act in good faith to meet the required ratio as soon as 10295
possible. 10296

4.27.* 10297

Teacher and Nonteacher Salary Schedules

(A) As used under this heading: 10298

(1) "Teachers' salary schedule" means the salary schedule 10299
adopted pursuant to section 3317.14 of the Revised Code, except 10300
that it does not include any separate salary level for teachers 10301
with twelve or more years of service or for any separate level of 10302
training and experience except those levels separately set forth 10303
in the salary schedule in section 3317.13 of the Revised Code. 10304

(2) "Nonteaching salary schedule" means the salary schedule 10305
adopted pursuant to section 3317.12 of the Revised Code. 10306

(B) If the salary for any number of years' service at any 10307
level of training and experience in a board of education's 10308
teachers' salary schedule that was in effect on June 30, 1994, was 10309
less than the amount required for that number of years' service at 10310
that level in order to be in compliance with the minimum salary 10311
requirements imposed by this act for the 1994-1995 school year, 10312
that board shall increase the salaries for each position 10313
classification and level of service in the nonteaching salary 10314
schedule for the 1994-1995 school year as follows: 10315

(1) Add the salaries at each level of training and experience 10316

in the teachers' salary schedule that was in effect on June 30,
1994. 10317
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(2) At each level of training and experience, increase the
salary in the June 30, 1994, teachers' salary schedule if an
increase is required for the 1994-1995 school year in order to
bring that schedule into compliance with this act, but do not
increase the salary to more than the minimum amount required to be
in compliance. 10319
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(3) Recompute division (B)(1) under this heading,
substituting the increased salaries included in division (B)(2)
under this heading. 10325
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(4) Divide the sum obtained in division (B)(3) under this
heading by the sum obtained in division (B)(1) under this heading. 10328
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(5) Multiply the salary for each position classification and
level of service included in the nonteaching salary schedule by
the quotient obtained in division (B)(4) under this heading. 10330
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No school district affected by this division shall pay any
nonteaching school employee for the 1994-1995 school year at a
rate that is less than that to which the employee would be
entitled if the employee were paid under the adjusted nonteaching
salary schedule computed under division (B)(5) of this heading. 10333
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4.28.* Notwithstanding any provision of division (F) of
section 3311.06 of the Revised Code limiting interdistrict
payments under annexation agreements to amounts certified under
former section 3317.029 of the Revised Code, a party to an
annexation agreement entered into prior to the effective date of
this section which contains an agreement to pay, in respect of its
territory which is annexed territory, an amount which exceeds or
exceeded the amount certified under former section 3317.029 of the
Revised Code may pay such agreed amount, if the agreement 10338
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expressly states the intention of the parties not to be bound by 10347
such limitation if so permitted by law. 10348

Section 4.29. 10349

Private Treatment Facility Pilot Project

(A) As used in this section: 10350

(1) The following are "participating residential treatment 10351
centers": 10352

(a) Private residential treatment facilities which have 10353
entered into a contract with the Ohio Department of Youth Services 10354
to provide services to children placed at the facility by the 10355
department and which, in fiscal year 2000 or 2001 or both, the 10356
department pays through appropriation item 470-401, Care and 10357
Custody. 10358

(b) Abraxas, in Shelby; 10359

(c) Paint Creek, in Bainbridge; 10360

(d) Act One, in Akron; 10361

(e) Friars Club, in Cincinnati. 10362

(2) "Education program" means an elementary or secondary 10363
education program or a special education program and related 10364
services. 10365

(3) "Served child" means any child receiving an education 10366
program pursuant to division (B) of this section. 10367

(4) "School district responsible for tuition" means a city, 10368
exempted village, or local school district that, if tuition 10369
payment for a child by a school district is required under law 10370
that existed in fiscal year 1998, is the school district required 10371
to pay that tuition. 10372

(5) "Residential child" means a child who resides in a 10373

participating residential treatment center and who is receiving an educational program under division (B) of this section. 10374
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(B) A youth who is a resident of the state and has been assigned by a juvenile court or other authorized agency to a residential treatment facility specified in division (A) of this section shall be enrolled in an approved educational program located in or near the facility. Approval of the educational program shall be contingent upon compliance with the criteria established for such programs by the Department of Education. The educational program shall be provided by a school district or educational service center, or by the residential facility itself. Maximum flexibility shall be given to the residential treatment facility to determine the provider. In the event that a voluntary agreement cannot be reached and the residential facility does not choose to provide the educational program, the educational service center in the county in which the facility is located shall provide the educational program at the treatment center to children under the age of twenty-two years residing in the treatment center. 10376
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(C) Any school district responsible for tuition for a residential child shall, notwithstanding any conflicting provision of the Revised Code regarding tuition payment, pay tuition for the child for fiscal years 2000 and 2001 to the education program provider and in the amount specified in this division. If there is no school district responsible for tuition for a residential child and if the participating residential treatment center to which the child is assigned is located in the city, exempted village, or local school district that, if the child were not a resident of that treatment center, would be the school district where the child is entitled to attend school under sections 3313.64 and 3313.65 of the Revised Code, that school district shall, notwithstanding any conflicting provision of the Revised Code, pay 10393
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tuition for the child for fiscal years 2000 and 2001 under this 10406
division unless that school district is providing the educational 10407
program to the child under division (B) of this section. 10408
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A tuition payment under this division shall be made to the 10410
school district, educational service center, or residential 10411
treatment facility providing the educational program to the child. 10412

The amount of tuition paid shall be: 10413

(1) The amount of tuition determined for the district under 10414
division (A) of section 3317.08 of the Revised Code; 10415

(2) In addition, for any student receiving special education 10416
pursuant to an individualized education program as defined in 10417
section 3323.01 of the Revised Code, a payment for excess costs. 10418
This payment shall equal the actual cost to the school district, 10419
educational service center, or residential treatment facility of 10420
providing special education and related services to the student 10421
pursuant to the student's individualized education program, minus 10422
the tuition paid for the child under division (C)(1) of this 10423
section. 10424

A school district paying tuition under this division shall 10425
not include the child for whom tuition is paid in the district's 10426
average daily membership certified under division (A) of section 10427
3317.03 of the Revised Code. 10428

(D) In each of fiscal years 2000 and 2001, the Department of 10429
Education shall reimburse, from appropriations made for the 10430
purpose, a school district, educational service center, or 10431
residential treatment facility, whichever is providing the 10432
service, which has demonstrated that it is in compliance with the 10433
funding criteria for each served child for whom a school district 10434
must pay tuition under division (C) of this section. The amount of 10435
this reimbursement in either fiscal year shall be the formula 10436

amount specified in section 3317.022 of the Revised Code except 10437
that the department shall proportionately reduce this 10438
reimbursement if sufficient funds are not available to pay this 10439
amount to all qualified providers. 10440

(E) Funds provided to a school district, educational service 10441
center, or residential treatment facility under this section shall 10442
be used to supplement, not supplant, funds from other public 10443
sources for which the school district, service center, or 10444
residential treatment facility is entitled or eligible. 10445

(F) The Department of Education shall track the utilization 10446
of funds provided to school districts, educational service 10447
centers, and residential treatment facilities under this section 10448
and monitor the effect of the funding on the educational programs 10449
they provide in participating residential treatment facilities. 10450
The department shall monitor the programs for educational 10451
accountability. 10452

Section 4.30. The Superintendent of Public Instruction shall 10453
contract with an independent research entity to develop a 10454
methodology and research design for an evaluation of the pilot 10455
project approved pursuant to section 3313.975 of the Revised Code. 10456
The independent research entity shall consult with the Legislative 10457
Office of Education Oversight in the development of the 10458
methodology and research for the evaluation. The evaluation shall 10459
consist of two parts. The first part shall be a formative 10460
evaluation examining the implementation of the program, which 10461
shall be completed by December 31, 1997. The second part shall be 10462
a comprehensive evaluation of the results of the program, which 10463
shall be completed by September 1, 1999. The comprehensive 10464
evaluation shall include at a minimum a study of the impact of 10465
scholarships on student attendance, conduct, commitment to 10466
education, and standardized test scores; parental involvement; the 10467

school district's ability to provide services to district 10468
students; and the availability of alternative educational 10469
opportunities. The evaluation shall also study the economic impact 10470
of scholarships on the school district. 10471

Section 4.31. Notwithstanding division (C)(1) of section 10472
3313.975 of the Revised Code, in addition to students in 10473
kindergarten through third grade, initial scholarships may be 10474
awarded to fourth, fifth, and sixth grade students in fiscal year 10475
2000 and to fourth, fifth, sixth, and seventh grade students in 10476
fiscal year 2001. 10477

Section 4.32. Notwithstanding Chapter 3318. of the Revised 10478
Code, for purposes of complying with the local share and repayment 10479
tax requirements of section 3318.05 of the Revised Code, any 10480
school district given conditional approval for classroom 10481
facilities assistance under section 3318.04 of the Revised Code as 10482
of January 1, 1993, that approved a replacement permanent 10483
improvement levy at the November 5, 1996, election shall be 10484
permitted to use the proceeds of such levy, and any notes issued 10485
or to be issued in anticipation thereof, as available funds, 10486
within the meaning specified under section 3318.03 of the Revised 10487
Code, to pay the local share of the cost of the approved classroom 10488
facilities project. Notwithstanding the local share as previously 10489
determined for purposes of the conditional approval of the 10490
project, the local share shall be equal to the amount of proceeds 10491
to be obtained by the district under such replacement permanent 10492
improvement levy. Such school districts shall not be required to 10493
obtain approval of either of the propositions described in 10494
divisions (A) or (B) of section 3318.051 of the Revised Code. The 10495
agreement required under section 3318.08 of the Revised Code for 10496
the construction and sale of the project shall include provisions 10497

for the transfer of the proceeds of the replacement permanent 10498
improvement levy, and any notes issued in anticipation thereof, to 10499
the school district's project construction account, and for the 10500
levy of the replacement permanent improvement levy. 10501

Section 4.33. 10502

Statewide Study of Teacher Salaries

The Legislative Office of Education Oversight shall conduct a 10503
statewide assessment of teachers' salaries in the state. The 10504
assessment shall include, but not be limited to, the following: 10505

(A) An evaluation of the effect that the minimum teacher 10506
salary schedule prescribed in section 3317.13 of the Revised Code 10507
has on the salary schedules used by school districts across the 10508
state; 10509

(B) A determination of which school districts use the minimum 10510
salary schedule prescribed in section 3317.13 of the Revised Code; 10511
10512

(C) An evaluation of how district salary schedules compare 10513
with the minimum salary schedule prescribed in section 3317.13 of 10514
the Revised Code; 10515

(D) An evaluation of the effect that teacher salaries have on 10516
the ability of school districts to hire and retain teachers, 10517
particularly analyzing any difficulty that school districts 10518
experience when attempting to hire teachers at the low end of the 10519
salary schedule; 10520

(E) An evaluation of the effect teacher salaries have on the 10521
number of college-age students choosing primary and secondary 10522
teaching as a career; 10523

(F) A review of the salary schedules of all school districts 10524
in the state and a breakdown within each district and statewide as 10525

to the percentage of teachers in each level of compensation. 10526

The study shall be completed and presented to the General 10527

Assembly and the Governor not later than December 31, 2000. 10528

Section 4.34. 10529

Statewide Study of Professional Development Delivery

The Legislative Office of Education Oversight shall conduct a 10530

statewide assessment of professional development in the state. The 10531

assessment shall include, but not be limited to, the following: 10532

10533

(A) An examination of how professional development funds are 10534

spent; 10535

(B) A study of the types of professional development programs 10536

funded with state moneys; 10537

(C) A study of the role of local professional development 10538

committees, established under section 3319.22 of the Revised Code, 10539

in determining the expenditure of professional development moneys; 10540

(D) A study of the affect of professional development 10541

programs on student achievement. 10542

The study shall encompass all facets of professional 10543

development, including the role of higher education in preparing 10544

educators and assisting with in-service training for veteran 10545

educators. 10546

The study shall be completed and presented to the General 10547

Assembly and the Governor not later than November 15, 2000. 10548

Section 5. HEF HIGHER EDUCATIONAL FACILITY COMMISSION 10549

Agency Fund Group 10550

461 372-601 Operating Expenses \$ 12,000 \$ 12,000 10551

TOTAL AGY Agency Fund Group \$ 12,000 \$ 12,000 10552

TOTAL ALL BUDGET FUND GROUPS \$ 12,000 \$ 12,000 10553

Section 6. LOT STATE LOTTERY COMMISSION 10555

State Lottery Fund Group 10556

044 950-100 Personal Services \$ 22,754,332 \$ 23,095,613 10557

044 950-200 Maintenance \$ 24,644,625 \$ 25,296,625 10558

044 950-300 Equipment \$ 3,841,880 \$ 3,274,320 10559

044 950-402 Game and Advertising \$ 63,542,098 \$ 64,378,735 10560

Contracts

044 950-601 Prizes, Bonuses, and \$ 173,555,000 \$ 172,025,000 10561

Commissions

871 950-602 Annuity Prizes \$ 180,660,880 \$ 190,243,265 10562

872 950-603 Unclaimed Prize Awards \$ 14,500,000 \$ 10,700,000 10563

TOTAL SLF State Lottery Fund 10564

Group \$ 483,498,815 \$ 489,013,558 10565

TOTAL ALL BUDGET FUND GROUPS \$ 483,498,815 \$ 489,013,558 10566

Operating Expenses 10567

The foregoing appropriation items include all amounts 10568

necessary for the purchase and printing of tickets, consultant 10569

services, and advertising. The Controlling Board may, at the 10570

request of the State Lottery Commission, authorize additional 10571

appropriations for operating expenses of the State Lottery 10572

Commission from the State Lottery Fund up to a maximum of 15 per 10573

cent of anticipated total revenue accruing from the sale of 10574

lottery tickets. Amounts authorized by the Controlling Board are 10575

hereby appropriated. 10576

Prizes, Bonuses, and Commissions 10577

Any amounts, in addition to the amounts appropriated in 10578

appropriation item 950-601, Prizes, Bonuses, and Commissions, 10579

which are determined by the director of the State Lottery 10580

Commission to be necessary to fund prizes, bonuses, and 10581

commissions are hereby appropriated. 10582

Annuity Prizes 10583

With the approval of the Office of Budget and Management, the 10584
State Lottery Commission shall transfer cash from the State 10585
Lottery Fund Group (Fund 044) to the Deferred Prizes Trust Fund 10586
(Fund 871), in an amount sufficient to fund deferred prizes. The 10587
Treasurer of State shall, from time to time, credit the Deferred 10588
Prizes Trust Fund (Fund 871) the pro rata share of interest earned 10589
by the Treasurer of State on invested balances. 10590

Any amounts, in addition to the amounts appropriated in 10591
appropriation item 950-602, Annuity Prizes, which are determined 10592
by the director of the State Lottery Commission to be necessary to 10593
fund deferred prizes and interest earnings are hereby 10594
appropriated. 10595

Public Sector Gaming Study 10596

If the Director of the State Lottery Commission deems it in 10597
the best interest of the Ohio Lottery, the director is authorized 10598
to contribute up to \$10,000 to help fund research projects 10599
concerning public sector gaming. 10600

Section 7. BOR BOARD OF REGENTS 10601

General Revenue Fund 10602

GRF 235-321 Operating Expenses \$ 3,106,261 \$ 3,201,422 10603

GRF 235-401 Rental Payments to the \$ 365,552,000 \$ 377,490,000 10604

Ohio Public Facilities

Commission

GRF 235-402 Sea Grants \$ 299,940 \$ 299,940 10605

GRF 235-403 Math/Science Teaching \$ 2,200,000 \$ 1,700,000 10606

Improvement

GRF 235-404 College Readiness \$ 2,650,000 \$ 2,564,000 10607

Initiatives

GRF 235-406	Articulation and Transfer	\$	1,000,000	\$	1,000,000	10608
GRF 235-408	Midwest Higher Education Compact	\$	75,000	\$	75,000	10609
GRF 235-409	Information System	\$	1,389,819	\$	1,389,819	10610
GRF 235-414	State Grants and Scholarship Administration	\$	1,360,630	\$	1,401,449	10611
GRF 235-415	Jobs Challenge	\$	8,743,864	\$	10,979,694	10612
GRF 235-417	Technology	\$	4,000,000	\$	4,000,000	10613
GRF 235-418	Access Challenge	\$	35,313,691	\$	65,268,000	10614
GRF 235-420	Success Challenge	\$	20,068,104	\$	48,741,000	10615
GRF 235-451	Eminent Scholars	\$	0	\$	5,200,000	10616
GRF 235-454	Research Challenge	\$	19,436,382	\$	21,568,440	10617
GRF 235-455	Productivity Improvement Challenge	\$	1,655,884	\$	1,695,625	10618
GRF 235-474	AHEC Program Support	\$	2,094,566	\$	2,094,565	10619
GRF 235-477	Access Improvement Projects	\$	1,084,842	\$	1,110,879	10620
GRF 235-501	Instructional Subsidy	\$		\$	1,633,846,940	10621
GRF 235-502	Student Support Services	\$	1,033,059	\$	1,057,853	10622
GRF 235-503	Ohio Instructional Grants	\$	88,550,000	\$	98,881,000	10623
GRF 235-504	War Orphans' Scholarships	\$	4,152,934	\$	4,517,037	10624
GRF 235-507	OhioLINK	\$	6,947,761	\$	7,668,731	10625
GRF 235-508	Air Force Institute of Technology	\$	3,500,000	\$	3,500,000	10626
GRF 235-509	Displaced Homemakers	\$	244,996	\$	244,996	10627
GRF 235-510	Ohio Supercomputer Center	\$	4,834,416	\$	4,932,218	10628
GRF 235-511	Cooperative Extension	\$	25,543,306	\$	26,608,525	10629

		Service				
GRF	235-513	OU Voinovich Center	\$	375,000	\$	375,000 10630
GRF	235-514	Central State	\$	9,744,956	\$	9,744,956 10631
		Supplement				
GRF	235-515	CWRU School of	\$	4,181,578	\$	4,281,936 10632
		Medicine				
GRF	235-518	Capitol Scholarship	\$	250,000	\$	250,000 10633
		Programs				
GRF	235-519	Family Practice	\$	6,229,607	\$	6,541,087 10634
GRF	235-520	Shawnee State	\$	2,969,965	\$	2,824,000 10635
		Supplement				
GRF	235-521	OSU Glenn Institute	\$	375,000	\$	375,000 10636
GRF	235-523	Center for Labor	\$	200,000	\$	200,000 10637
		Research				
GRF	235-524	Police and Fire	\$	244,996	\$	244,996 10638
		Protection				
GRF	235-525	Geriatric Medicine	\$	1,062,139	\$	1,087,630 10639
GRF	235-526	Primary Care	\$	3,016,605	\$	3,167,435 10640
		Residencies				
GRF	235-527	Ohio Aerospace	\$	2,374,973	\$	2,431,973 10641
		Institute				
GRF	235-530	Academic Scholarships	\$	8,000,000	\$	8,000,000 10642
GRF	235-531	Student Choice Grants	\$	43,025,389	\$	49,150,000 10643
GRF	235-535	Agricultural Research	\$	34,623,910	\$	36,180,884 10644
		and Development Center				
GRF	235-536	Ohio State University	\$	15,621,369	\$	15,996,281 10645
		Clinical Teaching				
GRF	235-537	University of	\$	12,848,363	\$	13,156,724 10646
		Cincinnati Clinical				
		Teaching				
GRF	235-538	Medical College of	\$	10,014,602	\$	10,254,953 10647
		Ohio at Toledo				
		Clinical Teaching				

GRF 235-539	Wright State University Clinical Teaching	\$ 4,865,290	\$ 4,982,057	10648
GRF 235-540	Ohio University Clinical Teaching	\$ 4,703,423	\$ 4,816,305	10649
GRF 235-541	Northeastern Ohio Universities College of Medicine Clinical Teaching	\$ 4,837,466	\$ 4,953,565	10650
GRF 235-543	OCPM Clinical Subsidy	\$ 235,000	\$ 235,000	10651
GRF 235-547	School of International Business	\$ 1,493,637	\$ 1,493,637	10652
GRF 235-549	Part-time Student Instructional Grants	\$ 12,308,500	\$ 12,677,750	10653
GRF 235-552	Capital Component	\$ 9,863,295	\$ 9,863,295	10654
GRF 235-553	Dayton Area Graduate Studies Institute	\$ 3,765,832	\$ 3,856,212	10655
GRF 235-554	Priorities in Graduate Education	\$ 3,464,704	\$ 3,553,437	10656
GRF 235-555	Library Depositories	\$ 2,400,000	\$ 2,000,000	10657
GRF 235-556	Ohio Academic Resource Network	\$ 3,227,819	\$ 3,512,182	10658
GRF 235-558	Long-term Care Research	\$ 318,371	\$ 318,371	10659
GRF 235-561	BGSU Canadian Studies Center	\$ 167,642	\$ 167,642	10660
GRF 235-572	Ohio State University Clinic Support	\$ 1,702,378	\$ 1,820,188	10661
GRF 235-583	Urban University Programs	\$ 5,448,911	\$ 5,521,285	10662
GRF 235-585	Ohio University Innovation Center	\$ 49,745	\$ 49,745	10663
GRF 235-587	Rural University	\$ 1,298,070	\$ 1,403,624	10664

		Projects				
GRF	235-588	Ohio Resource Center for Mathematics, Science, and Reading	\$	500,000	\$	1,000,000 10665
GRF	235-595	International Center for Water Resources Development	\$	189,381	\$	189,381 10666
GRF	235-596	Hazardous Materials Program	\$	244,996	\$	244,996 10667
GRF	235-599	National Guard Tuition Grant Program	\$	9,539,575	\$	13,842,740 10668
TOTAL GRF	General Revenue Fund		\$	2,416,879,107	\$	2,571,801,400 10669
	General Services Fund Group					10670
456	235-603	Publications	\$	35,000	\$	35,000 10671
TOTAL GSF	General Services Fund Group		\$	35,000	\$	35,000 10672 10673
	Federal Special Revenue Fund Group					10674
3H2	235-608	Human Services Project	\$	974,506	\$	761,000 10675
3N6	235-605	State Student Incentive Grants	\$	2,000,000	\$	2,000,000 10676
3T0	235-610	NHSC Ohio Loan Repayment	\$	100,000	\$	100,000 10677
312	235-609	Tech Prep	\$	192,224	\$	211,450 10678
312	235-631	Federal Grants	\$	2,645,077	\$	2,645,077 10679
TOTAL FED	Federal Special Revenue Fund Group		\$	5,911,807	\$	5,717,527 10680 10681
	State Special Revenue Fund Group					10682
4E8	235-602	HEFC Administration	\$	12,000	\$	12,000 10683
4P4	235-604	Physician Loan Repayment	\$	396,255	\$	396,255 10684
649	235-607	Ohio State University Highway/Transportation	\$	500,000	\$	500,000 10685

Research

682 235-606 Nursing Loan Program	\$	603,406	\$	618,241	10686
TOTAL SSR State Special Revenue					10687
Fund Group	\$	1,511,661	\$	1,526,496	10688
TOTAL ALL BUDGET FUND GROUPS	\$	2,424,337,575	\$	2,579,080,423	10689

Section 7.01. 10691

Instructional Subsidy Formula

As soon as practicable during each fiscal year of the 10692
 1999-2001 biennium in accordance with instructions of the Ohio 10693
 Board of Regents, each state-assisted institution of higher 10694
 education shall report its actual enrollment to the Ohio Board of 10695
 Regents. 10696

The Ohio Board of Regents shall establish procedures required 10697
 by the system of formulas set out below and for the assignment of 10698
 individual institutions to categories described in the formulas. 10699
 The system of formulas establishes the manner in which aggregate 10700
 expenditure requirements shall be determined for each of the three 10701
 components of institutional operations. In addition to other 10702
 adjustments and calculations described below, the subsidy 10703
 entitlement of an institution shall be determined by subtracting 10704
 from the institution's aggregate expenditure requirements income 10705
 to be derived from the local contributions assumed in calculating 10706
 the subsidy entitlements. The local contributions for purposes of 10707
 determining subsidy support shall not limit the authority of the 10708
 individual boards of trustees to establish fee levels. 10709

The General Studies and Technical models shall be adjusted by 10710
 the Board of Regents so that the share of state subsidy earned by 10711
 those models is not altered by changes in the overall local share. 10712
 A lower-division fee differential shall be used to maintain the 10713
 relationship that would have occurred between these models and the 10714
 Baccalaureate models had an assumed share of 37 per cent been 10715

funded. 10716

In defining the number of full-time equivalent students for 10717
state subsidy purposes, the Ohio Board of Regents shall exclude 10718
all undergraduate students who are not residents of Ohio, except 10719
those charged in-state fees in accordance with reciprocity 10720
agreements made pursuant to section 3333.17 of the Revised Code. 10721

(A) Aggregate Expenditure Per Full-Time Equivalent Student 10722

(1) Instruction and Support Services 10723

<u>Model</u>	<u>FY 2000</u>	<u>FY 2001</u>	
General Studies I	\$ 3,680	\$ 3,762	10724
General Studies II	\$ 4,060	\$ 4,305	10725
General Studies III	\$ 5,141	\$ 5,259	10726
Technical I	\$ 4,702	\$ 5,012	10727
Technical III	\$ 8,088	\$ 8,477	10728
Baccalaureate I	\$ 6,301	\$ 6,611	10729
Baccalaureate II	\$ 7,287	\$ 7,582	10730
Baccalaureate III	\$ 10,417	\$ 10,574	10731
Masters and Professional I	\$ 11,788	\$ 12,300	10732
Masters and Professional II	\$ 17,020	\$ 17,558	10733
Masters and Professional III	\$ 22,976	\$ 23,214	10734
Doctoral I	\$ 19,495	\$ 19,647	10735
Doctoral II	\$ 25,066	\$ 25,840	10736
Medical I	\$ 27,250	\$ 27,709	10737
Medical II	\$ 38,309	\$ 39,323	10738

(2) Student Services 10739

For this purpose full-time equivalent counts shall be 10740
weighted to reflect differences among institutions in the numbers 10741
of students enrolled on a part-time basis. 10742
of students enrolled on a part-time basis. 10743

	<u>FY 2000</u>	<u>FY 2001</u>	
All Expenditure Models	\$ 556	\$ 594	10744

(B) Plant Operation and Maintenance (POM) 10745

(1) <u>Determination of the Square-Foot Based POM Subsidy</u>			10747
Space undergoing renovation shall be funded at the rate			10748
allowed for storage space.			10749
In the calculation of square footage for each campus, square			10750
footage shall be weighted to reflect differences in space			10751
utilization.			10752
The space inventories for each campus shall be those			10753
determined in the fiscal year 1997 instructional subsidy, adjusted			10754
for changes attributable to the construction or renovation of			10755
facilities for which state appropriations were made or local			10756
commitments were made prior to January 1, 1995.			10757
Only fifty per cent of the space permanently taken out of			10758
operation in fiscal year 2000 or fiscal year 2001 that is not			10759
otherwise replaced by a campus shall be deleted from the fiscal			10760
year 1997 inventory.			10761
The square-foot based plant operation and maintenance subsidy			10762
for each campus shall be determined as follows:			10763
(a) For each standard room type category shown below, the			10764
subsidy-eligible net assignable square feet (NASF) for each campus			10765
shall be multiplied by the following rates, and the amounts summed			10766
for each campus to determine the total gross square-foot based POM			10767
expenditure requirement:			10768
	<u>FY 2000</u>	<u>FY 2001</u>	10769
Classrooms	\$5.18	\$5.33	10770
Laboratories	\$6.45	\$6.64	10771
Offices	\$5.18	\$5.33	10772
Audio Visual Data Processing	\$6.45	\$6.64	10773
Storage	\$2.30	\$2.36	10774
Circulation	\$6.53	\$6.72	10775
Other	\$5.18	\$5.33	10776

(b) The total gross square-foot POM expenditure requirement shall be allocated to models in proportion to full-time equivalent (FTE) enrollments as reported in enrollment data for all models except Doctoral I and Doctoral II.

(c) The amounts allocated to models in division (B)(1)(b) above shall be multiplied by the ratio of subsidy-eligible FTE students to total FTE students reported in each model, and the amounts summed for all models. To this total amount shall be added an amount to support roads and grounds expenditures to produce the total square-foot based POM subsidy.

(2) Determination of the Activity-Based POM Subsidy

(a) The number of subsidy-eligible FTE students in each model shall be multiplied by the following rates for each campus for each fiscal year.

	<u>FY 2000</u>	<u>FY 2001</u>	
General Studies I	\$ 488	\$ 488	10791
General Studies II	\$ 563	\$ 584	10792
General Studies III	\$1,237	\$1,217	10793
Technical I	\$ 555	\$ 553	10794
Technical II	\$1,128	\$1,175	10795
Baccalaureate I	\$ 641	\$ 655	10796
Baccalaureate II	\$1,067	\$1,109	10797
Baccalaureate III	\$1,578	\$1,598	10798
Masters & Professional I	\$ 995	\$1,022	10799
Masters & Professional II	\$1,742	\$1,895	10800
Masters & Professional III	\$2,620	\$2,614	10801
Doctoral I	\$1,433	\$1,382	10802
Doctoral II	\$2,502	\$2,613	10803
Medical I	\$2,389	\$2,485	10804
Medical II	\$3,458	\$3,362	10805

(b) The sum of the products for each campus determined in

division (B)(2)(a) for each fiscal year shall be weighted by a 10808
factor to reflect sponsored research activity and job-training 10809
related public services expenditures to determine the total 10810
activity-based POM subsidy. 10811

(C) Calculation of Core Subsidy Entitlements and Adjustments 10812

(1) Calculation of Core Subsidy Entitlements 10813

The calculation of the core subsidy entitlement shall consist 10814
of the following components: 10815

(a) For each campus and for each fiscal year, the core 10816
subsidy entitlement shall be determined by multiplying the amounts 10817
listed above in divisions (A)(1) and (2) and (B)(2) less assumed 10818
local contributions, by (i) average subsidy-eligible full-time 10819
equivalents for the two-year period ending in the prior year for 10820
all models except Doctoral I and Doctoral II; and (ii) average 10821
subsidy-eligible full-time equivalents for the five-year period 10822
ending in the prior year for all models except Doctoral I and 10823
Doctoral II. 10824

(b) In calculating the core subsidy entitlements for Medical 10825
II models only, the board shall use the following count of 10826
full-time equivalent students in place of the two-year average and 10827
five-year average of subsidy-eligible students. 10828

(i) For those medical schools whose current year enrollment 10829
is below the base enrollment, the Medical II full-time equivalent 10830
enrollment shall equal: 65 per cent of the base enrollment plus 35 10831
per cent of the current year enrollment, where the base enrollment 10832
is: 10833

Ohio State University	1010	10834
University of Cincinnati	833	10835
Medical College of Ohio at Toledo	650	10836
Wright State University	433	10837
Ohio University	433	10838

Northeastern Ohio Universities 433 10839
College of Medicine

(ii) For those medical schools whose current year enrollment 10840
is equal to or greater than the base enrollment, the Medical II 10841
full-time equivalent enrollment shall equal the current 10842
enrollment. 10843

(c) For all FTE-based subsidy calculations involving 10844
all-terms FTE data, FTE-based allowances shall be converted from 10845
annualized to annual rates to ensure equity and consistency of 10846
subsidy determination. 10847

(d) The Board of Regents shall compute the sum of the two 10848
calculations listed in division (C)(1)(a) above and use the 10849
greater sum as the core subsidy entitlement. 10850

The POM subsidy for each campus shall equal the greater of 10851
the square-foot-based subsidy or the activity-based POM subsidy 10852
component of the core subsidy entitlement, except that the total 10853
activity-based POM subsidy shall not exceed 161% of the 10854
square-foot based POM subsidy in fiscal year 2000 and shall not 10855
exceed 177% of the square-foot-based subsidy in fiscal year 2001. 10856

(e) In fiscal year 2000, no more than 10.94% of the total 10857
instructional subsidy shall be reserved to implement the 10858
recommendations of the Graduate Funding Commission. In fiscal year 10859
2001, no more than 10.75% of the total instructional subsidy shall 10860
be reserved for this same purpose. It is the intent of the General 10861
Assembly that the doctoral reserve be reduced 0.25 percentage 10862
points each year thereafter until no more than 10.0% of the total 10863
instructional subsidy is reserved to implement the recommendations 10864
of the Graduate Funding Commission. In fiscal year 2001, the Board 10865
of Regents shall reallocate 2% of the reserve among the 10866
state-assisted universities on the basis of a quality review as 10867
specified in the recommendations of the Graduate Funding 10868

Commission. 10869

The amount so reserved shall be allocated to universities in 10870
proportion to their share of the total number of Doctoral I 10871
equivalent FTEs as calculated on an institutional basis using 10872
fiscal year 1998 annualized FTEs as adjusted to reflect the 10873
effects of doctoral review. For the purposes of this calculation, 10874
a doctoral equivalent FTE shall equal one Doctoral I FTE, or 1.5 10875
Doctoral II FTEs. 10876

(2) Annual Hold Harmless Provision 10877

In addition to and after the other adjustments noted above, 10878
in fiscal year 2000 each campus shall have its subsidy adjusted to 10879
the extent necessary to provide an amount that is not less than 10880
100% of the instructional subsidy received by the campus in fiscal 10881
year 1999. In fiscal year 2001 each campus shall have its subsidy 10882
adjusted to the extent necessary to provide an amount that is not 10883
less than 100% of the instructional subsidy received by the campus 10884
in fiscal year 2000. 10885

(3) Capital Component Deduction 10886

After all other adjustments have been made, instructional 10887
subsidy earnings shall be reduced for each campus by the amount, 10888
if any, by which debt service charged in Am. H.B. 748 of the 121st 10889
General Assembly and Am. Sub. H.B. 850 of the 122nd General 10890
Assembly for that campus exceeds that campus' capital component 10891
earnings. 10892

(D) Reductions in Earnings 10893

If total systemwide instructional subsidy earnings in any 10894
fiscal year exceed total appropriations available for such 10895
purposes, the Board of Regents shall proportionately reduce the 10896
instructional subsidy earnings for all campuses by a uniform 10897
percentage so that the systemwide sum equals available 10898

appropriations.	10899
(E) <u>Exceptional Circumstances</u>	10900
Adjustments may be made to instructional subsidy payments and	10901
other subsidies distributed by the Ohio Board of Regents to	10902
state-assisted colleges and universities for exceptional	10903
circumstances. No adjustments for exceptional circumstances may be	10904
made without the recommendation of the chancellor and the approval	10905
of the Controlling Board.	10906
<u>Distribution of Instructional Subsidy</u>	10907
The instructional subsidy payments to the institutions shall	10908
be in substantially equal monthly amounts during the fiscal year,	10909
unless otherwise determined by the Director of Budget and	10910
Management pursuant to the provisions of section 126.09 of the	10911
Revised Code. Payments during the first six months of the fiscal	10912
year shall be based upon the instructional subsidy appropriation	10913
estimates made for the various institutions of higher education	10914
according to the Ohio Board of Regents enrollment estimates.	10915
Payments during the last six months of the fiscal year shall be	10916
distributed after approval of the Controlling Board upon the	10917
request of the Ohio Board of Regents.	10918
<u>Law School Subsidy</u>	10919
The instructional subsidy to state supported universities for	10920
students enrolled in law schools in fiscal year 2000 and fiscal	10921
year 2001 shall be calculated by using the number of subsidy	10922
eligible full-time equivalent law school students funded by state	10923
subsidy in fiscal year 1995 or the actual number of subsidy	10924
eligible full-time equivalent law school students at the	10925
institution in the fiscal year, whichever is less.	10926
Section 7.02.	10927
<u>Mission-Based Core Funding for Higher Education</u>	

Jobs Challenge 10928

Funds appropriated to appropriation item 235-415, Jobs 10929
Challenge, shall be distributed to state-assisted community and 10930
technical colleges, regional campuses of state-assisted 10931
universities, and other organizationally distinct and identifiable 10932
member campuses of the EnterpriseOhio Network in support of 10933
noncredit job-related training. In fiscal years 2000 and 2001, 10934
\$3,543,864 and \$4,000,000, respectively, shall be distributed to 10935
campuses in proportion to each campus' share of noncredit 10936
job-related training revenues received by all campuses for the 10937
previous fiscal year. It is the intent of the General Assembly 10938
that this workforce development incentive component of the Jobs 10939
Challenge Program reward campus noncredit job-related training 10940
efforts in the same manner that the Research Challenge Program 10941
rewards campuses for their ability to obtain sponsored research 10942
revenues. 10943

In fiscal years 2000 and 2001, \$2,700,000 and \$2,781,000, 10944
respectively, shall be distributed equally to these same 10945
EnterpriseOhio Network campuses to fulfill a performance contract 10946
with the Ohio Board of Regents demonstrating their capability to 10947
provide accessible and affordable training services to Ohio 10948
companies, and particularly to improve the business performance of 10949
smaller firms. 10950

In fiscal years 2000 and 2001, \$2,500,000 and \$4,198,694, 10951
respectively, shall be allocated to attract, develop, and retain 10952
companies strategically important to the state's economy through 10953
training and assessment services provided by EnterpriseOhio 10954
Network campuses. These funds shall be used in conjunction with 10955
funds appropriated to the Department of Development in H.B. 283 of 10956
the 123rd General Assembly for the purpose of attracting, 10957
developing, and retaining companies strategically important to the 10958
state's economy. Strategically related industries and companies 10959

shall be selected by the Ohio Board of Regents and the Ohio
Department of Development.

Access Challenge

In each fiscal year, the foregoing appropriation item
235-418, Access Challenge, shall be distributed to Ohio's
state-assisted access colleges and universities in proportion to
each campus' share of full-time equivalent enrollments at the
General Studies level as determined in the subsidy calculation
process in the previous fiscal year. For the purposes of this
allocation, "access campuses" includes state-assisted community
colleges, state community colleges, technical colleges, Shawnee
State University, Central State University, Cleveland State
University, the regional campuses of state-assisted universities,
and, where they are organizationally distinct and identifiable,
the community-technical colleges located at the University of
Toledo, the University of Cincinnati, Youngstown State University,
and the University of Akron.

For the purposes of this calculation, Cleveland State
University's share of full-time equivalent subsidy-eligible
General Studies students shall equal its total full-time
equivalent subsidy-eligible General Studies students multiplied by
the ratio of the sum of full-time equivalent subsidy-eligible
General Studies students enrolled in the community-technical
colleges at the University of Toledo, the University of
Cincinnati, Youngstown State University, and the University of
Akron divided by the sum of full-time equivalent subsidy-eligible
General Studies students enrolled at those same four universities.
However, Cleveland State University shall not receive less in each
year of the 1999-2001 biennium than the amount received in fiscal
year 1999.

(A) Of the total appropriation item 235-418, Access

Challenge, \$2,500,000 in fiscal year 2000 and \$17,943,665 in 10991
fiscal year 2001 shall be used solely to restrain the growth of or 10992
reduce in-state undergraduate tuition and fees. 10993

(B) Of the remaining appropriation of \$32,813,691 in fiscal 10994
year 2000 and \$47,324,335 in fiscal year 2001, 50 per cent of all 10995
new subsidies received by each campus in each fiscal year shall be 10996
used in combination with campus shares of the amounts determined 10997
in paragraph (A) above to restrain the growth of or reduce 10998
in-state undergraduate tuition and fees. For the purposes of this 10999
distribution, "new subsidies" in fiscal year 2000 shall equal a 11000
campus's share of the \$32,813,691 allocation for fiscal year 2000 11001
minus the campus's share of the \$20,000,000 allocation distributed 11002
for this purpose by the Board of Regents from appropriations in 11003
Am. Sub. H.B. 215 of the 122nd General Assembly. In fiscal year 11004
2001, "new subsidies" shall equal a campus's share of the 11005
\$47,324,335 allocation for fiscal year 2001 minus the campus's 11006
share of the \$32,813,691 allocation for fiscal year 2000. In both 11007
fiscal years, negative differences between the current and 11008
previous year shall default to zero. 11009

(C) In each fiscal year, the statewide average fee restraint 11010
or reduction percentage shall be applied uniformly to all campuses 11011
receiving Access Challenge appropriations according to a 11012
methodology to be determined by the Board of Regents. The approach 11013
determined by the Board of Regents shall restrain tuition 11014
increases to zero per cent in fiscal year 2000 and achieve tuition 11015
reductions of five per cent in fiscal year 2001. 11016

Success Challenge 11017

The foregoing appropriation item 235-420, Success Challenge, 11018
shall be used by the Ohio Board of Regents to promote degree 11019
completion by students enrolled at a main campus of a 11020
state-assisted university. 11021

In each fiscal year, two-thirds of the appropriations shall 11022
be distributed to state-assisted university main campuses in 11023
proportion to each campus' share of the total statewide bachelor's 11024
degrees granted by university main campuses to "at-risk" students. 11025
In fiscal year 2000 and fiscal year 2001, an "at-risk" student 11026
shall be defined to mean any undergraduate student who had 11027
received an Ohio Instructional Grant during the past ten years. An 11028
eligible institution shall not receive its share of this 11029
distribution until it has submitted a plan that addresses how the 11030
subsidy will be used to better serve at-risk students and increase 11031
their likelihood of successful completion of a bachelor's degree 11032
program. The Board of Regents shall disseminate to all 11033
state-supported institutions of higher education all such plans 11034
submitted by institutions that received Success Challenge funds. 11035

In each fiscal year, one-third of the appropriations shall be 11036
distributed to university main campuses in proportion to each 11037
campus' share of the total bachelor's degrees granted by 11038
university main campuses to undergraduate students who completed 11039
their bachelor's degrees in a "timely manner" in the previous 11040
fiscal year. For the purposes of this section, "timely manner" 11041
shall mean the normal time it would take for a full-time 11042
degree-seeking undergraduate student to complete the student's 11043
degree. Generally, for such students pursuing a bachelor's degree, 11044
"timely manner" shall mean four years. Exceptions to this general 11045
rule shall be permitted for students enrolled in programs 11046
specifically designed to be completed in a longer time period. The 11047
Board of Regents shall collect base-line data beginning with the 11048
1998-99 academic year to assess the timely completion statistics 11049
by university main campuses. 11050

Eminent Scholars Program 11051

The foregoing appropriation item 235-451, Eminent Scholars, 11052
shall be used by the Ohio Board of Regents to establish an Ohio 11053

Eminent Scholars Program, the purpose of which is to invest 11054
educational resources to address problems that are of vital 11055
statewide significance while fostering the growth in eminence of 11056
Ohio's academic programs. Endowment grants of \$750,000 to state 11057
colleges and universities to match endowment gifts from nonstate 11058
sources may be made in accordance with a plan established by the 11059
Ohio Board of Regents. Matching gifts in science and technology 11060
programs shall be \$750,000, and in all other program areas, 11061
\$500,000. The grants shall have as their purpose attracting and 11062
sustaining in Ohio scholar-leaders of national or international 11063
prominence who will assist the state in one of the following three 11064
areas: (1) improving the state's economic development; (2) 11065
strengthening the state's system of K-12 education; or (3) 11066
improving public health and safety. Such scholar-leaders shall, 11067
among their duties, share broadly the benefits and knowledge 11068
unique to their field of scholarship to the betterment of Ohio and 11069
its people. 11070

Research Challenge 11071

The foregoing appropriation item 235-454, Research Challenge, 11072
shall be used to enhance the basic research capabilities of public 11073
colleges and universities and accredited Ohio institutions of 11074
higher education holding certificates of authorization issued 11075
pursuant to section 1713.02 of the Revised Code, in order to 11076
strengthen the academic research for pursuing Ohio's economic 11077
redevelopment goals. The Ohio Board of Regents, in consultation 11078
with the colleges and universities, shall administer the Research 11079
Challenge Program and utilize a means of matching, on a fractional 11080
basis, external funds attracted in the previous year by 11081
institutions for basic research. The program may include 11082
incentives for increasing the amount of external research funds 11083
coming to such eligible institutions and for focusing research 11084
efforts upon critical state needs. Colleges and universities shall 11085

submit for review and approval to the Ohio Board of Regents plans 11086
for the institutional allocation of state dollars received through 11087
this program. Such institutional plans shall provide the rationale 11088
for the allocation in terms of the strategic targeting of funds 11089
for academic and state purposes, for strengthening research 11090
programs, and for increasing the amount of external research 11091
funds, and shall include an evaluation process to provide results 11092
of the increased support. It is the intent of the General Assembly 11093
that increases in funding for appropriation item 235-454, Research 11094
Challenge, in the 1999-2001 biennium, over the 1993-1995 biennium 11095
levels, be used by campuses as unrestricted funding for research, 11096
in the same way that Instructional Subsidy allocations are used. 11097
11098

The Ohio Board of Regents shall submit a biennial report of 11099
progress to the General Assembly. 11100

Priorities in Graduate Education 11101

The foregoing appropriation item 235-554, Priorities in 11102
Graduate Education, shall be used by the Ohio Board of Regents to 11103
support improvements in graduate programs in computer science at 11104
state-assisted universities. In each fiscal year, up to \$200,000 11105
may be used to support collaborative efforts in graduate education 11106
in this program area. In fiscal year 2001, \$1,000,000 shall be 11107
used by the Board of Regents to support improvements in graduate 11108
programs in the life sciences at state-assisted universities. 11109

Section 7.03. 11110

Higher Education

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Board of Trustees

Funds appropriated for instructional subsidies at colleges 11112
and universities may be used to provide such branch or other 11113

off-campus undergraduate courses of study and such master's degree 11114
courses of study as may be approved by the Ohio Board of Regents. 11115

In providing instructional and other services to students, 11116
boards of trustees of state-assisted institutions of higher 11117
education shall supplement state subsidies by income from charges 11118
to students. Each board shall establish the fees to be charged to 11119
all students, including an instructional fee for educational and 11120
associated operational support of the institution and a general 11121
fee for noninstructional services, including locally financed 11122
student services facilities used for the benefit of enrolled 11123
students. The instructional fee and the general fee shall 11124
encompass all charges for services assessed uniformly to all 11125
enrolled students. Each board may also establish special purpose 11126
fees, service charges, and fines as required; such special purpose 11127
fees and service charges shall be for services or benefits 11128
furnished individual students or specific categories of students 11129
and shall not be applied uniformly to all enrolled students. A 11130
tuition surcharge shall be paid by all students who are not 11131
residents of Ohio. 11132

Boards of trustees of individual state-assisted universities 11133
shall limit combined university main campus in-state undergraduate 11134
instructional and general fee increases for an academic year over 11135
the amounts charged in the prior academic year to no more than six 11136
per cent. The boards of trustees of individual state-assisted 11137
universities shall not authorize combined university main campus 11138
in-state undergraduate instructional and general fee increases of 11139
more than four per cent in a single vote. Boards of trustees of 11140
individual state-assisted university branch campuses, community 11141
colleges, and technical colleges shall limit combined in-state 11142
undergraduate instructional and general fee increases for an 11143
academic year over the amounts charged in the prior academic year 11144
to no more than three per cent. These fee increase limitations 11145

apply even if an institutional board of trustees has, prior to the 11146
effective date of this section, voted to assess a higher fee for 11147
the 1999-2000 academic year. These limitations shall not apply to 11148
increases required to comply with institutional covenants related 11149
to their obligations or to meet unfunded legal mandates or legally 11150
binding obligations incurred or commitments made prior to the 11151
effective date of this act with respect to which the institution 11152
had identified such fee increases as the source of funds. Any 11153
increase required by such covenants and any such mandates, 11154
obligations, or commitments shall be reported by the Board of 11155
Regents to the Controlling Board. These limitations may also be 11156
modified by the Ohio Board of Regents, with the approval of the 11157
Controlling Board, to respond to exceptional circumstances as 11158
identified by the Ohio Board of Regents. 11159

The board of trustees of a state-assisted institution of 11160
higher education shall not authorize a waiver or nonpayment of 11161
instructional fees nor general fees for any particular student or 11162
any class of students other than waivers specifically authorized 11163
by law or approved by the chancellor. This prohibition is not 11164
intended to limit the authority of boards of trustees to provide 11165
for payments to students for services rendered the institution, 11166
nor to prohibit the budgeting of income for staff benefits or for 11167
student assistance in the form of payment of such instructional 11168
and general fees. 11169

Each state-assisted institution of higher education in its 11170
statement of charges to students shall separately identify the 11171
instructional fee, the general fee, the tuition charge, and the 11172
tuition surcharge. Fee charges to students for instruction shall 11173
not be considered to be a price of service but shall be considered 11174
to be an integral part of the state government financing program 11175
in support of higher educational opportunity for students. 11176

In providing the appropriations in support of instructional 11177

services at state-assisted institutions of higher education and 11178
the appropriations for other instruction it is the intent of the 11179
General Assembly that faculty members shall devote a proper and 11180
judicious part of their work week to the actual instruction of 11181
students. Total class credit hours of production per quarter per 11182
full-time faculty member is expected to meet the standards set 11183
forth in the budget data submitted by the Ohio Board of Regents. 11184

No state-assisted college or university shall contract 11185
additional debt to finance additional student housing or permit 11186
the construction of additional student housing on land owned or 11187
leased by such institution without the approval of the Board of 11188
Regents. In granting or denying approval, the board shall consider 11189
demographic projections and established service districts, as well 11190
as the current strength of enrollment patterns throughout the 11191
state and in the public and private institutions that have 11192
historically drawn students from the same markets as the 11193
institution requesting additional housing. The board shall also 11194
consider statewide dormitory occupancy patterns and any debt 11195
burden that would be incurred by the institution. The board shall 11196
monitor demographic trends and shall recommend that the General 11197
Assembly modify this section when there is no longer a significant 11198
risk of future enrollment decline. 11199

The board shall have no authority to prohibit the 11200
construction of privately financed housing constructed on land 11201
that is not owned or leased by the institution, even if the 11202
institution has entered or intends to enter into some type of 11203
contractual agreement with the developers or owners of such 11204
housing. 11205

The authority of government vested by law in the boards of 11206
trustees of state-assisted institutions of higher education shall 11207
in fact be exercised by those boards. Boards of trustees may 11208
consult extensively with appropriate student and faculty groups. 11209

Administrative decisions about the utilization of available 11210
resources, about organizational structure, about disciplinary 11211
procedure, about the operation and staffing of all auxiliary 11212
facilities, and about administrative personnel shall be the 11213
exclusive prerogative of boards of trustees. Any delegation of 11214
authority by a board of trustees in other areas of responsibility 11215
shall be accompanied by appropriate standards of guidance 11216
concerning expected objectives in the exercise of such delegated 11217
authority and shall be accompanied by periodic review of the 11218
exercise of this delegated authority to the end that the public 11219
interest, in contrast to any institutional or special interest, 11220
shall be served. 11221

Section 7.04.

11223

Medical School Subsidies

The foregoing appropriation item 235-515, CWRU School of 11224
Medicine, shall be disbursed to Case Western Reserve University 11225
through the Ohio Board of Regents in accordance with agreements 11226
entered into as provided for by section 3333.10 of the Revised 11227
Code, provided that the state support per full-time medical 11228
student shall not exceed that provided to full-time medical 11229
students at state universities. 11230

The foregoing appropriation items 235-536, Ohio State 11231
University Clinical Teaching; 235-537, University of Cincinnati 11232
Clinical Teaching; 235-538, Medical College of Ohio at Toledo 11233
Clinical Teaching; 235-539, Wright State University Clinical 11234
Teaching; 235-540, Ohio University Clinical Teaching; and 235-541, 11235
Northeastern Ohio Universities College of Medicine Clinical 11236
Teaching, shall be distributed through the Ohio Board of Regents. 11237

The foregoing appropriation item 235-572, OSU Clinic Support, 11238
shall be distributed through the Ohio Board of Regents to the Ohio 11239

State University for support of dental and veterinary medicine 11240
clinics. 11241

The Ohio Board of Regents shall develop plans consistent with 11242
existing criteria and guidelines as may be required for the 11243
distribution of appropriation items 235-519, Family Practice, 11244
235-525, Geriatric Medicine, and 235-526, Primary Care 11245
Residencies. 11246

Of the foregoing appropriation item 235-539, Wright State 11247
University Clinical Teaching, \$160,000 in each fiscal year shall 11248
be for the use of Wright State University's Ellis Institute for 11249
Clinical Teaching Studies to operate the clinical facility to 11250
serve the Greater Dayton area. 11251

Performance Standards for Medical Education 11252

The Ohio Board of Regents, in consultation with the 11253
state-assisted medical colleges, shall develop performance 11254
standards for medical education. Special emphasis in the standards 11255
shall be placed on attempting to ensure that at least 50 per cent 11256
of the aggregate number of students enrolled in state-assisted 11257
medical colleges continue to enter residency as primary care 11258
physicians. Primary care physicians are defined as general family 11259
practice physicians, general internal medicine practitioners, and 11260
general pediatric care physicians. The Board of Regents shall be 11261
responsible for monitoring medical school performance in relation 11262
to their plans for reaching the 50 per cent systemwide standard 11263
for primary care physicians. 11264

The foregoing appropriation item 235-526, Primary Care 11265
Residencies, shall be distributed in each fiscal year of the 11266
biennium based on whether the institution has submitted and gained 11267
approval for a plan. If the institution does not have an approved 11268
plan then it shall receive five per cent less funding per student 11269
than it would have received from its annual allocation. The 11270

remaining funding shall be distributed among those institutions 11271
that meet or exceed their targets. 11272

Area Health Education Centers 11273

The foregoing appropriation item 235-474, AHEC Program 11274
Support, shall be used by the Ohio Board of Regents to support the 11275
medical school regional AHECs' educational programs for the 11276
continued support of medical and other health professions 11277
education and for support of the Area Health Education Center 11278
program. 11279

Of the foregoing appropriation item 235-474, AHEC Program 11280
Support, \$200,000 in each fiscal year shall be disbursed to the 11281
Ohio University College of Osteopathic Medicine for the 11282
establishment of a mobile health care unit to serve the 11283
southeastern area of the state. Of the foregoing appropriation 11284
item 235-474, AHEC Program Support, \$150,000 in each fiscal year 11285
shall be used to support the Ohio Valley Community Health 11286
Information Network (OVCHIN) pilot project. 11287

Section 7.05. 11288

Midwest Higher Education Compact

The foregoing appropriation item 235-408, Midwest Higher 11289
Education Compact, shall be distributed by the Ohio Board of 11290
Regents pursuant to section 3333.40 of the Revised Code. 11291

College Readiness Initiatives 11292

Appropriation item 235-404, College Readiness Initiatives, 11293
shall be used by the Board of Regents in support of programs 11294
designed to improve the ability of high school students to enroll 11295
and succeed in higher education. These programs shall include, but 11296
not be limited to, the following: the continued administration of 11297
the Early English Composition Assessment portion of the 11298
postsecondary readiness testing program, the implementation of the 11299

State Higher Education Remediation Advisory Commission report, and 11300
the creation of a statewide outreach effort to promote the 11301
availability, need, and affordability of a college education. 11302

Mathematics and Science Teaching Improvement 11303

Appropriation item 235-403, Math/Science Teaching 11304
Improvement, shall be used by the Board of Regents in support of 11305
programs designed to raise the quality of mathematics and science 11306
teaching in primary and secondary education. Of these amounts, 11307
\$200,000 in each fiscal year shall be reserved for the Early Math 11308
Placement Test, and \$2,000,000 in fiscal year 2000 and \$1,500,000 11309
in fiscal year 2001 shall be reserved for Project Discovery. 11310

Technology 11311

Appropriation item 235-417, Technology, shall be used by the 11312
Board of Regents to support the continued implementation of the 11313
Ohio Learning Network, a statewide electronic collaborative effort 11314
designed to promote degree completion of students, workforce 11315
training of employees, and professional development through the 11316
use of advanced telecommunications and distance education 11317
initiatives. 11318

Displaced Homemakers 11319

Of the foregoing appropriation item 235-509, Displaced 11320
Homemakers, the Ohio Board of Regents shall continue funding pilot 11321
projects authorized in Am. Sub. H.B. 291 of the 115th General 11322
Assembly for the following centers: Cuyahoga Community College, 11323
University of Toledo, Southern State Community College, and Stark 11324
Technical College. The amount of \$30,000 in each fiscal year shall 11325
be used for the Baldwin-Wallace Single Parents Reaching Out for 11326
Unassisted Tomorrows program. 11327

Ohio Aerospace Institute 11328

The foregoing appropriation item 235-527, Ohio Aerospace 11329

Institute, shall be distributed by the Ohio Board of Regents 11330
pursuant to section 3333.042 of the Revised Code. 11331

Productivity Improvement Challenge 11332

The foregoing appropriation item 235-455, Productivity 11333
Improvement Challenge, shall be allocated by the Ohio Board of 11334
Regents to continue increasing the capabilities of Business and 11335
Industry Training Centers at Ohio's two-year college and 11336
university regional campuses to meet the varied training needs of 11337
Ohio enterprises. Funds shall be available for capacity building 11338
projects and activities developed through the Enterprise Ohio 11339
Network of Business and Industry Training Centers. The Regents 11340
Advisory Committee for Workforce Development, in its advisory 11341
role, shall assist in the development of plans and activities. 11342

Of the foregoing appropriation item 235-455, Productivity 11343
Improvement Challenge, \$208,000 in each fiscal year shall be used 11344
by the Dayton Business/Sinclair College Jobs Profiling Program. 11345

Access Improvement Projects 11346

The foregoing appropriation item 235-477, Access Improvement 11347
Projects, shall be used by the Ohio Board of Regents to develop 11348
innovative statewide strategies to increase student access and 11349
retention for specialized populations, and to provide for pilot 11350
projects that will contribute to improving access to higher 11351
education by specialized populations. The funds may be used for 11352
projects that improve access for nonpublic secondary students. 11353

Of the foregoing appropriation item 235-477, Access 11354
Improvement Projects, \$740,000 in each fiscal year shall be 11355
distributed to the Appalachian Center for Higher Education at 11356
Shawnee State University. The Board of Directors of the center 11357
shall be comprised of the presidents of Shawnee State University, 11358
Ohio University, Belmont Technical College, Hocking Technical 11359
College, Jefferson Technical College, Muskingum Area Technical 11360

College, Rio Grande Community College, Southern State Community
College, Washington State Community College, the dean of either
the Salem or East Liverpool regional campuses of Kent State
University, as designated by the President of Kent State
University, and a representative of the Board of Regents
designated by the chancellor.

Ohio Supercomputer Center

The foregoing appropriation item 235-510, Ohio Supercomputer
Center, shall be used by the Ohio Board of Regents to support the
operation of the center, located at The Ohio State University, as
a statewide resource available to Ohio research universities both
public and private. It is also intended that the center be made
accessible to private industry as appropriate. Policies of the
center shall be established by a governance committee,
representative of Ohio's research universities and private
industry, to be appointed by the Chancellor of the Ohio Board of
Regents and established for this purpose.

Ohio Academic Resources Network (OARNet)

The foregoing appropriation item 235-556, Ohio Academic
Resource Network, shall be used to support the operations of the
Ohio Academic Resources Network, which shall include support for
Ohio's state-assisted colleges and universities in maintaining and
enhancing network connections.

Section 7.06.

Pledge of Fees

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Any new pledge of fees, or new agreement for adjustment of
fees, made in the 1999-2001 biennium to secure bonds or notes of a
state-assisted institution of higher education for a project for
which bonds or notes were not outstanding on the effective date of

this section shall be effective only after approval by the Ohio Board of Regents, unless approved in a previous biennium. 11390
11391

Rental Payments to the Ohio Public Facilities Commission 11392

The appropriations to the Ohio Board of Regents from the General Revenue Fund for the purposes of division (A) of section 3333.13 of the Revised Code include the amounts necessary to meet all payments at the times required to be made during the period from July 1, 1999, to June 30, 2001, by the Ohio Board of Regents to the Ohio Public Facilities Commission pursuant to leases and agreements made under section 154.21 of the Revised Code, as certified under division (C) of section 3333.13 of the Revised Code, but limited to the aggregate amount of \$743,042,000 provided in appropriation item 235-401, Rental Payments to the Ohio Public Facilities Commission. Nothing in this section shall be deemed to contravene the obligation of the state to pay, without necessity for further appropriation, from the source pledged thereto, the bond service charges on obligations issued pursuant to section 154.21 of the Revised Code. 11393
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Section 7.07. 11408

Ohio Instructional Grants

Notwithstanding section 3333.12 of the Revised Code, in lieu of the tables in that section, instructional grants for all full-time students shall be made for fiscal year 2000 using the tables under this heading. 11409
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The tables under this heading prescribe the maximum grant amounts covering two semesters, three quarters, or a comparable portion of one academic year. The grant amount for a full-time student enrolled in an eligible institution for a semester or quarter in addition to the portion of the academic year covered by a grant determined under these tables shall be a percentage of the 11413
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maximum prescribed in the applicable table. The maximum grant for
a fourth quarter shall be one-third of the maximum amount
prescribed under the table. The maximum grant for a third semester
shall be one-half of the maximum amount prescribed under the
table.

For a full-time student who is a dependent and enrolled in a
nonprofit educational institution that is not a state-assisted
institution and that has a certificate of authorization issued
pursuant to Chapter 1713. of the Revised Code, the amount of the
instructional grant for two semesters, three quarters, or a
comparable portion of the academic year shall be determined in
accordance with the following table:

OHIO INSTRUCTIONAL GRANTS

Private Institution Table of Grants

Gross Income	Maximum Grant \$4,644					11435
	Number of Dependents					
	1		5 or more			4
Under \$12,001	\$4,644	\$4,644	\$4,644	\$4,644	\$4,644	11436
\$12,001 - \$13,000	4,182	4,644	4,644	4,644	4,644	11437
\$13,001 - \$14,000	3,708	4,182	4,644	4,644	4,644	11438
\$14,001 - \$15,000	3,246	3,708	4,182	4,644	4,644	11439
\$15,001 - \$16,000	2,790	3,246	3,708	4,182	4,644	11440
\$16,001 - \$17,000	2,328	2,790	3,246	3,708	4,182	11441
\$17,001 - \$20,000	1,854	2,328	2,790	3,246	3,708	11442
\$20,001 - \$23,000	1,368	1,854	2,328	2,790	3,246	11443
\$23,001 - \$26,000	1,146	1,368	1,854	2,328	2,790	11444
\$26,001 - \$29,000	924	1,146	1,368	1,854	2,328	11445
\$29,001 - \$30,000	840	924	1,146	1,368	1,854	11446
\$30,001 - \$31,000	756	840	924	1,146	1,368	11447
\$31,001 - \$32,000	378	756	840	924	1,146	11448
\$32,001 - \$33,000	-0-	378	756	840	924	11449

\$33,001 - \$34,000	-0-	-0-	378	756	840	11450
\$34,001 - \$35,000	-0-	-0-	-0-	378	756	11451
\$35,001 - \$36,000	-0-	-0-	-0-	-0-	378	11452
Over \$36,000	-0-	-0-	-0-	-0-	-0-	11453

For a full-time student who is financially independent and 11454
enrolled in a nonprofit educational institution that is not a 11455
state-assisted institution and that has a certificate of 11456
authorization issued pursuant to Chapter 1713. of the Revised 11457
Code, the amount of the instructional grant for two semesters, 11458
three quarters, or a comparable portion of the academic year shall 11459
be determined in accordance with the following table: 11460

Private Institution Table of Grants 11461

Maximum Grant \$4,644 11462

Gross Income Number of Dependents 11463

0 5 or 2 11464 3 4
more

Under \$3,901	\$4,644	\$4,644	\$4,644	\$4,644	\$4,644	\$4,644	11465
\$3,901 - \$4,500	4,182	4,644	4,644	4,644	4,644	4,644	11466
\$4,501 - \$5,000	3,708	4,182	4,644	4,644	4,644	4,644	11467
\$5,001 - \$5,500	3,246	3,708	4,182	4,644	4,644	4,644	11468
\$5,501 - \$6,000	2,790	3,246	3,708	4,182	4,644	4,644	11469
\$6,001 - \$6,500	2,328	2,790	3,246	3,708	4,182	4,644	11470
\$6,501 - \$7,500	1,854	2,328	2,790	3,246	3,708	4,182	11471
\$7,501 - \$8,500	1,368	1,854	2,328	2,790	3,246	3,708	11472
\$8,501 - \$9,500	1,146	1,368	1,854	2,328	2,790	3,246	11473
\$9,501 - \$11,000	924	1,146	1,368	1,854	2,328	2,790	11474
\$11,001 - \$12,500	840	924	1,146	1,368	1,854	2,328	11475
\$12,501 - \$14,000	756	840	924	1,146	1,368	1,854	11476
\$14,001 - \$15,500	378	756	840	924	1,146	1,368	11477
\$15,501 - \$18,500	-0-	378	756	840	924	1,146	11478
\$18,501 - \$21,500	-0-	-0-	378	756	840	924	11479
\$21,501 - \$24,500	-0-	-0-	-0-	378	756	840	11480
\$24,501 - \$29,200	-0-	-0-	-0-	-0-	378	756	11481

\$29,201 - \$33,900	-0-	-0-	-0-	-0-	-0-	378	11482
Over \$33,900	-0-	-0-	-0-	-0-	-0-	-0-	11483

For a full-time student who is a dependent and enrolled in an educational institution that holds a certificate of registration from the State Board of Proprietary School Registration, the amount of the instructional grant for two semesters, three quarters, or a comparable portion of the academic year shall be determined in accordance with the following table:

Proprietary Institution Table of Grants							11490
Maximum Grant \$3,936							11491
Gross Income	Number of Dependents						11492
			1	2	3	4 or more	11493
Under \$12,001	\$3,936	\$3,936	\$3,936	\$3,936	\$3,936	\$3,936	11494
\$12,001 - \$13,000	3,552	3,936	3,936	3,936	3,936	3,936	11495
\$13,001 - \$14,000	3,132	3,552	3,936	3,936	3,936	3,936	11496
\$14,001 - \$15,000	2,742	3,132	3,552	3,936	3,936	3,936	11497
\$15,001 - \$16,000	2,376	2,742	3,132	3,552	3,936	3,936	11498
\$16,001 - \$17,000	1,950	2,376	2,742	3,132	3,552	3,552	11499
\$17,001 - \$20,000	1,578	1,950	2,376	2,742	3,132	3,132	11500
\$20,001 - \$23,000	1,206	1,578	1,950	2,376	2,742	2,742	11501
\$23,001 - \$26,000	966	1,206	1,578	1,950	2,376	2,376	11502
\$26,001 - \$29,000	774	966	1,206	1,578	1,950	1,950	11503
\$29,001 - \$30,000	726	774	966	1,206	1,578	1,578	11504
\$30,001 - \$31,000	642	726	774	966	1,206	1,206	11505
\$31,001 - \$32,000	324	642	726	774	966	966	11506
\$32,001 - \$33,000	-0-	324	642	726	774	774	11507
\$33,001 - \$34,000	-0-	-0-	324	642	726	726	11508
\$34,001 - \$35,000	-0-	-0-	-0-	324	642	642	11509
\$35,001 - \$36,000	-0-	-0-	-0-	-0-	324	324	11510
Over \$36,000	-0-	-0-	-0-	-0-	-0-	-0-	11511

For a full-time student who is financially independent and 11512

enrolled in an educational institution that holds a certificate of 11513
 registration from the State Board of Proprietary School 11514
 Registration, the amount of the instructional grant for two 11515
 semesters, three quarters, or a comparable portion of the academic 11516
 year shall be determined in accordance with the following table: 11517

Proprietary Institution Table of Grants 11518

Maximum Grant \$3,936 11519

Gross Income Number of Dependents 11520

0 5 or 2 11521 3 4
 more

Gross Income	0	1	2	3	4	5 or more	
Under \$3,901	\$3,936	\$3,936	\$3,936	\$3,936	\$3,936	\$3,936	11522
\$3,901 - \$4,500	3,552	3,936	3,936	3,936	3,936	3,936	11523
\$4,501 - \$5,000	3,132	3,552	3,936	3,936	3,936	3,936	11524
\$5,001 - \$5,500	2,742	3,132	3,552	3,936	3,936	3,936	11525
\$5,501 - \$6,000	2,376	2,742	3,132	3,552	3,936	3,936	11526
\$6,001 - \$6,500	1,950	2,376	2,742	3,132	3,552	3,936	11527
\$6,501 - \$7,500	1,578	1,950	2,376	2,742	3,132	3,552	11528
\$7,501 - \$8,500	1,206	1,578	1,950	2,376	2,742	3,132	11529
\$8,501 - \$9,500	966	1,206	1,578	1,950	2,376	2,742	11530
\$9,501 - \$11,000	774	966	1,206	1,578	1,950	2,376	11531
\$11,001 - \$12,500	726	774	966	1,206	1,578	1,950	11532
\$12,501 - \$14,000	642	726	774	966	1,206	1,578	11533
\$14,001 - \$15,500	324	642	726	774	966	1,206	11534
\$15,501 - \$18,500	-0-	324	642	726	774	966	11535
\$18,501 - \$21,500	-0-	-0-	324	642	726	774	11536
\$21,501 - \$24,500	-0-	-0-	-0-	324	642	726	11537
\$24,501 - \$29,200	-0-	-0-	-0-	-0-	324	642	11538
\$29,201 - \$33,900	-0-	-0-	-0-	-0-	-0-	324	11539
Over \$33,900	-0-	-0-	-0-	-0-	-0-	-0-	11540

For a full-time student who is a dependent and enrolled in a 11541
 state-assisted educational institution, the amount of the 11542
 instructional grant for two semesters, three quarters, or a 11543

comparable portion of the academic year shall be determined in accordance with the following table:

Public Institution Table of Grants						11544
Maximum Grant \$1,866						11545
Gross Income	Number of Dependents					11546
	1 5 or more					11547
	1	2	3	4	5 or more	11548
Under \$12,001	\$1,866	\$1,866	\$1,866	\$1,866	\$1,866	11549
\$12,001 - \$13,000	1,680	1,866	1,866	1,866	1,866	4
\$13,001 - \$14,000	1,482	1,680	1,866	1,866	1,866	11550
\$14,001 - \$15,000	1,314	1,482	1,680	1,866	1,866	11551
\$15,001 - \$16,000	1,128	1,314	1,482	1,680	1,866	11552
\$16,001 - \$17,000	924	1,128	1,314	1,482	1,680	11553
\$17,001 - \$20,000	738	924	1,128	1,314	1,482	11554
\$20,001 - \$23,000	558	738	924	1,128	1,314	11555
\$23,001 - \$26,000	450	558	738	924	1,128	11556
\$26,001 - \$29,000	360	450	558	738	924	11557
\$29,001 - \$30,000	336	360	450	558	738	11558
\$30,001 - \$31,000	306	336	360	450	558	11559
\$31,001 - \$32,000	156	306	336	360	450	11560
\$32,001 - \$33,000	-0-	156	306	336	360	11561
\$33,001 - \$34,000	-0-	-0-	156	306	336	11562
\$34,001 - \$35,000	-0-	-0-	-0-	156	306	11563
\$35,001 - \$36,000	-0-	-0-	-0-	-0-	156	11564
Over \$36,000	-0-	-0-	-0-	-0-	-0-	11565

For a full-time student who is financially independent and enrolled in a state-assisted educational institution, the amount of the instructional grant for two semesters, three quarters, or a comparable portion of the academic year shall be determined in accordance with the following table:

Public Institution Table of Grants		11568
Maximum Grant \$1,866		11569
		11570
		11571
		11572
		11573
		11574

Gross Income	Number of Dependents						11575	
	0	1	2	3	4	5 or more	2 11576 3 4	
Under \$3,901	\$1,866	\$1,866	\$1,866	\$1,866	\$1,866	\$1,866	\$1,866	11577
\$3,901 - \$4,500	1,680	1,866	1,866	1,866	1,866	1,866	1,866	11578
\$4,501 - \$5,000	1,482	1,680	1,866	1,866	1,866	1,866	1,866	11579
\$5,001 - \$5,500	1,314	1,482	1,680	1,866	1,866	1,866	1,866	11580
\$5,501 - \$6,000	1,128	1,314	1,482	1,680	1,866	1,866	1,866	11581
\$6,001 - \$6,500	924	1,128	1,314	1,482	1,680	1,866	1,866	11582
\$6,501 - \$7,500	738	924	1,128	1,314	1,482	1,680	1,680	11583
\$7,501 - \$8,500	558	738	924	1,128	1,314	1,482	1,482	11584
\$8,501 - \$9,500	450	558	738	924	1,128	1,314	1,314	11585
\$9,501 - \$11,000	360	450	558	738	924	1,128	1,128	11586
\$11,001 - \$12,500	336	360	450	558	738	924	924	11587
\$12,501 - \$14,000	306	336	360	450	558	738	738	11588
\$14,001 - \$15,500	156	306	336	360	450	558	558	11589
\$15,501 - \$18,500	-0-	156	306	336	360	450	450	11590
\$18,501 - \$21,500	-0-	-0-	156	306	336	360	360	11591
\$21,501 - \$24,500	-0-	-0-	-0-	156	306	336	336	11592
\$24,501 - \$29,200	-0-	-0-	-0-	-0-	156	306	306	11593
\$29,201 - \$33,900	-0-	-0-	-0-	-0-	-0-	156	156	11594
Over \$33,900	-0-	-0-	-0-	-0-	-0-	-0-	-0-	11595

The foregoing appropriation item, 235-503, Ohio Instructional Grants, shall be used to make the payments authorized by division (C) of section 3333.26 of the Revised Code to the institutions described in that division. In addition, this appropriation shall be used to reimburse the institutions described in division (B) of section 3333.26 of the Revised Code for the cost of the waivers required by that division.

War Orphans' Scholarships

The foregoing appropriation item 235-504, War Orphans' Scholarships, shall be used to reimburse state-assisted

institutions of higher education for waivers of instructional fees 11606
and general fees provided by them, and to provide grants to 11607
institutions that have received a certificate of authorization 11608
from the Ohio Board of Regents under Chapter 1713. of the Revised 11609
Code, in accordance with the provisions of section 5910.04 of the 11610
Revised Code, and to fund additional scholarship benefits provided 11611
by section 5910.032 of the Revised Code. 11612

Part-time Student Instructional Grants 11613

The foregoing appropriation item 235-549, Part-time Student 11614
Instructional Grants, shall be used to support a grant program for 11615
part-time undergraduate students who are Ohio residents and who 11616
are enrolled in degree granting programs. 11617

Eligibility for participation in the program shall include 11618
degree granting educational institutions that hold a certificate 11619
of registration from the State Board of Proprietary School 11620
Registration, and nonprofit institutions that have a certificate 11621
of authorization issued pursuant to Chapter 1713. of the Revised 11622
Code, as well as state-assisted colleges and universities. Grants 11623
shall be given to students on the basis of need, as determined by 11624
the college, which will, in making these determinations, give 11625
special consideration to single-parent heads-of-household and 11626
displaced homemakers who enroll in an educational degree program 11627
that prepares the individual for a career. In determining need, 11628
the college also shall consider the availability of educational 11629
assistance from a student's employer. It is the intent of the 11630
General Assembly that these grants not supplant such assistance. 11631

11632

Section 7.08. 11633

Capitol Scholarship Programs

The foregoing appropriation item 235-518, Capitol Scholarship 11634

Programs, shall be used to provide one hundred scholarships in 11635
each fiscal year in the amount of \$2,000 each for students 11636
enrolled in Ohio's public and private institutions of higher 11637
education to participate in the Washington Center Internship 11638
Program. The scholarships shall be matched by the Washington 11639
Center's scholarship funds. 11640

Student Choice Grants 11641

The foregoing appropriation item 235-531, Student Choice 11642
Grants, shall be used to support the Student Choice Grant Program 11643
created by section 3333.27 of the Revised Code. 11644

Academic Scholarships 11645

Notwithstanding the provision in section 3333.22 of the 11646
Revised Code requiring the annual amount of a scholarship for a 11647
scholar to be \$2,000, in lieu of that amount the annual 11648
scholarship amount awarded to any scholar who received a 11649
scholarship for the 1994-1995 academic year shall be \$1,000 for 11650
any academic year for which the scholar is eligible for a 11651
scholarship under section 3333.22 of the Revised Code. 11652

Physician Loan Repayment 11653

The foregoing appropriation item 235-604, Physician Loan 11654
Repayment, shall be used in accordance with sections 3702.71 to 11655
3702.81 of the Revised Code. 11656

Nursing Loan Program 11657

The foregoing appropriation item 235-606, Nursing Loan 11658
Program, shall be used to administer the nurse education 11659
assistance program. Up to \$148,000 in fiscal year 2000 and 11660
\$152,000 in fiscal year 2001 may be used for operating expenses 11661
associated with the program. Any additional funds needed for the 11662
administration of the program are subject to Controlling Board 11663
approval. 11664

Section 7.09.

11665

Cooperative Extension Service

Of the foregoing appropriation item 235-511, Cooperative Extension Service, \$210,000 in each fiscal year shall be used for additional staffing for county agents for expanded 4-H activities. Of the foregoing appropriation item 235-511, Cooperative Extension Service, \$210,000 in each fiscal year shall be used by the Cooperative Extension Service, through the Enterprise Center for Economic Development in cooperation with other agencies, for a public-private effort to create and operate a small business economic development program to enhance the development of alternatives to the growing of tobacco, and implement through applied research and demonstration, the production and marketing of other high value crops and value-added products. Of the foregoing appropriation item 235-511, Cooperative Extension Service, \$65,000 in each fiscal year shall be used for farm labor mediation and education programs. Of the foregoing appropriation item 235-511, Cooperative Extension Service, \$215,000 in each fiscal year shall be used to support the Ohio State University Marion Enterprise Center.

Of the foregoing appropriation item 235-511, Cooperative Extension Service, \$680,000 in fiscal year 2000 and \$910,500 in fiscal year 2001 shall be used to support the Ohio Watersheds Initiative.

Agricultural Research and Development Center

11688

Of the foregoing appropriation item 235-535, Agricultural Research and Development Center, \$950,000 in each fiscal year shall be distributed to the Piketon Agricultural Research and Extension Center.

Of the foregoing appropriation item 235-535, Agricultural

11693

Research and Development Center, \$250,000 in each fiscal year 11694
shall be distributed to the Raspberry/Strawberry-Ellagic Acid 11695
Research program at the Ohio State University Medical College in 11696
cooperation with the Ohio State University College of Agriculture. 11697

Of the foregoing appropriation item 235-535, Agricultural 11698
Research and Development Center, \$100,000 in each fiscal year 11699
shall be used for the development of agricultural crops and 11700
products not currently in widespread production in Ohio, in order 11701
to increase the income and viability of family farmers. 11702

Cooperative Extension Service and Agricultural Research and 11703
Development Center 11704

The foregoing appropriation items 235-511, Cooperative 11705
Extension Service, and 235-535, Agricultural Research and 11706
Development Center, shall be disbursed through the Ohio Board of 11707
Regents to the Ohio State University in monthly payments, unless 11708
otherwise determined by the Director of Budget and Management 11709
pursuant to the provisions of section 126.09 of the Revised Code. 11710
Of the foregoing appropriation item 235-535, Agricultural Research 11711
and Development Center, \$540,000 in each fiscal year shall be used 11712
to purchase equipment. 11713

The Ohio Agricultural Research and Development Center shall 11714
not be required to remit payment to The Ohio State University 11715
during the 1999-2001 biennium for cost reallocation assessments. 11716
The cost reallocation assessments include, but are not limited to, 11717
any assessment on state appropriations to the center. 11718

Section 7.10. 11719
Sea Grants

The foregoing appropriation item 235-402, Sea Grants, shall 11720
be disbursed to The Ohio State University. The funds from this 11721
appropriation item shall be used to conduct research on fish in 11722

Lake Erie.	11723
<u>Information System</u>	11724
The foregoing appropriation item 235-409, Information System,	11725
shall be used by the Board of Regents to revise the higher	11726
education data system known as the Uniform Information System.	11727
<u>Student Services</u>	11728
The foregoing appropriation item 235-502, Student Support	11729
Services, shall be distributed by the Board of Regents to Ohio's	11730
state-assisted colleges and universities that incur	11731
disproportionate costs in the provision of support services to	11732
disabled students.	11733
<u>Shawnee State Supplement</u>	11734
The foregoing appropriation item 235-520, Shawnee State	11735
Supplement, shall be used by Shawnee State University as detailed	11736
by both of the following:	11737
(A) To allow Shawnee State University to keep its	11738
undergraduate fees below the statewide average, consistent with	11739
its mission of service to an economically depressed Appalachian	11740
region;	11741
(B) To allow Shawnee State University to employ new faculty	11742
to develop and teach in new degree programs that meet the needs of	11743
Appalachians.	11744
<u>Police and Fire Protection</u>	11745
The foregoing appropriation item 235-524, Police and Fire	11746
Protection, shall be used for police and fire services in the	11747
municipalities of Kent, Athens, Oxford, Fairborn, Bowling Green,	11748
Portsmouth, Xenia Township (Greene County), and Rootstown	11749
Township, which may be used to assist these local governments in	11750
providing police and fire protection for the central campus of the	11751
state-affiliated university located therein. Each participating	11752

municipality and township shall receive at least five thousand 11753
dollars per year. Funds shall be distributed by the Ohio Board of 11754
Regents. 11755

School of International Business 11756

Of the foregoing appropriation item 235-547, School of 11757
International Business, \$1,243,637 in each fiscal year shall be 11758
used for the continued development and support of the School of 11759
International Business of the state universities of northeast 11760
Ohio. The money shall go to the University of Akron. These funds 11761
shall be used by the university to establish a School of 11762
International Business located at the University of Akron. It may 11763
confer with the Kent State University, Youngstown State 11764
University, and Cleveland State University as to the curriculum 11765
and other matters regarding the school. 11766

Of the foregoing appropriation item 235-547, School of 11767
International Business, \$250,000 in each fiscal year shall be used 11768
to support the University of Toledo School of Business. 11769

Capital Component 11770

The foregoing appropriation item 235-552, Capital Component, 11771
shall be used by the Ohio Board of Regents to implement the 11772
capital funding policy for state-assisted colleges and 11773
universities established in Am. H.B. 748 of the 121st General 11774
Assembly. Appropriations from this item shall be distributed to 11775
all campuses for which the estimated campus debt service 11776
attributable to new qualifying capital projects is less than the 11777
campus' formula-determined capital component allocation. Campus 11778
allocations shall be determined by subtracting the estimated 11779
campus debt service attributable to new qualifying capital 11780
projects from campus formula-determined capital component 11781
allocation. Moneys distributed from this appropriation item shall 11782
be restricted to capital-related purposes. 11783

Dayton Area Graduate Studies Institute 11784

The foregoing appropriation item 235-553, Dayton Area 11785
Graduate Studies Institute, shall be used by the Ohio Board of 11786
Regents to support the Dayton Area Graduate Studies Institute, an 11787
engineering graduate consortium of three universities in the 11788
Dayton area - Wright State University, The University of Dayton, 11789
and the Air Force Institute of Technology - with the participation 11790
of the University of Cincinnati and The Ohio State University. 11791

Long-Term Care Research 11792

The foregoing appropriation item 235-558, Long-term Care 11793
Research, shall be disbursed to Miami University for long-term 11794
care research. 11795

BGSU Canadian Studies Center 11796

The foregoing appropriation item 235-561, BGSU Canadian 11797
Studies Center, shall be used by the Canadian Studies Center at 11798
Bowling Green State University to study opportunities for Ohio and 11799
Ohio businesses to benefit from the Free Trade Agreement between 11800
the United States and Canada. 11801

Urban University Programs 11802

Of the foregoing appropriation item 235-583, Urban University 11803
Programs, universities receiving funds which are used to support 11804
an ongoing university unit must certify periodically in a manner 11805
approved by the Ohio Board of Regents that program funds are being 11806
matched on a one-to-one basis with equivalent resources. Overhead 11807
support may not be used to meet this requirement. Where Urban 11808
University Program funds are being used to support an ongoing 11809
university unit, matching funds must come from continuing rather 11810
than one-time sources. At each participating state-assisted 11811
institution of higher education, matching funds must be within the 11812
substantial control of the individual designated by the 11813

institution's president as the Urban University Program 11814
representative. 11815

Of the foregoing appropriation item 235-583, Urban University 11816
Programs, \$380,000 in each fiscal year shall be used to support a 11817
public communication outreach program (WCPN). The primary purpose 11818
of the program shall be to develop a relationship between 11819
Cleveland State University and nonprofit communications entities. 11820

Of the foregoing appropriation item 235-583, Urban University 11821
Programs, \$180,000 in each fiscal year shall be used to support 11822
the Center for the Interdisciplinary Study of Education and the 11823
Urban Child at Cleveland State University. These funds shall be 11824
distributed according to rules adopted by the Ohio Board of 11825
Regents and shall be used by the center for interdisciplinary 11826
activities targeted toward increasing the chance of lifetime 11827
success of the urban child, including interventions beginning with 11828
the prenatal period. The primary purpose of the center is to study 11829
issues in urban education and to systematically map directions for 11830
new approaches and new solutions by bringing together a cadre of 11831
researchers, scholars, and professionals representing the social, 11832
behavioral, education, and health disciplines. 11833

Of the foregoing appropriation item 235-583, Urban University 11834
Programs, \$260,000 in each fiscal year shall be used to support 11835
the Kent State University Learning and Technology Project. This 11836
project is a kindergarten through university collaboration between 11837
schools surrounding Kent's eight campuses in northeast Ohio, and 11838
corporate partners who will assist in development and delivery. 11839
11840

The Kent State University Project shall provide a faculty 11841
member who has a full-time role in the development of 11842
collaborative activities and teacher instructional programming 11843
between Kent and the K-12th grade schools that surround its eight 11844

campuses; appropriate student support staff to facilitate these 11845
programs and joint activities; and hardware and software to 11846
schools that will make possible the delivery of instruction to 11847
pre-service and in-service teachers, and their students, in their 11848
own classrooms or school buildings. This shall involve the 11849
delivery of low-bandwidth streaming video and web-based 11850
technologies in a distributed instructional model. 11851

Of the foregoing appropriation item 235-583, Urban University 11852
Programs, \$100,000 in each fiscal year shall be used to support 11853
the Ameritech Classroom/Center for Research at Kent State 11854
University. 11855

Of the foregoing appropriation item 235-583, Urban University 11856
Programs, \$150,000 in each fiscal year shall be used to support 11857
the Polymer Distance Learning Project at the University of Akron. 11858

Of the foregoing appropriation item 235-583, Urban University 11859
Programs, \$50,000 in fiscal year 2000 shall be used to support 11860
general arts programming at the University of Akron. 11861

Of the foregoing appropriation item 235-583, Urban University 11862
Programs, \$50,000 in each fiscal year shall be distributed to the 11863
Kent State University/Cleveland Design Center program. 11864

Of the remainder of the appropriation, 50 per cent of the 11865
total in each fiscal year shall be distributed by the Ohio Board 11866
of Regents to Cleveland State University in support of the Urban 11867
Center of the College of Urban Affairs. The balance of the 11868
appropriation shall be distributed to the Northeast Ohio 11869
Interinstitutional Research Program, the Urban Linkages Program, 11870
and the Urban Research Technical Assistance Grant Program. 11871

International Center for Water Resources Development 11872

The foregoing appropriation item 235-595, International 11873
Center for Water Resources Development, shall be used to support 11874

the International Center for Water Resources Development at 11875
Central State University. This center shall develop methods to 11876
improve the management of water resources for Ohio and for 11877
emerging nations. 11878

Rural University Projects 11879

Of the foregoing appropriation item 235-587, Rural University 11880
Projects, Bowling Green State University shall receive \$211,330 in 11881
fiscal year 2000 and \$216,400 in fiscal year 2001. Miami 11882
University shall receive \$323,365 in fiscal year 2000 and \$331,125 11883
in fiscal year 2001. Ohio University shall receive \$738,375 in 11884
fiscal year 2000 and \$756,099 in fiscal year 2001. These funds 11885
shall be used to support the Institute for Local Government 11886
Administration and Rural Development at Ohio University, the 11887
Center for Public Management and Regional Affairs at Miami 11888
University, and the public administration program at Bowling Green 11889
State University. 11890

Of the foregoing appropriation item 235-587, Rural University 11891
Projects, \$25,000 in each fiscal year shall be used to support the 11892
Washington State Community College day care center. 11893

Of the foregoing appropriation item 235-587, Rural University 11894
Projects, \$75,000 in fiscal year 2001 shall be used to support the 11895
COAD/ILGARD/GOA Appalachian Leadership Initiative. 11896

A small portion of the funds provided to Ohio University 11897
shall be used to establish a satellite office of the Institute for 11898
Local Government Administration and Rural Development at Shawnee 11899
State University. A small portion of the funds provided to Ohio 11900
University shall also be used for the Institute for Local 11901
Government Administration and Rural Development State and Rural 11902
Policy Partnership with the Governor's Office of Appalachia and 11903
the Appalachian delegation of the General Assembly. 11904

Ohio Resource Center for Math, Science, and Reading 11905

The foregoing appropriation item 235-588, Ohio Resource Center for Math, Science, and Reading, shall be used to support a resource center for mathematics, science, and reading to be located at a state-assisted university for the purpose of identifying best educational practices in primary and secondary schools and establishing methods for communicating them to colleges of education and school districts.

Prior to December 31, 1999, the Governor, the Superintendent of Public Instruction, and the Chancellor of the Ohio Board of Regents shall conduct a search for the best location for the establishment of the Ohio Resource Center for Mathematics, Science, and Reading. The location selected shall be on the campus of one of the state universities named in section 3345.011 of the Revised Code. The university selected shall be chosen on a competitive basis from among those universities that apply to the Board of Regents.

Hazardous Materials Program

The foregoing appropriation item 235-596, Hazardous Materials Program, shall be disbursed to Cleveland State University for the operation of a program to certify firefighters for the handling of hazardous materials. Training shall be available to all Ohio firefighters.

National Guard Tuition Grant Program

The Board of Regents shall disburse funds from appropriation item 235-599, National Guard Tuition Grant Program, at the direction of the Adjutant General.

Ohio Higher Educational Facility Commission Support

The foregoing appropriation item 235-602, HEFC Administration, shall be used by the Board of Regents for operating expenses related to the Board of Regents' support of the

activities of the Ohio Higher Educational Facility Commission. 11936
Upon the request of the chancellor, the Director of Budget and 11937
Management shall transfer up to \$12,000 cash from Fund 461 to Fund 11938
4E8 in each fiscal year of the biennium. 11939

Reading Recovery Program* 11940

Notwithstanding section 3319.23 of the Revised Code, all 11941
state-assisted colleges and universities with teacher education 11942
programs shall provide instruction in the Reading Recovery 11943
Program. 11944

Section 7.11. 11945

Repayment of Research Facility Investment Fund Moneys

Notwithstanding any provision of law to the contrary, all 11946
repayments of Research Facility Investment Fund loans shall be 11947
made to the Bond Service Trust Fund. All Research Facility 11948
Investment Fund loan repayments made prior to the effective date 11949
of this section shall be transferred by the Director of Budget and 11950
Management to the Bond Service Trust Fund within sixty days of the 11951
effective date of this section. 11952

Campuses are required to make timely repayments of Research 11953
Facility Investment Fund loans, according to the schedule 11954
established by the Board of Regents. In the case of late payments, 11955
the Board of Regents is authorized to deduct from an institution's 11956
periodic subsidy distribution an amount equal to the amount of the 11957
overdue payment for that institution, transfer such amount to the 11958
Bond Service Trust Fund, and credit the appropriate institution 11959
for the repayment. 11960

Veterans' Preference 11961

The Board of Regents shall work with the Governor's Office of 11962
Veterans' Affairs to develop specific veterans' preference 11963
guidelines for higher education institutions. These guidelines 11964

shall ensure that the institutions' hiring practices are in 11965
accordance with the intent of Ohio's veterans' preference laws. 11966

Section 7.12. 11967

Central State University

(A) Notwithstanding sections 3345.72, 3345.74, 3345.75, and 11968
3345.76 of the Revised Code and 126:3-1-01 of the Ohio 11969
Administrative Code, Central State University shall adhere to the 11970
following fiscal standards: 11971

(1) Maintenance of a balanced budget and filing of quarterly 11972
reports on an annualized budget with the Board of Regents, 11973
comparing the budget to actual spending and revenues with 11974
projected expenditures and revenues for the remainder of the year. 11975
Such reports shall include narrative explanations as appropriate 11976
and be filed within 30 days of the end of the quarter. 11977

(2) Timely and accurate assessment of the current and 11978
projected cash flow of university funds, by fund type; 11979

(3) Timely reconciliation of all university cash and general 11980
ledger accounts, by fund; 11981

(4) Submission to the Auditor of State financial statements 11982
consistent with audit requirements prescribed by the Auditor of 11983
State within four months after the end of the fiscal year. 11984

The Director of Budget and Management shall provide 11985
clarification to the university on these fiscal standards as 11986
deemed necessary. The director may also take such actions as are 11987
necessary to ensure that the university adheres to these standards 11988
and other fiscal standards consistent with generally accepted 11989
accounting principles and the requirements of external entities 11990
providing funding to the university. Such actions may include the 11991
appointment of a financial consultant to assist Central State 11992
University in the continuous process of design and implementation 11993

of responsible systems of financial management and accounting. 11994

(B) The director's fiscal oversight shall continue until such 11995
time as the university meets the same criteria as those created in 11996
126:3-1-01(F) of the Ohio Administrative Code for the termination 11997
of a fiscal watch. At that time Central State University shall be 11998
relieved of the requirements of this section and subject to the 11999
requirements of sections 3345.72, 3345.74, 3345.75, and 3345.76 of 12000
the Revised Code. 12001

Section 7.13. 12002

Technical College District Refinancing of Leases for Housing and Dining 12003
Facilities

Notwithstanding section 3357.112 of the Revised Code, a 12004
technical college district established under Chapter 3357. of the 12005
Revised Code that is the lessee of housing and dining facilities 12006
under a lease entered into prior to September 17, 1996, may enter 12007
into an amendment to that lease and may acquire, by purchase, 12008
lease-purchase, lease with option to purchase, or otherwise, those 12009
housing and dining facilities that are the subject of that lease. 12010
To pay all or part of the costs of acquiring those housing and 12011
dining facilities, and to refund obligations previously issued for 12012
such purpose, a technical college district may issue obligations 12013
in the manner provided by and subject to the applicable provisions 12014
of section 3345.12 of the Revised Code and Sections 99.03 and 12015
99.06 of Am. Sub. H.B. 215 of the 122nd General Assembly. 12016

Section 7.14. 12017

Non-Profit Research Capital Support

Notwithstanding Section 30.06 of H.B. 850 of the 122nd 12018
General Assembly, of the appropriation item CAP-063, Non-Profit 12019
Research Capital Support, \$6,300,000 shall be assigned to 12020
Cleveland State University to be used to award a grant to a 12021

capital project at the Cleveland Clinic Foundation to advance 12022
biomedical research. 12023

Section 8. OSB OHIO STATE SCHOOL FOR THE BLIND 12024

General Revenue Fund 12025

GRF 226-100 Personal Services \$ 5,540,996 \$ 5,631,645 12026

GRF 226-200 Maintenance \$ 676,533 \$ 714,732 12027

GRF 226-300 Equipment \$ 69,534 \$ 101,203 12028

TOTAL GRF General Revenue Fund \$ 6,287,063 \$ 6,447,580 12029

General Services Fund Group 12030

4H8 226-602 Education Reform \$ 29,900 \$ 29,900 12031

Grants

TOTAL GSF General Services 12032

Fund Group \$ 29,900 \$ 29,900 12033

State Special Revenue Fund Group 12034

4M5 226-601 Work Study & \$ 40,083 \$ 40,924 12035

Technology Investments

TOTAL SSR State Special Revenue 12036

Fund Group \$ 40,083 \$ 40,924 12037

Federal Special Revenue Fund Group 12038

3P5 226-643 Medicaid Professional \$ 125,000 \$ 125,000 12039

Services Reimbursement

310 226-626 Coordinating Unit \$ 1,173,036 \$ 1,195,850 12040

TOTAL FED Federal Special 12041

Revenue Fund Group \$ 1,298,036 \$ 1,320,850 12042

TOTAL ALL BUDGET FUND GROUPS \$ 7,655,082 \$ 7,839,254 12043

Maintenance 12044

Of the foregoing appropriation item 226-200, Maintenance, up 12045

to \$21,962 in fiscal year 2001 shall be used to purchase Braille 12046

and large-print textbooks in the areas of reading, mathematics, 12047

and spelling for grades kindergarten through six. 12048

<u>Equipment</u>				12049	
Of the foregoing appropriation item 226-300, Equipment,				12050	
\$30,000 in fiscal year 2001 shall be used to purchase a van				12051	
equipped with a hydraulic lift for wheelchairs.				12052	
Section 9. OSD OHIO STATE SCHOOL FOR THE DEAF				12053	
General Revenue Fund				12054	
GRF 221-100 Personal Services	\$	6,928,679	\$	7,132,058	12055
GRF 221-200 Maintenance	\$	944,938	\$	998,596	12056
GRF 221-300 Equipment	\$	180,715	\$	190,975	12057
TOTAL GRF General Revenue Fund	\$	8,054,332	\$	8,321,629	12058
General Services Fund Group				12059	
4M1 221-602 Education Reform	\$	64,867	\$	65,210	12060
Grants					
TOTAL GSF General Services				12061	
Fund Group	\$	64,867	\$	65,210	12062
State Special Revenue Fund Group				12063	
4M0 221-601 Educational Program	\$	16,890	\$	17,363	12064
Expenses					
TOTAL SSR State Special Revenue				12065	
Fund Group	\$	16,890	\$	17,363	12066
Federal Special Revenue Fund Group				12067	
3R0 221-684 Medicaid Professional	\$	80,000	\$	82,240	12068
Services Reimbursement					
311 221-625 Coordinating Unit	\$	848,780	\$	871,271	12069
TOTAL FED Federal Special				12070	
Revenue Fund Group	\$	928,780	\$	953,511	12071
TOTAL ALL BUDGET FUND GROUPS	\$	9,064,869	\$	9,357,713	12072
<u>Maintenance</u>				12073	
Of the foregoing appropriation item 221-200, Maintenance,				12074	
\$30,979 in fiscal year 2001 shall be used to renovate classrooms.				12075	

Equipment 12076

Of the foregoing appropriation item 221-300, Equipment, 12077
\$5,923 in fiscal year 2001 shall be used to purchase security 12078
equipment, including steel doors, computerized locks, and 12079
television surveillance equipment. 12080

Section 10. SFC SCHOOL FACILITIES COMMISSION 12081

General Revenue Fund 12082

GRF 230-428 Lease Rental Payments	\$	55,400,000	\$	70,300,000	12083
TOTAL GRF General Revenue Fund	\$	55,400,000	\$	70,300,000	12084

State Special Revenue Fund Group 12085

5E3 230-644 Operating Expenses	\$	2,609,726	\$	2,738,277	12086
TOTAL SSR State Special Revenue					12087

Fund Group	\$	2,609,726	\$	2,738,277	12088
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TOTAL ALL BUDGET FUND GROUPS	\$	58,009,726	\$	73,038,277	12089
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Lease Rental Payments 12090

The foregoing appropriation item 230-428, Lease Rental 12091
Payments, shall be used by the School Facilities Commission to pay 12092
bond service charges on obligations issued pursuant to Chapter 12093
3318. of the Revised Code. 12094

Operating Expenses 12095

The foregoing appropriation item 230-644, Operating Expenses, 12096
shall be used by the Ohio School Facilities Commission to carry 12097
out its responsibilities pursuant to this section and Chapter 12098
3318. of the Revised Code. 12099

Within ten days after the effective date of this section, or 12100
as soon as possible thereafter, the Executive Director of the Ohio 12101
School Facilities Commission shall certify to the Director of 12102
Budget and Management the amount of cash to be transferred from 12103
the School Building Assistance Fund (Fund 032) or the Public 12104

School Building Fund (Fund 021) to the Ohio School Facilities 12105
Commission Fund (Fund 5E3). 12106

By July 10, 2000, the Executive Director of the Ohio School 12107
Facilities Commission shall certify to the Director of Budget and 12108
Management the amount of cash to be transferred from the School 12109
Building Assistance Fund (Fund 032) or the Public School Building 12110
Fund (Fund 021) to the Ohio School Facilities Commission Fund 12111
(Fund 5E3). 12112

Prior Year Encumbrances 12113

At the request of the Director of the Ohio School Facilities 12114
Commission, the Director of Budget and Management may cancel 12115
encumbrances from fiscal years 1998 and 1999 in CAP-770, School 12116
Building Program Assistance, and reestablish such encumbrances or 12117
parts of encumbrances to CAP-622, Public School Buildings, for 12118
fiscal years 2000 and 2001. Appropriations to CAP-622 shall not be 12119
increased as a result of reestablishing such encumbrances. An 12120
amount equal to the canceled encumbrances in CAP-770 shall be 12121
appropriated to CAP-775. 12122

Disability Access Projects 12123

The unencumbered and unallotted balances as of June 30, 1999, 12124
in appropriation item 230-649, Disability Access Project, are 12125
hereby reappropriated. The unencumbered and unallotted balances of 12126
the appropriation at the end of fiscal year 2000 are hereby 12127
reappropriated in fiscal year 2001 to fund capital projects 12128
pursuant to this section. 12129

(A) As used in this section: 12130

(1) "Percentile" means the percentile in which a school 12131
district is ranked according to the fiscal year 1998 ranking of 12132
school districts with regard to income and property wealth under 12133
division (B) of section 3318.011 of the Revised Code. 12134

(2) "School district" means a city, local, or exempted village school district, but excluding a school district that is one of the state's 21 urban school districts as defined in division (O) of section 3317.02 of the Revised Code, as that section existed prior to July 1, 1998.

(3) "Valuation per pupil" means a district's total taxable value as defined in section 3317.02 of the Revised Code divided by the district's ADM as defined in division (A) of section 3317.02 of the Revised Code as that section existed prior to July 1, 1998.

(B) The School Facilities Commission shall adopt rules for awarding grants to school districts with a valuation per pupil of less than \$200,000, to be used for construction, reconstruction, or renovation projects in classroom facilities, the purpose of which is to improve access to such facilities by physically handicapped persons. The rules shall include application procedures. No school district shall be awarded a grant under this section in excess of \$100,000. In addition, any school district shall be required to pay a percentage of the cost of the project for which the grant is being awarded equal to the percentile in which the district is ranked.

Section 10.01.

Short-Term Loans

The School Facilities Commission may make loans to school districts for a period of up to three years for emergency replacement of school facilities as a result of faulty construction and for which the school district is engaged in legal action with the contractor. The interest rate of any loan issued under this section shall be determined by the School Facilities Commission and any interest gained under any settlement regarding faulty construction shall be received by the commission. No moneys provided in the form of short term loans may be used to support

the legal fees of the school district. 12165

Section 10.02. 12166

Extreme Environmental Contamination of School Facilities

Notwithstanding the provisions of Section 26 of Am. Sub. H.B. 12167
850 of the 122nd General Assembly regarding eligibility for the 12168
Exceptional Needs Pilot Program, the School Facilities Commission 12169
may provide assistance to any school district and not exclusively 12170
a school district in the lowest 50 per cent of adjusted valuation 12171
per pupil on the fiscal year 1999 ranking of school districts 12172
established pursuant to section 3317.02 of the Revised Code, for 12173
the purpose of the relocation or replacement of school facilities 12174
required as a result of extreme environmental contamination. In 12175
order to provide assistance as a result of extreme environmental 12176
contamination, the necessity of relocation or replacement of 12177
school facilities shall be certified by the Environmental 12178
Protection Agency. 12179

Section 11. NET OHIO SCHOOLNET COMMISSION 12181

General Revenue Fund 12182

GRF 228-404	Operating Expenses	\$	5,703,175	\$	5,483,910	12183
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GRF 228-406	Technical &	\$	12,408,453	\$	12,706,256	12184
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Instructional

Professional

Development

GRF 228-539	Education Technology	\$	6,707,421	\$	6,733,475	12185
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GRF 228-559	RISE - Interactive	\$	1,200,000	\$	1,200,000	12186
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Parenting Program

Total GRF	General Revenue Fund	\$	26,019,049	\$	26,123,641	12187
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General Services Fund Group 12188

5D4 228-640	Conference/Special	\$	500,000	\$	500,000	12189
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Purpose Expenses

TOTAL GSF General Services				12190
Fund Group	\$	500,000	\$ 500,000	12191
State Special Revenue Fund Group				12192
4W9 228-630 Ohio SchoolNet	\$	3,389,447	\$ 52,813	12193
Telecommunity Fund				
4X1 228-634 Distance Learning	\$	3,174,718	\$ 3,263,413	12194
4Y4 228-698 SchoolNet Plus	\$	90,000,000	\$ 0	12195
TOTAL SSR State Special Revenue				12196
Fund Group	\$	96,564,165	\$ 3,316,226	12197
Federal Special Revenue Fund Group				12198
3S3 228-655 Technology Literacy	\$	16,650,418	\$ 16,650,418	12199
Challenge				
TOTAL FED Federal Special Revenue				12200
Fund Group	\$	16,650,418	\$ 16,650,418	12201
TOTAL ALL BUDGET FUND GROUPS	\$	139,733,632	\$ 46,590,285	12202

SchoolNet Plus Program

12203

(A) The foregoing appropriation item 228-698, SchoolNet Plus, 12204
shall be used as follows: 12205

(1) Up to \$20,000,000 to purchase network telecommunications 12206
equipment for each public elementary school building in Ohio to 12207
provide classroom and building access to existing and potential 12208
statewide voice, video, and data telecommunication services. As 12209
used in this section, "public elementary school building" means an 12210
elementary school building of any city, local, or exempted village 12211
school district or any community school established under Chapter 12212
3314. of the Revised Code. The Ohio SchoolNet Commission, in 12213
consultation with the Department of Education and the Ohio 12214
Education Computer Network, shall define the standards and 12215
equipment configurations necessary to maximize the efficient use 12216
of the existing and potential statewide voice, video, and data 12217

telecommunication services. 12218

(2) Up to \$70,000,000 to establish and equip at least one 12219
interactive computer workstation for each five children enrolled 12220
in the fifth grade based on the number of children each qualifying 12221
school district has enrolled in the fifth grade as reported in 12222
October 1999 pursuant to division (A) of section 3317.03 of the 12223
Revised Code. 12224

To the extent the Ohio SchoolNet Commission can reduce the 12225
purchase cost of an interactive computer workstation through 12226
efficient purchasing methods, the commission may utilize any cost 12227
savings to begin a subsequent round of funding to provide 12228
interactive computer workstations to qualifying school districts. 12229
The commission may select qualifying school districts to receive 12230
the proceeds of any savings based on district readiness to utilize 12231
interactive computer workstations. The Commission may determine 12232
readiness on either a district-wide or individual classroom or 12233
grade-level basis or by such other criteria deemed appropriate by 12234
the commission. 12235

(3) To pay for the cost of an independent review of all the 12236
agencies in Ohio that deliver education technology, as called for 12237
in Recommendation One of the Report of the Ohio School Technology 12238
Implementation Task Force. 12239

(4) To pay for the cost of a statewide educational technology 12240
strategic planning process as called for in Recommendation Two of 12241
the Report of the Ohio Schools Technology Implementation Task 12242
Force. 12243

(B) Not later than November 30, 1999, the Executive Director 12244
of the Ohio SchoolNet Commission shall allocate to school 12245
districts the amount to be used pursuant to division (A)(2) of 12246
this section. A school district's allocation shall remain 12247
available until the district is ready to use it, and the school 12248

district may use its allocation in phases. A school district may 12249
use a portion of its allocation for training and staff development 12250
related to the project if approved by the Ohio SchoolNet 12251
Commission under division (C) of this section. 12252

(C) The Ohio SchoolNet Commission shall adopt procedures for 12253
the administration and implementation of the SchoolNet Plus 12254
Program. The procedures shall include application procedures, 12255
specification for education technology, and terms and conditions 12256
for participation in the program. The commission shall not approve 12257
any application for participation in the program unless it has 12258
determined that the applicant can effectively and efficiently 12259
integrate the requested education technology into schools or the 12260
selected schools or classrooms for the phase of the program. 12261

(D) Educational technology made available to school districts 12262
under division (B) of this section shall be used as an integrated 12263
part of the curriculum in fifth grade classrooms. However, if the 12264
commission determines that a school district already has at least 12265
one interactive computer workstation for each five children 12266
enrolled in the fifth grade, and the district meets other minimum 12267
requirements that may be established by the commission concerning 12268
staff training and other education technology for such grades, the 12269
commission may permit the school district to use educational 12270
technology made available to it through the SchoolNet Plus Program 12271
for children in grades six through twelve. 12272

(E) As used in this section: 12273
12274

(1) "Qualifying school district" means all school districts, 12275
including any community school established under Chapter 3314. of 12276
the Revised Code. 12277

(2) "Educational technology" includes, but is not limited to, 12278
computer hardware, equipment, training, and services; equipment 12279

used for two-way audio or video; software; and textbooks. 12280

12281

(F) All appropriations that are unencumbered and unallotted 12282
in appropriation item 228-698, SchoolNet Plus, as of June 30, 12283
2000, are hereby appropriated for the same purpose in fiscal year 12284
2001 upon the request of the Executive Director of the Ohio 12285
SchoolNet Commission and the approval of the Director of Budget 12286
and Management. 12287

Section 11.01. 12288

Technical and Instructional Professional Development

The foregoing appropriation item 228-406, Technical and 12289
Instructional Professional Development, shall be used by the Ohio 12290
SchoolNet Commission, to make grants to qualifying schools, 12291
including the State School for the Blind and the Ohio School for 12292
the Deaf for the provision of hardware, software, 12293
telecommunications services, and staff development to support 12294
educational uses of technology in the classroom. 12295

The Ohio SchoolNet Commission shall consider the professional 12296
development needs associated with the OhioReads Program when 12297
making funding allocations and program decisions. 12298

The Ohio Educational Telecommunications Network Commission, 12299
with the advice of the Ohio SchoolNet Commission, shall make 12300
grants totaling up to \$1,400,000 in each year of the biennium for 12301
research development and production of interactive instructional 12302
programming series and teleconferences to support SchoolNet. Up to 12303
\$50,000 of this amount shall be used in each year of the biennium 12304
to provide for the administration of these activities by the Ohio 12305
Educational Telecommunications Network Commission. The programming 12306
shall be targeted to the needs of the poorest 200 school districts 12307
as determined by the district's adjusted valuation per pupil as 12308
defined in section 3317.0213 of the Revised Code. 12309

12310

Of the foregoing appropriation item 228-406, Technical and 12311
Instructional Professional Development, \$3,300,000 in each fiscal 12312
year shall be distributed by the Ohio SchoolNet Commission to 12313
low-wealth districts or consortia including low-wealth school 12314
districts, as determined by the district's adjusted valuation per 12315
pupil as defined in section 3317.0213 of the Revised Code, or the 12316
State School for the Blind or the Ohio School for the Deaf. 12317

The remaining appropriation allocated under this section 12318
shall be used by the Ohio SchoolNet Commission for professional 12319
development for teachers and administrators for the use of 12320
educational technology. The commission shall make grants to 12321
provide technical assistance and professional development on the 12322
use of educational technology to school districts. 12323

Eligible recipients of grants include regional training 12324
centers, county offices of education, data collection sites, 12325
instructional technology centers, institutions of higher 12326
education, public television stations, special education resource 12327
centers, area media centers, or other nonprofit educational 12328
organizations. Services provided through these grants may include 12329
use of private entities subcontracting through the grant 12330
recipient. 12331

Grants shall be made to entities on a contractual basis with 12332
the Ohio SchoolNet Commission. Contracts shall include provisions 12333
that demonstrate how services will benefit technology use in the 12334
schools, and in particular will support SchoolNet efforts to 12335
support technology in the schools. Contracts shall specify the 12336
scope of assistance being offered and the potential number of 12337
professionals who will be served. Contracting entities may be 12338
awarded more than one grant at a time. 12339

Grants shall be awarded in a manner consistent with the goals 12340

of SchoolNet. Special emphasis in the award of grants shall be placed on collaborative efforts among service providers.

Application for grants from this appropriation shall be consistent with a school district's technology plan that shall meet the minimum specifications for school district technology plans as prescribed by the Ohio SchoolNet Commission. Funds allocated through these grants may be combined with funds received through other state or federal grants for technology as long as the school district's technology plan specifies the use of these funds. The commission may combine the application for these grants with the SchoolNet application process authorized in Am. Sub. H.B. 790 of the 120th General Assembly.

Education Technology

The foregoing appropriation item 228-539, Education Technology, shall be used to provide funding to suppliers of information services to school districts for the provision of hardware, software, and staff development in support of educational uses of technology in the classroom as prescribed by the State Plan for Technology pursuant to section 3301.07 of the Revised Code, and to support assistive technology for children and youth with disabilities.

Up to \$5,776,929 in each fiscal year shall be used by the Ohio SchoolNet Commission to contract with instructional television and \$930,492 in fiscal year 2000 and \$956,546 in fiscal year 2001 shall be used by the commission to contract with education media centers to provide Ohio schools with instructional resources and services.

Resources may include, but not be limited to, the following: pre-recorded video materials (including videotape, laser discs, and CD-ROM discs); computer software for student use and/or student access to electronic communication, databases,

spreadsheet, and word processing capability; live student courses 12372
or courses delivered electronically; automated media systems; and 12373
instructional and professional development materials for teachers. 12374
The commission shall cooperate with such agencies in the 12375
acquisition, development, and delivery of such educational 12376
resources to ensure high-quality and educational soundness at the 12377
lowest possible cost. Delivery of such resources may utilize a 12378
variety of technologies, with preference given to a high-speed 12379
integrated information network that can transport video, voice, 12380
data, and graphics simultaneously. 12381

Services shall include presentations and technical assistance 12382
that will help students and teachers integrate educational 12383
materials that support curriculum objectives, match specific 12384
learning styles, and are appropriate for individual interests and 12385
ability levels. 12386

Such instructional resources and services shall be made 12387
available for purchase by chartered nonpublic schools or by public 12388
school districts for the benefit of pupils attending chartered 12389
nonpublic schools. 12390

Section 11.02. 12391

Interactive Parenting Program

The foregoing appropriation item 228-559, Interactive 12392
Parenting Program, shall be used by the Ohio SchoolNet Commission 12393
to fund a grant to RISE, Inc. as partial support to train 12394
preschool staff members and parents. 12395

It is the intent of the General Assembly that the commission, 12396
in conjunction with RISE, Inc., shall develop a program which may 12397
be conducted in conjunction with state supported technology 12398
programs including, but not limited to, SchoolNet appropriation 12399
item 228-406, and Education Technology appropriation item 228-539, 12400

designed to educate preschool staff members and providers on 12401
developmentally appropriate teaching methods and to involve 12402
parents more closely in the education and development of their 12403
children. The project shall include an interactive instructional 12404
program, which shall be distributed to program participants at up 12405
to twenty-six locations throughout the state. The interactive 12406
instructional program shall be developed to enhance the 12407
professional development, training, and performance of preschool 12408
staff members; the education and care-giving skills of the parents 12409
of preschool children; and the preparation of preschool aged 12410
children for learning. 12411

The project shall utilize the grant and matching nonpublic 12412
funds to continue a direct-service program that shall include at 12413
least three teleconferences to be distributed by Ohio-based public 12414
television utilizing satellite or microwave technology in a manner 12415
designed to promote interactive communications between the program 12416
participants located at sub-sites within the Ohio Educational 12417
Broadcast Network or as determined by the commission. Program 12418
participants shall communicate with trainers and participants at 12419
other program sites through telecommunications and facsimile and 12420
on-line computer technology. To the maximum extent possible, the 12421
project shall utilize systems currently available in state 12422
supported technology programs and conduct the program in a manner 12423
that promotes innovative, interactive communications between the 12424
program participants at all the sites. Parent support groups and 12425
teacher training sessions shall supplement the teleconferences, 12426
and shall occur on a local basis. 12427

RISE, Inc., may subcontract components of the project. 12428

Individuals eligible to participate in the program shall 12429
include those children, their parents, custodians, or guardians, 12430
and preschool staff members who are eligible to participate in a 12431
preschool program as defined in division (A) of section 3301.52 12432

and section 5104.02 of the Revised Code. 12433

(A) In addition to the foregoing, up to \$400,000 each fiscal 12434
year may be used by RISE, Inc., to enter into a competitively bid 12435
contract with a not-for-profit entity or entities to conduct a 12436
series of training programs for adult volunteers who work with 12437
adolescent youths in after school mentoring programs, including 12438
youth-serving organizations such as Boy Scouts, Girl Scouts, Big 12439
Brothers, Big Sisters, 4-H, and public school mentor programs. The 12440
series of programs shall be designed to: 12441

(1) Improve the quality and effectiveness of adult volunteers 12442
so that they would sustain their involvement with youths over 12443
time. Specifically, they would improve their ability to motivate, 12444
supervise, and communicate with young people. 12445

(2) Improve the quality and effectiveness of adult volunteers 12446
so that the children they mentor, coach, teach, or befriend would 12447
sustain their involvement with youth-serving organizations over 12448
time. 12449

(3) Encourage collaboration between all Ohio youth-serving 12450
organizations, including: 4-H, Boy Scouts, Girls Scouts, Big 12451
Brothers, Big Sisters, and others. 12452

(4) Provide cost-efficient, sustainable distance learning to 12453
both rural and urban sites. 12454

(B) In order to be eligible for the contract with RISE, Inc., 12455
the program participants shall be able to demonstrate that leading 12456
national experts in adolescent development intervention programs 12457
will be utilized and that such program will make use of a variety 12458
of media to engage participants and assist them in learning the 12459
goals of the program. The program shall be designed to focus on 12460
the adult volunteers who assist in youth development. Training 12461
content shall focus on: 12462

(1) Development issues for youth;	12463
(2) Best practices to motivate, guide, and communicate with these youths;	12464 12465
(3) Strategies for successful adult-to-adult interpersonal relationships that are necessary for on-going learning and support.	12466 12467 12468
The program may include: two broadcast seminars of three hours in length from a central up-link station, distributed in up to 88 counties; corporate settings and extension offices with on-site facilitated discussion and exercises; high production-value video sought in various locations; and direct interactive adult learning activities. The program shall develop program workbooks. The program shall also involve at least three small group facilitated follow-up discussion workshops and development and distribution of at least two home videos. The program shall also provide Internet access, interactive lines, bulletin board, and CD-ROM.	12469 12470 12471 12472 12473 12474 12475 12476 12477 12478 12479
Private sector supporters or RISE, Inc., subcontractors shall match 50 per cent of the contract amount awarded under this program. Upon completion of the program, a study and report shall be made by The Ohio State University with measurable outcome variables.	12480 12481 12482 12483 12484
Upon completion of each of the school years for which the grant was made, RISE, Inc., shall issue a report to the commission and the members of the General Assembly explaining the goals and objectives determined, the activities implemented, the progress made toward the achievement of the goals and objectives, and the outcome of the project.	12485 12486 12487 12488 12489 12490
<u>Distance Learning</u>	12491
Appropriation item 228-634, Distance Learning, shall be	12492

distributed by the Ohio SchoolNet Commission on a grant basis to 12493
 eligible school districts to establish "distance learning" in the 12494
 school district. Per the agreement with Ameritech, school 12495
 districts are eligible for funds if they are within an Ameritech 12496
 service area. Funds to administer the program shall be expended by 12497
 the commission up to the amount specified in the agreement with 12498
 Ameritech. 12499

Within 30 days of the effective date of this section, the 12500
 Director of Budget and Management shall transfer from fund 4XI in 12501
 the State Special Revenue Fund Group any investment earnings from 12502
 moneys paid to the office or to the SchoolNet Commission by any 12503
 telephone company as part of a settlement agreement between the 12504
 company and the Public Utilities Commission in fiscal year 1995. 12505

Section 12. SCR STATE BOARD OF PROPRIETARY SCHOOL 12506
 REGISTRATION 12507

General Revenue Fund				12508
GRF 233-100 Personal Services	\$	377,366	\$ 386,822	12509
GRF 233-200 Maintenance	\$	104,158	\$ 107,075	12510
GRF 233-300 Equipment	\$	5,000	\$ 5,000	12511
TOTAL GRF General Revenue Fund	\$	486,524	\$ 498,897	12512
TOTAL ALL BUDGET FUND GROUPS	\$	486,524	\$ 498,897	12513

Section 13. TTA OHIO TUITION TRUST AUTHORITY 12515

State Special Revenue Fund Group				12516
645 095-601 Operating Expenses	\$	3,856,585	\$ 4,126,546	12517
TOTAL SSR State Special Revenue				12518
Fund Group	\$	3,856,585	\$ 4,126,546	12519
TOTAL ALL BUDGET FUND GROUPS	\$	3,856,585	\$ 4,126,546	12520

Operating Expenses 12521

The foregoing appropriation item 095-601, Operating Expenses, 12522

shall be used to pay the operating expenses of the Ohio Tuition Trust Authority. 12523
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Of the foregoing appropriation item 095-601, Operating Expenses, up to \$30,000 over the biennium shall be used by the Auditor of State to complete a performance audit of the Tuition Trust Authority. 12525
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Section 14. 12529

Property Tax Allocation - Education

The appropriation item 200-901, Property Tax Allocation - Education, made to the Department of Education, is appropriated to pay for the state's costs incurred due to the homestead exemption and the property tax rollback. In cooperation with the Department of Taxation, the Department of Education shall distribute these funds directly to the appropriate school districts of the state, notwithstanding the provisions in sections 321.24 and 323.156 of the Revised Code, which provide for payment of the homestead exemption and property tax rollback by the Tax Commissioner to the appropriate county treasurer and the subsequent redistribution of these funds to the appropriate local taxing districts by the county auditor. 12530
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The appropriation item 200-906, Tangible Tax Exemption - Education, made to the Department of Education, is appropriated to pay for the state's costs incurred due to the tangible personal property tax exemption required by division (C)(3) of section 5709.01 of the Revised Code. In cooperation with the Department of Taxation, the Department of Education shall distribute to each county treasurer the total amount certified by the county treasurer pursuant to section 319.311 of the Revised Code, for all school districts located in the county, notwithstanding the provision in section 319.311 of the Revised Code which provides for payment of the \$10,000 tangible personal property tax 12542
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exemption by the Tax Commissioner to the appropriate county 12553
treasurer for all local taxing districts located in the county. 12554
Pursuant to division (G) of section 321.24 of the Revised Code, 12555
the county auditor shall distribute the amount paid by the 12556
Department of Education among the appropriate school districts. 12557

Upon receipt of these amounts, each school district shall 12558
distribute the amount among the proper funds as if it had been 12559
paid as real or tangible personal property taxes. Payments for the 12560
costs of administration shall continue to be paid to the county 12561
treasurer and county auditor as provided for in sections 319.54, 12562
321.26, and 323.156 of the Revised Code. 12563

Any sums, in addition to the amounts specifically 12564
appropriated in appropriation items 200-901, Property Tax 12565
Allocation - Education, for the homestead exemption and the 12566
property tax rollback payments, and 200-906, Tangible Tax 12567
Exemption - Education, for the \$10,000 tangible personal property 12568
tax exemption payments, which are determined to be necessary for 12569
these purposes, are hereby appropriated. 12570

Section 15. 12571

Personal Service Expenses

Unless otherwise prohibited by law, each appropriation in 12572
this act from which personal service expenses are paid shall bear 12573
the employer's share of public employees' retirement, workers' 12574
compensation, disabled workers' relief, and all group insurance 12575
programs; the costs of centralized accounting, centralized payroll 12576
processing, and related personnel reports and services; the cost 12577
of the Office of Collective Bargaining; the cost of the Personnel 12578
Board of Review; the cost of the Employee Assistance Program; the 12579
cost of the Equal Opportunity Center; the costs of interagency 12580
management infrastructure and the cost of administering the state 12581
employee merit system as required by section 124.07 of the Revised 12582

Code. Such costs shall be determined in conformity with 12583
appropriate sections of law and paid in accordance with procedures 12584
specified by the Office of Budget and Management. 12585

Section 16. 12586

Satisfaction of Judgments and Settlements Against the State

An appropriation contained in this act may be used for the 12587
purpose of satisfying judgments or settlements in connection with 12588
civil actions against the state in federal court not barred by 12589
sovereign immunity or the Eleventh Amendment to the Constitution 12590
of the United States, or for the purpose of satisfying judgments, 12591
settlements, or administrative awards ordered or approved by the 12592
Court of Claims in connection with civil actions against the 12593
state, pursuant to section 2743.15, 2743.19, or 2743.191 of the 12594
Revised Code. This authorization shall not apply to appropriations 12595
to be applied to or used for payment of guarantees by or on behalf 12596
of the state, for or relating to lease payments or debt service on 12597
bonds, notes, or similar obligations and those from the School 12598
Building Program Assistance Fund (Fund 032), and any other fund 12599
into which proceeds of obligations are deposited. Nothing 12600
contained in this section is intended to subject the state to suit 12601
in any forum in which it is not otherwise subject to suit, nor is 12602
it intended to waive or compromise any defense or right available 12603
to the state in any suit against it. 12604

Section 17. (A) As used in this section: 12605

(1) "FY 1999 state aid" means the total amount of state money 12606
received by a joint vocational school district under the version 12607
of sections 3317.16 and 3317.162 of the Revised Code in effect for 12608
that fiscal year, minus the amounts paid for driver education and 12609
adult education. 12610

(2) "FY 2000 state aid," "FY 2001 state aid," and "FY 2002 12611

state aid" mean the total amount of state money received by a
joint vocational school district in the applicable fiscal year
under divisions (B) to (D) of the version of section 3317.16 of
the Revised Code in effect for the applicable fiscal year.

(3) "FY 2000 actual aid" and "FY 2001 actual aid" mean the
amount of state aid described in division (A)(2) of this section
that was actually paid to a joint vocational school district in
the applicable fiscal year after the application of division (B)
or (C) of this section.

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

(5) "FY 1999 ADM" means the average daily membership
certified by the joint vocational school district for fiscal year
1999 under division (D) of the version of section 3317.03 of the
Revised Code in effect for that year.

(B) In fiscal year 2000, notwithstanding any provision of law
to the contrary, no joint vocational school district shall receive
FY 2000 state aid that is more than the greater of the following:

(1) 110% of its FY 1999 state aid;

(2) $[1.08 \times (\text{FY 1999 state aid} / \text{FY 1999 ADM})] \times \text{fiscal year}$
2000 formula ADM.

If a joint vocational school district's projected FY 2000
state aid is more than the greater of division (B)(1) or (2) of
this section, the district shall receive only the greater of
division (B)(1) or (2) of this section in fiscal year 2000.

(C) In fiscal year 2001, notwithstanding any provision of law
to the contrary, no joint vocational school district shall receive
FY 2001 state aid that is more than the greater of the following:

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(1) 110% of its FY 2000 actual aid;	12642
(2) [1.08 X (FY 2000 actual aid/fiscal year 2000 formula	12643
ADM)] X fiscal year 2001 formula ADM.	12644
If a joint vocational school district's projected FY 2001	12645
state aid is more than the greater of division (C)(1) or (2) of	12646
this section, the district shall receive only the greater of	12647
division (C)(1) or (2) of this section in fiscal year 2001.	12648
(D) In fiscal year 2002, notwithstanding any provision of law	12649
to the contrary, no joint vocational school district shall receive	12650
FY 2002 state aid that is more than the greater of the following:	12651
	12652
(1) 110% of its FY 2001 state aid;	12653
(2) [1.08 X (FY 2001 actual aid/fiscal year 2001 formula	12654
ADM)] X fiscal year 2002 formula ADM.	12655
If a joint vocational school district's projected FY 2002	12656
state aid is more than the greater of division (D)(1) or (2) of	12657
this section, the district shall receive only the greater of	12658
division (D)(1) or (2) of this section in fiscal year 2002.	12659
Section 18.	12660
<u>Lease Payments to OPFC, OBA, and Treasurer</u>	
Certain appropriations are in this act for the purpose of	12661
lease payments to the Ohio Public Facilities Commission, to the	12662
Ohio Building Authority, and to the Treasurer of State for the	12663
purpose of paying principal and interest on bonds or notes issued	12664
by the Ohio Public Facilities Commission, the Ohio Building	12665
Authority, or the Treasurer of State pursuant to the Ohio	12666
Constitution and acts of the General Assembly. If it is determined	12667
that additional appropriations are necessary for this purpose,	12668
such amounts are hereby appropriated.	12669

Section 19. That Section 45.32 of Am. Sub. H.B. 117 of the 121st General Assembly, as amended by Am. Sub. H.B. 215 and Am. Sub. H.B. 770 of the 122nd General Assembly, be amended to read as follows:

"Sec. 45.32. (A) As used in this section:

(1) A "client district" of an educational service center means a city or exempted village school district that has entered into an agreement with that service center pursuant to section 3313.843 of the Revised Code.

"Client district" also includes any city or exempted village school district that has entered into an agreement with the educational service center under section 3313.843 of the Revised Code and reimburses the educational service center under section 3317.11 of the Revised Code even though such agreement was executed after January 1, 1997, and the educational service center does not receive any state funding under division (B)(1) or (C) of section 3317.11 of the Revised Code.

(2) "ADM" means the combined ADM of the local school districts having territory in a service center and the ADM of each client district of such center.

(B) By June 1, 1997, in the case of any educational service centers that are serving only one local district pursuant to section 3311.051 of the Revised Code; except as otherwise provided in division (C) of this section, by June 1, 1999, in the case of any service centers with ADMs of less than 8,000 that serve fewer than six local or client school districts; and by June 1, 2000, in the case of any educational service centers with ADMs of less than 8,000 that serve six or more local or client school districts, the superintendents of such service centers shall notify the Superintendent of Public Instruction of the name of one or more

adjacent educational service centers with which such service 12700
centers will merge to form joint service centers. If the 12701
Superintendent does not receive such notification from a center 12702
serving only one local district or serving an ADM of less than 12703
8,000 by the required date, the Superintendent shall determine one 12704
or more suitable adjacent centers for such merger and shall notify 12705
the superintendents and governing boards of all centers involved 12706
of the determination. The centers named in the notification 12707
required by this section or determined by the Superintendent of 12708
Public Instruction pursuant to this section shall form a joint 12709
center pursuant to section 3311.053 of the Revised Code, which 12710
shall be effective on the first day of July immediately following 12711
notification by the service center, or by the Superintendent of 12712
Public Instruction, whichever applies. 12713

(C) Any educational service center created on or before July 12714
1, 1997, under a merger of two educational service centers 12715
pursuant to Section 45.32 of Am. Sub. H.B. 117 of the 121st 12716
General Assembly, which service centers each contained only one 12717
local school district at the time of the merger shall comply with 12718
division (B) of this section by June 1, 2000." 12719

Section 20. That existing Section 45.32 of Am. Sub. H.B. 117 12720
of the 121st General Assembly, as amended by Am. Sub. H.B. 215 and 12721
Am. Sub. H.B. 770 of the 122nd General Assembly, is hereby 12722
repealed. 12723

Section 21. That Section 50.52.2 of Am. Sub. H.B. 215 of the 12724
122nd General Assembly be amended to read as follows: 12725

~~"Sec. 50.52.2. (A) As used in this section:~~ 12726

~~(1) "Lucas County area" includes the entire territory of any 12727
school district having the majority of its territory in Lucas 12728~~

County. 12729

~~(2) "Start up school" means a community school other than one created by converting all or part of an existing public school, as designated in the school's contract pursuant to division (P) of Subsection 5 of this section.~~ 12730
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~~(B) The General Assembly finds that the establishment of independent community schools throughout the state has potential desirable effects, including providing parents a choice of academic environments for their children and providing the education community with the opportunity to establish limited experimental educational programs in a deregulated setting. However, the potential effects of a statewide system of community schools could also generate some adverse results. Therefore, the General Assembly finds it advisable to establish a pilot project in the Lucas County area which will permit the operation of community schools in a limited area of the state in order to provide for the evaluation and measurement of the effects of these schools.~~ 12734
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~~No more than twenty start up school contracts may be in effect at any time under this section. The Superintendent of the Lucas County Educational Service Center shall be responsible for ensuring that the twenty start up schools represent diverse educational missions, are intended to serve a number of different grade levels, and will appeal to students with a variety of interests or characteristics in order to provide for a range of educational experiments within the pilot project schools. Upon entering into a preliminary agreement pursuant to Subsection 4 of this section, the potential sponsor of a community school shall file a copy of the preliminary agreement with the Superintendent of the Lucas County Educational Service Center. Within twenty four hours of receipt of the preliminary agreement for a start up school, the Superintendent shall determine whether the proposed~~ 12747
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~~school will add to the diversity of the pilot project schools through offering a unique educational mission, serving grade levels of students or students with certain characteristics or interests not yet being served by other community schools, or offering innovative instructional methods. If the school will not add to the diversity of the pilot project schools and would be overserving students of a certain type or grade level, the Superintendent may reject the school's preliminary agreement and shall immediately notify the sponsor and the proposing group or individual. Upon entering into a community school contract, the sponsor shall file a copy of the approved contract with that Superintendent. Within twenty four hours of the filing of the contract, the Superintendent shall notify the sponsor whether twenty start up school contracts were already in effect at the time of the filing. If twenty such contracts were in effect, the contract filed by the sponsor shall be voided.~~

~~Within twenty four hours of a request of any person, the Superintendent shall indicate the number of preliminary agreements for start up schools currently outstanding and the number of contracts currently in effect.~~

~~(C) No start up or converted community school shall begin operation under this section after June 30, 2000.~~

~~(D) Not later than September 28, 1997, the Director of the Legislative Office of Education Oversight, in consultation with the Superintendent of the Lucas County Educational Service Center, a classroom teacher appointed by the board of the Ohio Education Association, a classroom teacher appointed by the board of the Ohio Federation of Teachers, and a classroom teacher who is a member of neither of these organizations selected by that Superintendent, shall develop a study design for the evaluation of the pilot project community schools and the overall effects of the community school pilot project schools. The study design shall~~

include the criteria that the Office will use to determine the 12793
positive and negative effects of the ~~project~~ schools overall, and 12794
the success or failure of individual community schools. The design 12795
shall include a description of the data that must be collected by 12796
~~the Superintendent and by~~ each community school and sponsor and a 12797
timeline for the collection of the data. ~~The director shall adapt~~ 12798
~~the study design prepared under this subsection for use in~~ 12799
~~evaluating community schools established under Chapter 3314. of~~ 12800
~~the Revised Code, as well as the Lucas County pilot project~~ 12801
~~community schools.~~ The office shall notify each community school 12802
of the data that must be collected and the timeline for collection 12803
of the data. Data shall be collected at regular intervals, but no 12804
evaluation of the results of data collected shall be made by the 12805
Office prior to June 2001. A preliminary report, together with any 12806
recommendations to improve community schools, shall be issued to 12807
the Speaker of the House of Representatives and the President of 12808
the Senate by June 30, 2001. A final report, with recommendations 12809
as to the future of community schools in Ohio, shall be made to 12810
the Speaker and President by June 1, 2003." 12811

Section 22. That existing Section 50.52.2 of Am. Sub. H.B. 12813
215 of the 122nd General Assembly is hereby repealed. 12814

Section 23. That Section 18 of Am. Sub. H.B. 650 of the 122nd 12815
General Assembly, as most recently amended by Am. Sub. H.B. 850 of 12816
the 122nd General Assembly, be amended to read as follows: 12817

"**Sec. 18.** (A) As used in this section: 12818

(1) "FY 1998 state aid" means the total amount of state money 12819
received by a school district for fiscal year 1998 as reported on 12820
the Department of Education's form "SF-12," adjusted as follows: 12821

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(a) Minus any amounts for approved preschool handicapped units;	12823 12824
(b) Minus any additional amount attributable to the reappraisal guarantee of division (C) of section 3317.04 of the Revised Code;	12825 12826 12827
(c) Plus the amount deducted for payments to an educational service center;	12828 12829
(d) Plus an estimated portion of the state money distributed in fiscal year 1998 to other school districts or educational service centers for approved units, other than preschool handicapped or gifted education units, attributable to the costs of providing services in those units to students entitled to attend school in the district;	12830 12831 12832 12833 12834 12835
(e) Minus an estimated portion of the state money distributed to the school district in fiscal year 1998 for approved units, other than preschool handicapped units or gifted education units, attributable to the costs of providing services in those units to students entitled to attend school in another school district;	12836 12837 12838 12839 12840 12841
(f) Plus any additional amount paid pursuant to the vocational education recomputation required by former Section 50.22 of Am. Sub. H.B. No. 215 of the 122nd General Assembly;	12842 12843 12844
(g) Plus any additional amount paid pursuant to the special education recomputation required by former division (I) of section 3317.023 of the Revised Code;	12845 12846 12847
(h) Plus any amount paid for equity aid under section 3317.0213 of the Revised Code;	12848 12849
(i) Plus any amount received for that year pursuant to section 3317.027 of the Revised Code;	12850 12851
(j) Plus any amount received for that year pursuant to a	12852

recomputation made under division (B) of section 3317.022 of the Revised Code. 12853
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(2) "FY 1999 state aid~~7~~" means "FY 1999 state aid" as defined in the version of this section in effect for fiscal year 1999. 12855
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(3) "FY 2000 state aid," "FY 2001 state aid," and "FY 2002 state aid" mean the total amount of state money a school district is eligible to receive for the applicable fiscal year under divisions (A), ~~(B)~~, (C)(1) and (5), and (D), and (E) of section 3317.022 and sections 3317.025, 3317.027, 3317.029, 3317.0212, and 3317.0213 of the Revised Code, plus any amount for which the district is eligible pursuant to division (C) of section 3317.023, divisions (G) and (P) of section 3317.024, and the supplemental unit allowance paid for gifted units under division (B) of section 3317.162 of the Revised Code, and prior to any deductions or credits required by division (B), (D), (E), (F), (G), (H), (I), (J), or (K) of section 3317.023 or division (J) of section 3317.029 of the Revised Code. 12858
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~~(3)~~(4) "Adjusted FY 1999 actual aid~~7~~" means FY 1999 state aid that was actually paid to a school district after the application of division (B) of this section, plus an appropriate proportion, as determined by the department of education, of the amount received by the school district in fiscal year 1999 from the vocational education set-aside, as defined in section 3317.0212 of the Revised Code and attributable to the district's students." 12871
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(5) "FY 2000 actual aid," and "FY 2001 actual aid~~7~~" and "FY 2002 actual aid" ~~means~~ mean the amount of the state aid described in division (A)~~(2)~~(3) of this section that was actually paid to a school district in the applicable fiscal year after the application of divisions ~~(B)~~(C) to (E) of this section. 12879
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~~(4)~~(6) "FY 1998 ADM," "formula ADM," and "three-year average formula ADM" have the meanings prescribed in section 3317.02 of the Revised Code. 12884
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~~(5)~~(7) "All-day kindergarten" has the meaning prescribed in section 3317.029 of the Revised Code. 12887
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(8) "School district" means a city, local, or exempted village school district. 12889
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(B) In fiscal year 1999, notwithstanding any provision of law to the contrary, no school district shall receive FY 1999 state aid that is more than the greater of the following: 12891
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(1) 110 per cent of FY 1998 state aid; 12894

(2) $[1.06 \times (\text{FY 1998 state aid}/\text{FY 1998 ADM})]$ X the greater of fiscal year 1999 formula ADM or three-year average formula ADM. 12895
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If a district's projected FY 1999 state aid is more than the greater of division (B)(1) or (2) of this section, such district shall receive only the greater of division (B)(1) or (2) of this section in fiscal year 1999. 12897
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(C) In fiscal year 2000, notwithstanding any provision of law to the contrary, no school district shall receive FY 2000 state aid that is more than the greater of the following: 12901
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(1) 110 per cent of adjusted FY 1999 actual aid; 12904

(2) ~~[1.06~~ 1.08 X (adjusted FY 1999 actual aid/fiscal year 1999 formula ADM)] X the greater of fiscal year 2000 formula ADM or three-year average formula ADM. 12905
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If a district's projected FY 2000 state aid is more than the greater of division (C)(1) or (2) of this section, such district shall receive only the greater of division (C)(1) or (2) of this section in fiscal year 2000. 12908
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(D) In fiscal year 2001, notwithstanding any provision of law 12912

to the contrary, no school district shall receive FY 2001 state
aid that is more than the greater of the following:

(1) 110 per cent of FY 2000 actual aid;

(2) [~~1.06~~ 1.08 X (FY 2000 actual aid/fiscal year 2000 formula
ADM)] X the greater of fiscal year 2001 formula ADM or three-year
average formula ADM.

If a district's projected FY 2001 state aid is more than the
greater of division (D)(1) or (2) of this section, such district
shall receive only the greater of division (D)(1) or (2) of this
section in fiscal year 2001.

(E) In fiscal year 2002, notwithstanding any provision of law
to the contrary, no school district shall receive FY 2002 state
aid that is more than the greater of the following:

(1) 110 per cent of FY 2001 actual aid;

(2) [~~1.06~~ 1.08 X (FY 2001 actual aid/fiscal year 2001 formula
ADM)] X the greater of fiscal year 2002 formula ADM or three-year
average formula ADM.

If a district's projected FY 2002 state aid is more than the
greater of division (E)(1) or (2) of this section, such district
shall receive only the greater of division (E)(1) or (2) of this
section in fiscal year 2002.

(F) This division and division (G) of this section apply only
to districts subject to division (F) of section 3317.029 of the
Revised Code. As used in this division and division (G) of this
section:

(1) "Capped district" means a district that pursuant to
division (B), (C), (D), or (E) of this section will not receive
the full amount of FY 1999, FY 2000, FY 2001, or FY 2002 state
aid.

(2) "DPIA funds" means:

(a) In FY 1998, the amount calculated for the district 12943
pursuant to division (B) of section 3317.023 of the Revised Code 12944
as it existed in that fiscal year; 12945

(b) In any fiscal year after FY 1998, the total amount 12946
calculated for the district for that fiscal year pursuant to 12947
section 3317.029 of the Revised Code. 12948

(3) "Exempt DPIA portion" means: 12949

(a) In the case of any district other than a capped district, 12950
an amount equal to zero; 12951

(b) In the case of a capped district, the amount resulting 12952
from the application of the following formula: 12953

(The district's DPIA funds for the year of the calculation 12954
minus the district's DPIA funds for FY 1998) minus (the
district's actual aid for the year of the calculation minus
the district's FY 1998 state aid)

However, if this formula produces a negative number, the 12955
district's exempt DPIA portion is zero. 12956

(4) "Required all-day kindergarten" for a district means the 12957
provision of all-day kindergarten to the number of students in the 12958
district's kindergarten percentage specified pursuant to division 12959
(H)(1) of section 3317.029 of the Revised Code. 12960

(G) Notwithstanding any provision of law to the contrary: 12961

(1) In the case of any district, the district's DPIA funds 12962
are hereby deemed to first consist of any disadvantaged pupil 12963
impact aid calculated for the district for all-day kindergarten 12964
under division (D) of section 3317.029 of the Revised Code, and to 12965
next consist of any disadvantaged pupil impact aid calculated for 12966
the district under divisions (C) and (E) of section 3317.029 of 12967
the Revised Code. Each district shall expend whatever funds 12968
necessary to ensure provision of its required all-day 12969

kindergarten. 12970

(2) In FY 1999, a district shall expend for the purposes of 12971
section 3317.029 of the Revised Code an amount equal to at least 12972
twenty-five per cent of the resultant derived from subtracting the 12973
district's exempt DPIA portion from the amount calculated for the 12974
district under divisions (C) and (E) of section 3317.029 of the 12975
Revised Code. 12976

(3) In FY 2000, a district shall expend for the purposes of 12977
section 3317.029 of the Revised Code an amount equal to at least 12978
fifty per cent of the resultant derived from subtracting the 12979
district's exempt DPIA portion from the amount calculated for the 12980
district under divisions (C) and (E) of section 3317.029 of the 12981
Revised Code. 12982

(4) In FY 2001, a district shall expend for the purposes of 12983
section 3317.029 of the Revised Code an amount equal to at least 12984
seventy-five per cent of the resultant derived from subtracting 12985
the district's exempt DPIA portion from the amount calculated for 12986
the district under divisions (C) and (E) of section 3317.029 of 12987
the Revised Code. 12988

(5) In FY 2002 and thereafter, a district shall expend one 12989
hundred per cent of its DPIA funds for the purposes of section 12990
3317.029 of the Revised Code. 12991

(6) Districts shall comply with the requirements of division 12992
(G) of section 3317.029 of the Revised Code." 12993

Section 24. That existing Section 18 of Am. Sub. H.B. 650 of 12994
the 122nd General Assembly, as most recently amended by Am. Sub. 12995
H.B. 850 of the 122nd General Assembly, is hereby repealed. 12996

Section 25. That Sections 6, 30.07, 30.10, 30.43, and 31 of 12997
Am. Sub. H.B. 850 of the 122nd General Assembly be amended to read 12998

as follows: 12999

"Sec. 6. The items set forth in this section are hereby 13000
appropriated out of any moneys in the state treasury to the credit 13001
of the Public School Building Fund (Fund 021), which are not 13002
otherwise appropriated. ~~Appropriations~~ 13003

Appropriations 13004

SFC SCHOOL FACILITIES COMMISSION 13005

CAP-622 Public School Buildings \$ 145,000,000 13006
CAP-777 Disability Access Projects \$ 5,000,000 13007
Total School Facilities Commission \$ 150,000,000 13008
Total Public School Building Fund \$ 150,000,000 13009

Disability Access Projects 13010

The foregoing appropriation item CAP-777, Disability Access 13011
Projects, shall be used to fund capital projects pursuant to this 13012
section that make buildings more accessible to students with 13013
disabilities. 13014

(A) As used in this section: 13015

(1) "Percentile" means the percentile in which a school 13016
district is ranked according to the fiscal year 1998 ranking of 13017
school districts with regard to income and property wealth under 13018
division (B) of section 3318.011 of the Revised Code. 13019

(2) "School district" means a city, local, or exempted 13020
village school district, but excluding a school district that is 13021
one of the state's 21 urban school districts as defined in 13022
division (O) of section 3317.02 of the Revised Code, as that 13023
section existed prior to July 1, 1998. 13024

(3) "Valuation per pupil" means a district's total taxable 13025
value as defined in section 3317.02 of the Revised Code divided by 13026
the district's ADM as defined in division (A) of section 3317.02 13027

of the Revised Code as that section existed prior to July 1, 1998. 13028

(B) The School Facilities Commission shall adopt rules for 13029
awarding grants to school districts with a valuation per pupil 13030
less than \$200,000, to be used for construction, reconstruction, 13031
or renovation projects in classroom facilities, the purpose of 13032
which is to improve access to such facilities by physically 13033
handicapped persons. The rules shall include application 13034
procedures. No school district shall be awarded a grant under this 13035
section in excess of \$100,000. In addition, any school district 13036
shall be required to pay a percentage of the cost of the project 13037
for which the grant is being awarded equal to the percentile in 13038
which the district is so ranked. 13039

Sec. 30.07. Reimbursements for Project Costs 13040

Appropriations made in Sections 30.02 to ~~30.06~~ 30.45 of ~~this~~ 13041
~~act~~ AM. Sub. H.B. 850 of the 122nd General Assembly for purposes 13042
of costs of capital facilities for the interim financing of which 13043
the particular institution has previously issued its own 13044
obligations anticipating the possibility of future state 13045
appropriations to pay all or a portion of such costs, as 13046
contemplated in division (B) of section 3345.12 of the Revised 13047
Code, shall be paid directly to the institution or the paying 13048
agent for those outstanding obligations in the full principal 13049
amount of those obligations then to be paid from the anticipated 13050
appropriation, and shall be timely applied to the retirement of a 13051
like principal amount of the institutional obligations. 13052

Appropriations made in Sections 30.02 to ~~30.06~~ 30.45 of ~~this~~ 13053
~~act~~ AM. Sub. H.B. 850 of the 122nd General Assembly for purposes 13054
of costs of capital facilities, all or a portion of which costs 13055
the particular institution has paid from the institution's moneys 13056
that were temporarily available and which payments were reasonably 13057
expected to be reimbursed from the proceeds of obligations issued 13058

by the state, shall be directly paid to the institution in the 13059
full amounts of those payments, and shall be timely applied to the 13060
reimbursement of those temporarily available moneys. 13061

Sec. 30.10. CSU CENTRAL STATE UNIVERSITY 13062

CAP-022	Basic Renovations	\$	804,400	13063
CAP-083	Master Plan/Supplemental Renovations	\$	2,449,400	13064
CAP-084	College of Education Facility - Planning	\$	1,000,000	13065
Total Central State University		\$	4,253,800	13066

College of Education Facility - Planning 13067

The foregoing appropriation item CAP-084, College of 13068
Education Facility - Planning, shall not be released by the 13069
Controlling Board or the Director of Budget and Management until 13070
Central State University ~~has satisfactorily completed a~~ 13071
~~Campus-wide Master Plan, and~~ has made progress satisfactory to the 13072
Board of Regents and the Office of Budget and Management in 13073
completing the correction of its outstanding adjudication orders 13074
as issued by the Department of Commerce. Such progress shall 13075
include the development of a plan to comply with all remaining 13076
adjudication orders by the end of fiscal year 2000. This 13077
appropriation shall not be included in the calculation of Central 13078
State University's debt service obligation until fiscal year 2002. 13079

Sec. 30.43. MAT MUSKINGUM AREA TECHNICAL COLLEGE 13080

CAP-007	Basic Renovations	\$	203,491	13081
<u>CAP-014</u>	<u>Regional Technology Training Center</u>	\$	<u>1,961,290</u>	13082
Total Muskingum Area Technical College		\$	203,491	13083
			<u>2,164,781</u>	13084

Sec. 31. Debt Service Formula Allocation 13086

Based on the foregoing appropriations in Sections 30 and 13087
30.01 to 30.45 of ~~this act~~ Am. Sub. H.B. 850 of the 122nd General 13088

Assembly, from Fund 034, Higher Education Improvement Fund, the 13089
following higher education institutions shall be responsible for 13090
the specified amounts as part of the debt service component of the 13091
instructional subsidy beginning in fiscal year 2000: 13092

<u>Institution</u>	<u>Amount</u>	
University of Akron	\$10,800,000	13094
University of Akron - Wayne	\$ 675,000	13095
Bowling Green State University	\$14,013,310	13096
Bowling Green State University - Firelands	\$ 2,056,440	13097
Central State University	\$ 2,449,400	13098
University of Cincinnati	\$39,386,650	13099
University of Cincinnati - Walters	\$ 3,445,212	13100
Cleveland State University	\$16,719,670	13101
Kent State University	\$17,644,310	13102
Kent State University - Ashtabula	\$ 575,000	13103
Kent State University - East Liverpool	\$ 570,980	13104
Kent State University - Geauga	\$ 60,000	13105
Kent State University - Salem	\$ 288,310	13106
Kent State University - Stark	\$ 1,743,360	13107
Kent State University - Trumbull	\$ 175,000	13108
Kent State University - Tuscarawas	\$ 75,000	13109
Miami University	\$18,400,000	13110
	<u>17,400,000</u>	13111
Miami University - Hamilton	\$ 969,540	13112
Miami University - Middletown	\$ 1,568,330	13113
Ohio State University	\$80,760,310	13114
	<u>77,760,310</u>	13115
Ohio State University - Lima	\$2,152,620	13116
	<u>1,118,330</u>	13117
Ohio State University - Mansfield	\$ 850,000	13118
Ohio State University - Marion	\$ 408,000	13119
Ohio State University - ATI	\$ 1,560,000	13120
Ohio University	\$26,700,280	13121

	<u>21,700,280</u>	13122
Ohio University - Eastern	\$ 398,040	13123
Ohio University - Chillicothe	\$ 953,030	13124
Ohio University - Lancaster	\$ 1,116,760	13125
Ohio University - Zanesville	\$ 1,136,920	13126
Shawnee State University	\$ 1,751,500	13127
University of Toledo	\$19,800,000	13128
Wright State University	\$11,300,000	13129
Youngstown State University	\$ 9,200,000	13130
Medical College of Ohio	\$ 5,442,150	13131
Northeastern Ohio Universities College of Medicine	\$3,425,580	13132
	<u>3,443,313</u>	13133
Cincinnati State Technical and Community College	\$ 1,036,000	13134
Columbus State Community College	\$ 1,500,000	13135
Cuyahoga Community College	\$ 6,800,000	13136
Edison State Community College	\$ 50,000	13137
Jefferson Community College	\$ 817,165	13138
Lakeland Community College	\$ 3,165,340	13139
Lorain Community College	\$ 100,000	13140
Owens Community College	\$ 3,747,260	13141
Rio Grande Community College	\$ 636,000	13142
Hocking Technical College	\$ 2,924,325	13143
Lima Technical College	\$ 900,000	13144
Marion Technical College	\$ 52,700	13145
<u>Muskingum Area Technical College</u>	<u>\$ 196,129</u>	13146
North Central Technical College	\$ 750,000	13147
Stark Technical College	\$ 1,253,252	13148

Institutions not listed above shall not have a debt service obligation as a result of these appropriations. 13149
13150

~~Within sixty days after the effective date of this section~~ 13151
Not later than May 17, 1999, any institution of higher education 13152
may notify the Board of Regents of its intention not to proceed 13153

with any project appropriated in ~~this act~~ AM. Sub. H.B. of the 13154
122nd General Assembly Upon receiving such notification, the Board 13155
of Regents may release the institution from its debt service 13156
obligation for the specific project." 13157

Section 26. That existing Sections 6, 30.07, 30.10, 30.43, 13158
and 31 of Am. Sub. H.B. 850 of the 122nd General Assembly are 13159
hereby repealed. 13160

Section 27.* That **Section 26 of Am.** Sub. H.B. 850 of the 13161
122nd General Assembly be amended to read as follows: 13162

"**Sec. 26.** (A) All items set forth in this section are hereby 13163
appropriated out of any moneys in the state treasury to the credit 13164
of the School Building Program Assistance Fund (Fund 032) created 13165
under section 3318.25 of the Revised Code, derived from the 13166
proceeds of obligations heretofore and herein authorized to pay 13167
the cost to the state of acquiring classroom facilities for sale 13168
to school districts pursuant to sections 3318.01 to 3318.20 of the 13169
Revised Code. 13170

Appropriations 13171

SFC SCHOOL FACILITIES COMMISSION 13172

CAP-737	School Building Program Assistance	\$	355,000,000	13173
	Total School Facilities Commission	\$	355,000,000	13174
	Total School Building Program Assistance Fund	\$	355,000,000	13175

School Building Program Assistance 13176

The foregoing appropriation item CAP-737, School Building 13177
Program Assistance, shall be used by the School Facilities 13178
Commission to provide funding to school districts that receive 13179
conditional approval from the Commission pursuant to Chapter 3318. 13180
of the Revised Code. 13181

Commitments by the School Facilities Commission 13182

The School Facilities Commission shall not commit at least 13183
\$300 million of the combined amounts of the foregoing 13184
appropriations items CAP-622, Public School Buildings (Fund 021), 13185
and CAP-737, Public School Building Assistance (Fund 032), until 13186
after June 30, 1999. 13187

(B)(1) As used in this division: 13188

(a) "Low wealth school district" means a school district in 13189
the lowest fifty per cent of adjusted valuation per pupil on the 13190
fiscal year 1999 ranking of school districts, established pursuant 13191
to section ~~3317.02~~ 3317.0213 of the Revised Code. 13192

(b) A "school district with an exceptional need for immediate 13193
classroom facility assistance" means a school district with an 13194
exceptional need for new facilities in order to protect the health 13195
and safety of all or a portion of its students. School districts 13196
reasonably expected to be served by the Classroom Facilities 13197
Assistance Program prior to June 30, 2002, in the order provided 13198
under divisions (C)(1) and (2) of section ~~3318.06~~ 3318.02 of the 13199
Revised Code, are excluded from participating in this exceptional 13200
needs pilot program. 13201

(2) Of the \$300,000,000 the School Facilities Commission 13202
shall not commit until after June 30, 1999, the School Facilities 13203
Commission may set aside up to ten per cent for the pilot program 13204
for low wealth school districts with exceptional needs for 13205
immediate classroom facility assistance. 13206

(3)(a) After consulting with education and construction 13207
experts, the School Facilities Commission shall adopt guidelines 13208
for identifying school districts with an exceptional need for 13209
immediate classroom facility assistance. 13210

(b) The guidelines shall include application forms and 13211
instructions for school districts that believe they have an 13212
exceptional need for immediate classroom facility assistance. 13213

(4) The School Facilities Commission shall evaluate the classroom facilities, and the need for replacement classroom facilities from the applications received under this section. The School Facilities Commission, utilizing the guidelines adopted pursuant to division (B)(3) of this section, shall prioritize the school districts to be assessed.

~~In accordance with division (C)(3) of~~ Notwithstanding section 3318.02 of the Revised Code, the School Facilities Commission may conduct on-site evaluation of the school districts prioritized under this section and approve and award funds until such time as all funds set aside pursuant to division (B)(2) of this section have been encumbered pursuant to section 3318.04 of the Revised Code.

(5) Notwithstanding division (A) of section 3318.05 of the Revised Code, the portion of the basic project costs that shall be paid by a district receiving state funds under the pilot program shall be the "required percentage of the basic project costs," as defined in division (K) of section 3318.01 of the Revised Code.

Section 28.* That existing Section 26 of Am. Sub. H.B. 850 of the 122nd General Assembly is hereby repealed.

Section 29. (A) That Sections 50.52.1, 50.52.3, 50.52.6, 50.52.8, 50.52.11, and 50.52.13 of Am. Sub. H.B. 215 of the 122nd General Assembly are hereby repealed.

(B) That Sections 50.52.4, 50.52.7, and 50.52.9 of Am. Sub. H.B. 215 of the 122nd General Assembly, as amended by Am. Sub. H.B. 770 of the 122nd General Assembly, are hereby repealed.

(C) That Sections 50.52.5 and 50.52.10 of Am. Sub. H.B. 215 of the 122nd General Assembly, as amended by Am. Sub. H.B. 650 and Am. Sub. H.B. 770 of the 122nd General Assembly, are hereby repealed.

Section 30. (A) As used in this section, "pilot project area" 13244
means the school districts included in the territory of the former 13245
community school pilot project established by former Section 50.52 13246
of Am. Sub. H.B. 215 of the 122nd General Assembly. 13247

(B) Any teacher or nonteaching employee of a school district 13248
in the pilot project area who, on the effective date of this 13249
section, is taking a leave of absence from the district pursuant 13250
to a policy adopted under former Section 50.52.13 of that act to 13251
work at a community school established under the pilot project and 13252
located in another school district may continue the leave under 13253
the terms of that policy and former section. Upon termination of 13254
the leave, the district shall return the teacher or nonteaching 13255
employee to a position, salary, and level of seniority as required 13256
by that former section. 13257

(C) During the first year of operation of a community school 13258
in the pilot project area, the Department of Education shall pay 13259
each school district in the pilot project area, for each student 13260
enrolled in the community school who is otherwise entitled to 13261
attend school in the district under section 3313.64 or 3313.65 of 13262
the Revised Code, 50 per cent of the district's per pupil state 13263
funds. For this purpose, "per pupil state funds" means the sum of 13264
the amounts computed for the district under divisions (A), (C)(1), 13265
(E), and (F) of section 3313.022 of the Revised Code plus any 13266
payments received under section 3317.0212 of the Revised Code, 13267
divided by the district's formula ADM certified under section 13268
3317.03 of the Revised Code. The payments made under this division 13269
are in addition to all other payments made under Chapter 3317. of 13270
the Revised Code to any school district in the pilot project area. 13271
This division applies only in fiscal years 2000 and 2001. 13272
13273

Section 31. Every school district shall identify by November 13274
15, 2000, any gifted student enrolled as of January 1, 2000, in 13275
grades kindergarten through eleven in the district. 13276

Section 32. (A) The Ohio School Facilities Commission may 13277
commit up to thirty-five million dollars to the Canton City School 13278
District for construction of a facility described in this section, 13279
in lieu of a high school that would otherwise be authorized under 13280
Chapter 3318. of the Revised Code. The commission shall not commit 13281
funds under this section unless all of the following conditions 13282
are met: 13283

(1) The district has entered into a cooperative agreement 13284
with a state-assisted technical college; 13285

(2) The district has received an irrevocable commitment of 13286
additional funding from nonpublic sources; 13287

(3) The facility is intended to serve both secondary and 13288
postsecondary instructional purposes. 13289

(B) The commission shall enter into an agreement with the 13290
district for the construction of the facility authorized under 13291
this section that is separate from and in addition to the 13292
agreement required for the district's participation in the 13293
Classroom Facilities Assistance Program under section 3318.08 of 13294
the Revised Code. Notwithstanding that section and sections 13295
3318.03, 3318.04, and 3318.083 of the Revised Code, the additional 13296
agreement shall provide but not be limited to the following: 13297

(1) The commission shall not have any oversight 13298
responsibilities over the construction of the facility; 13299

(2) The facility need not comply with the specifications for 13300
plans and materials for high schools adopted by the commission; 13301

(3) The commission may decrease the basic project cost that 13302

would otherwise be calculated for a high school under Chapter 13303
3318. of the Revised Code; 13304

(4) The state shall not share in any increases in the basic 13305
project cost for the facility above the amount authorized under 13306
this section. 13307

All other provisions of Chapter 3318. of the Revised Code 13308
apply to the approval and construction of a facility authorized 13309
under this section. 13310

The state funds committed to the facility authorized by this 13311
section shall be part of the total amount the state commits to the 13312
Canton City School District under Chapter 3318. of the Revised 13313
Code. All additional state funds committed to the Canton City 13314
School District for classroom facilities assistance shall be 13315
subject to all provisions of Chapter 3318. of the Revised Code. 13316

Section 33.* Not later than four years after the effective 13317
date of this section, the Board of Regents shall determine the 13318
cost of upgrading facilities at public universities in this state 13319
that likely would be used if the City of Cincinnati were awarded 13320
the summer olympic games. Upon completion of the cost 13321
determination, the board shall submit a written report of its 13322
findings to the Governor, the President of the Senate, the Speaker 13323
of the House of Representatives, and to each member of the 13324
legislative authority of the City of Cincinnati. 13325

Section 34. The Governor shall fill the first vacancy 13326
occurring on the State Lottery Commission on or after the 13327
effective date of section 3770.01 of the Revised Code, as amended 13328
by this act, with a person who represents an organization that 13329
deals with problem gambling and assists recovering gambling 13330
addicts. 13331

Section 35.* On the effective date of this section, the Ohio SchoolNet Office is abolished and all of its functions, and assets and liabilities, are transferred to the Ohio SchoolNet Commission. The Ohio SchoolNet Commission is thereupon and thereafter successor to, assumes the obligations of, and otherwise constitutes the continuation of the Ohio SchoolNet Office.

Any business commenced but not completed by the Ohio SchoolNet Office or its director on the effective date of this section shall be completed by the Ohio SchoolNet Commission or its executive director in the same manner, and with the same effect, as if completed by the Ohio SchoolNet Office or its director. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer required by this section and shall be administered by the Ohio SchoolNet Commission. All of the Ohio SchoolNet Office's rules, orders, and determinations continue in effect as rules, orders, and determinations of the Ohio SchoolNet Commission, until modified or rescinded by the Ohio SchoolNet Commission. If necessary to ensure the integrity of the numbering of the Administrative Code the Director of the Legislative Service Commission shall renumber the Ohio SchoolNet Office's rules to reflect their transfer to the Ohio SchoolNet Commission.

Subject to the lay-off provisions of sections 124.321 to 124.328 of the Revised Code, all of the employees of the Ohio SchoolNet Office are transferred to the Ohio SchoolNet Commission and retain their positions and all of the benefits accruing thereto.

Whenever the Ohio SchoolNet Office or its director is referred to in any law, contract, or other document, the reference shall be deemed to refer to the Ohio SchoolNet Commission or its executive director, whichever is appropriate.

No action or proceeding pending on the effective date of this section is affected by the transfer, and shall be prosecuted or defended in the name of the Ohio SchoolNet Commission or its executive director. In all such actions and proceedings, the Ohio SchoolNet Commission or its executive director upon application to the court shall be substituted as a party.

Section 36. Except as otherwise specifically provided in this act, the codified sections of law amended or enacted in this act, and the items of law of which the codified sections of law amended or enacted in this act are composed, are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the codified sections of law amended or enacted by this act, and the items of law of which the codified sections of law as amended or enacted by this act are composed, take effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against any such codified section of law as amended or enacted by this act, or against any item of law of which any such codified section of law as amended or enacted by this act is composed, the codified section of law as amended or enacted, or item of law, unless rejected at the referendum, takes effect at the earliest time permitted by law.

Section 37. Except as otherwise specifically provided in this act, the repeal by this act of a codified section of law is subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the repeal by this act of a codified section of law takes effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against any such repeal, the repeal, unless rejected at the referendum, takes effect at the earliest time permitted by law.

Section 38. Sections 3302.01, 3302.02, 3314.03, 3314.05, 13394
3314.06, 3314.071, 3314.08, 3314.09, 3314.11, 3314.12, 3314.13, 13395
3314.15, 3316.05, 3316.06, 3317.014, 3317.02, 3317.022, 3317.023, 13396
3317.024, 3317.029, 3317.0212, 3317.0213, 3317.0216, 3317.03, 13397
3317.033, 3317.05, 3317.051, 3317.16, 3317.162, 3318.33, 3332.05, 13398
3332.07, 3333.12, 3333.27, 4117.101, and 5910.032 of the Revised 13399
Code as amended or enacted by this act, and the items of law of 13400
which such sections as amended or enacted by this act are 13401
composed, are not subject to the referendum. Therefore, under Ohio 13402
Constitution, Article II, Section 1d and section 1.471 of the 13403
Revised Code, such sections as amended or enacted by this act, and 13404
the items of law of which such sections as amended or enacted by 13405
this act are composed, go into immediate effect when this act 13406
becomes law. 13407

Section 39. The repeal by this act of sections 3317.053 and 13408
3317.16 of the Revised Code is not subject to the referendum. 13409
Therefore, under Ohio Constitution, Article II, Section 1d and 13410
section 1.471 of the Revised Code, the repeals go into immediate 13411
effect when this act becomes law. 13412

Section 40. (A) The amendments by this act to division (F) of 13414
section 5919.34 of the Revised Code constitute an item of law that 13415
is subject to the referendum. Therefore, under Ohio Constitution, 13416
Article II, Section 1c and section 1.471 of the Revised Code, this 13417
item of law takes effect on the ninety-first day after this act is 13418
filed with the Secretary of State. If, however, a referendum 13419
petition is filed against the item of law, the item of law, unless 13420
rejected at the referendum, takes effect at the earliest time 13421
permitted by law. 13422

(B) The amendments by this act to section 5919.34 of the 13423

Revised Code, except for the amendments to division (F) of the
section, constitute an item of law that is not subject to the
referendum. Therefore, under Ohio Constitution, Article II,
Section 1d and section 1.471 of the Revised Code, this item of law
goes into immediate effect when this act becomes law.

Section 41. Except as otherwise specifically provided in this
act, the uncodified sections of law amended or enacted in this
act, and the items of law of which the uncodified sections of law
amended or enacted in this act are composed, are not subject to
the referendum. Therefore, under Ohio Constitution, Article II,
Section 1d and section 1.471 of the Revised Code, the uncodified
sections of law amended or enacted in this act, and the items of
law of which the uncodified sections of law amended or enacted in
this act are composed, go into immediate effect when this act
becomes law.

Section 42. Uncodified sections of law amended or enacted in
this act, and items of law contained within the uncodified
sections of law amended or enacted in this act, that are marked
with an asterisk are subject to the referendum. Therefore, under
Ohio Constitution, Article II, Section 1c and section 1.471 of the
Revised Code, the uncodified sections and items of law marked with
an asterisk take effect on the ninety-first day after this act is
filed with the Secretary of State. If, however, a referendum
petition is filed against an uncodified section or item of law
marked with an asterisk, the uncodified section or item of law
marked with an asterisk, unless rejected at the referendum, takes
effect at the earliest time permitted by law.

If the amending and existing repeal clauses commanding an
amendment of an uncodified section of law are both marked with
asterisks, the uncodified section as amended is deemed also to

have been marked with an asterisk. 13454

An asterisk marking an uncodified section or item of law has 13455
the form *. 13456

This section defines the meaning and form of, but is not 13457
itself to be considered marked with, an asterisk. 13458

Section 43. If the amendment or enactment in this act of a 13459
codified or uncodified section of law is subject to the 13460
referendum, the corresponding indications in the amending, 13461
enacting, or existing repeal clauses commanding the amendment or 13462
enactment also are subject to the referendum, along with the 13463
amendment or enactment. If the amendment or enactment by this act 13464
of a codified or uncodified section of law is not subject to the 13465
referendum, the corresponding indications in the amending, 13466
enacting, or existing repeal clauses commanding the amendment or 13467
enactment also are not subject to the referendum, the same as the 13468
amendment or enactment. 13469

Section 44. An item, other than an amending, enacting, or 13470
repealing clause, that composes the whole or part of an uncodified 13471
section contained in this act has no effect after June 30, 2001, 13472
unless its context clearly indicates otherwise. 13473

Section 45. Section 3316.06 of the Revised Code is presented 13474
in this act as a composite of the section as amended by both Am. 13475
Sub. H.B. 56 and Am. Sub. S.B. 17 of the 122nd General Assembly, 13476
with the new language of neither of the acts shown in capital 13477
letters. This is in recognition of the principle stated in 13478
division (B) of section 1.52 of the Revised Code that such 13479
amendments are to be harmonized where not substantively 13480
irreconcilable and constitutes a legislative finding that such is 13481
the resulting version in effect prior to the effective date of 13482

this act. 13483

Section 46. If any item of law that constitutes the whole or 13484
part of a codified or uncodified section of law contained in this 13485
act, or if any application of any item of law that constitutes the 13486
whole or part of a codified or uncodified section of law contained 13487
in this act, is held invalid, the invalidity does not affect other 13488
items of law or applications of item of law that can be given 13489
effect without the invalid item of law or application. To this 13490
end, the items of law of which the codified and uncodified 13491
sections contained in this act are composed, and their 13492
applications, are independent and severable. 13493