

As Introduced

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Representatives Cupp, Patterson

**Cosponsors: Representatives Rogers, Lipps, Clites, Carfagna, Hambley,
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Upchurch, Koehler, Boyd, Brent, Hoops, Robinson, Skindell, Kent, Crawley,
Green, Hicks-Hudson, Seitz, Baldrige, Blair, Ghanbari**

A B I L L

To amend sections 3301.0714, 3302.20, 3310.08, 1
3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 2
3313.98, 3313.981, 3314.08, 3314.084, 3314.087, 3
3314.091, 3314.11, 3314.20, 3315.18, 3317.013, 4
3317.014, 3317.016, 3317.02, 3317.021, 3317.022, 5
3317.023, 3317.028, 3317.0212, 3317.0213, 6
3317.0214, 3317.03, 3317.051, 3317.16, 3317.20, 7
3317.25, 3319.57, 3324.09, 3326.31, 3326.32, 8
3326.33, 3326.39, 3326.40, 3326.51, 3327.01, 9
3328.32, 3328.34, and 3365.01; to enact new 10
sections 3317.017, 3317.0215, 3317.0217, and 11
3317.0218 and sections 3314.088, 3317.011, 12
3317.012, 3317.018, 3317.019, 3317.162, 3317.60, 13
3317.61, 3317.62, and 3327.016; and to repeal 14
sections 3310.55, 3314.085, 3314.53, 3317.017, 15

3317.0215, 3317.0216, 3317.0217, 3317.0218, 16
3326.41, and 3328.33 of the Revised Code to create 17
a new school financing system, and to make an 18
appropriation. 19

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

Section 1. That sections 3301.0714, 3302.20, 3310.08, 20
3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.98, 3313.981, 21
3314.08, 3314.084, 3314.087, 3314.091, 3314.11, 3314.20, 3315.18, 22
3317.013, 3317.014, 3317.016, 3317.02, 3317.021, 3317.022, 23
3317.023, 3317.028, 3317.0212, 3317.0213, 3317.0214, 3317.03, 24
3317.051, 3317.16, 3317.20, 3317.25, 3319.57, 3324.09, 3326.31, 25
3326.32, 3326.33, 3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 26
3328.34, and 3365.01 be amended; and new sections 3317.017, 27
3317.0215, 3317.0217, and 3317.0218 and sections 3314.088, 28
3317.011, 3317.012, 3317.018, 3317.019, 3317.162, 3317.60, 29
3317.61, 3317.62, and 3327.016 of the Revised Code be enacted to 30
read as follows: 31

Sec. 3301.0714. (A) The state board of education shall adopt 32
rules for a statewide education management information system. The 33
rules shall require the state board to establish guidelines for 34
the establishment and maintenance of the system in accordance with 35
this section and the rules adopted under this section. The 36
guidelines shall include: 37

(1) Standards identifying and defining the types of data in 38
the system in accordance with divisions (B) and (C) of this 39
section; 40

(2) Procedures for annually collecting and reporting the data 41
to the state board in accordance with division (D) of this 42
section; 43

(3) Procedures for annually compiling the data in accordance 44
with division (G) of this section; 45

(4) Procedures for annually reporting the data to the public 46
in accordance with division (H) of this section; 47

(5) Standards to provide strict safeguards to protect the 48
confidentiality of personally identifiable student data. 49

(B) The guidelines adopted under this section shall require 50
the data maintained in the education management information system 51
to include at least the following: 52

(1) Student participation and performance data, for each 53
grade in each school district as a whole and for each grade in 54
each school building in each school district, that includes: 55

(a) The numbers of students receiving each category of 56
instructional service offered by the school district, such as 57
regular education instruction, vocational education instruction, 58
specialized instruction programs or enrichment instruction that is 59
part of the educational curriculum, instruction for gifted 60
students, instruction for students with disabilities, and remedial 61
instruction. The guidelines shall require instructional services 62
under this division to be divided into discrete categories if an 63
instructional service is limited to a specific subject, a specific 64
type of student, or both, such as regular instructional services 65
in mathematics, remedial reading instructional services, 66
instructional services specifically for students gifted in 67
mathematics or some other subject area, or instructional services 68
for students with a specific type of disability. The categories of 69
instructional services required by the guidelines under this 70
division shall be the same as the categories of instructional 71
services used in determining cost units pursuant to division 72
(C)(3) of this section. 73

(b) The numbers of students receiving support or 74

extracurricular services for each of the support services or	75
extracurricular programs offered by the school district, such as	76
counseling services, health services, and extracurricular sports	77
and fine arts programs. The categories of services required by the	78
guidelines under this division shall be the same as the categories	79
of services used in determining cost units pursuant to division	80
(C)(4)(a) of this section.	81
(c) Average student grades in each subject in grades nine	82
through twelve;	83
(d) Academic achievement levels as assessed under sections	84
3301.0710, 3301.0711, and 3301.0712 of the Revised Code;	85
(e) The number of students designated as having a disabling	86
condition pursuant to division (C)(1) of section 3301.0711 of the	87
Revised Code;	88
(f) The numbers of students reported to the state board	89
pursuant to division (C)(2) of section 3301.0711 of the Revised	90
Code;	91
(g) Attendance rates and the average daily attendance for the	92
year. For purposes of this division, a student shall be counted as	93
present for any field trip that is approved by the school	94
administration.	95
(h) Expulsion rates;	96
(i) Suspension rates;	97
(j) Dropout rates;	98
(k) Rates of retention in grade;	99
(l) For pupils in grades nine through twelve, the average	100
number of carnegie units, as calculated in accordance with state	101
board of education rules;	102
(m) Graduation rates, to be calculated in a manner specified	103
by the department of education that reflects the rate at which	104

students who were in the ninth grade three years prior to the 105
current year complete school and that is consistent with 106
nationally accepted reporting requirements; 107

(n) Results of diagnostic assessments administered to 108
kindergarten students as required under section 3301.0715 of the 109
Revised Code to permit a comparison of the academic readiness of 110
kindergarten students. However, no district shall be required to 111
report to the department the results of any diagnostic assessment 112
administered to a kindergarten student, except for the language 113
and reading assessment described in division (A)(2) of section 114
3301.0715 of the Revised Code, if the parent of that student 115
requests the district not to report those results. 116

(o) Beginning on ~~the first day of July that next succeeds the~~ 117
~~effective date of this amendment 1, 2018,~~ for each disciplinary 118
action which is required to be reported under division (B)(4) of 119
this section, districts and schools also shall include an 120
identification of the person or persons, if any, at whom the 121
student's violent behavior that resulted in discipline was 122
directed. The person or persons shall be identified by the 123
respective classification at the district or school, such as 124
student, teacher, or nonteaching employee, but shall not be 125
identified by name. 126

Division (B)(1)(o) of this section does not apply after the 127
date that is two years following the submission of the report 128
required by Section 733.13 of H.B. 49 of the 132nd general 129
assembly. 130

(2) Personnel and classroom enrollment data for each school 131
district, including: 132

(a) The total numbers of licensed employees and nonlicensed 133
employees and the numbers of full-time equivalent licensed 134
employees and nonlicensed employees providing each category of 135

instructional service, instructional support service, and 136
administrative support service used pursuant to division (C)(3) of 137
this section. The guidelines adopted under this section shall 138
require these categories of data to be maintained for the school 139
district as a whole and, wherever applicable, for each grade in 140
the school district as a whole, for each school building as a 141
whole, and for each grade in each school building. 142

(b) The total number of employees and the number of full-time 143
equivalent employees providing each category of service used 144
pursuant to divisions (C)(4)(a) and (b) of this section, and the 145
total numbers of licensed employees and nonlicensed employees and 146
the numbers of full-time equivalent licensed employees and 147
nonlicensed employees providing each category used pursuant to 148
division (C)(4)(c) of this section. The guidelines adopted under 149
this section shall require these categories of data to be 150
maintained for the school district as a whole and, wherever 151
applicable, for each grade in the school district as a whole, for 152
each school building as a whole, and for each grade in each school 153
building. 154

(c) The total number of regular classroom teachers teaching 155
classes of regular education and the average number of pupils 156
enrolled in each such class, in each of grades kindergarten 157
through five in the district as a whole and in each school 158
building in the school district. 159

(d) The number of lead teachers employed by each school 160
district and each school building. 161

(3)(a) Student demographic data for each school district, 162
including information regarding the gender ratio of the school 163
district's pupils, the racial make-up of the school district's 164
pupils, the number of limited English proficient students in the 165
district, and an appropriate measure of the number of the school 166
district's pupils who reside in economically disadvantaged 167

households. The demographic data shall be collected in a manner to 168
allow correlation with data collected under division (B)(1) of 169
this section. Categories for data collected pursuant to division 170
(B)(3) of this section shall conform, where appropriate, to 171
standard practices of agencies of the federal government. 172

(b) With respect to each student entering kindergarten, 173
whether the student previously participated in a public preschool 174
program, a private preschool program, or a head start program, and 175
the number of years the student participated in each of these 176
programs. 177

(4) Any data required to be collected pursuant to federal 178
law. 179

(C) The education management information system shall include 180
cost accounting data for each district as a whole and for each 181
school building in each school district. The guidelines adopted 182
under this section shall require the cost data for each school 183
district to be maintained in a system of mutually exclusive cost 184
units and shall require all of the costs of each school district 185
to be divided among the cost units. The guidelines shall require 186
the system of mutually exclusive cost units to include at least 187
the following: 188

(1) Administrative costs for the school district as a whole. 189
The guidelines shall require the cost units under this division 190
(C)(1) to be designed so that each of them may be compiled and 191
reported in terms of average expenditure per pupil in ~~formula~~ 192
enrolled ADM in the school district, as determined pursuant to 193
section 3317.03 of the Revised Code. 194

(2) Administrative costs for each school building in the 195
school district. The guidelines shall require the cost units under 196
this division (C)(2) to be designed so that each of them may be 197
compiled and reported in terms of average expenditure per 198

full-time equivalent pupil receiving instructional or support 199
services in each building. 200

(3) Instructional services costs for each category of 201
instructional service provided directly to students and required 202
by guidelines adopted pursuant to division (B)(1)(a) of this 203
section. The guidelines shall require the cost units under 204
division (C)(3) of this section to be designed so that each of 205
them may be compiled and reported in terms of average expenditure 206
per pupil receiving the service in the school district as a whole 207
and average expenditure per pupil receiving the service in each 208
building in the school district and in terms of a total cost for 209
each category of service and, as a breakdown of the total cost, a 210
cost for each of the following components: 211

(a) The cost of each instructional services category required 212
by guidelines adopted under division (B)(1)(a) of this section 213
that is provided directly to students by a classroom teacher; 214

(b) The cost of the instructional support services, such as 215
services provided by a speech-language pathologist, classroom 216
aide, multimedia aide, or librarian, provided directly to students 217
in conjunction with each instructional services category; 218

(c) The cost of the administrative support services related 219
to each instructional services category, such as the cost of 220
personnel that develop the curriculum for the instructional 221
services category and the cost of personnel supervising or 222
coordinating the delivery of the instructional services category. 223

(4) Support or extracurricular services costs for each 224
category of service directly provided to students and required by 225
guidelines adopted pursuant to division (B)(1)(b) of this section. 226
The guidelines shall require the cost units under division (C)(4) 227
of this section to be designed so that each of them may be 228
compiled and reported in terms of average expenditure per pupil 229

receiving the service in the school district as a whole and 230
average expenditure per pupil receiving the service in each 231
building in the school district and in terms of a total cost for 232
each category of service and, as a breakdown of the total cost, a 233
cost for each of the following components: 234

(a) The cost of each support or extracurricular services 235
category required by guidelines adopted under division (B)(1)(b) 236
of this section that is provided directly to students by a 237
licensed employee, such as services provided by a guidance 238
counselor or any services provided by a licensed employee under a 239
supplemental contract; 240

(b) The cost of each such services category provided directly 241
to students by a nonlicensed employee, such as janitorial 242
services, cafeteria services, or services of a sports trainer; 243

(c) The cost of the administrative services related to each 244
services category in division (C)(4)(a) or (b) of this section, 245
such as the cost of any licensed or nonlicensed employees that 246
develop, supervise, coordinate, or otherwise are involved in 247
administering or aiding the delivery of each services category. 248

(D)(1) The guidelines adopted under this section shall 249
require school districts to collect information about individual 250
students, staff members, or both in connection with any data 251
required by division (B) or (C) of this section or other reporting 252
requirements established in the Revised Code. The guidelines may 253
also require school districts to report information about 254
individual staff members in connection with any data required by 255
division (B) or (C) of this section or other reporting 256
requirements established in the Revised Code. The guidelines shall 257
not authorize school districts to request social security numbers 258
of individual students. The guidelines shall prohibit the 259
reporting under this section of a student's name, address, and 260
social security number to the state board of education or the 261

department of education. The guidelines shall also prohibit the reporting under this section of any personally identifiable information about any student, except for the purpose of assigning the data verification code required by division (D)(2) of this section, to any other person unless such person is employed by the school district or the information technology center operated under section 3301.075 of the Revised Code and is authorized by the district or technology center to have access to such information or is employed by an entity with which the department contracts for the scoring or the development of state assessments. The guidelines may require school districts to provide the social security numbers of individual staff members and the county of residence for a student. Nothing in this section prohibits the state board of education or department of education from providing a student's county of residence to the department of taxation to facilitate the distribution of tax revenue.

(2)(a) The guidelines shall provide for each school district or community school to assign a data verification code that is unique on a statewide basis over time to each student whose initial Ohio enrollment is in that district or school and to report all required individual student data for that student utilizing such code. The guidelines shall also provide for assigning data verification codes to all students enrolled in districts or community schools on the effective date of the guidelines established under this section. The assignment of data verification codes for other entities, as described in division (D)(2)(d) of this section, the use of those codes, and the reporting and use of associated individual student data shall be coordinated by the department in accordance with state and federal law.

School districts shall report individual student data to the department through the information technology centers utilizing

the code. The entities described in division (D)(2)(d) of this 294
section shall report individual student data to the department in 295
the manner prescribed by the department. 296

(b)(i) Except as provided in sections 3301.941, 3310.11, 297
3310.42, 3310.63, 3313.978, and 3317.20 of the Revised Code, and 298
in division (D)(2)(b)(ii) of this section, at no time shall the 299
state board or the department have access to information that 300
would enable any data verification code to be matched to 301
personally identifiable student data. 302

(ii) For the purpose of making per-pupil payments to 303
community schools under division (C) of section 3314.08 of the 304
Revised Code, the department shall have access to information that 305
would enable any data verification code to be matched to 306
personally identifiable student data. 307

(c) Each school district and community school shall ensure 308
that the data verification code is included in the student's 309
records reported to any subsequent school district, community 310
school, or state institution of higher education, as defined in 311
section 3345.011 of the Revised Code, in which the student 312
enrolls. Any such subsequent district or school shall utilize the 313
same identifier in its reporting of data under this section. 314

(d) The director of any state agency that administers a 315
publicly funded program providing services to children who are 316
younger than compulsory school age, as defined in section 3321.01 317
of the Revised Code, including the directors of health, job and 318
family services, mental health and addiction services, and 319
developmental disabilities, shall request and receive, pursuant to 320
sections 3301.0723 and 5123.0423 of the Revised Code, a data 321
verification code for a child who is receiving those services. 322

(E) The guidelines adopted under this section may require 323
school districts to collect and report data, information, or 324

reports other than that described in divisions (A), (B), and (C) 325
of this section for the purpose of complying with other reporting 326
requirements established in the Revised Code. The other data, 327
information, or reports may be maintained in the education 328
management information system but are not required to be compiled 329
as part of the profile formats required under division (G) of this 330
section or the annual statewide report required under division (H) 331
of this section. 332

(F) Beginning with the school year that begins July 1, 1991, 333
the board of education of each school district shall annually 334
collect and report to the state board, in accordance with the 335
guidelines established by the board, the data required pursuant to 336
this section. A school district may collect and report these data 337
notwithstanding section 2151.357 or 3319.321 of the Revised Code. 338

(G) The state board shall, in accordance with the procedures 339
it adopts, annually compile the data reported by each school 340
district pursuant to division (D) of this section. The state board 341
shall design formats for profiling each school district as a whole 342
and each school building within each district and shall compile 343
the data in accordance with these formats. These profile formats 344
shall: 345

(1) Include all of the data gathered under this section in a 346
manner that facilitates comparison among school districts and 347
among school buildings within each school district; 348

(2) Present the data on academic achievement levels as 349
assessed by the testing of student achievement maintained pursuant 350
to division (B)(1)(d) of this section. 351

(H)(1) The state board shall, in accordance with the 352
procedures it adopts, annually prepare a statewide report for all 353
school districts and the general public that includes the profile 354
of each of the school districts developed pursuant to division (G) 355

of this section. Copies of the report shall be sent to each school district. 356
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(2) The state board shall, in accordance with the procedures it adopts, annually prepare an individual report for each school district and the general public that includes the profiles of each of the school buildings in that school district developed pursuant to division (G) of this section. Copies of the report shall be sent to the superintendent of the district and to each member of the district board of education. 358
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(3) Copies of the reports received from the state board under divisions (H)(1) and (2) of this section shall be made available to the general public at each school district's offices. Each district board of education shall make copies of each report available to any person upon request and payment of a reasonable fee for the cost of reproducing the report. The board shall annually publish in a newspaper of general circulation in the school district, at least twice during the two weeks prior to the week in which the reports will first be available, a notice containing the address where the reports are available and the date on which the reports will be available. 365
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(I) Any data that is collected or maintained pursuant to this section and that identifies an individual pupil is not a public record for the purposes of section 149.43 of the Revised Code. 376
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(J) As used in this section: 379

(1) "School district" means any city, local, exempted village, or joint vocational school district and, in accordance with section 3314.17 of the Revised Code, any community school. As used in division (L) of this section, "school district" also includes any educational service center or other educational entity required to submit data using the system established under this section. 380
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(2) "Cost" means any expenditure for operating expenses made 387
by a school district excluding any expenditures for debt 388
retirement except for payments made to any commercial lending 389
institution for any loan approved pursuant to section 3313.483 of 390
the Revised Code. 391

(K) Any person who removes data from the information system 392
established under this section for the purpose of releasing it to 393
any person not entitled under law to have access to such 394
information is subject to section 2913.42 of the Revised Code 395
prohibiting tampering with data. 396

(L)(1) In accordance with division (L)(2) of this section and 397
the rules adopted under division (L)(10) of this section, the 398
department of education may sanction any school district that 399
reports incomplete or inaccurate data, reports data that does not 400
conform to data requirements and descriptions published by the 401
department, fails to report data in a timely manner, or otherwise 402
does not make a good faith effort to report data as required by 403
this section. 404

(2) If the department decides to sanction a school district 405
under this division, the department shall take the following 406
sequential actions: 407

(a) Notify the district in writing that the department has 408
determined that data has not been reported as required under this 409
section and require the district to review its data submission and 410
submit corrected data by a deadline established by the department. 411
The department also may require the district to develop a 412
corrective action plan, which shall include provisions for the 413
district to provide mandatory staff training on data reporting 414
procedures. 415

(b) Withhold up to ten per cent of the total amount of state 416
funds due to the district for the current fiscal year and, if not 417

previously required under division (L)(2)(a) of this section, 418
require the district to develop a corrective action plan in 419
accordance with that division; 420

(c) Withhold an additional amount of up to twenty per cent of 421
the total amount of state funds due to the district for the 422
current fiscal year; 423

(d) Direct department staff or an outside entity to 424
investigate the district's data reporting practices and make 425
recommendations for subsequent actions. The recommendations may 426
include one or more of the following actions: 427

(i) Arrange for an audit of the district's data reporting 428
practices by department staff or an outside entity; 429

(ii) Conduct a site visit and evaluation of the district; 430

(iii) Withhold an additional amount of up to thirty per cent 431
of the total amount of state funds due to the district for the 432
current fiscal year; 433

(iv) Continue monitoring the district's data reporting; 434

(v) Assign department staff to supervise the district's data 435
management system; 436

(vi) Conduct an investigation to determine whether to suspend 437
or revoke the license of any district employee in accordance with 438
division (N) of this section; 439

(vii) If the district is issued a report card under section 440
3302.03 of the Revised Code, indicate on the report card that the 441
district has been sanctioned for failing to report data as 442
required by this section; 443

(viii) If the district is issued a report card under section 444
3302.03 of the Revised Code and incomplete or inaccurate data 445
submitted by the district likely caused the district to receive a 446
higher performance rating than it deserved under that section, 447

issue a revised report card for the district; 448

(ix) Any other action designed to correct the district's data 449
reporting problems. 450

(3) Any time the department takes an action against a school 451
district under division (L)(2) of this section, the department 452
shall make a report of the circumstances that prompted the action. 453
The department shall send a copy of the report to the district 454
superintendent or chief administrator and maintain a copy of the 455
report in its files. 456

(4) If any action taken under division (L)(2) of this section 457
resolves a school district's data reporting problems to the 458
department's satisfaction, the department shall not take any 459
further actions described by that division. If the department 460
withheld funds from the district under that division, the 461
department may release those funds to the district, except that if 462
the department withheld funding under division (L)(2)(c) of this 463
section, the department shall not release the funds withheld under 464
division (L)(2)(b) of this section and, if the department withheld 465
funding under division (L)(2)(d) of this section, the department 466
shall not release the funds withheld under division (L)(2)(b) or 467
(c) of this section. 468

(5) Notwithstanding anything in this section to the contrary, 469
the department may use its own staff or an outside entity to 470
conduct an audit of a school district's data reporting practices 471
any time the department has reason to believe the district has not 472
made a good faith effort to report data as required by this 473
section. If any audit conducted by an outside entity under 474
division (L)(2)(d)(i) or (5) of this section confirms that a 475
district has not made a good faith effort to report data as 476
required by this section, the district shall reimburse the 477
department for the full cost of the audit. The department may 478
withhold state funds due to the district for this purpose. 479

(6) Prior to issuing a revised report card for a school district under division (L)(2)(d)(viii) of this section, the department may hold a hearing to provide the district with an opportunity to demonstrate that it made a good faith effort to report data as required by this section. The hearing shall be conducted by a referee appointed by the department. Based on the information provided in the hearing, the referee shall recommend whether the department should issue a revised report card for the district. If the referee affirms the department's contention that the district did not make a good faith effort to report data as required by this section, the district shall bear the full cost of conducting the hearing and of issuing any revised report card.

(7) If the department determines that any inaccurate data reported under this section caused a school district to receive excess state funds in any fiscal year, the district shall reimburse the department an amount equal to the excess funds, in accordance with a payment schedule determined by the department. The department may withhold state funds due to the district for this purpose.

(8) Any school district that has funds withheld under division (L)(2) of this section may appeal the withholding in accordance with Chapter 119. of the Revised Code.

(9) In all cases of a disagreement between the department and a school district regarding the appropriateness of an action taken under division (L)(2) of this section, the burden of proof shall be on the district to demonstrate that it made a good faith effort to report data as required by this section.

(10) The state board of education shall adopt rules under Chapter 119. of the Revised Code to implement division (L) of this section.

(M) No information technology center or school district shall

acquire, change, or update its student administration software 511
package to manage and report data required to be reported to the 512
department unless it converts to a student software package that 513
is certified by the department. 514

(N) The state board of education, in accordance with sections 515
3319.31 and 3319.311 of the Revised Code, may suspend or revoke a 516
license as defined under division (A) of section 3319.31 of the 517
Revised Code that has been issued to any school district employee 518
found to have willfully reported erroneous, inaccurate, or 519
incomplete data to the education management information system. 520

(O) No person shall release or maintain any information about 521
any student in violation of this section. Whoever violates this 522
division is guilty of a misdemeanor of the fourth degree. 523

(P) The department shall disaggregate the data collected 524
under division (B)(1)(n) of this section according to the race and 525
socioeconomic status of the students assessed. 526

(Q) If the department cannot compile any of the information 527
required by division (H) of section 3302.03 of the Revised Code 528
based upon the data collected under this section, the department 529
shall develop a plan and a reasonable timeline for the collection 530
of any data necessary to comply with that division. 531

Sec. 3302.20. (A) The department of education shall develop 532
standards for determining, from the existing data reported in 533
accordance with sections 3301.0714 and 3314.17 of the Revised 534
Code, the amount of annual operating expenditures for classroom 535
instructional purposes and for nonclassroom purposes for each 536
city, exempted village, local, and joint vocational school 537
district, each community school established under Chapter 3314. 538
that is not an internet- or computer-based community school, each 539
internet- or computer-based community school, and each STEM school 540
established under Chapter 3326. of the Revised Code. The 541

department shall present those standards to the state board of 542
education for consideration. In developing the standards, the 543
department shall adapt existing standards used by professional 544
organizations, research organizations, and other state 545
governments. The department also shall align the expenditure 546
categories required for reporting under the standards with the 547
categories that are required for reporting to the United States 548
department of education under federal law. 549

The state board shall consider the proposed standards and 550
adopt a final set of standards not later than December 31, 2012. 551
School districts, community schools, and STEM schools shall begin 552
reporting data in accordance with the standards on June 30, 2013. 553

(B)(1) The department shall categorize all city, exempted 554
village, and local school districts into not less than three nor 555
more than five groups based primarily on average daily student 556
enrollment as reported on the most recent report card issued for 557
each district under section 3302.03 of the Revised Code. 558

(2) The department shall categorize all joint vocational 559
school districts into not less than three nor more than five 560
groups based primarily on ~~formula~~ enrolled ADM as that term is 561
defined in section 3317.02 of the Revised Code rounded to the 562
nearest whole number. 563

(3) The department shall categorize all community schools 564
that are not internet- or computer-based community schools into 565
not less than three nor more than five groups based primarily on 566
average daily student enrollment as reported on the most recent 567
report card issued for each community school under sections 568
3302.03 and 3314.012 of the Revised Code or, in the case of a 569
school to which section 3314.017 of the Revised Code applies, on 570
the total number of students reported under divisions (B)(2)(a) 571
and (b) of section 3314.08 of the Revised Code. 572

(4) The department shall categorize all internet- or computer-based community schools into a single category.	573 574
(5) The department shall categorize all STEM schools into a single category.	575 576
(C) Using the standards adopted under division (A) of this section and the data reported under sections 3301.0714 and 3314.17 of the Revised Code, the department shall compute annually for each fiscal year, the following:	577 578 579 580
(1) The percentage of each district's, community school's, or STEM school's total operating budget spent for classroom instructional purposes;	581 582 583
(2) The statewide average percentage for all districts, community schools, and STEM schools combined spent for classroom instructional purposes;	584 585 586
(3) The average percentage for each of the categories of districts and schools established under division (B) of this section spent for classroom instructional purposes;	587 588 589
(4) The ranking of each district, community school, or STEM school within its respective category established under division (B) of this section according to the following:	590 591 592
(a) From highest to lowest percentage spent for classroom instructional purposes;	593 594
(b) From lowest to highest percentage spent for noninstructional purposes.	595 596
(5) The total operating expenditures per pupil for each district, community school, and STEM school;	597 598
(6) The total operating expenditure per equivalent pupils for each district, community school, and STEM school.	599 600
(D) In its display of rankings within each category under division (C)(4) of this section, the department shall make the	601 602

following notations: 603

(1) Within each category of city, exempted village, and local 604
school districts, the department shall denote each district that 605
is: 606

(a) Among the twenty per cent of all city, exempted village, 607
and local school districts statewide with the lowest total 608
operating expenditure per equivalent pupils; 609

(b) Among the twenty per cent of all city, exempted village, 610
and local school districts statewide with the highest performance 611
index scores. 612

(2) Within each category of joint vocational school 613
districts, the department shall denote each district that is: 614

(a) Among the twenty per cent of all joint vocational school 615
districts statewide with the lowest total operating expenditure 616
per equivalent pupils; 617

(b) Among the twenty per cent of all joint vocational school 618
districts statewide with the highest report card scores under 619
section 3302.033 of the Revised Code. 620

(3) Within each category of community schools that are not 621
internet- or computer-based community schools, the department 622
shall denote each school that is: 623

(a) Among the twenty per cent of all such community schools 624
statewide with the lowest total operating expenditure per 625
equivalent pupils; 626

(b) Among the twenty per cent of all such community schools 627
statewide with the highest performance index scores, excluding 628
such community schools to which section 3314.017 of the Revised 629
Code applies. 630

(4) Within the category of internet- or computer-based 631
community schools, the department shall denote each school that 632

is: 633

(a) Among the twenty per cent of all such community schools 634
statewide with the lowest total operating expenditure per 635
equivalent pupils; 636

(b) Among the twenty per cent of all such community schools 637
statewide with the highest performance index scores, excluding 638
such community schools to which section 3314.017 of the Revised 639
Code applies. 640

(5) Within the category of STEM schools, the department shall 641
denote each school that is: 642

(a) Among the twenty per cent of all STEM schools statewide 643
with the lowest total operating expenditure per equivalent pupils; 644

(b) Among the twenty per cent of all STEM schools statewide 645
with the highest performance index scores. 646

For purposes of divisions (D)(3)(b) and (4)(b) of this 647
section, the display shall note that, in accordance with section 648
3314.017 of the Revised Code, a performance index score is not 649
reported for some community schools that serve primarily students 650
enrolled in dropout prevention and recovery programs. 651

(E) The department shall post in a prominent location on its 652
web site the information prescribed by divisions (C) and (D) of 653
this section. The department also shall include on each 654
district's, community school's, and STEM school's annual report 655
card issued under section 3302.03 or 3314.017 of the Revised Code 656
the respective information computed for the district or school 657
under divisions (C)(1) and (4) of this section, the statewide 658
information computed under division (C)(2) of this section, and 659
the information computed for the district's or school's category 660
under division (C)(3) of this section. 661

(F) As used in this section: 662

(1) "Internet- or computer-based community school" has the same meaning as in section 3314.02 of the Revised Code.

(2) A school district's, community school's, or STEM school's performance index score rank is its performance index score rank as computed under section 3302.21 of the Revised Code.

(3) "Expenditure per equivalent pupils" has the same meaning as in section 3302.26 of the Revised Code.

Sec. 3310.08. (A) The amount paid for an eligible student under the educational choice scholarship pilot program shall be the lesser of the tuition of the chartered nonpublic school in which the student is enrolled or the maximum amount prescribed in section 3310.09 of the Revised Code.

(B)(1) The department of education shall pay to the parent of each eligible student for whom a scholarship is awarded under the program, or to the student if at least eighteen years of age, periodic partial payments of the scholarship.

(2) The department shall proportionately reduce or terminate the payments for any student who withdraws from a chartered nonpublic school prior to the end of the school year.

~~(C)(1) The department shall deduct from the payments made to each school district under Chapter 3317., and if necessary, sections 321.24 and 323.156 of the Revised Code, the amount paid under division (B) of this section for each eligible student who qualifies for a scholarship under section 3310.03 of the Revised Code and who is entitled under section 3313.64 or 3313.65 of the Revised Code to attend school in the district. In the case of a student entitled to attend school in a school district under division (B)(2)(a) of section 3313.64 or division (C) of section 3313.65 of the Revised Code, the department shall deduct the payments from the school district in whose formula ADM the student~~

is included, as that term is defined in section 3317.02 of the Revised Code. 693
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~~(2) If the department reduces or terminates payments to a parent or a student, as prescribed in division (B)(2) of this section, and the student enrolls in the schools of the student's resident district or in a community school, established under Chapter 3314. of the Revised Code, before the end of the school year, the department shall proportionally restore to the resident district the amount deducted for that student under division (C)(1) of this section.~~ 695
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Sec. 3310.41. (A) As used in this section: 703

(1) "Alternative public provider" means either of the following providers that agrees to enroll a child in the provider's special education program to implement the child's individualized education program and to which the child's parent owes fees for the services provided to the child: 704
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(a) A school district that is not the school district in which the child is entitled to attend school; 709
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(b) A public entity other than a school district. 711

(2) "Entitled to attend school" means entitled to attend school in a school district under section 3313.64 or 3313.65 of the Revised Code. 712
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(3) "Formula ADM" ~~and "category six special education ADM"~~ have has the same ~~meanings~~ meaning as in section 3317.02 of the Revised Code. 715
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(4) "Preschool child with a disability" and "individualized education program" have the same meanings as in section 3323.01 of the Revised Code. 718
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(5) "Parent" has the same meaning as in section 3313.64 of the Revised Code, except that "parent" does not mean a parent 721
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whose custodial rights have been terminated. "Parent" also 723
includes the custodian of a qualified special education child, 724
when a court has granted temporary, legal, or permanent custody of 725
the child to an individual other than either of the natural or 726
adoptive parents of the child or to a government agency. 727

~~(6) "Preschool scholarship ADM" means the number of preschool 728
children with disabilities certified under division (B)(3)(h) of 729
section 3317.03 of the Revised Code. 730~~

~~(7) "Qualified special education child" is a child for whom 731
all of the following conditions apply: 732~~

~~(a) The school district in which the child is entitled to 733
attend school has identified the child as autistic. A child who 734
has been identified as having a "pervasive developmental disorder 735
- not otherwise specified (PPD-NOS)" shall be considered to be an 736
autistic child for purposes of this section. 737~~

~~(b) The school district in which the child is entitled to 738
attend school has developed an individualized education program 739
under Chapter 3323. of the Revised Code for the child. 740~~

~~(c) The child either: 741~~

~~(i) Was enrolled in the school district in which the child is 742
entitled to attend school in any grade from preschool through 743
twelve in the school year prior to the year in which a scholarship 744
under this section is first sought for the child; or 745~~

~~(ii) Is eligible to enter school in any grade preschool 746
through twelve in the school district in which the child is 747
entitled to attend school in the school year in which a 748
scholarship under this section is first sought for the child. 749~~

~~(8) (7) "Registered private provider" means a nonpublic 750
school or other nonpublic entity that has been approved by the 751
department of education to participate in the program established 752~~

under this section. 753

~~(9)~~ (8) "Special education program" means a school or 754
facility that provides special education and related services to 755
children with disabilities. 756

(B) There is hereby established the autism scholarship 757
program. Under the program, the department of education shall pay 758
a scholarship to the parent of each qualified special education 759
child upon application of that parent pursuant to procedures and 760
deadlines established by rule of the state board of education. 761
Each scholarship shall be used only to pay tuition for the child 762
on whose behalf the scholarship is awarded to attend a special 763
education program that implements the child's individualized 764
education program and that is operated by an alternative public 765
provider or by a registered private provider, and to pay for other 766
services agreed to by the provider and the parent of a qualified 767
special education child that are not included in the 768
individualized education program but are associated with educating 769
the child. Upon agreement with the parent of a qualified special 770
education child, the alternative public provider or the registered 771
private provider may modify the services provided to the child. 772
Each scholarship shall be in an amount not to exceed the lesser of 773
the tuition charged for the child by the special education program 774
or twenty-seven thousand dollars. The purpose of the scholarship 775
is to permit the parent of a qualified special education child the 776
choice to send the child to a special education program, instead 777
of the one operated by or for the school district in which the 778
child is entitled to attend school, to receive the services 779
prescribed in the child's individualized education program once 780
the individualized education program is finalized and any other 781
services agreed to by the provider and the parent of a qualified 782
special education child. The services provided under the 783
scholarship shall include an educational component or services 784

designed to assist the child to benefit from the child's 785
education. 786

A scholarship under this section shall not be awarded to the 787
parent of a child while the child's individualized education 788
program is being developed by the school district in which the 789
child is entitled to attend school, or while any administrative or 790
judicial mediation or proceedings with respect to the content of 791
the child's individualized education program are pending. A 792
scholarship under this section shall not be used for a child to 793
attend a public special education program that operates under a 794
contract, compact, or other bilateral agreement between the school 795
district in which the child is entitled to attend school and 796
another school district or other public provider, or for a child 797
to attend a community school established under Chapter 3314. of 798
the Revised Code. However, nothing in this section or in any rule 799
adopted by the state board shall prohibit a parent whose child 800
attends a public special education program under a contract, 801
compact, or other bilateral agreement, or a parent whose child 802
attends a community school, from applying for and accepting a 803
scholarship under this section so that the parent may withdraw the 804
child from that program or community school and use the 805
scholarship for the child to attend a special education program 806
for which the parent is required to pay for services for the 807
child. 808

Except for development of the child's individualized 809
education program, the school district in which a qualified 810
special education child is entitled to attend school and the 811
child's school district of residence, as defined in section 812
3323.01 of the Revised Code, if different, are not obligated to 813
provide the child with a free appropriate public education under 814
Chapter 3323. of the Revised Code for as long as the child 815
continues to attend the special education program operated by 816

either an alternative public provider or a registered private 817
provider for which a scholarship is awarded under the autism 818
scholarship program. If at any time, the eligible applicant for 819
the child decides no longer to accept scholarship payments and 820
enrolls the child in the special education program of the school 821
district in which the child is entitled to attend school, that 822
district shall provide the child with a free appropriate public 823
education under Chapter 3323. of the Revised Code. 824

A child attending a special education program with a 825
scholarship under this section shall continue to be entitled to 826
transportation to and from that program in the manner prescribed 827
by law. 828

(C)(1) As prescribed in ~~divisions~~ division (A)(2)(h)~~7~~ 829
~~(B)(3)(g), and (B)(10)~~ of section 3317.03 of the Revised Code, a 830
child who is not a preschool child with a disability for whom a 831
scholarship is awarded under this section shall be counted in the 832
formula ADM ~~and the category six special education ADM~~ of the 833
district in which the child is entitled to attend school and not 834
in the formula ADM ~~and the category six special education ADM~~ of 835
any other school district. ~~As prescribed in divisions (B)(3)(h)~~ 836
~~and (B)(10) of section 3317.03 of the Revised Code, a child who is~~ 837
~~a preschool child with a disability for whom a scholarship is~~ 838
~~awarded under this section shall be counted in the preschool~~ 839
~~scholarship ADM and category six special education ADM of the~~ 840
~~school district in which the child is entitled to attend school~~ 841
~~and not in the preschool scholarship ADM or category six special~~ 842
~~education ADM of any other school district.~~ 843

(2) ~~In each fiscal year, the department shall deduct from the~~ 844
~~amounts paid to each school district under Chapter 3317. of the~~ 845
~~Revised Code, and, if necessary, sections 321.24 and 323.156 of~~ 846
~~the Revised Code, the aggregate amount of scholarships awarded~~ 847
~~under this section for qualified special education children~~ 848

~~included in the formula ADM, or preschool scholarship ADM, and in 849
the category six special education ADM of that school district as 850
provided in division (C)(1) of this section. 851~~

~~The scholarships deducted shall be considered as an approved 852
special education and related services expense of the school 853
district. 854~~

~~(3) From time to time, the department shall make a payment to 855
the parent of each qualified special education child for whom a 856
scholarship has been awarded under this section. The scholarship 857
amount shall be proportionately reduced in the case of any such 858
child who is not enrolled in the special education program for 859
which a scholarship was awarded under this section for the entire 860
school year. The department shall make no payments to the parent 861
of a child while any administrative or judicial mediation or 862
proceedings with respect to the content of the child's 863
individualized education program are pending. 864~~

~~(D) A scholarship shall not be paid to a parent for payment 865
of tuition owed to a nonpublic entity unless that entity is a 866
registered private provider. The department shall approve entities 867
that meet the standards established by rule of the state board for 868
the program established under this section. 869~~

~~(E) The state board shall adopt rules under Chapter 119. of 870
the Revised Code prescribing procedures necessary to implement 871
this section, including, but not limited to, procedures and 872
deadlines for parents to apply for scholarships, standards for 873
registered private providers, and procedures for approval of 874
entities as registered private providers. 875~~

~~The rules also shall specify that intervention services under 876
the autism scholarship program may be provided by a qualified, 877
credentialed provider, including, but not limited to, all of the 878
following: 879~~

(1) A behavior analyst certified by a nationally recognized organization that certifies behavior analysts;	880 881
(2) A psychologist licensed to practice in this state under Chapter 4732. of the Revised Code;	882 883
(3) A school psychologist licensed by the state board under section 3319.22 of the Revised Code;	884 885
(4) Any person employed by a licensed psychologist or licensed school psychologist, while carrying out specific tasks, under the licensee's supervision, as an extension of the licensee's legal and ethical authority as specified under Chapter 4732. of the Revised Code who is ascribed as "psychology trainee," "psychology assistant," "psychology intern," or other appropriate term that clearly implies their supervised or training status;	886 887 888 889 890 891 892
(5) Unlicensed persons holding a doctoral degree in psychology or special education from a program approved by the state board;	893 894 895
(6) Any other qualified individual as determined by the state board.	896 897
(F) The department shall provide reasonable notice to all parents of children receiving a scholarship under the autism scholarship program, alternative public providers, and registered private providers of any amendment to a rule governing, or change in the administration of, the autism scholarship program.	898 899 900 901 902
Sec. 3310.51. As used in sections 3310.51 to 3310.64 of the Revised Code:	903 904
(A) "Alternative public provider" means either of the following providers that agrees to enroll a child in the provider's special education program to implement the child's individualized education program and to which the eligible applicant owes fees for the services provided to the child:	905 906 907 908 909

(1) A school district that is not the school district in which the child is entitled to attend school or the child's school district of residence, if different;	910 911 912
(2) A public entity other than a school district.	913
(B) "Child with a disability" and "individualized education program" have the same meanings as in section 3323.01 of the Revised Code.	914 915 916
(C) "Eligible applicant" means any of the following:	917
(1) Either of the natural or adoptive parents of a qualified special education child, except as otherwise specified in this division. When the marriage of the natural or adoptive parents of the student has been terminated by a divorce, dissolution of marriage, or annulment, or when the natural or adoptive parents of the student are living separate and apart under a legal separation decree, and a court has issued an order allocating the parental rights and responsibilities with respect to the child, "eligible applicant" means the residential parent as designated by the court. If the court issues a shared parenting decree, "eligible applicant" means either parent. "Eligible applicant" does not mean a parent whose custodial rights have been terminated.	918 919 920 921 922 923 924 925 926 927 928 929
(2) The custodian of a qualified special education child, when a court has granted temporary, legal, or permanent custody of the child to an individual other than either of the natural or adoptive parents of the child or to a government agency;	930 931 932 933
(3) The guardian of a qualified special education child, when a court has appointed a guardian for the child;	934 935
(4) The grandparent of a qualified special education child, when the grandparent is the child's attorney in fact under a power of attorney executed under sections 3109.51 to 3109.62 of the Revised Code or when the grandparent has executed a caregiver <u>caretaker</u> authorization affidavit under sections 3109.65 to	936 937 938 939 940

3109.73 of the Revised Code;	941
(5) The surrogate parent appointed for a qualified special education child pursuant to division (B) of section 3323.05 and section 3323.051 of the Revised Code;	942 943 944
(6) A qualified special education child, if the child does not have a custodian or guardian and the child is at least eighteen years of age.	945 946 947
(D) "Entitled to attend school" means entitled to attend school in a school district under sections 3313.64 and 3313.65 of the Revised Code.	948 949 950
(E) "Formula ADM" and "formula amount" <u>have</u> the same meanings <u>meaning</u> as in section 3317.02 of the Revised Code.	951 952
(F) "Qualified special education child" is a child for whom all of the following conditions apply:	953 954
(1) The child is at least five years of age and less than twenty-two years of age.	955 956
(2) The school district in which the child is entitled to attend school, or the child's school district of residence if different, has identified the child as a child with a disability.	957 958 959
(3) The school district in which the child is entitled to attend school, or the child's school district of residence if different, has developed an individualized education program under Chapter 3323. of the Revised Code for the child.	960 961 962 963
(4) The child either:	964
(a) Was enrolled in the schools of the school district in which the child is entitled to attend school in any grade from kindergarten through twelve in the school year prior to the school year in which a scholarship is first sought for the child;	965 966 967 968
(b) Is eligible to enter school in any grade kindergarten through twelve in the school district in which the child is	969 970

entitled to attend school in the school year in which a 971
scholarship is first sought for the child. 972

(5) The department of education has not approved a 973
scholarship for the child under the educational choice scholarship 974
pilot program, under sections 3310.01 to 3310.17 of the Revised 975
Code, the autism scholarship program, under section 3310.41 of the 976
Revised Code, or the pilot project scholarship program, under 977
sections 3313.974 to 3313.979 of the Revised Code for the same 978
school year in which a scholarship under the Jon Peterson special 979
needs scholarship program is sought. 980

(6) The child and the child's parents are in compliance with 981
the state compulsory attendance law under Chapter 3321. of the 982
Revised Code. 983

(G) "Registered private provider" means a nonpublic school or 984
other nonpublic entity that has been registered by the 985
superintendent of public instruction under section 3310.58 of the 986
Revised Code. 987

(H) "Scholarship" means a scholarship awarded under the Jon 988
Peterson special needs scholarship program pursuant to sections 989
3310.51 to 3310.64 of the Revised Code. 990

(I) "School district of residence" has the same meaning as in 991
section 3323.01 of the Revised Code. A community school 992
established under Chapter 3314. of the Revised Code is not a 993
"school district of residence" for purposes of sections 3310.51 to 994
3310.64 of the Revised Code. 995

(J) "School year" has the same meaning as in section 3313.62 996
of the Revised Code. 997

(K) "Special education program" means a school or facility 998
that provides special education and related services to children 999
with disabilities. 1000

Sec. 3310.54. A qualified special education child in any of 1001
grades kindergarten through twelve for whom a scholarship is 1002
awarded under the Jon Peterson special needs scholarship program 1003
shall be counted in the formula ADM ~~and category one through six~~ 1004
~~special education ADM, as appropriate,~~ of the school district in 1005
which the child is entitled to attend school. A qualified special 1006
education child shall not be counted in the formula ADM ~~or~~ 1007
~~category one through six special education ADM~~ of any other school 1008
district. 1009

Sec. 3310.56. (A) The amount of the scholarship awarded and 1010
paid to an eligible applicant for services for a qualified special 1011
education child under the Jon Peterson special needs scholarship 1012
program in each school year shall be the least of the amounts 1013
prescribed in divisions (A)(1), (2), and (3) of this section, as 1014
follows: 1015

(1) The amount of fees charged for that school year by the 1016
alternative public provider or registered private provider; 1017

(2) The sum of the amounts calculated under divisions 1018
(A)(2)(a) and (b) of this section: 1019

(a) ~~The formula amount~~ \$6,020; 1020

(b) An amount prescribed for the child's disability as 1021
follows: 1022

(i) For a student in category one, ~~the amount specified in~~ 1023
~~division (A) of section 3317.013 of the Revised Code~~ \$1,578; 1024

(ii) For a student in category two, ~~the amount specified in~~ 1025
~~division (B) of section 3317.013 of the Revised Code~~ \$4,005; 1026

(iii) For a student in category three, ~~the amount specified~~ 1027
~~in division (C) of section 3317.013 of the Revised Code~~ \$9,662; 1028

(iv) For a student in category four, ~~the amount specified in~~ 1029

division (D) of section 3317.013 of the Revised Code <u>\$12,841;</u>	1030
(v) For a student in category five, the amount specified in	1031
division (E) of section 3317.013 of the Revised Code <u>\$17,390;</u>	1032
(vi) For a student in category six, the amount specified in	1033
division (F) of section 3317.013 of the Revised Code <u>\$25,637.</u>	1034
(3) Twenty-seven thousand dollars.	1035
(B) As used in division (A)(2)(b) of this section, a child	1036
with a disability is in:	1037
(1) "Category one" if the child is receiving special	1038
education services for a disability specified in division (A) of	1039
section 3317.013 of the Revised Code;	1040
(2) "Category two" if the child is receiving special	1041
education services for a disability specified in division (B) of	1042
section 3317.013 of the Revised Code;	1043
(3) "Category three" if the child is receiving special	1044
education services for a disability specified in division (C) of	1045
section 3317.013 of the Revised Code;	1046
(4) "Category four" if the child is receiving special	1047
education services for a disability specified in division (D) of	1048
section 3317.013 of the Revised Code;	1049
(5) "Category five" if the child is receiving special	1050
education services for a disability specified in division (E) of	1051
section 3317.013 of the Revised Code;	1052
(6) "Category six" if the child is receiving special	1053
education services for a disability specified in division (F) of	1054
section 3317.013 of the Revised Code.	1055
Sec. 3313.64. (A) As used in this section and in section	1056
3313.65 of the Revised Code:	1057
(1)(a) Except as provided in division (A)(1)(b) of this	1058

section, "parent" means either parent, unless the parents are 1059
separated or divorced or their marriage has been dissolved or 1060
annulled, in which case "parent" means the parent who is the 1061
residential parent and legal custodian of the child. When a child 1062
is in the legal custody of a government agency or a person other 1063
than the child's natural or adoptive parent, "parent" means the 1064
parent with residual parental rights, privileges, and 1065
responsibilities. When a child is in the permanent custody of a 1066
government agency or a person other than the child's natural or 1067
adoptive parent, "parent" means the parent who was divested of 1068
parental rights and responsibilities for the care of the child and 1069
the right to have the child live with the parent and be the legal 1070
custodian of the child and all residual parental rights, 1071
privileges, and responsibilities. 1072

(b) When a child is the subject of a power of attorney 1073
executed under sections 3109.51 to 3109.62 of the Revised Code, 1074
"parent" means the grandparent designated as attorney in fact 1075
under the power of attorney. When a child is the subject of a 1076
caretaker authorization affidavit executed under sections 3109.64 1077
to 3109.73 of the Revised Code, "parent" means the grandparent 1078
that executed the affidavit. 1079

(2) "Legal custody," "permanent custody," and "residual 1080
parental rights, privileges, and responsibilities" have the same 1081
meanings as in section 2151.011 of the Revised Code. 1082

(3) "School district" or "district" means a city, local, or 1083
exempted village school district and excludes any school operated 1084
in an institution maintained by the department of youth services. 1085

(4) Except as used in division (C)(2) of this section, "home" 1086
means a home, institution, foster home, group home, or other 1087
residential facility in this state that receives and cares for 1088
children, to which any of the following applies: 1089

(a) The home is licensed, certified, or approved for such purpose by the state or is maintained by the department of youth services.

(b) The home is operated by a person who is licensed, certified, or approved by the state to operate the home for such purpose.

(c) The home accepted the child through a placement by a person licensed, certified, or approved to place a child in such a home by the state.

(d) The home is a children's home created under section 5153.21 or 5153.36 of the Revised Code.

(5) "Agency" means all of the following:

(a) A public children services agency;

(b) An organization that holds a certificate issued by the Ohio department of job and family services in accordance with the requirements of section 5103.03 of the Revised Code and assumes temporary or permanent custody of children through commitment, agreement, or surrender, and places children in family homes for the purpose of adoption;

(c) Comparable agencies of other states or countries that have complied with applicable requirements of section 2151.39 of the Revised Code or as applicable, sections 5103.20 to 5103.22 or 5103.23 to 5103.237 of the Revised Code.

(6) A child is placed for adoption if either of the following occurs:

(a) An agency to which the child has been permanently committed or surrendered enters into an agreement with a person pursuant to section 5103.16 of the Revised Code for the care and adoption of the child.

(b) The child's natural parent places the child pursuant to

section 5103.16 of the Revised Code with a person who will care 1120
for and adopt the child. 1121

(7) "Preschool child with a disability" has the same meaning 1122
as in section 3323.01 of the Revised Code. 1123

(8) "Child," unless otherwise indicated, includes preschool 1124
children with disabilities. 1125

(9) "Active duty" means active duty pursuant to an executive 1126
order of the president of the United States, an act of the 1127
congress of the United States, or section 5919.29 or 5923.21 of 1128
the Revised Code. 1129

(B) Except as otherwise provided in section 3321.01 of the 1130
Revised Code for admittance to kindergarten and first grade, a 1131
child who is at least five but under twenty-two years of age and 1132
any preschool child with a disability shall be admitted to school 1133
as provided in this division. 1134

(1) A child shall be admitted to the schools of the school 1135
district in which the child's parent resides. 1136

(2) Except as provided in division (B) of section 2151.362 1137
and section 3317.30 of the Revised Code, a child who does not 1138
reside in the district where the child's parent resides shall be 1139
admitted to the schools of the district in which the child resides 1140
if any of the following applies: 1141

(a) The child is in the legal or permanent custody of a 1142
government agency or a person other than the child's natural or 1143
adoptive parent. 1144

(b) The child resides in a home. 1145

(c) The child requires special education. 1146

(3) A child who is not entitled under division (B)(2) of this 1147
section to be admitted to the schools of the district where the 1148
child resides and who is residing with a resident of this state 1149

with whom the child has been placed for adoption shall be admitted 1150
to the schools of the district where the child resides unless 1151
either of the following applies: 1152

(a) The placement for adoption has been terminated. 1153

(b) Another school district is required to admit the child 1154
under division (B)(1) of this section. 1155

Division (B) of this section does not prohibit the board of 1156
education of a school district from placing a child with a 1157
disability who resides in the district in a special education 1158
program outside of the district or its schools in compliance with 1159
Chapter 3323. of the Revised Code. 1160

(C) A district shall not charge tuition for children admitted 1161
under division (B)(1) or (3) of this section. If the district 1162
admits a child under division (B)(2) of this section, tuition 1163
shall be paid to the district that admits the child as provided in 1164
divisions (C)(1) to (3) of this section, unless division (C)(4) of 1165
this section applies to the child: 1166

(1) If the child receives special education in accordance 1167
with Chapter 3323. of the Revised Code, the school district of 1168
residence, as defined in section 3323.01 of the Revised Code, 1169
shall pay tuition for the child in accordance with section 1170
3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code 1171
regardless of who has custody of the child or whether the child 1172
resides in a home. 1173

(2) For a child that does not receive special education in 1174
accordance with Chapter 3323. of the Revised Code, except as 1175
otherwise provided in division (C)(2)(d) of this section, if the 1176
child is in the permanent or legal custody of a government agency 1177
or person other than the child's parent, tuition shall be paid by: 1178

(a) The district in which the child's parent resided at the 1179
time the court removed the child from home or at the time the 1180

court vested legal or permanent custody of the child in the person 1181
or government agency, whichever occurred first; 1182

(b) If the parent's residence at the time the court removed 1183
the child from home or placed the child in the legal or permanent 1184
custody of the person or government agency is unknown, tuition 1185
shall be paid by the district in which the child resided at the 1186
time the child was removed from home or placed in legal or 1187
permanent custody, whichever occurred first; 1188

(c) If a school district cannot be established under division 1189
(C)(2)(a) or (b) of this section, tuition shall be paid by the 1190
district determined as required by section 2151.362 of the Revised 1191
Code by the court at the time it vests custody of the child in the 1192
person or government agency; 1193

(d) If at the time the court removed the child from home or 1194
vested legal or permanent custody of the child in the person or 1195
government agency, whichever occurred first, one parent was in a 1196
residential or correctional facility or a juvenile residential 1197
placement and the other parent, if living and not in such a 1198
facility or placement, was not known to reside in this state, 1199
tuition shall be paid by the district determined under division 1200
(D) of section 3313.65 of the Revised Code as the district 1201
required to pay any tuition while the parent was in such facility 1202
or placement; 1203

(e) If the department of education has determined, pursuant 1204
to division (A)(2) of section 2151.362 of the Revised Code, that a 1205
school district other than the one named in the court's initial 1206
order, or in a prior determination of the department, is 1207
responsible to bear the cost of educating the child, the district 1208
so determined shall be responsible for that cost. 1209

(3) If the child is not in the permanent or legal custody of 1210
a government agency or person other than the child's parent and 1211

the child resides in a home, tuition shall be paid by one of the 1212
following: 1213

(a) The school district in which the child's parent resides; 1214

(b) If the child's parent is not a resident of this state, 1215
the home in which the child resides. 1216

(4) Division (C)(4) of this section applies to any child who 1217
is admitted to a school district under division (B)(2) of this 1218
section, resides in a home that is not a foster home, a home 1219
maintained by the department of youth services, a detention 1220
facility established under section 2152.41 of the Revised Code, or 1221
a juvenile facility established under section 2151.65 of the 1222
Revised Code, and receives educational services at the home or 1223
facility in which the child resides pursuant to a contract between 1224
the home or facility and the school district providing those 1225
services. 1226

If a child to whom division (C)(4) of this section applies is 1227
a special education student, a district may choose whether to 1228
receive a tuition payment for that child under division (C)(4) of 1229
this section or to receive a payment for that child under section 1230
3323.14 of the Revised Code. If a district chooses to receive a 1231
payment for that child under section 3323.14 of the Revised Code, 1232
it shall not receive a tuition payment for that child under 1233
division (C)(4) of this section. 1234

If a child to whom division (C)(4) of this section applies is 1235
not a special education student, a district shall receive a 1236
tuition payment for that child under division (C)(4) of this 1237
section. 1238

In the case of a child to which division (C)(4) of this 1239
section applies, the total educational cost to be paid for the 1240
child shall be determined by a formula approved by the department 1241
of education, which formula shall be designed to calculate a per 1242

diem cost for the educational services provided to the child for 1243
each day the child is served and shall reflect the total actual 1244
cost incurred in providing those services. The department shall 1245
certify the total educational cost to be paid for the child to 1246
both the school district providing the educational services and, 1247
if different, the school district that is responsible to pay 1248
tuition for the child. The department shall deduct the certified 1249
amount from the state basic aid funds payable under Chapter 3317. 1250
of the Revised Code to the district responsible to pay tuition and 1251
shall pay that amount to the district providing the educational 1252
services to the child. 1253

(D) Tuition required to be paid under divisions (C)(2) and 1254
(3)(a) of this section shall be computed in accordance with 1255
section 3317.08 of the Revised Code. Tuition required to be paid 1256
under division (C)(3)(b) of this section shall be computed in 1257
accordance with section 3317.081 of the Revised Code. If a home 1258
fails to pay the tuition required by division (C)(3)(b) of this 1259
section, the board of education providing the education may 1260
recover in a civil action the tuition and the expenses incurred in 1261
prosecuting the action, including court costs and reasonable 1262
attorney's fees. If the prosecuting attorney or city director of 1263
law represents the board in such action, costs and reasonable 1264
attorney's fees awarded by the court, based upon the prosecuting 1265
attorney's, director's, or one of their designee's time spent 1266
preparing and presenting the case, shall be deposited in the 1267
county or city general fund. 1268

(E) A board of education may enroll a child free of any 1269
tuition obligation for a period not to exceed sixty days, on the 1270
sworn statement of an adult resident of the district that the 1271
resident has initiated legal proceedings for custody of the child. 1272

(F) In the case of any individual entitled to attend school 1273
under this division, no tuition shall be charged by the school 1274

district of attendance and no other school district shall be 1275
required to pay tuition for the individual's attendance. 1276
Notwithstanding division (B), (C), or (E) of this section: 1277

(1) All persons at least eighteen but under twenty-two years 1278
of age who live apart from their parents, support themselves by 1279
their own labor, and have not successfully completed the high 1280
school curriculum or the individualized education program 1281
developed for the person by the high school pursuant to section 1282
3323.08 of the Revised Code, are entitled to attend school in the 1283
district in which they reside. 1284

(2) Any child under eighteen years of age who is married is 1285
entitled to attend school in the child's district of residence. 1286

(3) A child is entitled to attend school in the district in 1287
which either of the child's parents is employed if the child has a 1288
medical condition that may require emergency medical attention. 1289
The parent of a child entitled to attend school under division 1290
(F)(3) of this section shall submit to the board of education of 1291
the district in which the parent is employed a statement from the 1292
child's physician certifying that the child's medical condition 1293
may require emergency medical attention. The statement shall be 1294
supported by such other evidence as the board may require. 1295

(4) Any child residing with a person other than the child's 1296
parent is entitled, for a period not to exceed twelve months, to 1297
attend school in the district in which that person resides if the 1298
child's parent files an affidavit with the superintendent of the 1299
district in which the person with whom the child is living resides 1300
stating all of the following: 1301

(a) That the parent is serving outside of the state in the 1302
armed services of the United States; 1303

(b) That the parent intends to reside in the district upon 1304
returning to this state; 1305

(c) The name and address of the person with whom the child is living while the parent is outside the state.

(5) Any child under the age of twenty-two years who, after the death of a parent, resides in a school district other than the district in which the child attended school at the time of the parent's death is entitled to continue to attend school in the district in which the child attended school at the time of the parent's death for the remainder of the school year, subject to approval of that district board.

(6) A child under the age of twenty-two years who resides with a parent who is having a new house built in a school district outside the district where the parent is residing is entitled to attend school for a period of time in the district where the new house is being built. In order to be entitled to such attendance, the parent shall provide the district superintendent with the following:

(a) A sworn statement explaining the situation, revealing the location of the house being built, and stating the parent's intention to reside there upon its completion;

(b) A statement from the builder confirming that a new house is being built for the parent and that the house is at the location indicated in the parent's statement.

(7) A child under the age of twenty-two years residing with a parent who has a contract to purchase a house in a school district outside the district where the parent is residing and who is waiting upon the date of closing of the mortgage loan for the purchase of such house is entitled to attend school for a period of time in the district where the house is being purchased. In order to be entitled to such attendance, the parent shall provide the district superintendent with the following:

(a) A sworn statement explaining the situation, revealing the

location of the house being purchased, and stating the parent's 1337
intent to reside there; 1338

(b) A statement from a real estate broker or bank officer 1339
confirming that the parent has a contract to purchase the house, 1340
that the parent is waiting upon the date of closing of the 1341
mortgage loan, and that the house is at the location indicated in 1342
the parent's statement. 1343

The district superintendent shall establish a period of time 1344
not to exceed ninety days during which the child entitled to 1345
attend school under division (F)(6) or (7) of this section may 1346
attend without tuition obligation. A student attending a school 1347
under division (F)(6) or (7) of this section shall be eligible to 1348
participate in interscholastic athletics under the auspices of 1349
that school, provided the board of education of the school 1350
district where the student's parent resides, by a formal action, 1351
releases the student to participate in interscholastic athletics 1352
at the school where the student is attending, and provided the 1353
student receives any authorization required by a public agency or 1354
private organization of which the school district is a member 1355
exercising authority over interscholastic sports. 1356

(8) A child whose parent is a full-time employee of a city, 1357
local, or exempted village school district, or of an educational 1358
service center, may be admitted to the schools of the district 1359
where the child's parent is employed, or in the case of a child 1360
whose parent is employed by an educational service center, in the 1361
district that serves the location where the parent's job is 1362
primarily located, provided the district board of education 1363
establishes such an admission policy by resolution adopted by a 1364
majority of its members. Any such policy shall take effect on the 1365
first day of the school year and the effective date of any 1366
amendment or repeal may not be prior to the first day of the 1367
subsequent school year. The policy shall be uniformly applied to 1368

all such children and shall provide for the admission of any such child upon request of the parent. No child may be admitted under this policy after the first day of classes of any school year.

(9) A child who is with the child's parent under the care of a shelter for victims of domestic violence, as defined in section 3113.33 of the Revised Code, is entitled to attend school free in the district in which the child is with the child's parent, and no other school district shall be required to pay tuition for the child's attendance in that school district.

The enrollment of a child in a school district under this division shall not be denied due to a delay in the school district's receipt of any records required under section 3313.672 of the Revised Code or any other records required for enrollment. Any days of attendance and any credits earned by a child while enrolled in a school district under this division shall be transferred to and accepted by any school district in which the child subsequently enrolls. The state board of education shall adopt rules to ensure compliance with this division.

(10) Any child under the age of twenty-two years whose parent has moved out of the school district after the commencement of classes in the child's senior year of high school is entitled, subject to the approval of that district board, to attend school in the district in which the child attended school at the time of the parental move for the remainder of the school year and for one additional semester or equivalent term. A district board may also adopt a policy specifying extenuating circumstances under which a student may continue to attend school under division (F)(10) of this section for an additional period of time in order to successfully complete the high school curriculum for the individualized education program developed for the student by the high school pursuant to section 3323.08 of the Revised Code.

(11) As used in this division, "grandparent" means a parent

of a parent of a child. A child under the age of twenty-two years 1401
who is in the custody of the child's parent, resides with a 1402
grandparent, and does not require special education is entitled to 1403
attend the schools of the district in which the child's 1404
grandparent resides, provided that, prior to such attendance in 1405
any school year, the board of education of the school district in 1406
which the child's grandparent resides and the board of education 1407
of the school district in which the child's parent resides enter 1408
into a written agreement specifying that good cause exists for 1409
such attendance, describing the nature of this good cause, and 1410
consenting to such attendance. 1411

In lieu of a consent form signed by a parent, a board of 1412
education may request the grandparent of a child attending school 1413
in the district in which the grandparent resides pursuant to 1414
division (F)(11) of this section to complete any consent form 1415
required by the district, including any authorization required by 1416
sections 3313.712, 3313.713, 3313.716, and 3313.718 of the Revised 1417
Code. Upon request, the grandparent shall complete any consent 1418
form required by the district. A school district shall not incur 1419
any liability solely because of its receipt of a consent form from 1420
a grandparent in lieu of a parent. 1421

Division (F)(11) of this section does not create, and shall 1422
not be construed as creating, a new cause of action or substantive 1423
legal right against a school district, a member of a board of 1424
education, or an employee of a school district. This section does 1425
not affect, and shall not be construed as affecting, any 1426
immunities from defenses to tort liability created or recognized 1427
by Chapter 2744. of the Revised Code for a school district, 1428
member, or employee. 1429

(12) A child under the age of twenty-two years is entitled to 1430
attend school in a school district other than the district in 1431
which the child is entitled to attend school under division (B), 1432

(C), or (E) of this section provided that, prior to such 1433
attendance in any school year, both of the following occur: 1434

(a) The superintendent of the district in which the child is 1435
entitled to attend school under division (B), (C), or (E) of this 1436
section contacts the superintendent of another district for 1437
purposes of this division; 1438

(b) The superintendents of both districts enter into a 1439
written agreement that consents to the attendance and specifies 1440
that the purpose of such attendance is to protect the student's 1441
physical or mental well-being or to deal with other extenuating 1442
circumstances deemed appropriate by the superintendents. 1443

While an agreement is in effect under this division for a 1444
student who is not receiving special education under Chapter 3323. 1445
of the Revised Code and notwithstanding Chapter 3327. of the 1446
Revised Code, the board of education of neither school district 1447
involved in the agreement is required to provide transportation 1448
for the student to and from the school where the student attends. 1449

A student attending a school of a district pursuant to this 1450
division shall be allowed to participate in all student 1451
activities, including interscholastic athletics, at the school 1452
where the student is attending on the same basis as any student 1453
who has always attended the schools of that district while of 1454
compulsory school age. 1455

(13) All school districts shall comply with the 1456
"McKinney-Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et 1457
seq., for the education of homeless children. Each city, local, 1458
and exempted village school district shall comply with the 1459
requirements of that act governing the provision of a free, 1460
appropriate public education, including public preschool, to each 1461
homeless child. 1462

When a child loses permanent housing and becomes a homeless 1463

person, as defined in 42 U.S.C.A. 11481(5), or when a child who is 1464
such a homeless person changes temporary living arrangements, the 1465
child's parent or guardian shall have the option of enrolling the 1466
child in either of the following: 1467

(a) The child's school of origin, as defined in 42 U.S.C.A. 1468
11432(g)(3)(C); 1469

(b) The school that is operated by the school district in 1470
which the shelter where the child currently resides is located and 1471
that serves the geographic area in which the shelter is located. 1472

(14) A child under the age of twenty-two years who resides 1473
with a person other than the child's parent is entitled to attend 1474
school in the school district in which that person resides if both 1475
of the following apply: 1476

(a) That person has been appointed, through a military power 1477
of attorney executed under section 574(a) of the "National Defense 1478
Authorization Act for Fiscal Year 1994," 107 Stat. 1674 (1993), 10 1479
U.S.C. 1044b, or through a comparable document necessary to 1480
complete a family care plan, as the parent's agent for the care, 1481
custody, and control of the child while the parent is on active 1482
duty as a member of the national guard or a reserve unit of the 1483
armed forces of the United States or because the parent is a 1484
member of the armed forces of the United States and is on a duty 1485
assignment away from the parent's residence. 1486

(b) The military power of attorney or comparable document 1487
includes at least the authority to enroll the child in school. 1488

The entitlement to attend school in the district in which the 1489
parent's agent under the military power of attorney or comparable 1490
document resides applies until the end of the school year in which 1491
the military power of attorney or comparable document expires. 1492

(G) A board of education, after approving admission, may 1493
waive tuition for students who will temporarily reside in the 1494

district and who are either of the following: 1495

(1) Residents or domiciliaries of a foreign nation who 1496
request admission as foreign exchange students; 1497

(2) Residents or domiciliaries of the United States but not 1498
of Ohio who request admission as participants in an exchange 1499
program operated by a student exchange organization. 1500

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 3323.04, 1501
3327.04, and 3327.06 of the Revised Code, a child may attend 1502
school or participate in a special education program in a school 1503
district other than in the district where the child is entitled to 1504
attend school under division (B) of this section. 1505

(I)(1) Notwithstanding anything to the contrary in this 1506
section or section 3313.65 of the Revised Code, a child under 1507
twenty-two years of age may attend school in the school district 1508
in which the child, at the end of the first full week of October 1509
of the school year, was entitled to attend school as otherwise 1510
provided under this section or section 3313.65 of the Revised 1511
Code, if at that time the child was enrolled in the schools of the 1512
district but since that time the child or the child's parent has 1513
relocated to a new address located outside of that school district 1514
and within the same county as the child's or parent's address 1515
immediately prior to the relocation. The child may continue to 1516
attend school in the district, and at the school to which the 1517
child was assigned at the end of the first full week of October of 1518
the current school year, for the balance of the school year. 1519
Division (I)(1) of this section applies only if both of the 1520
following conditions are satisfied: 1521

(a) The board of education of the school district in which 1522
the child was entitled to attend school at the end of the first 1523
full week in October and of the district to which the child or 1524
child's parent has relocated each has adopted a policy to enroll 1525

children described in division (I)(1) of this section. 1526

(b) The child's parent provides written notification of the 1527
relocation outside of the school district to the superintendent of 1528
each of the two school districts. 1529

(2) At the beginning of the school year following the school 1530
year in which the child or the child's parent relocated outside of 1531
the school district as described in division (I)(1) of this 1532
section, the child is not entitled to attend school in the school 1533
district under that division. 1534

(3) Any person or entity owing tuition to the school district 1535
on behalf of the child at the end of the first full week in 1536
October, as provided in division (C) of this section, shall 1537
continue to owe such tuition to the district for the child's 1538
attendance under division (I)(1) of this section for the lesser of 1539
the balance of the school year or the balance of the time that the 1540
child attends school in the district under division (I)(1) of this 1541
section. 1542

(4) A pupil who may attend school in the district under 1543
division (I)(1) of this section shall be entitled to 1544
transportation services pursuant to an agreement between the 1545
district and the district in which the child or child's parent has 1546
relocated unless the districts have not entered into such 1547
agreement, in which case the child shall be entitled to 1548
transportation services in the same manner as a pupil attending 1549
school in the district under interdistrict open enrollment as 1550
described in division ~~(H)~~(E) of section 3313.981 of the Revised 1551
Code, regardless of whether the district has adopted an open 1552
enrollment policy as described in division (B)(1)(b) or (c) of 1553
section 3313.98 of the Revised Code. 1554

(J) This division does not apply to a child receiving special 1555
education. 1556

A school district required to pay tuition pursuant to 1557
division (C)(2) or (3) of this section or section 3313.65 of the 1558
Revised Code shall have an amount deducted under division (C) of 1559
section 3317.023 of the Revised Code equal to its own tuition rate 1560
for the same period of attendance. A school district entitled to 1561
receive tuition pursuant to division (C)(2) or (3) of this section 1562
or section 3313.65 of the Revised Code shall have an amount 1563
credited under division (C) of section 3317.023 of the Revised 1564
Code equal to its own tuition rate for the same period of 1565
attendance. If the tuition rate credited to the district of 1566
attendance exceeds the rate deducted from the district required to 1567
pay tuition, the department of education shall pay the district of 1568
attendance the difference from amounts deducted from all 1569
districts' payments under division (C) of section 3317.023 of the 1570
Revised Code but not credited to other school districts under such 1571
division and from appropriations made for such purpose. The 1572
treasurer of each school district shall, by the fifteenth day of 1573
January and July, furnish the superintendent of public instruction 1574
a report of the names of each child who attended the district's 1575
schools under divisions (C)(2) and (3) of this section or section 1576
3313.65 of the Revised Code during the preceding six calendar 1577
months, the duration of the attendance of those children, the 1578
school district responsible for tuition on behalf of the child, 1579
and any other information that the superintendent requires. 1580

Upon receipt of the report the superintendent, pursuant to 1581
division (C) of section 3317.023 of the Revised Code, shall deduct 1582
each district's tuition obligations under divisions (C)(2) and (3) 1583
of this section or section 3313.65 of the Revised Code and pay to 1584
the district of attendance that amount plus any amount required to 1585
be paid by the state. 1586

(K) In the event of a disagreement, the superintendent of 1587
public instruction shall determine the school district in which 1588

the parent resides. 1589

(L) Nothing in this section requires or authorizes, or shall 1590
be construed to require or authorize, the admission to a public 1591
school in this state of a pupil who has been permanently excluded 1592
from public school attendance by the superintendent of public 1593
instruction pursuant to sections 3301.121 and 3313.662 of the 1594
Revised Code. 1595

(M) In accordance with division (B)(1) of this section, a 1596
child whose parent is a member of the national guard or a reserve 1597
unit of the armed forces of the United States and is called to 1598
active duty, or a child whose parent is a member of the armed 1599
forces of the United States and is ordered to a temporary duty 1600
assignment outside of the district, may continue to attend school 1601
in the district in which the child's parent lived before being 1602
called to active duty or ordered to a temporary duty assignment 1603
outside of the district, as long as the child's parent continues 1604
to be a resident of that district, and regardless of where the 1605
child lives as a result of the parent's active duty status or 1606
temporary duty assignment. However, the district is not 1607
responsible for providing transportation for the child if the 1608
child lives outside of the district as a result of the parent's 1609
active duty status or temporary duty assignment. 1610

Sec. 3313.98. Notwithstanding division (D) of section 3311.19 1611
and division (D) of section 3311.52 of the Revised Code, the 1612
provisions of this section and sections 3313.981 to 3313.983 of 1613
the Revised Code that apply to a city school district do not apply 1614
to a joint vocational or cooperative education school district 1615
unless expressly specified. 1616

(A) As used in this section and sections 3313.981 to 3313.983 1617
of the Revised Code: 1618

(1) "Parent" means either of the natural or adoptive parents 1619

of a student, except under the following conditions: 1620

(a) When the marriage of the natural or adoptive parents of 1621
the student has been terminated by a divorce, dissolution of 1622
marriage, or annulment or the natural or adoptive parents of the 1623
student are living separate and apart under a legal separation 1624
decree and the court has issued an order allocating the parental 1625
rights and responsibilities with respect to the student, "parent" 1626
means the residential parent as designated by the court except 1627
that "parent" means either parent when the court issues a shared 1628
parenting decree. 1629

(b) When a court has granted temporary or permanent custody 1630
of the student to an individual or agency other than either of the 1631
natural or adoptive parents of the student, "parent" means the 1632
legal custodian of the child. 1633

(c) When a court has appointed a guardian for the student, 1634
"parent" means the guardian of the student. 1635

(2) "Native student" means a student entitled under section 1636
3313.64 or 3313.65 of the Revised Code to attend school in a 1637
district adopting a resolution under this section. 1638

(3) "Adjacent district" means a city, exempted village, or 1639
local school district having territory that abuts the territory of 1640
a district adopting a resolution under this section. 1641

(4) "Adjacent district student" means a student entitled 1642
under section 3313.64 or 3313.65 of the Revised Code to attend 1643
school in an adjacent district. 1644

(5) "Adjacent district joint vocational student" means an 1645
adjacent district student who enrolls in a city, exempted village, 1646
or local school district pursuant to this section and who also 1647
enrolls in a joint vocational school district that does not 1648
contain the territory of the district for which that student is a 1649
native student and does contain the territory of the city, 1650

exempted village, or local district in which the student enrolls. 1651

~~(6) "Formula amount" has the same meaning as in section 3317.02 of the Revised Code.~~ 1652
1653

~~(7)~~ "Poverty line" means the poverty line established by the 1654
director of the United States office of management and budget as 1655
revised by the secretary of health and human services in 1656
accordance with section 673(2) of the "Community Services Block 1657
Grant Act," 95 Stat. 1609, 42 U.S.C.A. 9902, as amended. 1658

~~(8)~~ (7) "IEP" has the same meaning as in section 3323.01 of 1659
the Revised Code. 1660

~~(9)~~ (8) "Other district" means a city, exempted village, or 1661
local school district having territory outside of the territory of 1662
a district adopting a resolution under this section. 1663

~~(10)~~ (9) "Other district student" means a student entitled 1664
under section 3313.64 or 3313.65 of the Revised Code to attend 1665
school in an other district. 1666

~~(11)~~ (10) "Other district joint vocational student" means a 1667
student who is enrolled in any city, exempted village, or local 1668
school district and who also enrolls in a joint vocational school 1669
district that does not contain the territory of the district for 1670
which that student is a native student in accordance with a policy 1671
adopted under section 3313.983 of the Revised Code. 1672

(B)(1) The board of education of each city, local, and 1673
exempted village school district shall adopt a resolution 1674
establishing for the school district one of the following 1675
policies: 1676

(a) A policy that entirely prohibits the enrollment of 1677
students from adjacent districts or other districts, other than 1678
students for whom tuition is paid in accordance with section 1679
3317.08 of the Revised Code; 1680

(b) A policy that permits enrollment of students from all adjacent districts in accordance with policy statements contained in the resolution;

(c) A policy that permits enrollment of students from all other districts in accordance with policy statements contained in the resolution.

(2) A policy permitting enrollment of students from adjacent or from other districts, as applicable, shall provide for all of the following:

(a) Application procedures, including deadlines for application and for notification of students and the superintendent of the applicable district whenever an adjacent or other district student's application is approved.

(b) Procedures for admitting adjacent or other district applicants free of any tuition obligation to the district's schools, including, but not limited to:

(i) The establishment of district capacity limits by grade level, school building, and education program;

(ii) A requirement that all native students wishing to be enrolled in the district will be enrolled and that any adjacent or other district students previously enrolled in the district shall receive preference over first-time applicants;

(iii) Procedures to ensure that an appropriate racial balance is maintained in the district schools.

(C) Except as provided in section 3313.982 of the Revised Code, the procedures for admitting adjacent or other district students, as applicable, shall not include:

(1) Any requirement of academic ability, or any level of athletic, artistic, or other extracurricular skills;

(2) Limitations on admitting applicants because of

disability, except that a board may refuse to admit a student 1711
receiving services under Chapter 3323. of the Revised Code, if the 1712
services described in the student's IEP are not available in the 1713
district's schools; 1714

(3) A requirement that the student be proficient in the 1715
English language; 1716

(4) Rejection of any applicant because the student has been 1717
subject to disciplinary proceedings, except that if an applicant 1718
has been suspended or expelled by the student's district for ten 1719
consecutive days or more in the term for which admission is sought 1720
or in the term immediately preceding the term for which admission 1721
is sought, the procedures may include a provision denying 1722
admission of such applicant. 1723

(D)(1) Each school board permitting only enrollment of 1724
adjacent district students shall provide information about the 1725
policy adopted under this section, including the application 1726
procedures and deadlines, to the superintendent and the board of 1727
education of each adjacent district and, upon request, to the 1728
parent of any adjacent district student. 1729

(2) Each school board permitting enrollment of other district 1730
students shall provide information about the policy adopted under 1731
this section, including the application procedures and deadlines, 1732
upon request, to the board of education of any other school 1733
district or to the parent of any student anywhere in the state. 1734

(E) Any school board shall accept all credits toward 1735
graduation earned in adjacent or other district schools by an 1736
adjacent or other district student or a native student. 1737

(F)(1) No board of education may adopt a policy discouraging 1738
or prohibiting its native students from applying to enroll in the 1739
schools of an adjacent or any other district that has adopted a 1740
policy permitting such enrollment, except that: 1741

(a) A district may object to the enrollment of a native student in an adjacent or other district in order to maintain an appropriate racial balance.

(b) The board of education of a district receiving funds under 64 Stat. 1100 (1950), 20 U.S.C.A. 236 et seq., as amended, may adopt a resolution objecting to the enrollment of its native students in adjacent or other districts if at least ten per cent of its students are included in the determination of the United States secretary of education made under section 20 U.S.C.A. 238(a).

(2) If a board objects to enrollment of native students under this division, any adjacent or other district shall refuse to enroll such native students unless tuition is paid for the students in accordance with section 3317.08 of the Revised Code. An adjacent or other district enrolling such students may not receive funding for those students in accordance with section 3313.981 of the Revised Code.

(G) The state board of education shall monitor school districts to ensure compliance with this section and the districts' policies. The board may adopt rules requiring uniform application procedures, deadlines for application, notification procedures, and record-keeping requirements for all school boards that adopt policies permitting the enrollment of adjacent or other district students, as applicable. If the state board adopts such rules, no school board shall adopt a policy that conflicts with those rules.

(H) A resolution adopted by a board of education under this section that entirely prohibits the enrollment of students from adjacent and from other school districts does not abrogate any agreement entered into under section 3313.841 or 3313.92 of the Revised Code or any contract entered into under section 3313.90 of the Revised Code between the board of education adopting the

resolution and the board of education of any adjacent or other 1774
district or prohibit these boards of education from entering into 1775
any such agreement or contract. 1776

(I) Nothing in this section shall be construed to permit or 1777
require the board of education of a city, exempted village, or 1778
local school district to exclude any native student of the 1779
district from enrolling in the district. 1780

Sec. 3313.981. (A) The state board of education shall adopt 1781
rules requiring all of the following: 1782

(1) The board of education of each city, exempted village, 1783
and local school district to annually report to the department of 1784
education all of the following: 1785

(a) The number of adjacent district or other district 1786
students in grades kindergarten through twelve, as applicable, the 1787
number of adjacent district or other district students who are 1788
preschool children with disabilities, as applicable, and the 1789
number of adjacent district or other district joint vocational 1790
students, as applicable, enrolled in the district, in accordance 1791
with a policy adopted under division (B) of section 3313.98 of the 1792
Revised Code; 1793

(b) The number of native students in grades kindergarten 1794
through twelve enrolled in adjacent or other districts and the 1795
number of native students who are preschool children with 1796
disabilities enrolled in adjacent or other districts, in 1797
accordance with a policy adopted under division (B) of section 1798
3313.98 of the Revised Code; 1799

(c) Each adjacent district or other district student's or 1800
adjacent district or other district joint vocational student's 1801
date of enrollment in the district; 1802

(d) The full-time equivalent number of adjacent district or 1803

other district students enrolled in each of the categories of 1804
career-technical education programs or classes described in 1805
section 3317.014 of the Revised Code; 1806

(e) Each native student's date of enrollment in an adjacent 1807
or other district. 1808

(2) The board of education of each joint vocational school 1809
district to annually report to the department all of the 1810
following: 1811

(a) The number of adjacent district or other district joint 1812
vocational students, as applicable, enrolled in the district; 1813

(b) The full-time equivalent number of adjacent district or 1814
other district joint vocational students enrolled in each category 1815
of career-technical education programs or classes described in 1816
section 3317.014 of the Revised Code; 1817

(c) For each adjacent district or other district joint 1818
vocational student, the city, exempted village, or local school 1819
district in which the student is also enrolled. 1820

(3) Prior to the end of each reporting period specified in 1821
section 3317.03 of the Revised Code, the superintendent of each 1822
city, local, or exempted village school district that admits 1823
adjacent district or other district students who are in grades 1824
kindergarten through twelve, adjacent district or other district 1825
students who are preschool children with disabilities, or adjacent 1826
district or other district joint vocational students in accordance 1827
with a policy adopted under division (B) of section 3313.98 of the 1828
Revised Code to report to the department of education each 1829
adjacent or other district's students and where those students who 1830
are enrolled in the superintendent's district under the policy are 1831
entitled to attend school under section 3313.64 or 3313.65 of the 1832
Revised Code. 1833

The rules shall provide for the method of counting students 1834

who are enrolled for part of a school year in an adjacent or other 1835
district or as an adjacent district or other district joint 1836
vocational student. 1837

(B) From the payments made to a city, exempted village, or 1838
local school district under Chapter 3317. of the Revised Code and, 1839
if necessary, from the payments made to the district under 1840
sections 321.24 and 323.156 of the Revised Code, the department of 1841
education shall annually subtract ~~all of the following:~~ 1842

~~(1) An amount equal to the number of the district's native 1843
students in grades kindergarten through twelve reported under 1844
division (A)(1) of this section who are enrolled in adjacent or 1845
other school districts pursuant to policies adopted by such 1846
districts under division (B) of section 3313.98 of the Revised 1847
Code multiplied by the formula amount;~~ 1848

~~(2) The excess costs computed in accordance with division (E) 1849
of this section for any such native students in grades 1850
kindergarten through twelve receiving special education and 1851
related services in adjacent or other school districts or as an 1852
adjacent district or other district joint vocational student;~~ 1853

~~(3) For each of the district's native students reported under 1854
division (A)(1)(d) or (2)(b) of this section as enrolled in 1855
career technical education programs or classes described in 1856
section 3317.014 of the Revised Code, the per pupil amount 1857
prescribed by that section for the student's respective 1858
career technical category, on a full-time equivalency basis;~~ 1859

~~(4) For, for each native student who is a preschool child 1860
with a disability reported under division (A)(1) of this section 1861
who is enrolled in an adjacent or other district pursuant to 1862
policies adopted by such a district under division (B) of section 1863
3313.98 of the Revised Code, \$4,000. 1864~~

(C) To the payments made to a city, exempted village, or 1865

local school district under Chapter 3317. of the Revised Code, the 1866
department of education shall annually add all of the following: 1867

~~(1) An amount equal to the formula amount multiplied by the 1868
remainder obtained by subtracting the number of adjacent district 1869
or other district joint vocational students from the number of 1870
adjacent district or other district students in grades 1871
kindergarten through twelve enrolled in the district, as reported 1872
under division (A)(1) of this section; 1873~~

~~(2) The excess costs computed in accordance with division (E) 1874
of this section for any adjacent district or other district 1875
students in grades kindergarten through twelve, except for any 1876
adjacent or other district joint vocational students, receiving 1877
special education and related services in the district; 1878~~

~~(3) For each of the adjacent or other district students who 1879
are not adjacent district or other district joint vocational 1880
students and are reported under division (A)(1)(d) of this section 1881
as enrolled in career technical education programs or classes 1882
described in section 3317.014 of the Revised Code, the per pupil 1883
amount prescribed by that section for the student's respective 1884
career technical category, on a full time equivalency basis; 1885~~

~~(4) An amount equal to the number of adjacent district or 1886
other district joint vocational students reported under division 1887
(A)(1) of this section multiplied by an amount equal to twenty per 1888
cent of the formula amount; 1889~~

~~(5) For, for each adjacent district or other district student 1890
who is a preschool child with a disability reported under division 1891
(A)(1) of this section who is enrolled in the district, \$4,000. 1892~~

~~(D) To the payments made to a joint vocational school 1893
district under Chapter 3317. of the Revised Code, the department 1894
of education shall add, for each adjacent district or other 1895
district joint vocational student reported under division (A)(2) 1896~~

~~of this section, both of the following:~~ 1897

~~(1) The formula amount;~~ 1898

~~(2) The per pupil amount for each of the students reported pursuant to division (A)(2)(b) of this section prescribed by section 3317.014 of the Revised Code for the student's respective career technical category, on a full-time equivalency basis.~~ 1899
1900
1901
1902

~~(E)(1) A city, exempted village, or local school board providing special education and related services to an adjacent or other district student in grades kindergarten through twelve in accordance with an IEP shall, pursuant to rules of the state board, compute the excess costs to educate such student as follows:~~ 1903
1904
1905
1906
1907
1908

~~(a) Subtract the formula amount from the actual costs to educate the student;~~ 1909
1910

~~(b) From the amount computed under division (E)(1)(a) of this section subtract the amount of any funds received by the district under Chapter 3317. of the Revised Code to provide special education and related services to the student.~~ 1911
1912
1913
1914

~~(2) The board shall report the excess costs computed under this division to the department of education.~~ 1915
1916

~~(3) If any student for whom excess costs are computed under division (E)(1) of this section is an adjacent or other district joint vocational student, the department of education shall add the amount of such excess costs to the payments made under Chapter 3317. of the Revised Code to the joint vocational school district enrolling the student.~~ 1917
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~~(F) As provided in division (D)(1)(b) of section 3317.03 of the Revised Code, no joint vocational school district shall count any adjacent or other district joint vocational student enrolled in the district in its enrollment certified under section 3317.03~~ 1923
1924
1925
1926

~~of the Revised Code.~~ 1927

~~(G) No city, exempted village, or local school district shall receive a payment under division (C) of this section for a student, and no joint vocational school district shall receive a payment under division (D) of this section for a student, if for the same school year that student is counted in the district's enrollment certified under section 3317.03 of the Revised Code.~~ 1928
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~~(H) (E) Upon request of a parent, and provided the board offers transportation to native students of the same grade level and distance from school under section 3327.01 of the Revised Code, a city, exempted village, or local school board enrolling an adjacent or other district student shall provide transportation for the student within the boundaries of the board's district, except that the board shall be required to pick up and drop off a nonhandicapped student only at a regular school bus stop designated in accordance with the board's transportation policy. Pursuant to rules of the state board of education, such board may reimburse the parent from funds received for pupil transportation under section 3317.0212 of the Revised Code, or other provisions of law, for the reasonable cost of transportation from the student's home to the designated school bus stop if the student's family has an income below the federal poverty line.~~ 1934
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Sec. 3314.08. (A) As used in this section and section 3314.088 of the Revised Code: 1949
1950

(1)(a) "Category one career-technical education student" means a student who is receiving the career-technical education services described in division (A)(1) of section 3317.014 of the Revised Code. 1951
1952
1953
1954

(b) "Category two career-technical student" means a student who is receiving the career-technical education services described in division ~~(B)~~ (A)(2) of section 3317.014 of the Revised Code. 1955
1956
1957

(c) "Category three career-technical student" means a student 1958
who is receiving the career-technical education services described 1959
in division ~~(C)~~ (A)(3) of section 3317.014 of the Revised Code. 1960

(d) "Category four career-technical student" means a student 1961
who is receiving the career-technical education services described 1962
in division ~~(D)~~ (A)(4) of section 3317.014 of the Revised Code. 1963

(e) "Category five career-technical education student" means 1964
a student who is receiving the career-technical education services 1965
described in division ~~(E)~~ (A)(5) of section 3317.014 of the 1966
Revised Code. 1967

(2)(a) "Category one ~~limited English proficient student~~ 1968
learner" means a ~~limited~~ an English ~~proficient student~~ learner 1969
described in division (A) of section 3317.016 of the Revised Code. 1970

(b) "Category two ~~limited English proficient student~~ learner" 1971
means a ~~limited~~ an English ~~proficient student~~ learner described in 1972
division (B) of section 3317.016 of the Revised Code. 1973

(c) "Category three ~~limited English proficient student~~ 1974
learner" means a ~~limited~~ an English ~~proficient student~~ learner 1975
described in division (C) of section 3317.016 of the Revised Code. 1976

(3)(a) "Category one special education student" means a 1977
student who is receiving special education services for a 1978
disability specified in division (A) of section 3317.013 of the 1979
Revised Code. 1980

(b) "Category two special education student" means a student 1981
who is receiving special education services for a disability 1982
specified in division (B) of section 3317.013 of the Revised Code. 1983

(c) "Category three special education student" means a 1984
student who is receiving special education services for a 1985
disability specified in division (C) of section 3317.013 of the 1986
Revised Code. 1987

(d) "Category four special education student" means a student who is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code.

1988
1989
1990

(e) "Category five special education student" means a student who is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code.

1991
1992
1993

(f) "Category six special education student" means a student who is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code.

1994
1995
1996

~~(4) "Formula amount" has the same meaning as in section 3317.02 of the Revised Code~~ "Economically disadvantaged index for a community school" means the square of the quotient of the percentage of students enrolled in the school who are identified as economically disadvantaged as defined by the department of education, divided by the percentage of students in the statewide ADM identified as economically disadvantaged. For purposes of this calculation, the "statewide ADM" equals the "statewide ADM" for city, local, and exempted village school districts described in division (F)(1) of section 3317.02 of the Revised Code.

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2006

(5) "IEP" has the same meaning as in section 3323.01 of the Revised Code.

2007
2008

~~(6) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.~~

2009
2010
2011

~~(7) "State education aid" has the same meaning as in section 5751.20 of the Revised Code~~ "Statewide average base cost per pupil" and "statewide average career-technical base cost per pupil" have the same meanings as in section 3317.02 of the Revised Code.

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2013
2014
2015
2016

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

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2018

(1) The board of education of each city, exempted village, and local school district to annually report the number of students entitled to attend school in the district who are enrolled in each grade kindergarten through twelve in a community school established under this chapter, and for each child, the community school in which the child is enrolled.

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

(a) The number of students enrolled in grades one through twelve and the full-time equivalent number of students enrolled in kindergarten in the school who are not receiving special education and related services pursuant to an IEP;

(b) The number of enrolled students in grades one through twelve and the full-time equivalent number of enrolled students in kindergarten, who are receiving special education and related services pursuant to an IEP;

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

(d) The full-time equivalent number of students reported under divisions (B)(2)(a) and (b) of this section who are enrolled in career-technical education programs or classes described in each of divisions (A)(1) to ~~(E)(5)~~ of section 3317.014 of the Revised Code that are provided by the community school;

(e) The number of students reported under divisions (B)(2)(a) and (b) of this section who are not reported under division (B)(2)(d) of this section but who are enrolled in career-technical education programs or classes described in each of divisions (A)(1) to ~~(E)(5)~~ of section 3317.014 of the Revised Code at a

joint vocational school district or another district in the 2050
career-technical planning district to which the school is 2051
assigned; 2052

(f) The number of students reported under divisions (B)(2)(a) 2053
and (b) of this section who are category one to three ~~limited~~ 2054
English ~~proficient students~~ learners described in each of 2055
divisions (A) to (C) of section 3317.016 of the Revised Code; 2056

(g) The number of students reported under divisions (B)(2)(a) 2057
and (b) of this section who are economically disadvantaged, as 2058
defined by the department. A student shall not be categorically 2059
excluded from the number reported under division (B)(2)(g) of this 2060
section based on anything other than family income. 2061

(h) For each student, the city, exempted village, or local 2062
school district in which the student is entitled to attend school 2063
under section 3313.64 or 3313.65 of the Revised Code. 2064

(i) The number of students enrolled in a preschool program 2065
operated by the school that is licensed by the department of 2066
education under sections 3301.52 to 3301.59 of the Revised Code 2067
who are not receiving special education and related services 2068
pursuant to an IEP. 2069

A school district board and a community school governing 2070
authority shall include in their respective reports under division 2071
(B) of this section any child admitted in accordance with division 2072
(A)(2) of section 3321.01 of the Revised Code. 2073

A governing authority of a community school shall not include 2074
in its report under divisions (B)(2)(a) to (h) of this section any 2075
student for whom tuition is charged under division (F) of this 2076
section. 2077

(C)(1) Except as provided in division (C)(2) of this section, 2078
and subject to divisions (C)(3), and (4), ~~(5), (6), and (7)~~ of 2079
this section, on a full-time equivalency basis, for each student 2080

enrolled in a community school established under this chapter, the 2081
department of education annually shall ~~deduct from the state~~ 2082
~~education aid of a student's resident district and, if necessary,~~ 2083
~~from the payment made to the district under sections 321.24 and~~ 2084
~~323.156 of the Revised Code and pay to the community school the~~ 2085
sum of the following: 2086

(a) ~~An opportunity grant~~ The school's base cost per pupil in 2087
an amount equal to ~~the formula amount~~ \$6,179, for fiscal year 2088
2020, and \$6,338, for fiscal year 2021 and for each fiscal year 2089
thereafter; 2090

(b) ~~The per pupil amount of targeted assistance funds~~ 2091
~~calculated under division (A) of section 3317.0217 of the Revised~~ 2092
~~Code for the student's resident district, as determined by the~~ 2093
~~department, X 0.25;~~ 2094

~~(c)~~ Additional state aid for special education and related 2095
services provided under Chapter 3323. of the Revised Code as 2096
follows: 2097

(i) If the student is a category one special education 2098
student, the ~~amount~~ multiple specified in division (A) of section 2099
3317.013 of the Revised Code ~~X the statewide average base cost per~~ 2100
pupil for that fiscal year; 2101

(ii) If the student is a category two special education 2102
student, the ~~amount~~ multiple specified in division (B) of section 2103
3317.013 of the Revised Code ~~X the statewide average base cost per~~ 2104
pupil for that fiscal year; 2105

(iii) If the student is a category three special education 2106
student, the ~~amount~~ multiple specified in division (C) of section 2107
3317.013 of the Revised Code ~~X the statewide average base cost per~~ 2108
pupil for that fiscal year; 2109

(iv) If the student is a category four special education 2110
student, the ~~amount~~ multiple specified in division (D) of section 2111

3317.013 of the Revised Code X the statewide average base cost per	2112
pupil for that fiscal year;	2113
(v) If the student is a category five special education	2114
student, the amount <u>multiple</u> specified in division (E) of section	2115
3317.013 of the Revised Code X the statewide average base cost per	2116
pupil for that fiscal year;	2117
(vi) If the student is a category six special education	2118
student, the amount <u>multiple</u> specified in division (F) of section	2119
3317.013 of the Revised Code X the statewide average base cost per	2120
pupil for that fiscal year.	2121
(d) If the student is in kindergarten through third grade, an	2122
additional amount of \$320;	2123
(e) (c) If the student is economically disadvantaged, an	2124
additional amount equal to the following:	2125
\$272 <u>\$422</u> X the resident district's <u>school's</u> economically	2126
disadvantaged index	2127
(f) Limited (d) English proficiency <u>learner</u> funds as follows:	2128
(i) If the student is a category one limited English	2129
proficient student <u>learner</u> , the amount <u>multiple</u> specified in	2130
division (A) of section 3317.016 of the Revised Code X the	2131
statewide average base cost per pupil for that fiscal year;	2132
(ii) If the student is a category two limited English	2133
proficient student <u>learner</u> , the amount <u>multiple</u> specified in	2134
division (B) of section 3317.016 of the Revised Code X the	2135
statewide average base cost per pupil for that fiscal year;	2136
(iii) If the student is a category three limited English	2137
proficient student <u>learner</u> , the amount <u>multiple</u> specified in	2138
division (C) of section 3317.016 of the Revised Code X the	2139
statewide average base cost per pupil for that fiscal year.	2140
(g) If the student is reported under division (B)(2)(d) of	2141

~~this section, career technical education funds as follows:~~ 2142

~~(i) If the student is a category one career technical education student, the amount specified in division (A) of section 3317.014 of the Revised Code;~~ 2143
2144
2145

~~(ii) If the student is a category two career technical education student, the amount specified in division (B) of section 3317.014 of the Revised Code;~~ 2146
2147
2148

~~(iii) If the student is a category three career technical education student, the amount specified in division (C) of section 3317.014 of the Revised Code;~~ 2149
2150
2151

~~(iv) If the student is a category four career technical education student, the amount specified in division (D) of section 3317.014 of the Revised Code;~~ 2152
2153
2154

~~(v) If the student is a category five career technical education student, the amount specified in division (E) of section 3317.014 of the Revised Code.~~ 2155
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2157

~~Deduction and payment of funds under division (C)(1)(g) of this section is subject to approval by the lead district of a career technical planning district or the department of education under section 3317.161 of the Revised Code.~~ 2158
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2161

~~(2) When deducting from the state education aid of a student's resident district for students enrolled in an internet- or computer based community school and making payments to such In the case of an internet- or computer-based community school under this section, the department shall make the ~~deductions and~~ 2162
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payments described in only divisions (C)(1)(a), ~~(e)~~, and ~~(g)~~(b) of this section and section 3314.088 of the Revised Code.~~

~~No deductions or payments shall be made for a student enrolled in such school under division (C)(1) ~~(b)~~, (c) or (d), ~~(e)~~, or ~~(f)~~ of this section.~~ 2169
2170
2171

(3)(a) If a community school's costs for a fiscal year for a student receiving special education and related services pursuant to an IEP for a disability described in divisions (B) to (F) of section 3317.013 of the Revised Code exceed the threshold catastrophic cost for serving the student as specified in division (B) of section 3317.0214 of the Revised Code, the school may submit to the superintendent of public instruction documentation, as prescribed by the superintendent, of all its costs for that student. Upon submission of documentation for a student of the type and in the manner prescribed, the department shall pay to the community school an amount equal to the school's costs for the student in excess of the threshold catastrophic costs.

(b) The community school shall report under division (C)(3)(a) of this section, and the department shall pay for, only the costs of educational expenses and the related services provided to the student in accordance with the student's individualized education program. Any legal fees, court costs, or other costs associated with any cause of action relating to the student may not be included in the amount.

~~(4) In any fiscal year, a community school receiving funds under division (C)(1)(g) of this section shall spend those funds only for the purposes that the department designates as approved for career technical education expenses. Career technical education expenses approved by the department shall include only expenses connected to the delivery of career technical programming to career technical students. The department shall require the school to report data annually so that the department may monitor the school's compliance with the requirements regarding the manner in which funding received under division (C)(1)(g) of this section may be spent.~~

~~(5) Notwithstanding anything to the contrary in section 3313.90 of the Revised Code, except as provided in division (C)(9)~~

~~of this section, all funds received under division (C)(1)(g) of
this section shall be spent in the following manner:~~ 2204
2205

~~(a) At least seventy five per cent of the funds shall be 2206
spent on curriculum development, purchase, and implementation; 2207
instructional resources and supplies; industry based program 2208
certification; student assessment, credentialing, and placement; 2209
curriculum specific equipment purchases and leases; 2210
career technical student organization fees and expenses; home and 2211
agency linkages; work based learning experiences; professional 2212
development; and other costs directly associated with 2213
career technical education programs including development of new 2214
programs. 2215~~

~~(b) Not more than twenty five per cent of the funds shall be 2216
used for personnel expenditures. 2217~~

~~(6) A community school shall spend the funds it receives 2218
under division (C)(1)(e) (C)(1)(c) of this section in accordance 2219
with section 3317.25 of the Revised Code. 2220~~

~~(7) If the sum of the payments computed under divisions 2221
(C)(1) and (8)(a) of this section for the students entitled to 2222
attend school in a particular school district under sections 2223
3313.64 and 3313.65 of the Revised Code exceeds the sum of that 2224
district's state education aid and its payment under sections 2225
321.24 and 323.156 of the Revised Code, the department shall 2226
calculate and apply a proration factor to the payments to all 2227
community schools under that division for the students entitled to 2228
attend school in that district. 2229~~

~~(8)(a) Subject to division (C)(7) of this section, the 2230
department annually shall pay to each community school, including 2231
each internet or computer based community school, an amount equal 2232
to the following: 2233~~

~~(The number of students reported by the community school 2234~~

~~under division (B)(2)(c) of this section X the formula amount X~~ 2235
~~.20}~~ 2236

~~(b) For each payment made to a community school under~~ 2237
~~division (C)(8)(a) of this section, the department shall deduct~~ 2238
~~from the state education aid of each city, local, and exempted~~ 2239
~~village school district and, if necessary, from the payment made~~ 2240
~~to the district under sections 321.24 and 323.156 of the Revised~~ 2241
~~Code an amount equal to the following:~~ 2242

~~(The number of the district's students reported by the~~ 2243
~~community school under division (B)(2)(c) of this section X the~~ 2244
~~formula amount X .20}~~ 2245

~~(9) The department may waive the requirement in division~~ 2246
~~(C)(5) of this section for any community school that exclusively~~ 2247
~~provides one or more career technical workforce development~~ 2248
~~programs in arts and communications that are not~~ 2249
~~equipment intensive, as determined by the department.~~ 2250

(D) A board of education sponsoring a community school may 2251
utilize local funds to make enhancement grants to the school or 2252
may agree, either as part of the contract or separately, to 2253
provide any specific services to the community school at no cost 2254
to the school. 2255

(E) A community school may not levy taxes or issue bonds 2256
secured by tax revenues. 2257

(F) No community school shall charge tuition for the 2258
enrollment of any student who is a resident of this state. A 2259
community school may charge tuition for the enrollment of any 2260
student who is not a resident of this state. 2261

(G)(1)(a) A community school may borrow money to pay any 2262
necessary and actual expenses of the school in anticipation of the 2263
receipt of any portion of the payments to be received by the 2264
school pursuant to division (C) of this section and section 2265

3314.088 of the Revised Code. The school may issue notes to 2266
evidence such borrowing. The proceeds of the notes shall be used 2267
only for the purposes for which the anticipated receipts may be 2268
lawfully expended by the school. 2269

(b) A school may also borrow money for a term not to exceed 2270
fifteen years for the purpose of acquiring facilities. 2271

(2) Except for any amount guaranteed under section 3318.50 of 2272
the Revised Code, the state is not liable for debt incurred by the 2273
governing authority of a community school. 2274

(H) The department of education shall adjust the amounts 2275
~~subtracted and~~ paid under division (C) of this section and section 2276
3314.088 of the Revised Code to reflect any enrollment of students 2277
in community schools for less than the equivalent of a full school 2278
year. The state board of education within ninety days after April 2279
8, 2003, shall adopt in accordance with Chapter 119. of the 2280
Revised Code rules governing the payments to community schools 2281
under this section including initial payments in a school year and 2282
adjustments and reductions made in subsequent periodic payments to 2283
community schools ~~and corresponding deductions from school~~ 2284
~~district accounts~~ as provided under division (C) of this section 2285
and section 3314.088 of the Revised Code. For purposes of this 2286
section: 2287

(1) A student shall be considered enrolled in the community 2288
school for any portion of the school year the student is 2289
participating at a college under Chapter 3365. of the Revised 2290
Code. 2291

(2) A student shall be considered to be enrolled in a 2292
community school for the period of time beginning on the later of 2293
the date on which the school both has received documentation of 2294
the student's enrollment from a parent and the student has 2295
commenced participation in learning opportunities as defined in 2296

the contract with the sponsor, or thirty days prior to the date on 2297
which the student is entered into the education management 2298
information system established under section 3301.0714 of the 2299
Revised Code. For purposes of applying this division and divisions 2300
(H)(3) and (4) of this section to a community school student, 2301
"learning opportunities" shall be defined in the contract, which 2302
shall describe both classroom-based and non-classroom-based 2303
learning opportunities and shall be in compliance with criteria 2304
and documentation requirements for student participation which 2305
shall be established by the department. Any student's instruction 2306
time in non-classroom-based learning opportunities shall be 2307
certified by an employee of the community school. A student's 2308
enrollment shall be considered to cease on the date on which any 2309
of the following occur: 2310

(a) The community school receives documentation from a parent 2311
terminating enrollment of the student. 2312

(b) The community school is provided documentation of a 2313
student's enrollment in another public or private school. 2314

(c) The community school ceases to offer learning 2315
opportunities to the student pursuant to the terms of the contract 2316
with the sponsor or the operation of any provision of this 2317
chapter. 2318

Except as otherwise specified in this paragraph, beginning in 2319
the 2011-2012 school year, any student who completed the prior 2320
school year in an internet- or computer-based community school 2321
shall be considered to be enrolled in the same school in the 2322
subsequent school year until the student's enrollment has ceased 2323
as specified in division (H)(2) of this section. The department 2324
shall continue ~~subtracting and~~ paying amounts for the student 2325
under division (C) of this section and section 3314.088 of the 2326
Revised Code without interruption at the start of the subsequent 2327
school year. However, if the student without a legitimate excuse 2328

fails to participate in the first seventy-two consecutive hours of 2329
learning opportunities offered to the student in that subsequent 2330
school year, the student shall be considered not to have 2331
re-enrolled in the school for that school year and the department 2332
shall recalculate the payments to the school for that school year 2333
to account for the fact that the student is not enrolled. 2334

(3) The department shall determine each community school 2335
student's percentage of full-time equivalency based on the 2336
percentage of learning opportunities offered by the community 2337
school to that student, reported either as number of hours or 2338
number of days, is of the total learning opportunities offered by 2339
the community school to a student who attends for the school's 2340
entire school year. However, no internet- or computer-based 2341
community school shall be credited for any time a student spends 2342
participating in learning opportunities beyond ten hours within 2343
any period of twenty-four consecutive hours. Whether it reports 2344
hours or days of learning opportunities, each community school 2345
shall offer not less than nine hundred twenty hours of learning 2346
opportunities during the school year. 2347

(4) With respect to the calculation of full-time equivalency 2348
under division (H)(3) of this section, the department shall waive 2349
the number of hours or days of learning opportunities not offered 2350
to a student because the community school was closed during the 2351
school year due to disease epidemic, hazardous weather conditions, 2352
law enforcement emergencies, inoperability of school buses or 2353
other equipment necessary to the school's operation, damage to a 2354
school building, or other temporary circumstances due to utility 2355
failure rendering the school building unfit for school use, so 2356
long as the school was actually open for instruction with students 2357
in attendance during that school year for not less than the 2358
minimum number of hours required by this chapter. The department 2359
shall treat the school as if it were open for instruction with 2360

students in attendance during the hours or days waived under this 2361
division. 2362

(I) The department of education shall reduce the amounts paid 2363
under this section and section 3314.088 of the Revised Code to 2364
reflect payments made to colleges under section 3365.07 of the 2365
Revised Code. 2366

(J)(1) No student shall be considered enrolled in any 2367
internet- or computer-based community school or, if applicable to 2368
the student, in any community school that is required to provide 2369
the student with a computer pursuant to division (C) of section 2370
3314.22 of the Revised Code, unless both of the following 2371
conditions are satisfied: 2372

(a) The student possesses or has been provided with all 2373
required hardware and software materials and all such materials 2374
are operational so that the student is capable of fully 2375
participating in the learning opportunities specified in the 2376
contract between the school and the school's sponsor as required 2377
by division (A)(23) of section 3314.03 of the Revised Code; 2378

(b) The school is in compliance with division (A) of section 2379
3314.22 of the Revised Code, relative to such student. 2380

(2) In accordance with policies adopted by the superintendent 2381
of public instruction, in consultation with the auditor of state, 2382
the department shall reduce the amounts otherwise payable under 2383
division (C) of this section and section 3314.088 of the Revised 2384
Code to any community school that includes in its program the 2385
provision of computer hardware and software materials to any 2386
student, if such hardware and software materials have not been 2387
delivered, installed, and activated for each such student in a 2388
timely manner or other educational materials or services have not 2389
been provided according to the contract between the individual 2390
community school and its sponsor. 2391

The superintendent of public instruction and the auditor of state shall jointly establish a method for auditing any community school to which this division pertains to ensure compliance with this section.

The superintendent, auditor of state, and the governor shall jointly make recommendations to the general assembly for legislative changes that may be required to assure fiscal and academic accountability for such schools.

(K)(1) If the department determines that a review of a community school's enrollment is necessary, such review shall be completed and written notice of the findings shall be provided to the governing authority of the community school and its sponsor within ninety days of the end of the community school's fiscal year, unless extended for a period not to exceed thirty additional days for one of the following reasons:

(a) The department and the community school mutually agree to the extension.

(b) Delays in data submission caused by either a community school or its sponsor.

(2) If the review results in a finding that additional funding is owed to the school, such payment shall be made within thirty days of the written notice. If the review results in a finding that the community school owes moneys to the state, the following procedure shall apply:

(a) Within ten business days of the receipt of the notice of findings, the community school may appeal the department's determination to the state board of education or its designee.

(b) The board or its designee shall conduct an informal hearing on the matter within thirty days of receipt of such an appeal and shall issue a decision within fifteen days of the conclusion of the hearing.

(c) If the board has enlisted a designee to conduct the hearing, the designee shall certify its decision to the board. The board may accept the decision of the designee or may reject the decision of the designee and issue its own decision on the matter.

(d) Any decision made by the board under this division is final.

(3) If it is decided that the community school owes moneys to the state, the department shall deduct such amount from the school's future payments in accordance with guidelines issued by the superintendent of public instruction.

(L) The department shall not ~~subtract from a school district's state aid account and shall not~~ pay to a community school under division (C) of this section and section 3314.088 of the Revised Code any amount for any of the following:

(1) Any student who has graduated from the twelfth grade of a public or nonpublic high school;

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

(3) Any student who was enrolled in the community school during the previous school year when assessments were administered under section 3301.0711 of the Revised Code but did not take one or more of the assessments required by that section and was not excused pursuant to division (C)(1) or (3) of that section, unless the superintendent of public instruction grants the student a waiver from the requirement to take the assessment and a parent is not paying tuition for the student pursuant to section 3314.26 of the Revised Code. The superintendent may grant a waiver only for good cause in accordance with rules adopted by the state board of education.

(4) Any student who has attained the age of twenty-two years, except for veterans of the armed services whose attendance was interrupted before completing the recognized twelve-year course of

the public schools by reason of induction or enlistment in the 2454
armed forces and who apply for enrollment in a community school 2455
not later than four years after termination of war or their 2456
honorable discharge. If, however, any such veteran elects to 2457
enroll in special courses organized for veterans for whom tuition 2458
is paid under federal law, or otherwise, the department shall not 2459
~~subtract from a school district's state aid account and shall not~~ 2460
pay to a community school under division (C) of this section and 2461
section 3314.088 of the Revised Code any amount for that veteran. 2462

Sec. 3314.084. (A) As used in this section: 2463

(1) "Formula ADM" has the same meaning as in section 3317.03 2464
of the Revised Code. 2465

(2) "Home" has the same meaning as in section 3313.64 of the 2466
Revised Code. 2467

(3) "School district of residence" has the same meaning as in 2468
section 3323.01 of the Revised Code; however, a community school 2469
established under this chapter is not a "school district of 2470
residence" for purposes of this section. 2471

(B) Notwithstanding anything to the contrary in section 2472
3314.08 or 3317.03 of the Revised Code, all of the following apply 2473
in the case of a child who is enrolled in a community school and 2474
is also living in a home: 2475

(1) For purposes of the report required under division (B)(1) 2476
of section 3314.08 of the Revised Code, the child's school 2477
district of residence, and not the school district in which the 2478
home that the child is living in is located, shall be considered 2479
to be the school district in which the child is entitled to attend 2480
school. That school district of residence, therefore, shall make 2481
the report required under division (B)(1) of section 3314.08 of 2482
the Revised Code with respect to the child. 2483

(2) For purposes of the report required under division (B)(2) 2484
of section 3314.08 of the Revised Code, the community school shall 2485
report the name of the child's school district of residence. 2486

(3) The child's school district of residence shall count the 2487
child in that district's formula ADM. 2488

(4) The school district in which the home that the child is 2489
living in is located shall not count the child in that district's 2490
formula ADM. 2491

~~(5) The department of education shall deduct the applicable 2492
amounts prescribed under division (C) of section 3314.08 of the 2493
Revised Code from the child's school district of residence and 2494
shall not deduct those amounts from the school district in which 2495
the home that the child is living in is located. 2496~~

~~(6) The department shall make the payments prescribed in 2497
division (C) of section 3314.08 of the Revised Code, as 2498
applicable, to the community school. 2499~~

Sec. 3314.087. (A) As used in this section: 2500

(1) "Career-technical program" means career-technical 2501
programs or classes described in division (A)(1), ~~(B)(2)~~, ~~(C)(3)~~, 2502
~~(D)(4)~~, or ~~(E) (5)~~ of section 3317.014 of the Revised Code in 2503
which a student is enrolled. 2504

(2) ~~"Formula ADM," "category~~ Category one through five 2505
career-technical education ADM," and "FTE basis" have the same 2506
meanings as in section 3317.02 of the Revised Code. 2507

(3) "Resident school district" means the city, exempted 2508
village, or local school district in which a student is entitled 2509
to attend school under section 3313.64 or 3313.65 of the Revised 2510
Code. 2511

(B) Notwithstanding anything to the contrary in this chapter 2512
or Chapter 3317. of the Revised Code, a student enrolled in a 2513

community school may simultaneously enroll in the career-technical 2514
program operated by the career-technical planning district to 2515
which the student's resident district belongs. On an FTE basis, 2516
the student's resident school district shall count the student in 2517
the category one through five career-technical education ADM for 2518
the proportion of the time the student is enrolled in a 2519
career-technical program of the career-technical planning district 2520
to which the student's resident district belongs and, accordingly, 2521
the department of education shall calculate funds under Chapter 2522
3317. for the resident district attributable to the student for 2523
the proportion of time the student attends the career-technical 2524
program. The community school shall count the student in its 2525
enrollment report under section 3314.08 of the Revised Code and 2526
shall report to the department the proportion of time that the 2527
student attends classes at the community school. The department 2528
shall pay the community school ~~and deduct from the student's~~ 2529
~~resident school district~~ the amount computed for the student under 2530
section 3314.08 of the Revised Code in proportion to the fraction 2531
of the time on an FTE basis that the student attends classes at 2532
the community school. "Full-time equivalency" for a community 2533
school student, as defined in division (H) of section 3314.08 of 2534
the Revised Code, does not apply to the student. 2535

Sec. 3314.088. (A) For each student enrolled in a community 2536
school established under this chapter, including an internet- or 2537
computer-based community school, and reported under division 2538
(B)(2) of section 3314.08 of the Revised Code, on a full-time 2539
equivalency basis, the department of education shall pay 2540
career-technical education funds as follows: 2541

(1) If the student is a category one career-technical 2542
education student, the multiple specified in division (A)(1) of 2543
section 3317.014 of the Revised Code X the statewide average 2544
career-technical base cost per pupil for that fiscal year; 2545

(2) If the student is a category two career-technical education student, the multiple specified in division (A)(2) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year; 2546
2547
2548
2549

(3) If the student is a category three career-technical education student, the multiple specified in division (A)(3) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year; 2550
2551
2552
2553

(4) If the student is a category four career-technical education student, the multiple specified in division (A)(4) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year; 2554
2555
2556
2557

(5) If the student is a category five career-technical education student, the multiple specified in division (A)(5) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year. 2558
2559
2560
2561

Payment of funds under division (A) of this section is subject to approval by the lead district of a career-technical planning district or the department of education under section 3317.161 of the Revised Code. 2562
2563
2564
2565

(B) Subject to division (I) of section 3317.023 of the Revised Code, the department shall pay career awareness and exploration funds to each community school as follows: 2566
2567
2568

The number of students enrolled in the community school X \$2.50, for fiscal year 2020, \$5, for fiscal year 2021, \$7.50, for fiscal year 2022, or \$10, for fiscal year 2023 and each fiscal year thereafter 2569
2570
2571
2572

(C) The department shall annually pay to each community school, including each internet- or computer-based community school, an amount equal to the following: 2573
2574
2575

(The number of students reported by the community school under 2576

division (B)(2)(e) of section 3314.08 of the Revised Code X the 2577
school's base cost per pupil as specified under division (C)(1)(a) 2578
of section 3314.08 of the Revised Code X .20) 2579

(D) In any fiscal year, a community school receiving funds 2580
under division (A) of this section shall spend those funds only 2581
for the purposes that the department designates as approved for 2582
career-technical education expenses. Career-technical education 2583
expenses approved by the department shall include only expenses 2584
connected to the delivery of career-technical programming to 2585
career-technical students. The department shall require the school 2586
to report data annually so that the department may monitor the 2587
school's compliance with the requirements regarding the manner in 2588
which funding received under division (A) of this section may be 2589
spent. 2590

(E) Notwithstanding anything to the contrary in section 2591
3313.90 of the Revised Code, except as provided in division (F) of 2592
this section, all funds received under division (A) of this 2593
section shall be spent in the following manner: 2594

(1) At least seventy-five per cent of the funds shall be 2595
spent on curriculum development, purchase, and implementation; 2596
instructional resources and supplies; industry-based program 2597
certification; student assessment, credentialing, and placement; 2598
curriculum specific equipment purchases and leases; 2599
career-technical student organization fees and expenses; home and 2600
agency linkages; work-based learning experiences; professional 2601
development; and other costs directly associated with 2602
career-technical education programs including development of new 2603
programs. 2604

(2) Not more than twenty-five per cent of the funds shall be 2605
used for personnel expenditures. 2606

(F) The department may waive the requirements in division (E) 2607
of this section for any community school that exclusively provides 2608

one or more career-technical workforce development programs in 2609
arts and communications that are not equipment-intensive, as 2610
determined by the department. 2611

(G) In any fiscal year, a community school receiving funds 2612
under division (H) of section 3317.014 of the Revised Code shall 2613
spend those funds only for the following purposes: 2614

(1) Delivery of career awareness programs to students 2615
enrolled in grades kindergarten through twelve; 2616

(2) Provision of a common, consistent curriculum to students 2617
throughout their primary and secondary education; 2618

(3) Assistance to teachers in providing a career development 2619
curriculum to students; 2620

(4) Development of a career development plan for each student 2621
that stays with that student for the duration of the student's 2622
primary and secondary education; 2623

(5) Provision of opportunities for students to engage in 2624
activities, such as career fairs, hands-on experiences, and job 2625
shadowing, across all career pathways at each grade level. 2626

The department may deny payment under division (B) of this 2627
section to any school that the department determines is using 2628
funds paid under division (H) of section 3317.014 of the Revised 2629
Code for other purposes. 2630

Sec. 3314.091. (A) A school district is not required to 2631
provide transportation for any native student enrolled in a 2632
community school if the district board of education has entered 2633
into an agreement with the community school's governing authority 2634
that designates the community school as responsible for providing 2635
or arranging for the transportation of the district's native 2636
students to and from the community school. For any such agreement 2637
to be effective, it must be certified by the superintendent of 2638

public instruction as having met all of the following 2639
requirements: 2640

(1) It is submitted to the department of education by a 2641
deadline which shall be established by the department. 2642

(2) In accordance with divisions (C)(1) and (2) of this 2643
section, it specifies qualifications, such as residing a minimum 2644
distance from the school, for students to have their 2645
transportation provided or arranged. 2646

(3) The transportation provided by the community school is 2647
subject to all provisions of the Revised Code and all rules 2648
adopted under the Revised Code pertaining to pupil transportation. 2649

(4) The sponsor of the community school also has signed the 2650
agreement. 2651

(B)(1) For the school year that begins on July 1, 2007, a 2652
school district is not required to provide transportation for any 2653
native student enrolled in a community school, if the community 2654
school during the previous school year transported the students 2655
enrolled in the school or arranged for the students' 2656
transportation, even if that arrangement consisted of having 2657
parents transport their children to and from the school, but did 2658
not enter into an agreement to transport or arrange for 2659
transportation for those students under division (A) of this 2660
section, and if the governing authority of the community school by 2661
July 15, 2007, submits written notification to the district board 2662
of education stating that the governing authority is accepting 2663
responsibility for providing or arranging for the transportation 2664
of the district's native students to and from the community 2665
school. 2666

(2) Except as provided in division (B)(4) of this section, 2667
for any school year subsequent to the school year that begins on 2668

July 1, 2007, a school district is not required to provide 2669
transportation for any native student enrolled in a community 2670
school if the governing authority of the community school, by the 2671
thirty-first day of January of the previous school year, submits 2672
written notification to the district board of education stating 2673
that the governing authority is accepting responsibility for 2674
providing or arranging for the transportation of the district's 2675
native students to and from the community school. If the governing 2676
authority of the community school has previously accepted 2677
responsibility for providing or arranging for the transportation 2678
of a district's native students to and from the community school, 2679
under division (B)(1) or (2) of this section, and has since 2680
relinquished that responsibility under division (B)(3) of this 2681
section, the governing authority shall not accept that 2682
responsibility again unless the district board consents to the 2683
governing authority's acceptance of that responsibility. 2684

(3) A governing authority's acceptance of responsibility 2685
under division (B)(1) or (2) of this section shall cover an entire 2686
school year, and shall remain in effect for subsequent school 2687
years unless the governing authority submits written notification 2688
to the district board that the governing authority is 2689
relinquishing the responsibility. However, a governing authority 2690
shall not relinquish responsibility for transportation before the 2691
end of a school year, and shall submit the notice relinquishing 2692
responsibility by the thirty-first day of January, in order to 2693
allow the school district reasonable time to prepare 2694
transportation for its native students enrolled in the school. 2695

(4)(a) For any school year that begins on or after July 1, 2696
2014, a school district is not required to provide transportation 2697
for any native student enrolled in a community school scheduled to 2698
open for operation in the current school year, if the governing 2699
authority of the community school, by the fifteenth day of April 2700

of the previous school year, submits written notification to the 2701
district board of education stating that the governing authority 2702
is accepting responsibility for providing or arranging for the 2703
transportation of the district's native students to and from the 2704
community school. 2705

(b) The governing authority of a community school that 2706
accepts responsibility for transporting its students under 2707
division (B)(4)(a) of this section shall comply with divisions 2708
(B)(2) and (3) of this section to renew or relinquish that 2709
authority for subsequent school years. 2710

(C)(1) A community school governing authority that enters 2711
into an agreement under division (A) of this section, or that 2712
accepts responsibility under division (B) of this section, shall 2713
provide or arrange transportation free of any charge for each of 2714
its enrolled students who is required to be transported under 2715
section 3327.01 of the Revised Code. The governing authority shall 2716
report to the department of education the number of students 2717
transported or for whom transportation is arranged under this 2718
section in accordance with rules adopted by the state board of 2719
education. 2720

(2) The governing authority may provide or arrange 2721
transportation for any other enrolled student who is not eligible 2722
for transportation in accordance with division (C)(1) of this 2723
section and may charge a fee for such service up to the actual 2724
cost of the service. 2725

(3) Notwithstanding anything to the contrary in division 2726
(C)(1) or (2) of this section, a community school governing 2727
authority shall provide or arrange transportation free of any 2728
charge for any disabled student enrolled in the school for whom 2729
the student's individualized education program developed under 2730
Chapter 3323. of the Revised Code specifies transportation. 2731

(D)(1) If a school district board and a community school governing authority elect to enter into an agreement under division (A) of this section, the department of education shall make payments to the community school according to the terms of the agreement for each student actually transported under division (C)(1) of this section.

If a community school governing authority accepts transportation responsibility under division (B) of this section, the department shall make payments to the community school for each student actually transported or for whom transportation is arranged by the community school under division (C)(1) of this section, calculated as follows:

(a) For any fiscal year which the general assembly has specified that transportation payments to school districts be based on an across-the-board percentage of the district's payment for the previous school year, the per pupil payment to the community school shall be the following quotient:

(i) The total amount calculated for the school district in which the child is entitled to attend school for student transportation other than transportation of children with disabilities; divided by

(ii) The number of students included in the district's transportation ADM for the current fiscal year, as calculated under section 3317.03 of the Revised Code, plus the number of students enrolled in the community school not counted in the district's transportation ADM who are transported under division (B)(1) or (2) of this section.

(b) For any fiscal year which the general assembly has specified that the transportation payments to school districts be calculated in accordance with section 3317.0212 of the Revised Code and any rules of the state board of education implementing

that section, the payment to the community school shall be the amount so calculated on a per rider basis that otherwise would be computed for and paid to the school district in which the student is entitled to attend school by the method of transportation the district would have used. The community school, however, is not required to use the same method to transport that student.

~~(c) Divisions (D)(1)(a) and (b) of this section do not apply to fiscal years 2012 and 2013. Rather, for each of those fiscal years, the per pupil payment to a community school for transporting a student shall be the total amount paid under former section 3306.12 of the Revised Code for fiscal year 2011 to the school district in which the child is entitled to attend school divided by that district's "qualifying ridership," as defined in that section for fiscal year 2011.~~

As used in this division "entitled to attend school" means entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

~~(2) The department shall deduct the payment under division (D)(1) of this section from the state education aid, as defined in section 3314.08 of the Revised Code, and, if necessary, the payment under sections 321.14 and 323.156 of the Revised Code, that is otherwise paid to the school district in which the student enrolled in the community school is entitled to attend school. The department shall include the number of the district's native students for whom payment is made to a community school under division (D)(1) of this section in the calculation of the district's transportation payment under section 3317.0212 of the Revised Code and the operating appropriations act.~~

~~(3)~~ A community school shall be paid under division (D)(1) of this section only for students who are eligible as specified in section 3327.01 of the Revised Code and division (C)(1) of this section, and whose transportation to and from school is actually

provided, who actually utilized transportation arranged, or for 2795
whom a payment in lieu of transportation is made by the community 2796
school's governing authority. To qualify for the payments, the 2797
community school shall report to the department, in the form and 2798
manner required by the department, data on the number of students 2799
transported or whose transportation is arranged, the number of 2800
miles traveled, cost to transport, and any other information 2801
requested by the department. 2802

~~(4)~~(3) A community school shall use payments received under 2803
this section solely to pay the costs of providing or arranging for 2804
the transportation of students who are eligible as specified in 2805
section 3327.01 of the Revised Code and division (C)(1) of this 2806
section, which may include payments to a parent, guardian, or 2807
other person in charge of a child in lieu of transportation. 2808

(E) Except when arranged through payment to a parent, 2809
guardian, or person in charge of a child, transportation provided 2810
or arranged for by a community school pursuant to an agreement 2811
under this section is subject to all provisions of the Revised 2812
Code, and all rules adopted under the Revised Code, pertaining to 2813
the construction, design, equipment, and operation of school buses 2814
and other vehicles transporting students to and from school. The 2815
drivers and mechanics of the vehicles are subject to all 2816
provisions of the Revised Code, and all rules adopted under the 2817
Revised Code, pertaining to drivers and mechanics of such 2818
vehicles. The community school also shall comply with sections 2819
3313.201, 3327.09, and 3327.10 of the Revised Code, division (B) 2820
of section 3327.16 of the Revised Code and, subject to division 2821
(C)(1) of this section, sections 3327.01 and 3327.02 of the 2822
Revised Code, as if it were a school district. 2823

Sec. 3314.11. (A) The governing authority of each community 2824
school established under this chapter monthly shall review the 2825

residency records of students enrolled in that community school. 2826
Upon the enrollment of each student and on an annual basis, the 2827
governing authority shall verify to the department of education 2828
the school district in which the student is entitled to attend 2829
school under section 3313.64 or 3313.65 of the Revised Code. 2830

The school district may review the determination made by the 2831
community school under division (A) of this section. 2832

(B)(1) For purposes of its initial reporting of the school 2833
districts in which its students are entitled to attend school, the 2834
governing authority of a community school shall adopt a policy 2835
that prescribes the number of documents listed in division (E) of 2836
this section required to verify a student's residency. This policy 2837
shall supersede any policy concerning the number of documents for 2838
initial residency verification adopted by the district the student 2839
is entitled to attend. 2840

(2) For purposes of the annual reporting of the school 2841
districts in which its students are entitled to attend school, the 2842
governing authority of a community school shall adopt a policy 2843
that prescribes the information required to verify a student's 2844
residency. This information may be obtained through any type of 2845
document, including any of the documents listed in division (E) of 2846
this section, or any type of communication with a government 2847
official authorized to provide such information. 2848

(C) For purposes of making the determinations required under 2849
this section, the school district in which a parent or child 2850
resides is the location the parent or student has established as 2851
the primary residence and where substantial family activity takes 2852
place. 2853

(D) If a community school's determination under division (A) 2854
of this section of the school district a student is entitled to 2855
attend under section 3313.64 or 3313.65 of the Revised Code 2856

differs from a district's determination, the community school that 2857
made the determination under division (A) of this section shall 2858
provide the school district with documentation of the student's 2859
residency and shall make a good faith effort to accurately 2860
identify the correct residence of the student. 2861

(E) For purposes of this section, the following documents may 2862
serve as evidence of primary residence: 2863

(1) A deed, mortgage, lease, current home owner's or renter's 2864
insurance declaration page, or current real property tax bill; 2865

(2) A utility bill or receipt of utility installation issued 2866
within ninety days of enrollment; 2867

(3) A paycheck or paystub issued to the parent or student 2868
within ninety days of the date of enrollment that includes the 2869
address of the parent's or student's primary residence; 2870

(4) The most current available bank statement issued to the 2871
parent or student that includes the address of the parent's or 2872
student's primary residence; 2873

(5) Any other official document issued to the parent or 2874
student that includes the address of the parent's or student's 2875
primary residence. The superintendent of public instruction shall 2876
develop guidelines for determining what qualifies as an "official 2877
document" under this division. 2878

(F) When a student loses permanent housing and becomes a 2879
homeless child or youth, as defined in 42 U.S.C. 11434a, or when a 2880
child who is such a homeless child or youth changes temporary 2881
living arrangements, the district in which the student is entitled 2882
to attend school shall be determined in accordance with division 2883
(F)(13) of section 3313.64 of the Revised Code and the 2884
"McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et seq. 2885

(G) In the event of a disagreement as to which school 2886

district a student is entitled to attend, the community school, 2887
after complying with division (D) of this section, but not more 2888
than sixty days after the monthly deadline established by the 2889
department of education for reporting of community school 2890
enrollment, may present the matter to the superintendent of public 2891
instruction. Not later than thirty days after the community school 2892
presents the matter, the state superintendent, or the state 2893
superintendent's designee, shall determine which district the 2894
student is entitled to attend and shall direct any necessary 2895
adjustments to payments ~~and deductions~~ under section 3314.08 of 2896
the Revised Code based on that determination. 2897

Sec. 3314.20. (A) As used in this section: 2898

(1) "Base enrollment" for an internet- or computer-based 2899
community school means either of the following: 2900

(a) If the school was open for instruction on the effective 2901
date of this section, the number of students enrolled in the 2902
school at the end of the 2012-2013 school year; 2903

(b) If the school opens for instruction after the effective 2904
date of this section, one thousand students. 2905

(2) "Enrollment limit" for an internet- or computer-based 2906
community school means the following: 2907

(a) For the 2014-2015 school year, the base enrollment 2908
increased by the prescribed annual rate of growth, as calculated 2909
by the department of education. 2910

(b) For the 2015-2016 school year and each school year 2911
thereafter, the previous school year's enrollment limit increased 2912
by the prescribed annual rate of growth, as calculated by the 2913
department. 2914

(3) "Prescribed annual rate of growth" for an internet- or 2915
computer-based community school means either of the following: 2916

(a) For a school with an enrollment limit equal to or greater than three thousand students, fifteen per cent. 2917
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(b) For a school with an enrollment limit of less than three thousand students, twenty-five per cent. 2919
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(B) Beginning in the 2014-2015 school year, no internet- or computer-based community school shall enroll more students than the number permitted by its enrollment limit. 2921
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(C) If, in any school year, an internet- or computer-based community school enrolls more students than permitted under the enrollment limit, the department shall deduct from the community school the amount of state funds credited to the community school attributable to each student enrolled in excess of the enrollment limit, as determined by the department. ~~The department shall distribute the deducted amounts to the school districts to which the students enrolled in the community school are entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. Such amounts shall be distributed on a pro rata basis according to each district's share of the total enrollment in the community school.~~ 2924
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Sec. 3315.18. (A) The board of education of each city, exempted village, local, and joint vocational school district shall establish a capital and maintenance fund. Each board annually shall deposit into that fund an amount derived from revenues received by the district that would otherwise have been deposited in the general fund that is equal to three per cent of the ~~formula amount~~ statewide average base cost per pupil for the preceding fiscal year, as defined in section 3317.02 of the Revised Code, or another percentage if established by the auditor of state under division (B) of this section, multiplied by the district's student population for the preceding fiscal year, except that money received from a permanent improvement levy 2936
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authorized by section 5705.21 of the Revised Code may replace 2948
general revenue moneys in meeting the requirements of this 2949
section. Money in the fund shall be used solely for acquisition, 2950
replacement, enhancement, maintenance, or repair of permanent 2951
improvements, as that term is defined in section 5705.01 of the 2952
Revised Code. Any money in the fund that is not used in any fiscal 2953
year shall carry forward to the next fiscal year. 2954

(B) The state superintendent of public instruction and the 2955
auditor of state jointly shall adopt rules in accordance with 2956
Chapter 119. of the Revised Code defining what constitutes 2957
expenditures permitted by division (A) of this section. The 2958
auditor of state may designate a percentage, other than three per 2959
cent, of the ~~formula amount~~ statewide average base cost per pupil 2960
multiplied by the district's student population that must be 2961
deposited into the fund. 2962

(C) Within its capital and maintenance fund, a school 2963
district board of education may establish a separate account 2964
solely for the purpose of depositing funds transferred from the 2965
district's reserve balance account established under former 2966
division (H) of section 5705.29 of the Revised Code. After April 2967
10, 2001, a board may deposit all or part of the funds formerly 2968
included in such reserve balance account in the separate account 2969
established under this section. Funds deposited in this separate 2970
account and interest on such funds shall be utilized solely for 2971
the purpose of providing the district's portion of the basic 2972
project costs of any project undertaken in accordance with Chapter 2973
3318. of the Revised Code. 2974

(D)(1) Notwithstanding division (A) of this section, in any 2975
year a district is in fiscal emergency status as declared pursuant 2976
to section 3316.03 of the Revised Code, the district may deposit 2977
an amount less than required by division (A) of this section, or 2978

make no deposit, into the district capital and maintenance fund 2979
for that year. 2980

(2) Notwithstanding division (A) of this section, in any 2981
fiscal year that a school district is either in fiscal watch 2982
status, as declared pursuant to section 3316.03 of the Revised 2983
Code, or in fiscal caution status, as declared pursuant to section 2984
3316.031 of the Revised Code, the district may apply to the 2985
superintendent of public instruction for a waiver from the 2986
requirements of division (A) of this section, under which the 2987
district may be permitted to deposit an amount less than required 2988
by that division or permitted to make no deposit into the district 2989
capital and maintenance fund for that year. The superintendent may 2990
grant a waiver under division (D)(2) of this section if the 2991
district demonstrates to the satisfaction of the superintendent 2992
that compliance with division (A) of this section that year will 2993
create an undue financial hardship on the district. 2994

(3) Notwithstanding division (A) of this section, not more 2995
often than one fiscal year in every three consecutive fiscal 2996
years, any school district that does not satisfy the conditions 2997
for the exemption described in division (D)(1) of this section or 2998
the conditions to apply for the waiver described in division 2999
(D)(2) of this section may apply to the superintendent of public 3000
instruction for a waiver from the requirements of division (A) of 3001
this section, under which the district may be permitted to deposit 3002
an amount less than required by that division or permitted to make 3003
no deposit into the district capital and maintenance fund for that 3004
year. The superintendent may grant a waiver under division (D)(3) 3005
of this section if the district demonstrates to the satisfaction 3006
of the superintendent that compliance with division (A) of this 3007
section that year will necessitate the reduction or elimination of 3008
a program currently offered by the district that is critical to 3009
the academic success of students of the district and that no 3010

reasonable alternatives exist for spending reductions in other 3011
areas of operation within the district that negate the necessity 3012
of the reduction or elimination of that program. 3013

(E) Notwithstanding any provision to the contrary in Chapter 3014
4117. of the Revised Code, the requirements of this section 3015
prevail over any conflicting provisions of agreements between 3016
employee organizations and public employers entered into after 3017
November 21, 1997. 3018

(F) As used in this section, "student population" means the 3019
average, daily, full-time equivalent number of students in 3020
kindergarten through twelfth grade receiving any educational 3021
services from the school district during the first full school 3022
week in October, excluding students enrolled in adult education 3023
classes, but including all of the following: 3024

(1) Adjacent or other district students enrolled in the 3025
district under an open enrollment policy pursuant to section 3026
3313.98 of the Revised Code; 3027

(2) Students receiving services in the district pursuant to a 3028
compact, cooperative education agreement, or a contract, but who 3029
are entitled to attend school in another district pursuant to 3030
section 3313.64 or 3313.65 of the Revised Code; 3031

(3) Students for whom tuition is payable pursuant to sections 3032
3317.081 and 3323.141 of the Revised Code. 3033

The department of education shall determine a district's 3034
student population using data reported to it under section 3317.03 3035
of the Revised Code for the applicable fiscal year. 3036

Sec. 3317.011. (A) As used in this section: 3037

(1) "Average administrative assistant salary" means the 3038
average salary of administrative assistants employed by city, 3039
local, and exempted village school districts in this state with 3040

salaries greater than \$20,000 but less than \$65,000 for the most 3041
recent fiscal year for which data is available, as determined by 3042
the department of education. 3043

(2) "Average bookkeeping and accounting employee salary" 3044
means the average salary of bookkeeping employees and accounting 3045
employees employed by city, local, and exempted village school 3046
districts in this state with salaries greater than \$20,000 but 3047
less than \$80,000 for the most recent fiscal year for which data 3048
is available, as determined by the department. 3049

(3) "Average clerical staff salary" means the average salary 3050
of clerical staff employed by city, local, and exempted village 3051
school districts in this state with salaries greater than \$15,000 3052
but less than \$50,000 for the most recent fiscal year for which 3053
data is available, as determined by the department. 3054

(4) "Average counselor salary" means the average salary of 3055
counselors employed by city, local, and exempted village school 3056
districts in this state with salaries greater than \$30,000 but 3057
less than \$95,000 for the most recent fiscal year for which data 3058
is available, as determined by the department. 3059

(5) "Average education management information system support 3060
employee salary" means the average salary of accounting employees 3061
employed by city, local, and exempted village school districts in 3062
this state with salaries greater than \$30,000 but less than 3063
\$90,000 for the most recent fiscal year for which data is 3064
available, as determined by the department. 3065

(6) "Average librarian and media staff salary" means the 3066
average salary of librarians and media staff employed by city, 3067
local, and exempted village school districts in this state with 3068
salaries greater than \$30,000 but less than \$95,000 for the most 3069
recent fiscal year for which data is available, as determined by 3070
the department. 3071

(7) "Average other district administrator salary" means the average salary of all assistant superintendents and directors employed by city, local, and exempted village school districts in this state with salaries greater than \$50,000 but less than \$135,000 for the most recent fiscal year for which data is available, as determined by the department.

(8) "Average principal salary" means the average salary of all principals employed by city, local, and exempted village school districts in this state with salaries greater than \$50,000 but less than \$120,000 for the most recent fiscal year for which data is available, as determined by the department.

(9) "Average superintendent salary" means the average salary of all superintendents employed by city, local, and exempted village school districts in this state with salaries greater than \$60,000 but less than \$180,000 for the most recent fiscal year for which data is available, as determined by the department.

(10) "Average teacher cost" for a fiscal year is equal to the sum of the following:

(a) The average salary of teachers employed by city, local, and exempted village school districts in this state with salaries greater than \$30,000 but less than \$95,000 for the most recent fiscal year for which data is available, as determined by the department;

(b) An amount for teacher benefits equal to 0.16 times the average salary calculated under division (A)(10)(a) of this section;

(c) An amount for district-paid insurance costs equal to the following product:

The statewide weighted average employer-paid monthly premium based on data reported by city, local, and exempted village school districts to the state employment relations board for the health

insurance survey conducted in accordance with divisions (K)(5) and (6) of section 4117.02 of the Revised Code for the most recent fiscal year for which data is available X 12 3103
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(B)(1) For purposes of this section, the department shall determine all of the following for fiscal year 2020 using data from fiscal year 2018: 3106
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(a) The average salaries determined under divisions (A)(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10)(a) of this section; 3109
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(b) The amount for teacher benefits determined under division (A)(10)(b) of this section; 3112
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(c) The district-paid insurance costs determined under division (A)(10)(c) of this section; 3114
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(d) The spending determined under divisions (E)(4)(a), (E)(5)(a), (E)(6)(a), and (E)(7)(a) of this section and the corresponding student counts determined under divisions (E)(4)(b), (E)(5)(b), (E)(6)(b), and (E)(7)(b) of this section; 3116
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(e) The information determined under division (G)(3) of this section. 3120
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(2) When calculating a district's aggregate base cost under this section for fiscal years 2021, 2022, and 2023, the department shall use the data for fiscal year 2020 determined under division (B)(1) of this section. 3122
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(3) For fiscal year 2024, the department shall determine the information described in divisions (B)(1)(a), (b), (c), (d), and (e) of this section by adjusting the data determined under those divisions for fiscal year 2020 by the average rate of inflation, as measured by the consumer price index prepared by the bureau of labor statistics of the United States department of labor (all urban consumers, all items), for the previous twelve-month period. 3126
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(4) When calculating a district's aggregate base cost under this section for fiscal year 2025, the department shall use the data for fiscal year 2024 determined under division (B)(3) of this section. 3133
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(5) For fiscal years 2026 and for each succeeding fourth fiscal year thereafter, the department shall determine the information described in divisions (B)(1)(a), (b), (c), (d), and (e) of this section using data reported for the second preceding fiscal year. For each of the intervening fiscal years, the department shall use the data most recently determined under this division. 3137
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(C) A city, local, or exempted village school district's aggregate base cost for a fiscal year shall be equal to the following sum: 3144
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The district's teacher base cost for that fiscal year computed under division (D) of this section + the district's student support base cost for that fiscal year computed under division (E) of this section + the district's leadership and accountability base cost for that fiscal year computed under division (F) of this section + the district's building leadership and operations base cost for that fiscal year computed under division (G) of this section 3147
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(D) The department of education shall compute a district's teacher base cost for a fiscal year as follows: 3155
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(1) Calculate the district's classroom teacher cost for that fiscal year as follows: 3157
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(a) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in kindergarten and divide that number by 20; 3159
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(b) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are 3162
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<u>enrolled in grades one through three and divide that number by 23;</u>	3164
<u>(c) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in grades four through eight but are not enrolled in a career-technical education program or class described under section 3317.014 of the Revised Code and divide that number by 25;</u>	3165 3166 3167 3168 3169
<u>(d) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in grades nine through twelve but are not enrolled in a career-technical education program or class described under section 3317.014 of the Revised Code and divide that number by 27;</u>	3170 3171 3172 3173 3174
<u>(e) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in a career-technical education program or class, as certified under divisions (B)(11), (12), (13), (14), and (15) of section 3317.03 of the Revised Code, and divide that number by 18;</u>	3175 3176 3177 3178 3179
<u>(f) Compute the sum of the quotients obtained under divisions (D)(1)(a), (b), (c), (d), and (e) of this section;</u>	3180 3181
<u>(g) Compute the classroom teacher cost by multiplying the average teacher cost for that fiscal year by the sum computed under division (D)(1)(f) of this section.</u>	3182 3183 3184
<u>(2) Calculate the district's special teacher cost for that fiscal year as follows:</u>	3185 3186
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 150;</u>	3187 3188
<u>(b) If the quotient obtained under division (D)(2)(a) of this section is greater than 6, the special teacher cost shall be equal to that quotient multiplied by the average teacher cost for that fiscal year.</u>	3189 3190 3191 3192
<u>(c) If the quotient obtained under division (D)(2)(a) of this</u>	3193

section is less than or equal to 6, the special teacher cost shall 3194
be equal to 6 multiplied by the average teacher cost for that 3195
fiscal year. 3196

(3) Calculate the district's substitute teacher cost for that 3197
fiscal year in accordance with the following formula: 3198

(a) Compute the substitute teacher daily rate with benefits 3199
by multiplying the substitute teacher daily rate of \$90 by 1.16; 3200

(b) Compute the substitute teacher cost in accordance with 3201
the following formula: 3202

[The sum computed under division (D)(1)(f) of this section + (the 3203
greater of the quotient obtained under division (D)(2)(a) of this 3204
section and 6)] X the amount computed under division (D)(3)(a) of 3205
this section X 5 3206

(4) Calculate the district's professional development cost 3207
for that fiscal year in accordance with the following formula: 3208

[The sum computed under division (D)(1)(f) of this section + (the 3209
greater of the quotient obtained under division (D)(2)(a) of this 3210
section and 6)] X [(the sum of divisions (A)(10)(a) and (b) of 3211
this section for that fiscal year)/180] X 4 3212

(5) Calculate the district's teacher base cost for that 3213
fiscal year, which equals the sum of divisions (D)(1), (2), (3), 3214
and (4) of this section. 3215

(E) The department shall compute a district's student support 3216
base cost for a fiscal year as follows: 3217

(1) Calculate the district's guidance counselor cost for that 3218
fiscal year as follows: 3219

(a) Determine the number of students in the district's base 3220
cost enrolled ADM for that fiscal year that are enrolled in grades 3221
nine through twelve and divide that number by 360; 3222

(b) Compute the counselor cost in accordance with the 3223

following formula: 3224

(The greater of the quotient obtained under division (E)(1)(a) of 3225
this section and 1) X [(the average counselor salary for that 3226
fiscal year X 1.16) + the amount specified under division 3227
(A)(10)(c) of this section for that fiscal year] 3228

(2) Calculate the district's librarian and media staff cost 3229
for that fiscal year as follows: 3230

(a) Divide the district's base cost enrolled ADM for that 3231
fiscal year by 1,000; 3232

(b) Compute the librarian and media staff cost in accordance 3233
with the following formula: 3234

The quotient obtained under division (E)(2)(a) of this section X 3235
[(the average librarian and media staff salary for that fiscal 3236
year X 1.16) + the amount specified under division (A)(10)(c) of 3237
this section for that fiscal year] 3238

(3) Calculate the district's staffing cost for student 3239
social, emotional, and security support for that fiscal year as 3240
follows: 3241

(a) Divide the district's base cost enrolled ADM for that 3242
fiscal year by 250; 3243

(b) Compute the staffing cost for student social, emotional, 3244
and security support in accordance with the following formula: 3245

(The greater of the quotient obtained under division (E)(3)(a) of 3246
this section and 5) X [(the average counselor salary for that 3247
fiscal year X 1.16) + the amount specified under division 3248
(A)(10)(c) of this section for that fiscal year] 3249

(4) Calculate the district's academic co-curricular 3250
activities cost for that fiscal year as follows: 3251

(a) Determine the total amount of spending for academic 3252
co-curricular activities reported by city, local, and exempted 3253

village school districts to the department for the most recent 3254
fiscal year for which data is available; 3255

(b) Determine the sum of the enrolled ADM of every school 3256
district in the state for the most recent fiscal year for which 3257
the data specified under division (E)(4)(a) of this section is 3258
available; 3259

(c) Compute the academic co-curricular activities cost in 3260
accordance with the following formula: 3261

(The amount determined under division (E)(4)(a) of this section / 3262
the sum determined under division (E)(4)(b) of this section) X the 3263
district's base cost enrolled ADM for the fiscal year for which 3264
the academic co-curricular activities cost is computed 3265

(5) Calculate the district's athletic co-curricular 3266
activities cost for that fiscal year as follows: 3267

(a) Determine the total amount of spending for athletic 3268
co-curricular activities reported by city, local, and exempted 3269
village school districts to the department for the most recent 3270
fiscal year for which data is available; 3271

(b) Determine the sum of the enrolled ADM of every school 3272
district in the state for the most recent fiscal year for which 3273
the data specified under division (E)(5)(a) of this section is 3274
available; 3275

(c) Compute the athletic co-curricular activities cost in 3276
accordance with the following formula: 3277

(The amount determined under division (E)(5)(a) of this section / 3278
the sum determined under division (E)(5)(b) of this section) X the 3279
district's base cost enrolled ADM for the fiscal year for which 3280
the athletic co-curricular activities cost is computed 3281

(6) Calculate the district's building safety and security 3282
cost for that fiscal year as follows: 3283

<u>(a) Determine the total amount of spending for building safety and security reported by city, local, and exempted village school districts to the department for the most recent fiscal year for which data is available;</u>	3284
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<u>(b) Determine the sum of the enrolled ADM of every school district in the state that reported the data specified under division (E)(6)(a) of this section for the most recent fiscal year for which the data is available;</u>	3288
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	3291
<u>(c) Compute the building safety and security cost in accordance with the following formula:</u>	3292
	3293
<u>(The amount determined under division (E)(6)(a) of this section / the sum determined under division (E)(6)(b) of this section) X the district's base cost enrolled ADM for the fiscal year for which the building safety and security cost is computed</u>	3294
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	3297
<u>(7) Calculate the district's supplies and academic content cost for that fiscal year as follows:</u>	3298
	3299
<u>(a) Determine the total amount of spending for supplies and academic content, excluding supplies for transportation and maintenance, reported by city, local, and exempted village school districts to the department for the most recent fiscal year for which data is available;</u>	3300
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	3304
<u>(b) Determine the sum of the enrolled ADM of every school district in the state for the most recent fiscal year for which the data specified under division (E)(7)(a) of this section is available;</u>	3305
	3306
	3307
	3308
<u>(c) Compute the supplies and academic content cost in accordance with the following formula:</u>	3309
	3310
<u>(The amount determined under division (E)(7)(a) of this section / the sum determined under division (E)(7)(b) of this section) X the district's base cost enrolled ADM for the fiscal year for which the supplies and academic content cost is computed</u>	3311
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	3313
	3314

- (8) Calculate the district's technology cost for that fiscal year in accordance with the following formula: 3315
\$37.50 X the district's base cost enrolled ADM for that fiscal year 3316
year 3317 3318
- (9) Calculate the district's student support base cost for that fiscal year, which equals the sum of divisions (E)(1), (2), (3), (4), (5), (6), (7), and (8) of this section. 3319 3320 3321
- (F) The department shall compute a district's leadership and accountability base cost for a fiscal year as follows: 3322 3323
- (1) Calculate the district's superintendent cost for that fiscal year as follows: 3324 3325
- (a) If the district's base cost enrolled ADM for that fiscal year is greater than 4,000, then the district's superintendent cost shall be equal to [(\$160,000 X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]. 3326 3327 3328 3329
- (b) If the district's base cost enrolled ADM for that fiscal year is less than or equal to 4,000 but greater than or equal to 500, the district's superintendent cost shall be equal to the sum of the following: 3330 3331 3332 3333
- (i) (The district's base cost enrolled ADM for that fiscal year - 500) X {[((\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500}; 3334 3335
- (ii) (\$80,000 X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year. 3336 3337
- (c) If the district's base cost enrolled ADM is less than 500, then the district's superintendent cost shall be equal to [(\$80,000 X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]. 3338 3339 3340 3341
- (2) Calculate the district's treasurer cost for that fiscal year as follows: 3342 3343
- (a) If the district's base cost enrolled ADM for that fiscal 3344

year is greater than 4,000, then the district's treasurer cost 3345
shall be equal to [(\$130,000 X 1.16) + the amount specified under 3346
division (A)(10)(c) of this section for that fiscal year]. 3347

(b) If the district's base cost enrolled ADM for that fiscal 3348
year is less than or equal to 4,000 but greater than or equal to 3349
500, the district's treasurer cost shall be equal to the sum of 3350
the following: 3351

(i) (The district's base cost enrolled ADM for that fiscal 3352
year - 500) X {[((\$130,000 X 1.16) - (\$60,000 X 1.16)]/3500}; 3353

(ii) (\$60,000 X 1.16) + the amount specified under division 3354
(A)(10)(c) of this section for that fiscal year. 3355

(c) If the district's base cost enrolled ADM is less than 3356
500, then the district's treasurer cost shall be equal to 3357
[((\$60,000 X 1.16) + the amount specified under division (A)(10)(c) 3358
of this section for that fiscal year]. 3359

(3) Calculate the district's other district administrator 3360
cost for that fiscal year as follows: 3361

(a) Divide the average other district administrator salary 3362
for that fiscal year by the average superintendent salary for that 3363
fiscal year; 3364

(b) Divide the district's base cost enrolled ADM for that 3365
fiscal year by 750; 3366

(c) Compute the other district administrator cost in 3367
accordance with the following formula: 3368

{[(The district's superintendent cost for that fiscal year 3369
calculated under division (F)(1) of this section - the amount 3370
specified under division (A)(10)(c) of this section for that 3371
fiscal year) X the quotient obtained under division (F)(3)(a) of 3372
this section] + the amount specified under division (A)(10)(c) of 3373
this section} X (the greater of the quotient obtained under 3374

<u>division (F)(3)(b) of this section and 2)</u>	3375
<u>(4) Calculate the district's fiscal support cost for that fiscal year as follows:</u>	3376
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 850;</u>	3377
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 850;</u>	3378
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 850;</u>	3379
<u>(b) Determine the lesser of the following:</u>	3380
<u>(i) The maximum of the quotient obtained under division (F)(4)(a) of this section and 2;</u>	3381
<u>(i) The maximum of the quotient obtained under division (F)(4)(a) of this section and 2;</u>	3382
<u>(ii) 35.</u>	3383
<u>(c) Compute the fiscal support cost in accordance with the following formula:</u>	3384
<u>The number obtained under division (F)(4)(b) of this section X [(the average bookkeeping and accounting employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3385
<u>The number obtained under division (F)(4)(b) of this section X [(the average bookkeeping and accounting employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3386
<u>The number obtained under division (F)(4)(b) of this section X [(the average bookkeeping and accounting employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3387
<u>The number obtained under division (F)(4)(b) of this section X [(the average bookkeeping and accounting employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3388
<u>(A)(10)(c) of this section for that fiscal year]</u>	3389
<u>(5) Calculate the district's education management information system support cost for that fiscal year as follows:</u>	3390
<u>(5) Calculate the district's education management information system support cost for that fiscal year as follows:</u>	3391
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 5,000;</u>	3392
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 5,000;</u>	3393
<u>(b) Compute the education management information system support cost in accordance with the following formula:</u>	3394
<u>(b) Compute the education management information system support cost in accordance with the following formula:</u>	3395
<u>(The greater of the quotient obtained under division (F)(5)(a) of this section and 1) X [(the average education management information system support employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3396
<u>(The greater of the quotient obtained under division (F)(5)(a) of this section and 1) X [(the average education management information system support employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3397
<u>(The greater of the quotient obtained under division (F)(5)(a) of this section and 1) X [(the average education management information system support employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3398
<u>(The greater of the quotient obtained under division (F)(5)(a) of this section and 1) X [(the average education management information system support employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3399
<u>(The greater of the quotient obtained under division (F)(5)(a) of this section and 1) X [(the average education management information system support employee salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year]</u>	3400
<u>(6) Calculate the district's leadership support cost for that fiscal year as follows:</u>	3401
<u>(6) Calculate the district's leadership support cost for that fiscal year as follows:</u>	3402
<u>(a) Determine the greater of the quotient obtained under division (F)(3)(b) of this section and 2, and add 1 to that</u>	3403
<u>(a) Determine the greater of the quotient obtained under division (F)(3)(b) of this section and 2, and add 1 to that</u>	3404

number; 3405

(b) Divide the number obtained under division (F)(6)(a) of this section by 3; 3406
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(c) Compute the leadership support cost in accordance with the following formula: 3408
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(The greater of the quotient obtained under division (F)(6)(b) of this section and 1) X [(the average administrative assistant salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of this section for that fiscal year] 3410
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(7) Calculate the district's information technology center support cost for that fiscal year in accordance with the following formula: 3414
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\$31 X the district's base cost enrolled ADM for that fiscal year 3417

(8) Calculate the district's district leadership and accountability base cost for that fiscal year, which equals the sum of divisions (F)(1), (2), (3), (4), (5), (6), and (7) of this section. 3418
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(G) The department shall compute a district's building leadership and operations base cost for a fiscal year as follows: 3422
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(1) Calculate the district's building leadership cost for that fiscal year as follows: 3424
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(a) Divide the average principal salary for that fiscal year by the average superintendent salary for that fiscal year; 3426
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(b) Divide the district's base cost enrolled ADM for that fiscal year by 450; 3428
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(c) Compute the building leadership cost in accordance with the following formula: 3430
3431

{[(The district's superintendent cost for that fiscal year calculated under division (F)(1) of this section - the amount specified under division (A)(10)(c) of this section for that 3432
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fiscal year) X the quotient obtained under division (G)(1)(a) of 3435
this section] + the amount specified under division (A)(10)(c) of 3436
this section for that fiscal year} X the quotient obtained under 3437
division (G)(1)(b) of this section 3438

(2) Calculate the district's building leadership support cost 3439
for that fiscal year as follows: 3440

(a) Divide the district's base cost enrolled ADM for that 3441
fiscal year by 400; 3442

(b) Determine the number of school buildings in the district 3443
for that fiscal year; 3444

(c) Compute the building leadership support cost in 3445
accordance with the following formula: 3446

(i) If the quotient obtained under division (G)(2)(a) of this 3447
section is less than the number obtained under division (G)(2)(b) 3448
of this section, then the district's building leadership support 3449
cost shall be equal to {the number obtained under division 3450
(G)(2)(b) of this section for that fiscal year X [(the average 3451
clerical staff salary for that fiscal year X 1.16) + the amount 3452
specified under division (A)(10)(c) of this section for that 3453
fiscal year]}. 3454

(ii) If the quotient obtained under division (G)(2)(a) of 3455
this section is greater than or equal to the number obtained under 3456
division (G)(2)(b) of this section, then the district's building 3457
leadership support cost shall be equal to {[the lesser of (the 3458
number obtained under division (G)(2)(b) of this section X 3) and 3459
the quotient obtained under division (G)(2)(a) of this section] X 3460
[(the average clerical staff salary for that fiscal year X 1.16) + 3461
the amount specified under division (A)(10)(c) of this section for 3462
that fiscal year]}. 3463

(3) Calculate the district's building operations cost for 3464
that fiscal year as follows: 3465

(a) Using data for the six most recent fiscal years for which data is available, determine both of the following: 3466
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(i) The six-year average of the average building square feet per pupil for all city, local, and exempted village school district buildings in the state; 3468
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(ii) The six-year average cost per square foot for all city, local, and exempted village school district buildings in the state. 3471
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(b) Compute the building operations cost in accordance with the following formula: 3474
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The district's base cost enrolled ADM for that fiscal year X [(the number determined under division (G)(3)(a)(i) of this section X the number determined under division (G)(3)(a)(ii) of this section) - (the amount determined under division (E)(6)(a) of this section for that fiscal year / the sum determined under division (E)(6)(b) of this section for that fiscal year)] 3476
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(4) Calculate the district's building leadership and operations base cost for that fiscal year, which equals the sum of divisions (G)(1), (2), and (3) of this section. 3482
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Sec. 3317.012. (A) As used in this section, "average administrative assistant salary," "average bookkeeping and accounting employee salary," "average clerical staff salary," "average counselor salary," "average education management information system support employee salary," "average librarian and media staff salary," "average other district administrator salary," "average principal salary," "average superintendent salary," and "average teacher cost" have the same meanings as in section 3317.011 of the Revised Code. 3485
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(B)(1) For purposes of this section, the department shall determine all of the following for fiscal year 2020 using data 3494
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<u>from fiscal year 2018:</u>	3496
<u>(a) The average salaries determined under divisions (A)(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10)(a) of section 3317.011 of the Revised Code;</u>	3497 3498 3499
<u>(b) The amount for teacher benefits determined under division (A)(10)(b) of section 3317.011 of the Revised Code;</u>	3500 3501
<u>(c) The district-paid insurance costs determined under division (A)(10)(c) of section 3317.011 of the Revised Code;</u>	3502 3503
<u>(d) The spending determined under division (E)(4) of this section;</u>	3504 3505
<u>(e) The spending determined under divisions (E)(5)(a) and (6)(a) of this section and the corresponding student counts determined under divisions (E)(5)(b) and (6)(b) of section 3317.011 of the Revised Code;</u>	3506 3507 3508 3509
<u>(f) The information determined under division (G)(3) of this section.</u>	3510 3511
<u>(2) When calculating a district's aggregate base cost under this section for fiscal years 2021, 2022, and 2023, the department shall use the data for fiscal year 2020 determined under division (B)(1) of this section.</u>	3512 3513 3514 3515
<u>(3) For fiscal year 2024, the department shall determine the information described in divisions (B)(1)(a), (b), (c), (d), (e), and (f) of this section by adjusting the data determined under those divisions for fiscal year 2020 by the average rate of inflation, as measured by the consumer price index prepared by the bureau of labor statistics of the United States department of labor (all urban consumers, all items), for the previous twelve-month period.</u>	3516 3517 3518 3519 3520 3521 3522 3523
<u>(4) When calculating a district's aggregate base cost under this section for fiscal year 2025, the department shall use the</u>	3524 3525

data for fiscal year 2024 determined under division (B)(3) of this section. 3526
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(5) For fiscal years 2026 and for each succeeding fourth fiscal year thereafter, the department shall determine the information described in divisions (B)(1)(a), (b), (c), (d), (e), and (f) of this section using data reported for the second preceding fiscal year. For each of the intervening fiscal years, the department shall use the data most recently determined under this division. 3528
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(C) A joint vocational school district's aggregate base cost for a fiscal year shall be equal to the following sum: 3535
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The district's teacher base cost for that fiscal year computed under division (D) of this section + the district's student support base cost for that fiscal year computed under division (E) of this section + the district's leadership and accountability base cost for that fiscal year computed under division (F) of this section + the district's building leadership and operations base cost for that fiscal year computed under division (G) of this section 3537
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(D) The department of education shall compute a district's teacher base cost for a fiscal year as follows: 3545
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(1) Calculate the district's classroom teacher cost for that fiscal year as follows: 3547
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(a) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in a career-technical education program or class, as certified under divisions (D)(2)(h), (i), (j), (k), and (l) of section 3317.03 of the Revised Code, and divide that number by 18; 3549
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(b) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in grades six through eight but are not enrolled in a 3554
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career-technical education program or class described under 3557
section 3317.014 of the Revised Code and divide that number by 25; 3558

(c) Determine the full-time equivalency of students in the 3559
district's base cost enrolled ADM for that fiscal year that are 3560
enrolled in grades nine through twelve but are not enrolled in a 3561
career-technical education program or class described under 3562
section 3317.014 of the Revised Code and divide that number by 27; 3563

(d) Compute the sum of the quotients obtained under divisions 3564
(D)(1)(a), (b), and (c) of this section; 3565

(e) Compute the classroom teacher base cost by multiplying 3566
the average teacher cost for that fiscal year by the sum computed 3567
under division (D)(1)(d) of this section. 3568

(2) Calculate the district's cost for that fiscal year for 3569
teachers providing health and physical education, instruction 3570
regarding employability and soft skills, development and 3571
coordination of internships and job placements, career-technical 3572
student organization activities, pre-apprenticeship and 3573
apprenticeship coordination, and any assessment related to 3574
career-technical education, including any nationally recognized 3575
job skills or end-of-course assessment, as follows: 3576

(a) Divide the district's base cost enrolled ADM for that 3577
fiscal year by 150; 3578

(b) If the quotient obtained under division (D)(2)(a) of this 3579
section is greater than 6, the teacher cost shall be equal to that 3580
quotient multiplied by the average teacher cost for that fiscal 3581
year. 3582

(c) If the quotient obtained under division (D)(2)(a) of this 3583
section is less than or equal to 6, the teacher cost shall be 3584
equal to 6 multiplied by the average teacher cost for that fiscal 3585
year. 3586

<u>(3) Calculate the district's substitute teacher cost for that</u>	3587
<u>fiscal year in accordance with the following formula:</u>	3588
<u>(a) Compute the substitute teacher daily rate with benefits</u>	3589
<u>by multiplying the substitute teacher daily rate of \$90 by 1.16;</u>	3590
<u>(b) Compute the substitute teacher cost in accordance with</u>	3591
<u>the following formula:</u>	3592
<u>[The sum computed under division (D)(1)(d) of this section + (the</u>	3593
<u>greater of the quotient obtained under division (D)(2)(a) of this</u>	3594
<u>section and 6)] X the amount computed under division (D)(3)(a) of</u>	3595
<u>this section X 5</u>	3596
<u>(4) Calculate the district's professional development cost</u>	3597
<u>for that fiscal year in accordance with the following formula:</u>	3598
<u>[The sum computed under division (D)(1)(d) of this section + (the</u>	3599
<u>greater of the quotient obtained under division (D)(2)(a) of this</u>	3600
<u>section and 6)] X [(the sum of divisions (A)(10)(a) and (b) of</u>	3601
<u>section 3317.011 of the Revised Code for that fiscal year)/180] X</u>	3602
<u>4</u>	3603
<u>(5) Calculate the district's teacher base cost for that</u>	3604
<u>fiscal year, which equals the sum of divisions (D)(1), (2), (3),</u>	3605
<u>and (4) of this section.</u>	3606
<u>(E) The department shall compute a district's student support</u>	3607
<u>base cost for a fiscal year as follows:</u>	3608
<u>(1) Calculate the district's guidance counselor cost for that</u>	3609
<u>fiscal year as follows:</u>	3610
<u>(a) Determine the number of students in the district's base</u>	3611
<u>cost enrolled ADM for that fiscal year that are enrolled in grades</u>	3612
<u>nine through twelve and divide that number by 360;</u>	3613
<u>(b) Compute the counselor cost in accordance with the</u>	3614
<u>following formula:</u>	3615
<u>(The greater of the quotient obtained under division (E)(1)(a) of</u>	3616

this section and 1) X [(the average counselor salary for that 3617
fiscal year X 1.16) + the amount specified under division 3618
(A)(10)(c) of section 3317.011 of the Revised Code for that fiscal 3619
year] 3620

(2) Calculate the district's librarian and media staff cost 3621
for that fiscal year as follows: 3622

(a) Divide the district's base cost enrolled ADM for that 3623
fiscal year by 1,000; 3624

(b) Compute the librarian and media staff cost in accordance 3625
with the following formula: 3626

The quotient obtained under division (E)(2)(a) of this section X 3627
[(the average librarian and media staff salary for that fiscal 3628
year X 1.16) + the amount specified under division (A)(10)(c) of 3629
section 3317.011 of the Revised Code for that fiscal year] 3630

(3) Calculate the district's staffing cost for student 3631
social, emotional, and security support for that fiscal year as 3632
follows: 3633

(a) Divide the district's base cost enrolled ADM for that 3634
fiscal year by 250; 3635

(b) Compute the staffing cost for student social, emotional, 3636
and security support in accordance with the following formula: 3637

The quotient obtained under division (E)(3)(a) of this section X 3638
[(the average counselor salary for that fiscal year X 1.16) + the 3639
amount specified under division (A)(10)(c) of section 3317.011 of 3640
the Revised Code for that fiscal year] 3641

(4) Calculate the district's cost for that fiscal year for 3642
career-technical curriculum specialists and coordinators, career 3643
assessment and program placement, recruitment and orientation, 3644
student success coordination, analysis of test results, 3645
development of intervention and remediation plans and monitoring 3646
of those plans, and satellite program coordination in accordance 3647

with the following formula: 3648

[(The amount determined under division (E)(4)(a) of section 3649
3317.011 of the Revised Code for that fiscal year / the sum 3650
determined under division (E)(4)(b) of section 3317.011 of the 3651
Revised Code) + (the amount determined under division (E)(5)(a) of 3652
section 3317.011 of the Revised Code for that fiscal year / the 3653
sum determined under division (E)(5)(b) of section 3317.011 of the 3654
Revised Code)] X the district's base cost enrolled ADM for the 3655
fiscal year for which the district's cost under this division is 3656
computed 3657

(5) Compute the district's building safety and security cost 3658
for that fiscal year in accordance with the following formula: 3659

(The amount determined under division (E)(6)(a) of section 3660
3317.011 of the Revised Code for that fiscal year / the sum 3661
determined under division (E)(6)(b) of section 3317.011 of the 3662
Revised Code) X the district's base cost enrolled ADM for the 3663
fiscal year for which the building safety and security cost is 3664
computed 3665

(6) Compute the district's supplies and academic content cost 3666
for that fiscal year in accordance with the following formula: 3667

(The amount determined under division (E)(7)(a) of section 3668
3317.011 of the Revised Code for that fiscal year / the sum 3669
determined under division (E)(7)(b) of section 3317.011 of the 3670
Revised Code) X the district's base cost enrolled ADM for the 3671
fiscal year for which the supplies and academic content cost is 3672
computed 3673

(7) Calculate the district's technology cost for that fiscal 3674
year in accordance with the following formula: 3675

\$37.50 X the district's base cost enrolled ADM for that fiscal 3676
year 3677

(8) Calculate the district's student support base cost for 3678
that fiscal year, which equals the sum of divisions (E)(1), (2), 3679

(3), (4), (5), (6), and (7) of this section. 3680

(F) The department shall compute a district's leadership and accountability base cost for a fiscal year as follows: 3681
3682

(1) Calculate the district's superintendent cost for that fiscal year as follows: 3683
3684

(a) If the district's base cost enrolled ADM for that fiscal year is greater than 4,000, then the district's superintendent cost shall be equal to [(\$160,000 X 1.16) + the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code for that fiscal year]. 3685
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(b) If the district's base cost enrolled ADM for that fiscal year is less than or equal to 4,000 but greater than or equal to 500, the district's superintendent cost shall be equal to the sum of the following: 3690
3691
3692
3693

(i) (The district's base cost enrolled ADM for that fiscal year - 500) X {[((\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500}; 3694
3695

(ii) (\$80,000 X 1.16) + the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code for that fiscal year. 3696
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(c) If the district's base cost enrolled ADM is less than 500, then the district's superintendent cost shall be equal to [(\$80,000 X 1.16) + the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code for that fiscal year]. 3699
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(2) Calculate the district's treasurer cost for that fiscal year as follows: 3703
3704

(a) If the district's base cost enrolled ADM for that fiscal year is greater than 4,000, then the district's treasurer cost shall be equal to [(\$130,000 X 1.16) + the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code for that fiscal year]. 3705
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(b) If the district's base cost enrolled ADM for that fiscal year is less than or equal to 4,000 but greater than or equal to 500, the district's treasurer cost shall be equal to the sum of the following: 3710
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3713

(i) (The district's base cost enrolled ADM for that fiscal year - 500) X {[((\$130,000 X 1.16) - (\$60,000 X 1.16))/3500]; 3714
3715

(ii) (\$60,000 X 1.16) + the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code for that fiscal year. 3716
3717
3718

(c) If the district's base cost enrolled ADM is less than 500, then the district's treasurer cost shall be equal to [(\$60,000 X 1.16) + the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code for that fiscal year]. 3719
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(3) Calculate the district's other district administrator cost for that fiscal year as follows: 3723
3724

(a) Divide the average other district administrator salary for that fiscal year by the average superintendent salary for that fiscal year; 3725
3726
3727

(b) Divide the district's base cost enrolled ADM for that fiscal year by 750; 3728
3729

(c) Compute the other district administrator cost in accordance with the following formula: 3730
3731

{[(The district's superintendent cost for that fiscal year calculated under division (F)(1) of this section - the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code for that fiscal year) X the quotient obtained under division (F)(3)(a) of this section] + the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code} X (the greater of the quotient obtained under division (F)(3)(b) of this section and 2) 3732
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<u>(4) Calculate the district's fiscal support cost for that</u>	3740
<u>fiscal year as follows:</u>	3741
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3742
<u>fiscal year by 850;</u>	3743
<u>(b) Determine the lesser of the following:</u>	3744
<u>(i) The maximum of the quotient obtained under division</u>	3745
<u>(F)(4)(a) of this section and 2;</u>	3746
<u>(ii) 35.</u>	3747
<u>(c) Compute the fiscal support cost in accordance with the</u>	3748
<u>following formula:</u>	3749
<u>The number obtained under division (F)(4)(b) of this section X</u>	3750
<u>[(the average bookkeeping and accounting employee salary for that</u>	3751
<u>fiscal year X 1.16) + the amount specified under division</u>	3752
<u>(A)(10)(c) of section 3317.011 of the Revised Code for that fiscal</u>	3753
<u>year]</u>	3754
<u>(5) Calculate the district's education management information</u>	3755
<u>system support cost for that fiscal year as follows:</u>	3756
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3757
<u>fiscal year by 5,000;</u>	3758
<u>(b) Compute the education management information system</u>	3759
<u>support cost in accordance with the following formula:</u>	3760
<u>(The greater of the quotient obtained under division (F)(5)(a) of</u>	3761
<u>this section and 1) X [(the average education management</u>	3762
<u>information system support employee salary for that fiscal year X</u>	3763
<u>1.16) + the amount specified under division (A)(10)(c) of section</u>	3764
<u>3317.011 of the Revised Code for that fiscal year]</u>	3765
<u>(6) Calculate the district's leadership support cost for that</u>	3766
<u>fiscal year as follows:</u>	3767
<u>(a) Determine the greater of the quotient obtained under</u>	3768
<u>division (F)(3)(b) of this section and 2 and add 1 to that number;</u>	3769

(b) Divide the number obtained under division (F)(6)(a) of this section by 3; 3770
3771

(c) Compute the leadership support cost in accordance with the following formula: 3772
3773

(The greater of the quotient obtained under division (F)(6)(b) of this section and 1) X [(the average administrative assistant salary for that fiscal year X 1.16) + the amount specified under division (A)(10)(c) of section 3317.011 of the Revised Code for that fiscal year] 3774
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(7) Calculate the district's information technology center support cost for that fiscal year in accordance with the following formula: 3779
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3781

\$31 X the district's base cost enrolled ADM for that fiscal year 3782

(8) Calculate the district's district leadership and accountability base cost for that fiscal year, which equals the sum of divisions (F)(1), (2), (3), (4), (5), (6), and (7) of this section; 3783
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(G) The department shall compute a district's building leadership and operations base cost for a fiscal year as follows: 3787
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(1) Calculate the district's building leadership cost for that fiscal year as follows: 3789
3790

(a) Divide the average principal salary for that fiscal year by the average superintendent salary for that fiscal year; 3791
3792

(b) Divide the district's base cost enrolled ADM for that fiscal year by 450; 3793
3794

(c) Compute the building leadership cost in accordance with the following formula: 3795
3796

{[(The district's superintendent cost for that fiscal year calculated under division (F)(1) of this section - the amount specified under division (A)(10)(c) of section 3317.011 of the 3797
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3799

Revised Code for that fiscal year) X the quotient obtained under 3800
division (G)(1)(a) of this section] + the amount specified under 3801
division (A)(10)(c) of section 3317.011 of the Revised Code for 3802
that fiscal year} X the quotient obtained under division (G)(1)(b) 3803
of this section 3804

(2) Calculate the district's building leadership support cost 3805
for that fiscal year as follows: 3806

(a) Divide the district's base cost enrolled ADM for that 3807
fiscal year by 400; 3808

(b) Determine the number of school buildings in the district 3809
for that fiscal year; 3810

(c) Compute the building leadership support cost in 3811
accordance with the following formula: 3812

(i) If the quotient obtained under division (G)(2)(a) of this 3813
section is less than the number obtained under division (G)(2)(b) 3814
of this section, then the district's building leadership support 3815
cost shall be equal to {the number obtained under division 3816
(G)(2)(b) of this section X [(the average clerical staff salary X 3817
1.16) + the amount specified under division (A)(10)(c) of section 3818
3317.011 of the Revised Code for that fiscal year]}. 3819

(ii) If the quotient obtained under division (G)(2)(a) of 3820
this section is greater than or equal to the number obtained under 3821
division (G)(2)(b) of this section, then the district's building 3822
leadership support cost shall be equal to {[the lesser of (the 3823
number obtained under division (G)(2)(b) of this section X 3) and 3824
the quotient obtained under division (G)(2)(a) of this section] X 3825
[(the average clerical staff salary for that fiscal year X 1.16) + 3826
the amount specified under division (A)(10)(c) of section 3317.011 3827
of the Revised Code for that fiscal year]}. 3828

(3) Compute the district's building operations cost for that 3829
fiscal year in accordance with the following formula: 3830

The district's base cost enrolled ADM for that fiscal year X [(the number determined under division (G)(3)(a)(i) of section 3317.011 of the Revised Code X the number determined under division (G)(3)(a)(ii) of section 3317.011 of the Revised Code) - (the amount determined under division (E)(6)(a) of section 3317.011 of the Revised Code for that fiscal year / the sum determined under division (E)(6)(b) of section 3317.011 of the Revised Code for that fiscal year)] 3831
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(4) Calculate the district's building leadership and operations base cost for that fiscal year, which equals the sum of divisions (G)(1), (2), and (3) of this section. 3839
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Sec. 3317.013. ~~The amounts~~ multiples for the following 3842
categories of special education programs, as these programs are 3843
defined for purposes of Chapter 3323. of the Revised Code, are as 3844
follows: 3845

(A) ~~An amount of \$1,578~~ A multiple of 0.2439 for each ~~student~~ 3846
students whose primary or only identified disability is a speech 3847
and language disability, as this term is defined pursuant to 3848
Chapter 3323. of the Revised Code; 3849

(B) ~~An amount of \$4,005~~ A multiple of 0.6189 for each ~~student~~ 3850
students identified as specific learning disabled or 3851
developmentally disabled, as these terms are defined pursuant to 3852
Chapter 3323. of the Revised Code, identified as having an other 3853
health impairment-minor, or identified as a preschool child who is 3854
developmentally delayed; 3855

(C) ~~An amount of \$9,622~~ A multiple of 1.4869 for each ~~student~~ 3856
students identified as hearing disabled or severe behavior 3857
disabled, as these terms are defined pursuant to Chapter 3323. of 3858
the Revised Code; 3859

(D) ~~An amount of \$12,841~~ A multiple of 1.9844 for each 3860
~~student~~ students identified as vision impaired, as this term is 3861

defined pursuant to Chapter 3323. of the Revised Code, or as 3862
having an other health impairment-major; 3863

(E) ~~An amount of \$17,390~~ A multiple of 2.6874 for each 3864
~~student~~ students identified as orthopedically disabled or as 3865
having multiple disabilities, as these terms are defined pursuant 3866
to Chapter 3323. of the Revised Code; 3867

(F) ~~An amount of \$25,637~~ A multiple of 3.9618 for each 3868
~~student~~ students identified as autistic, having traumatic brain 3869
injuries, or as both visually and hearing impaired, as these terms 3870
are defined pursuant to Chapter 3323. of the Revised Code. 3871

Sec. 3317.014. (A) ~~The career-technical education additional~~ 3872
~~amount per pupil for each student enrolled in multiples for the~~ 3873
~~following categories of~~ career-technical education programs 3874
approved by the department of education under section 3317.161 of 3875
the Revised Code shall be as follows: 3876

~~(A) An amount of \$5,192~~ (1) A multiple of 0.6236 for each 3877
~~student~~ students enrolled in career-technical education workforce 3878
development programs in agricultural and environmental systems, 3879
construction technologies, engineering and science technologies, 3880
finance, health science, information technology, and manufacturing 3881
technologies, each of which shall be defined by the department in 3882
consultation with the governor's office of workforce 3883
transformation; 3884

~~(B) An amount of \$4,921~~ (2) A multiple of 0.5910 for each 3885
~~student~~ students enrolled in workforce development programs in 3886
business and administration, hospitality and tourism, human 3887
services, law and public safety, transportation systems, and arts 3888
and communications, each of which shall be defined by the 3889
department in consultation with the governor's office of workforce 3890
transformation; 3891

~~(C) An amount of \$1,795 (3) A multiple of 0.2156 for students~~ 3892
enrolled in career-based intervention programs, which shall be 3893
defined by the department in consultation with the governor's 3894
office of workforce transformation; 3895

~~(D) An amount of \$1,525 (4) A multiple of 0.1832 for students~~ 3896
enrolled in workforce development programs in education and 3897
training, marketing, workforce development academics, public 3898
administration, and career development, each of which shall be 3899
defined by the department of education in consultation with the 3900
governor's office of workforce transformation; 3901

~~(E) An amount of \$1,308 (5) A multiple of 0.1571 for students~~ 3902
enrolled in family and consumer science programs, which shall be 3903
defined by the department of education in consultation with the 3904
governor's office of workforce transformation. 3905

(B) The amount multiple for career-technical education 3906
associated services, as defined by the department, shall be ~~\$245~~ 3907
0.0294. 3908

(C) The department of education shall pay career-technical 3909
education funds to city, local, exempted village, and joint 3910
vocational school districts calculated as the sum of the 3911
following: 3912

(1) The district's category one career-technical education 3913
ADM X the multiple specified in division (A)(1) of this section X 3914
the statewide average career-technical base cost per pupil for 3915
that fiscal year X the district's state share percentage; 3916

(2) The district's category two career-technical education 3917
ADM X the multiple specified in division (A)(2) of this section X 3918
the statewide average career-technical base cost per pupil for 3919
that fiscal year X the district's state share percentage; 3920

(3) The district's category three career-technical education 3921
ADM X the multiple specified in division (A)(3) of this section X 3922

the statewide average career-technical base cost per pupil for 3923
that fiscal year X the district's state share percentage; 3924

(4) The district's category four career-technical education 3925
ADM X the multiple specified in division (A)(4) of this section X 3926
the statewide average career-technical base cost per pupil for 3927
that fiscal year X the district's state share percentage; 3928

(5) The district's category five career-technical education 3929
ADM X the multiple specified in division (A)(5) of this section X 3930
the statewide average career-technical base cost per pupil for 3931
that fiscal year X the district's state share percentage. 3932

Payment of funds under division (C) of this section is 3933
subject to approval under section 3317.161 of the Revised Code. 3934

(D) The department shall pay career-technical associated 3935
services funds to city, local, exempted village, and joint 3936
vocational school districts calculated as follows: 3937

The district's state share percentage X the multiple for 3938
career-technical education associated services specified under 3939
division (B) of this section X the statewide average 3940
career-technical base cost per pupil for that fiscal year X the 3941
sum of the district's categories one through five career-technical 3942
education ADM 3943

(E) The department shall pay career awareness and exploration 3944
funds to city, local, exempted village, and joint vocational 3945
school districts calculated as follows: 3946
The district's enrolled ADM X \$2.50, for fiscal year 2020, \$5, for 3947
fiscal year 2021, \$7.50, for fiscal year 2022, or \$10, for fiscal 3948
year 2023 and each fiscal year thereafter 3949

(F)(1) In any fiscal year, a school district receiving funds 3950
under division (C) of this section shall spend those funds only 3951
for the purposes that the department designates as approved for 3952
career-technical education expenses. Career-technical education 3953

expenses approved by the department shall include only expenses 3954
connected to the delivery of career-technical programming to 3955
career-technical students. The department shall require the school 3956
district to report data annually so that the department may 3957
monitor the district's compliance with the requirements regarding 3958
the manner in which funding received under division (C) of this 3959
section may be spent. 3960

(2) All funds received under division (C) of this section 3961
shall be spent in the following manner: 3962

(a) At least seventy-five per cent of the funds shall be 3963
spent on curriculum development, purchase, and implementation; 3964
instructional resources and supplies; industry-based program 3965
certification; student assessment, credentialing, and placement; 3966
curriculum specific equipment purchases and leases; 3967
career-technical student organization fees and expenses; home and 3968
agency linkages; work-based learning experiences; professional 3969
development; and other costs directly associated with 3970
career-technical education programs including development of new 3971
programs. 3972

(b) Not more than twenty-five per cent of the funds shall be 3973
used for personnel expenditures. 3974

(G) In any fiscal year, a school district receiving funds 3975
under division (D) of this section, or through a transfer of funds 3976
pursuant to division (I) of section 3317.023 of the Revised Code, 3977
shall spend those funds only for the purposes that the department 3978
designates as approved for career-technical education associated 3979
services expenses, which may include such purposes as 3980
apprenticeship coordinators, coordinators for other 3981
career-technical education services, career-technical evaluation, 3982
and other purposes designated by the department. The department 3983
may deny payment under division (D) of this section to any 3984
district that the department determines is not operating those 3985

services or is using funds paid under division (D) of this 3986
section, or through a transfer of funds pursuant to division (I) 3987
of section 3317.023 of the Revised Code, for other purposes. 3988

(H) In any fiscal year, a lead district of a career-technical 3989
planning district receiving funds under division (E) of this 3990
section, or through a transfer of funds pursuant to division (I) 3991
of section 3317.023 of the Revised Code, shall disperse those 3992
funds to school districts, community schools, and STEM schools 3993
receiving services from that district that provide plans for the 3994
use of those funds that are consistent with the career-technical 3995
planning district's plan that is on file with the department of 3996
education. A district or school that receives funds under this 3997
division shall spend those funds only for the following purposes: 3998

(1) Delivery of career awareness programs to students 3999
enrolled in grades kindergarten through twelve; 4000

(2) Provision of a common, consistent curriculum to students 4001
throughout their primary and secondary education; 4002

(3) Assistance to teachers in providing a career development 4003
curriculum to students; 4004

(4) Development of a career development plan for each student 4005
that stays with that student for the duration of the student's 4006
primary and secondary education; 4007

(5) Provision of opportunities for students to engage in 4008
activities, such as career fairs, hands-on experiences, and job 4009
shadowing, across all career pathways at each grade level. 4010

The department may deny payment under this division to any 4011
district or school that the department determines is using funds 4012
paid under this division for other purposes. 4013

Sec. 3317.016. The amounts for ~~limited~~ English ~~proficient~~ 4014
students learners shall be as follows: 4015

(A) ~~An amount of \$1,515~~ A multiple of 0.2107 for each student 4016
who has been enrolled in schools in the United States for 180 4017
school days or less and was not previously exempted from taking 4018
the spring administration of either of the state's English 4019
language arts assessments prescribed by section 3301.0710 of the 4020
Revised Code (reading or writing). 4021

(B) ~~An amount of \$1,136~~ A multiple of 0.1580 for each student 4022
who has been enrolled in schools in the United States for more 4023
than 180 school days ~~or was previously exempted from taking until~~ 4024
the student achieves a score on the spring administration of 4025
either of the state's English language arts assessments prescribed 4026
by section 3301.0710 of the Revised Code (reading or writing) that 4027
falls within the levels of achievement specified in divisions 4028
(A)(2)(a) to (c) of that section. 4029

(C) ~~An amount of \$758~~ A multiple of 0.1054 for each student 4030
who ~~does not qualify for inclusion under division (A) or (B) of~~ 4031
~~this section and is in a trial mainstream period, as defined by~~ 4032
~~the department~~ achieves a score on the spring administration of 4033
either of the state's English language arts assessments prescribed 4034
by section 3301.0710 of the Revised Code (reading or writing) that 4035
falls within the levels of achievement specified in divisions 4036
(A)(2)(a) to (c) of that section, for the two school years 4037
following the school year in which the student achieved that level 4038
of achievement. 4039

Sec. 3317.017. (A) The department of education shall compute 4040
a city, local, or exempted village school district's per-pupil 4041
local capacity amount for a fiscal year as follows: 4042

(1) Calculate the district's valuation per pupil for that 4043
fiscal year as follows: 4044

(a) Determine the minimum of the district's three-year 4045
average valuation for the fiscal year for which the calculation is 4046

made and the district's taxable value for the most recent tax year 4047
for which data is available; 4048

(b) Divide the amount determined under division (A)(1)(a) of 4049
this section by the district's base cost enrolled ADM for the 4050
fiscal year for which the calculation is made. 4051

(2) Calculate the district's local share federal adjusted 4052
gross income per pupil for that fiscal year as follows: 4053

(a) Determine the minimum of the following: 4054

(i) The average of the total federal adjusted gross income of 4055
the district's residents for the three most recent tax years for 4056
which data is available, as certified under section 3317.021 of 4057
the Revised Code; 4058

(ii) The total federal adjusted gross income of the 4059
district's residents for the most recent tax year for which data 4060
is available, as certified under section 3317.021 of the Revised 4061
Code. 4062

(b) Divide the amount determined under division (A)(2)(a) of 4063
this section by the district's base cost enrolled ADM for the 4064
fiscal year for which the calculation is made. 4065

(3) Calculate the district's adjusted local share federal 4066
adjusted gross income per pupil for that fiscal year as follows: 4067

(a) Determine both of the following: 4068

(i) The median federal adjusted gross income of the 4069
district's residents for the most recent tax year for which data 4070
is available, as certified under section 3317.021 of the Revised 4071
Code; 4072

(ii) The number of state tax returns filed by taxpayers 4073
residing in the district for the most recent tax year for which 4074
data is available, as certified under section 3317.021 of the 4075
Revised Code. 4076

<u>(b) Compute the product of divisions (A)(3)(a)(i) and (ii) of this section;</u>	4077
	4078
<u>(c) Divide the amount determined under division (A)(3)(b) of this section by the district's base cost enrolled ADM for the fiscal year for which the calculation is made.</u>	4079
	4080
	4081
<u>(4) Calculate the district's per-pupil local capacity percentage as follows:</u>	4082
	4083
<u>(a) Determine the median of the median federal adjusted gross incomes determined for all districts statewide under division (A)(3)(a)(i) of this section for that fiscal year;</u>	4084
	4085
	4086
<u>(b) Divide the district's median federal adjusted gross income for that fiscal year determined under division (A)(3)(a)(i) of this section by the median federal adjusted gross income for all districts statewide determined under division (A)(4)(a) of this section;</u>	4087
	4088
	4089
	4090
	4091
<u>(c) Multiply the amount calculated under division (A)(4)(b) of this section by 0.023;</u>	4092
	4093
<u>(d) Determine the district's per-pupil local capacity percentage as follows:</u>	4094
	4095
<u>(i) If the amount calculated for the district under division (A)(4)(c) of this section is greater than or equal to 0.025, the district's per-pupil local capacity percentage shall be equal to 0.025.</u>	4096
	4097
	4098
	4099
<u>(ii) If the amount calculated for the district under division (A)(4)(c) of this section is less than 0.025 but greater than 0.020, the district's per-pupil local capacity percentage shall be equal to the amount calculated for the district under division (A)(4)(c) of this section.</u>	4100
	4101
	4102
	4103
	4104
<u>(iii) If the amount calculated for the district under division (A)(4)(c) of this section is less than or equal to 0.020,</u>	4105
	4106

the district's per-pupil local capacity percentage shall be equal 4107
to 0.020. 4108

(5) Calculate the district's per-pupil local capacity amount 4109
for that fiscal year as follows: 4110

(The district's valuation per pupil calculated under division 4111
(A)(1) of this section for that fiscal year X the district's 4112
per-pupil local capacity percentage calculated under division 4113
(A)(4) of this section X 0.60) + (the district's local share 4114
adjusted federal gross income per pupil calculated under division 4115
(A)(2) of this section for that fiscal year X the district's 4116
per-pupil local capacity percentage calculated under division 4117
(A)(4) of this section X 0.20) + (the district's adjusted local 4118
share federal adjusted gross income per pupil calculated under 4119
division (A)(3) of this section for that fiscal year X the 4120
district's per-pupil local capacity percentage calculated under 4121
division (A)(4) of this section X 0.20) 4122

(B) The department shall compute a city, local, or exempted 4123
village school district's state share for a fiscal year as 4124
follows: 4125

(1) If the district's per-pupil local capacity amount for 4126
that fiscal year divided by the district's base cost per pupil for 4127
that fiscal year is greater than 0.95, then the district's state 4128
share shall be equal to (the district's base cost per pupil for 4129
that fiscal year X 0.05 X the district's enrolled ADM for that 4130
fiscal year). 4131

(2) If the district's per-pupil local capacity amount for 4132
that fiscal year divided by the district's base cost per pupil for 4133
that fiscal year is less than or equal to 0.95, then the 4134
district's state share for that fiscal year shall be equal to 4135
[(the district's base cost per pupil for that fiscal year - the 4136
district's per-pupil local capacity amount for that fiscal year) X 4137
the district's enrolled ADM for that fiscal year]. 4138

(C) The department shall compute a city, local, or exempted village school district's state share percentage for a fiscal year as follows: 4139
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4141

The district's state share calculated under division (B) of this section for that fiscal year / the aggregate base cost calculated for the district for that fiscal year under section 3317.011 of the Revised Code 4142
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Sec. 3317.018. (A) The statewide average base cost per pupil shall be determined as follows: 4146
4147

(1) For fiscal year 2020, the statewide average base cost per pupil shall be equal to the sum of the aggregate base cost calculated for all city, local, and exempted village school districts in the state for that fiscal year under section 3317.011 of the Revised Code divided by the sum of the base cost enrolled ADMs of all of the city, local, and exempted village school districts in the state for that fiscal year. 4148
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(2) For fiscal years 2021, 2022, 2023, 2024, and 2025, the statewide average base cost per pupil shall be equal to the amount calculated under division (A)(1) of this section. 4155
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(3) For fiscal year 2026 and for each fiscal year thereafter, the statewide average base cost per pupil shall be equal to the sum of the aggregate base cost calculated for all city, local, and exempted village school districts in the state under section 3317.011 of the Revised Code for that fiscal year divided by the sum of the base cost enrolled ADMs of all of the city, local, and exempted village school districts in the state for that fiscal year. 4158
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(B) The statewide average career-technical base cost per pupil shall be determined as follows: 4166
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(1) For fiscal year 2020, the statewide average 4168

career-technical base cost per pupil shall be equal to the sum of 4169
the aggregate base cost calculated for all joint vocational school 4170
districts in the state for that fiscal year under section 3317.012 4171
of the Revised Code divided by the sum of the base cost enrolled 4172
ADMs of all of the joint vocational school districts in the state 4173
for that fiscal year. 4174

(2) For fiscal years 2021, 2022, 2023, 2024, and 2025, the 4175
statewide average career-technical base cost per pupil shall be 4176
equal to the amount calculated under division (B)(1) of this 4177
section. 4178

(3) For fiscal year 2026 and for each fiscal year thereafter, 4179
the statewide average career-technical base cost per pupil shall 4180
be equal to the sum of the aggregate base cost calculated for all 4181
joint vocational school districts in the state under section 4182
3317.012 of the Revised Code for that fiscal year divided by the 4183
sum of the base cost enrolled ADMs of all of the joint vocational 4184
school districts in the state for that fiscal year. 4185

Sec. 3317.019. (A)(1) For fiscal years 2020 and 2021, the 4186
department of education shall pay temporary transitional aid to 4187
each city, local, and exempted village school district according 4188
to the following formula: 4189

(The district's funding base, as that term is defined in section 4190
3317.02 of the Revised Code, - the district's payment for fiscal 4191
year 2019 under division (G) of section 3317.0212 of the Revised 4192
Code) - (the district's payment under section 3317.022 of the 4193
Revised Code for the fiscal year for which the payment is 4194
computed) 4195

If the computation made under division (A)(1) of this section 4196
results in a negative number, the district's funding under 4197
division (A)(1) of this section shall be zero. 4198

(2) For fiscal years 2020 and 2021, if a city, local, or 4199

exempted village school district receives a payment under division 4200
(A)(1) of this section, the department shall pay temporary 4201
transitional transportation aid to that district according to the 4202
following formula: 4203

(The district's payments for fiscal year 2019 under divisions (E), 4204
(F), and (G) of section 3317.0212 of the Revised Code) - (the 4205
district's payment under section 3317.0212 of the Revised Code for 4206
the fiscal year for which the payment is computed) 4207

If the computation made under division (A)(2) of this section 4208
results in a negative number, the district's funding under 4209
division (A)(2) of this section shall be zero. 4210

(B) For fiscal year 2022 and for each fiscal year thereafter, 4211
the department shall pay temporary transitional aid to each city, 4212
local, and exempted village school district according to the 4213
following formula: 4214

(The district's guaranteed funding for the third preceding fiscal 4215
year / the average of the district's enrolled ADM for the third, 4216
fourth, and fifth preceding fiscal years) - (the district's 4217
payment under section 3317.022 of the Revised Code for the fiscal 4218
year for which the payment is calculated / the district's enrolled 4219
ADM for the fiscal year for which the payment is calculated) X the 4220
district's enrolled ADM for the fiscal year for which the payment 4221
is calculated 4222

If the computation made under this division results in a 4223
negative number, the district's funding under this division shall 4224
be zero. 4225

For purposes of this computation, a district's "guaranteed 4226
funding" means the following: 4227

(1) For fiscal year 2019, the district's funding base, as 4228
that term is defined in section 3317.02 of the Revised Code, minus 4229
the district's payment for fiscal year 2019 under division (G) of 4230

section 3317.0212 of the Revised Code; 4231

(2) For fiscal years 2020 and 2021, the district's payment 4232
for that fiscal year under section 3317.022 of the Revised Code 4233
plus the district's payment for that fiscal year under division 4234
(A)(1) of this section; 4235

(3) For fiscal year 2022 and for each fiscal year thereafter, 4236
the district's payment for that fiscal year under section 3317.022 4237
of the Revised Code plus the district's payment for that fiscal 4238
year under division (B) of this section. 4239

(C) If a local school district participates in the 4240
establishment of a joint vocational school district that begins 4241
receiving payments under section 3317.16 of the Revised Code for 4242
fiscal year 2020 or for any fiscal year thereafter, but does not 4243
receive payments for the fiscal year immediately preceding that 4244
fiscal year, the department shall adjust, as necessary, the 4245
following according to the amounts received by the district in the 4246
immediately preceding fiscal year for career-technical education 4247
students who attend the newly established joint vocational school 4248
district: 4249

(1) For purposes of division (A)(1) of this section, the 4250
district's funding base, as that term is defined in section 4251
3317.02 of the Revised Code; 4252

(2) For purposes of division (B) of this section, the 4253
district's guaranteed funding. 4254

Sec. 3317.02. As used in this chapter: 4255

(A) A district's "base cost enrolled ADM" for a fiscal year 4256
means the greater of the following: 4257

(1) The district's enrolled ADM for the previous fiscal year; 4258

(2) The average of the district's enrolled ADM for the 4259
previous three fiscal years. 4260

(B)(1) "Base cost per pupil" for a fiscal year means, for a city, local, or exempted village school district, the aggregate base cost calculated for that district for that fiscal year under section 3317.011 of the Revised Code divided by the district's base cost enrolled ADM for that fiscal year.

(2) "Base cost per pupil" for a fiscal year means, for a joint vocational school district, the aggregate base cost calculated for that district for that fiscal year under section 3317.012 of the Revised Code divided by the district's base cost enrolled ADM for that fiscal year.

(C)(1) "Category one career-technical education ADM" means the enrollment of students during the school year on a full-time equivalency basis in career-technical education programs described in division (A)(1) of section 3317.014 of the Revised Code and certified under division (B)(11) or (D)(2)(h) of section 3317.03 of the Revised Code.

(2) "Category two career-technical education ADM" means the enrollment of students during the school year on a full-time equivalency basis in career-technical education programs described in division ~~(B)~~(A)(2) of section 3317.014 of the Revised Code and certified under division (B)(12) or (D)(2)(i) of section 3317.03 of the Revised Code.

(3) "Category three career-technical education ADM" means the enrollment of students during the school year on a full-time equivalency basis in career-technical education programs described in division ~~(C)~~(A)(3) of section 3317.014 of the Revised Code and certified under division (B)(13) or (D)(2)(j) of section 3317.03 of the Revised Code.

(4) "Category four career-technical education ADM" means the enrollment of students during the school year on a full-time equivalency basis in career-technical education programs described

in division ~~(D)~~(A)(4) of section 3317.014 of the Revised Code and 4292
certified under division (B)(14) or (D)(2)(k) of section 3317.03 4293
of the Revised Code. 4294

(5) "Category five career-technical education ADM" means the 4295
enrollment of students during the school year on a full-time 4296
equivalency basis in career-technical education programs described 4297
in division ~~(E)~~(A)(5) of section 3317.014 of the Revised Code and 4298
certified under division (B)(15) or (D)(2)(l) of section 3317.03 4299
of the Revised Code. 4300

~~(B)~~(D)(1) "Category one ~~limited~~ English ~~proficient~~ learner 4301
ADM" means the full-time equivalent number of ~~limited~~ English 4302
~~proficient~~ ~~students~~ learners described in division (A) of section 4303
3317.016 of the Revised Code and certified under division (B)(16) 4304
or (D)(2)(m) of section 3317.03 of the Revised Code. 4305

(2) "Category two ~~limited~~ English ~~proficient~~ learner ADM" 4306
means the full-time equivalent number of ~~limited~~ English 4307
~~proficient~~ ~~students~~ learners described in division (B) of section 4308
3317.016 of the Revised Code and certified under division (B)(17) 4309
or (D)(2)(n) of section 3317.03 of the Revised Code. 4310

(3) "Category three ~~limited~~ English ~~proficient~~ learner ADM" 4311
means the full-time equivalent number of ~~limited~~ English 4312
~~proficient~~ ~~students~~ learners described in division (C) of section 4313
3317.016 of the Revised Code and certified under division (B)(18) 4314
or (D)(2)(o) of section 3317.03 of the Revised Code. 4315

~~(C)~~(E)(1) "Category one special education ADM" means the 4316
full-time equivalent number of children with disabilities 4317
receiving special education services for the disability specified 4318
in division (A) of section 3317.013 of the Revised Code and 4319
certified under division (B)(5) or (D)(2)(b) of section 3317.03 of 4320
the Revised Code. 4321

(2) "Category two special education ADM" means the full-time 4322

equivalent number of children with disabilities receiving special 4323
education services for those disabilities specified in division 4324
(B) of section 3317.013 of the Revised Code and certified under 4325
division (B)(6) or (D)(2)(c) of section 3317.03 of the Revised 4326
Code. 4327

(3) "Category three special education ADM" means the 4328
full-time equivalent number of students receiving special 4329
education services for those disabilities specified in division 4330
(C) of section 3317.013 of the Revised Code, and certified under 4331
division (B)(7) or (D)(2)(d) of section 3317.03 of the Revised 4332
Code. 4333

(4) "Category four special education ADM" means the full-time 4334
equivalent number of students receiving special education services 4335
for those disabilities specified in division (D) of section 4336
3317.013 of the Revised Code and certified under division (B)(8) 4337
or (D)(2)(e) of section 3317.03 of the Revised Code. 4338

(5) "Category five special education ADM" means the full-time 4339
equivalent number of students receiving special education services 4340
for the disabilities specified in division (E) of section 3317.013 4341
of the Revised Code and certified under division (B)(9) or 4342
(D)(2)(f) of section 3317.03 of the Revised Code. 4343

(6) "Category six special education ADM" means the full-time 4344
equivalent number of students receiving special education services 4345
for the disabilities specified in division (F) of section 3317.013 4346
of the Revised Code and certified under division (B)(10) or 4347
(D)(2)(g) of section 3317.03 of the Revised Code. 4348

~~(D)~~(F) "Economically disadvantaged index for a school 4349
district" means the square of the quotient of that district's 4350
percentage of students in its ~~total~~ enrolled ADM who are 4351
identified as economically disadvantaged as defined by the 4352
department of education, divided by the percentage of students in 4353

the statewide ~~total~~ ADM identified as economically disadvantaged. 4354
For purposes of this calculation: 4355

(1) For a city, local, or exempted village school district, 4356
the "statewide ~~total~~ ADM" equals the sum of the ~~total~~ following: 4357

(a) The enrolled ADM for all city, local, and exempted 4358
village school districts combined; 4359

(b) The statewide enrollment of students in community schools 4360
established under Chapter 3314. of the Revised Code; 4361

(c) The statewide enrollment of students in science, 4362
technology, engineering, and mathematics schools established under 4363
Chapter 3326. of the Revised Code. 4364

(2) For a joint vocational school district, the "statewide 4365
~~total~~ ADM" equals the sum of the ~~formula~~ enrolled ADM for all 4366
joint vocational school districts combined. 4367

~~(E)~~(G)(1) "Enrolled ADM" means, for a city, local, or 4368
exempted village school district, the enrollment reported under 4369
division (A) of section 3317.03 of the Revised Code, as verified 4370
by the superintendent of public instruction and adjusted if so 4371
ordered under division (K) of that section, and as further 4372
adjusted by the department of education, as follows: 4373

(a) Add the students described in division (A)(1)(b) of 4374
section 3317.03 of the Revised Code; 4375

(b) Subtract the students counted under divisions (A)(2)(a), 4376
(b), (d), (g), (h), (i), and (j) of section 3317.03 of the Revised 4377
Code; 4378

(c) Count only twenty per cent of the number of joint 4379
vocational school district students counted under division (A)(3) 4380
of section 3317.03 of the Revised Code; 4381

(d) Add twenty per cent of the number of students who are 4382
entitled to attend school in the district under section 3313.64 or 4383

3313.65 of the Revised Code and are enrolled in another school 4384
district under a career-technical education compact. 4385

(2) "Enrolled ADM" means, for a joint vocational school 4386
district, the final number verified by the superintendent of 4387
public instruction, based on the enrollment reported and certified 4388
under division (D) of section 3317.03 of the Revised Code, as 4389
adjusted, if so ordered, under division (K) of that section, and 4390
as further adjusted by the department of education by adding the 4391
students described in division (D)(1)(b) of section 3317.03 of the 4392
Revised Code. 4393

(H)(1) "Formula ADM" means, for a city, local, or exempted 4394
village school district, the enrollment reported under division 4395
(A) of section 3317.03 of the Revised Code, as verified by the 4396
superintendent of public instruction and adjusted if so ordered 4397
under division (K) of that section, and as further adjusted by the 4398
department of education, as follows: 4399

(a) Count only twenty per cent of the number of joint 4400
vocational school district students counted under division (A)(3) 4401
of section 3317.03 of the Revised Code; 4402

(b) Add twenty per cent of the number of students who are 4403
entitled to attend school in the district under section 3313.64 or 4404
3313.65 of the Revised Code and are enrolled in another school 4405
district under a career-technical education compact. 4406

(2) "Formula ADM" means, for a joint vocational school 4407
district, the final number verified by the superintendent of 4408
public instruction, based on the enrollment reported and certified 4409
under division (D) of section 3317.03 of the Revised Code, as 4410
adjusted, if so ordered, under division (K) of that section. 4411

~~(F) "Formula amount" means \$6,010, for fiscal year 2018, and~~ 4412
~~\$6,020, for fiscal year 2019.~~ 4413

~~(G)(I) "FTE basis" means a count of students based on~~ 4414

full-time equivalency, in accordance with rules adopted by the 4415
department of education pursuant to section 3317.03 of the Revised 4416
Code. In adopting its rules under this division, the department 4417
shall provide for counting any student in category one, two, 4418
three, four, five, or six special education ADM or in category 4419
one, two, three, four, or five career-technical education ADM in 4420
the same proportion the student is counted in ~~formula~~ enrolled 4421
ADM. 4422

~~(H)~~(J) "Funding base" means, for a city, local, or exempted 4423
village school district, the amount calculated by the department 4424
as follows: 4425

(1) Compute the sum of the following: 4426

(a) The district's payments for fiscal year 2019 under 4427
divisions (A)(1), (2), (3), (4), (5), (6), (7), (10), (11), and 4428
(12) of section 3317.022 of the Revised Code; 4429

(b) The district's payment for fiscal year 2019 under 4430
division (G) of section 3317.0212 of the Revised Code; 4431

(c) Any temporary transitional aid paid to the district for 4432
fiscal year 2019 under division (A)(1) of Section 265.220 of Am. 4433
Sub. H.B. 49 of the 132nd general assembly; 4434

(d) The district's payments for fiscal year 2019 under 4435
divisions (C)(1) and (2) of section 3313.981 of the Revised Code. 4436

(2) Subtract from the amount calculated in division (J)(1) of 4437
this section the sum of the following: 4438

(a) Any reductions to a district's foundation funding for 4439
fiscal year 2019 under division (B)(1) of Section 265.220 of Am. 4440
Sub. H.B. 49 of the 132nd general assembly; 4441

(b) The payments deducted from the district and paid to a 4442
community school for fiscal year 2019 under divisions (C)(1)(a), 4443
(b), (c), (d), (e), and (f) of section 3314.08 of the Revised 4444

Code; 4445

(c) The payments deducted from the district and paid to a science, technology, engineering, and mathematics school for fiscal year 2019 under divisions (A), (B), (C), (D), (E), and (F) of section 3326.33 of the Revised Code; 4446
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(d) The payments deducted from the district under division (C) of section 3310.08, division (C)(2) of section 3310.41, and section 3310.55 of the Revised Code for fiscal year 2019 and, in the case of a pilot project school district as defined in section 3313.975 of the Revised Code, the funds deducted from the district under Section 265.210 of Am. Sub. H.B. 49 of the 132nd general assembly to operate the pilot project scholarship program for fiscal year 2019 under sections 3313.974 to 3313.979 of the Revised Code; 4450
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(e) The payments subtracted from the district for fiscal year 2019 under divisions (B)(1) and (2) of section 3313.981 of the Revised Code. 4459
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(K) "Funding base" means, for a joint vocational school district, the amount calculated by the department as follows: 4462
4463

(1) Compute the sum of the following: 4464

(a) The district's payments for fiscal year 2019 under divisions (A)(1), (2), (3), (4), and (7) of section 3317.16 of the Revised Code; 4465
4466
4467

(b) Any temporary transitional aid paid to the district for fiscal year 2019 under division (A)(1) of Section 265.230 of Am. Sub. H.B. 49 of the 132nd general assembly; 4468
4469
4470

(c) The district's payments for fiscal year 2019 under divisions (D)(1) and (E)(3) of section 3313.981 of the Revised Code. 4471
4472
4473

(2) Subtract from the amount calculated in division (K)(1) of 4474

this section any reductions to a district's foundation funding for 4475
fiscal year 2019 under division (B)(1) of Section 265.230 of Am. 4476
Sub. H.B. 49 of the 132nd general assembly. 4477

(L) "Internet- or computer-based community school" has the 4478
same meaning as in section 3314.02 of the Revised Code. 4479

~~(I)~~(M) "Medically fragile child" means a child to whom all of 4480
the following apply: 4481

(1) The child requires the services of a doctor of medicine 4482
or osteopathic medicine at least once a week due to the 4483
instability of the child's medical condition. 4484

(2) The child requires the services of a registered nurse on 4485
a daily basis. 4486

(3) The child is at risk of institutionalization in a 4487
hospital, skilled nursing facility, or intermediate care facility 4488
for individuals with intellectual disabilities. 4489

~~(J)~~(N)(1) A child may be identified as having an "other 4490
health impairment-major" if the child's condition meets the 4491
definition of "other health impaired" established in rules 4492
previously adopted by the state board of education and if either 4493
of the following apply: 4494

(a) The child is identified as having a medical condition 4495
that is among those listed by the superintendent of public 4496
instruction as conditions where a substantial majority of cases 4497
fall within the definition of "medically fragile child." 4498

(b) The child is determined by the superintendent of public 4499
instruction to be a medically fragile child. A school district 4500
superintendent may petition the superintendent of public 4501
instruction for a determination that a child is a medically 4502
fragile child. 4503

(2) A child may be identified as having an "other health 4504

impairment-minor" if the child's condition meets the definition of 4505
"other health impaired" established in rules previously adopted by 4506
the state board of education but the child's condition does not 4507
meet either of the conditions specified in division ~~(J)~~(N)(1)(a) 4508
or (b) of this section. 4509

~~(K)~~(O) A city, local, exempted village, or joint vocational 4510
school district's "phase-in percentage" is equal to the following: 4511

(1) For fiscal year 2020, sixteen and two-thirds per cent; 4512

(2) For fiscal year 2021, thirty-three and one-third per 4513
cent; 4514

(3) For fiscal year 2022, fifty per cent; 4515

(4) For fiscal year 2023, sixty-six and two-thirds per cent; 4516

(5) For fiscal year 2024, eighty-three and one-third per 4517
cent; 4518

(6) For fiscal year 2025 and for each fiscal year thereafter, 4519
one hundred per cent. 4520

(P) "Preschool child with a disability" means a child with a 4521
disability, as defined in section 3323.01 of the Revised Code, who 4522
is at least age three but is not of compulsory school age, as 4523
defined in section 3321.01 of the Revised Code, and who is not 4524
currently enrolled in kindergarten. 4525

~~(L)~~(Q) "Preschool scholarship ADM" means the number of 4526
preschool children with disabilities certified under division 4527
(B)(3)(h) of section 3317.03 of the Revised Code. 4528

~~(M)~~(R) "Related services" includes: 4529

(1) Child study, special education supervisors and 4530
coordinators, speech and hearing services, adaptive physical 4531
development services, occupational or physical therapy, teacher 4532
assistants for children with disabilities whose disabilities are 4533
described in division (B) of section 3317.013 or division (B)(3) 4534

of this section, behavioral intervention, interpreter services, 4535
work study, nursing services, and specialized integrative services 4536
as those terms are defined by the department; 4537

(2) Speech and language services provided to any student with 4538
a disability, including any student whose primary or only 4539
disability is a speech and language disability; 4540

(3) Any related service not specifically covered by other 4541
state funds but specified in federal law, including but not 4542
limited to, audiology and school psychological services; 4543

(4) Any service included in units funded under former 4544
division (O)(1) of section 3317.024 of the Revised Code; 4545

(5) Any other related service needed by children with 4546
disabilities in accordance with their individualized education 4547
programs. 4548

~~(N)~~(S) "School district," unless otherwise specified, means 4549
city, local, and exempted village school districts. 4550

~~(O)~~(T) "State education aid" has the same meaning as in 4551
section 5751.20 of the Revised Code. 4552

~~(P)~~(U)(1) "State share ~~index~~ percentage" means, for a city, 4553
local, or exempted village school district, the state share ~~index~~ 4554
percentage calculated ~~for a district~~ under section 3317.017 of the 4555
Revised Code. 4556

~~(Q)~~(2) "State share percentage" means, for a joint vocational 4557
school district, the percentage calculated in accordance with the 4558
following formula: 4559

The amount computed for the district under division (A)(1) of 4560
section 3317.16 of the Revised Code for that fiscal year / the 4561
aggregate base cost calculated for the district for that fiscal 4562
year under section 3317.012 of the Revised Code 4563

(V) "Statewide average base cost per pupil" for a fiscal year 4564

means the statewide average base cost per pupil calculated under 4565
division (A) of section 3317.018 of the Revised Code. 4566

(W) "Statewide average career-technical base cost per pupil" 4567
for a fiscal year means the statewide average career-technical 4568
base cost per pupil calculated under division (B) of section 4569
3317.018 of the Revised Code. 4570

(X) "Taxes charged and payable" means the taxes charged and 4571
payable against real and public utility property after making the 4572
reduction required by section 319.301 of the Revised Code, plus 4573
the taxes levied against tangible personal property. 4574

~~(R)(1)~~(Y) For purposes of ~~section~~ sections 3317.017 and 4575
3317.16 of the Revised Code, "three-year average valuation" for a 4576
fiscal year means the average of total taxable value for ~~tax years~~ 4577
~~2014, 2015, and 2016~~ the three most recent tax years for which 4578
data is available, as certified under section 3317.021 of the 4579
Revised Code. 4580

~~(2)~~ For purposes of ~~sections 3317.0217, 3317.0218, and~~ 4581
~~3317.16~~ of the Revised Code, ~~"three year average valuation" means~~ 4582
~~the following:~~ 4583

~~(a)~~ For fiscal year ~~2018~~, the average of total taxable value 4584
~~for tax years 2014, 2015, and 2016:~~ 4585

~~(b)~~ For fiscal year ~~2019~~, the average of total taxable value 4586
~~for tax years 2015, 2016, and 2017.~~ 4587

~~(S)~~(Z) "Total ADM" means, for a city, local, or exempted 4588
village school district, the enrollment reported under division 4589
(A) of section 3317.03 of the Revised Code, as verified by the 4590
superintendent of public instruction and adjusted if so ordered 4591
under division (K) of that section. 4592

~~(T)~~(AA) "Total special education ADM" means the sum of 4593
categories one through six special education ADM. 4594

~~(U)~~(BB) "Total taxable value" means the sum of the amounts 4595
certified for a city, local, exempted village, or joint vocational 4596
school district under divisions (A)(1) and (2) of section 3317.021 4597
of the Revised Code. 4598

Sec. 3317.021. (A) On or before the first day of June of each 4599
year, the tax commissioner shall certify to the department of 4600
education and the office of budget and management the information 4601
described in divisions (A)(1) to (5) of this section for each 4602
city, exempted village, and local school district, and the 4603
information required by divisions (A)(1) and (2) of this section 4604
for each joint vocational school district, and it shall be used, 4605
along with the information certified under division (B) of this 4606
section, in making the computations for the district under this 4607
chapter. 4608

(1) The taxable value of real and public utility real 4609
property in the school district subject to taxation in the 4610
preceding tax year, by class and by county of location. 4611

(2) The taxable value of tangible personal property, 4612
including public utility personal property, subject to taxation by 4613
the district for the preceding tax year. 4614

(3)(a) The total property tax rate and total taxes charged 4615
and payable for the current expenses for the preceding tax year 4616
and the total property tax rate and the total taxes charged and 4617
payable to a joint vocational district for the preceding tax year 4618
that are limited to or to the extent apportioned to current 4619
expenses. 4620

(b) The portion of the amount of taxes charged and payable 4621
reported for each city, local, and exempted village school 4622
district under division (A)(3)(a) of this section attributable to 4623
a joint vocational school district. 4624

(4) The value of all real and public utility real property in 4625
the school district exempted from taxation minus both of the 4626
following: 4627

(a) The value of real and public utility real property in the 4628
district owned by the United States government and used 4629
exclusively for a public purpose; 4630

(b) The value of real and public utility real property in the 4631
district exempted from taxation under Chapter 725. or 1728. or 4632
section 3735.67, 5709.40, 5709.41, 5709.45, 5709.57, 5709.62, 4633
5709.63, 5709.632, 5709.73, or 5709.78 of the Revised Code. 4634

(5) The total federal adjusted gross income of the residents 4635
of the school district, based on tax returns filed by the 4636
residents of the district, for the most recent year for which this 4637
information is available, and the median Ohio adjusted gross 4638
income of the residents of the school district determined on the 4639
basis of tax returns filed for the second preceding tax year by 4640
the residents of the district. 4641

(6) The number of state tax returns filed by the residents of 4642
the district for the most recent year for which this information 4643
is available. 4644

(B) On or before the first day of May each year, the tax 4645
commissioner shall certify to the department of education and the 4646
office of budget and management the total taxable real property 4647
value of railroads and, separately, the total taxable tangible 4648
personal property value of all public utilities for the preceding 4649
tax year, by school district and by county of location. 4650

(C) If on the basis of the information certified under 4651
division (A) of this section, the department determines that any 4652
district fails in any year to meet the qualification requirement 4653
specified in division (A) of section 3317.01 of the Revised Code, 4654
the department shall immediately request the tax commissioner to 4655

determine the extent to which any school district income tax 4656
levied by the district under Chapter 5748. of the Revised Code 4657
shall be included in meeting that requirement. Within five days of 4658
receiving such a request from the department, the tax commissioner 4659
shall make the determination required by this division and report 4660
the quotient obtained under division (C)(3) of this section to the 4661
department and the office of budget and management. This quotient 4662
represents the number of mills that the department shall include 4663
in determining whether the district meets the qualification 4664
requirement of division (A) of section 3317.01 of the Revised 4665
Code. 4666

The tax commissioner shall make the determination required by 4667
this division as follows: 4668

(1) Multiply one mill times the total taxable value of the 4669
district as determined in divisions (A)(1) and (2) of this 4670
section; 4671

(2) Estimate the total amount of tax liability for the 4672
current tax year under taxes levied by Chapter 5748. of the 4673
Revised Code that are apportioned to current operating expenses of 4674
the district, excluding any income tax receipts allocated for the 4675
project cost, debt service, or maintenance set-aside associated 4676
with a state-assisted classroom facilities project as authorized 4677
by section 3318.052 of the Revised Code; 4678

(3) Divide the amount estimated under division (C)(2) of this 4679
section by the product obtained under division (C)(1) of this 4680
section. 4681

Sec. 3317.022. ~~(A)~~ The department of education shall compute 4682
and distribute state core foundation funding to each eligible 4683
school district for the fiscal year, using the information 4684
obtained under section 3317.021 of the Revised Code in the 4685
calendar year in which the fiscal year begins, ~~as prescribed in~~ 4686

~~the following divisions in accordance with the following formula:~~ 4687
The district's funding base + [(the district's state core 4688
foundation funding components for that fiscal year calculated 4689
under division (A) of this section - the district's funding base) 4690
X the district's phase-in percentage for that fiscal year] 4691

(A) A district's state core foundation funding components 4692
shall be all of the following: 4693

(1) ~~An opportunity grant~~ The district's state share 4694
~~calculated according to the following formula:~~ 4695

~~The formula amount X (formula ADM + preschool scholarship~~ 4696
~~ADM) X the district's state share index~~ under division (B) of 4697
section 3317.017 of the Revised Code; 4698

(2) Targeted assistance funds calculated under ~~divisions (A)~~ 4699
~~and (B)~~ of section 3317.0217 of the Revised Code; 4700

(3) Additional state aid for special education and related 4701
services provided under Chapter 3323. of the Revised Code 4702
calculated as the sum of the following: 4703

(a) The district's category one special education ADM X the 4704
~~amount~~ multiple specified in division (A) of section 3317.013 of 4705
the Revised Code X the statewide average base cost per pupil for 4706
that fiscal year X the district's state share index percentage; 4707

(b) The district's category two special education ADM X the 4708
~~amount~~ multiple specified in division (B) of section 3317.013 of 4709
the Revised Code X the statewide average base cost per pupil for 4710
that fiscal year X the district's state share index percentage; 4711

(c) The district's category three special education ADM X the 4712
~~amount~~ multiple specified in division (C) of section 3317.013 of 4713
the Revised Code X the statewide average base cost per pupil for 4714
that fiscal year X the district's state share index percentage; 4715

(d) The district's category four special education ADM X the 4716

~~amount multiple~~ specified in division (D) of section 3317.013 of 4717
the Revised Code X the statewide average base cost per pupil for 4718
that fiscal year X the district's state share ~~index~~ percentage; 4719

(e) The district's category five special education ADM X the 4720
~~amount multiple~~ specified in division (E) of section 3317.013 of 4721
the Revised Code X the statewide average base cost per pupil for 4722
that fiscal year X the district's state share ~~index~~ percentage; 4723

(f) The district's category six special education ADM X the 4724
~~amount multiple~~ specified in division (F) of section 3317.013 of 4725
the Revised Code X the statewide average base cost per pupil for 4726
that fiscal year X the district's state share ~~index~~ percentage. 4727

~~(4) Kindergarten through third grade literacy funds~~ 4728
~~calculated according to the following formula:~~ 4729

~~(\$193 X formula ADM for grades kindergarten through three X the~~ 4730
~~district's state share index) + (\$127 X formula ADM for grades~~ 4731
~~kindergarten through three)~~ 4732

~~For purposes of this calculation, the department shall~~ 4733
~~subtract from a district's formula ADM for grades kindergarten~~ 4734
~~through three the number of students reported under division~~ 4735
~~(B)(3)(e) of section 3317.03 of the Revised Code as enrolled in an~~ 4736
~~internet or computer based community school who are in grades~~ 4737
~~kindergarten through three.~~ 4738

~~(5) Economically disadvantaged funds~~ calculated according to 4739
the following formula: 4740

~~\$272~~ \$422 X (the district's economically disadvantaged index) X 4741
the number of students who are economically disadvantaged as 4742
certified under division (B)(21) of section 3317.03 of the Revised 4743
Code 4744

~~(6) Limited~~ (5) English proficiency learner funds calculated 4745
as the sum of the following: 4746

(a) The district's category one ~~limited~~ English ~~proficient~~ 4747

learner ADM X the ~~amount~~ multiple specified in division (A) of 4748
section 3317.016 of the Revised Code X the statewide average base 4749
cost per pupil for that fiscal year X the district's state share 4750
~~index~~ percentage; 4751

(b) The district's category two ~~limited~~ English ~~proficient~~ 4752
learner ADM X the ~~amount~~ multiple specified in division (B) of 4753
section 3317.016 of the Revised Code X the statewide average base 4754
cost per pupil for that fiscal year X the district's state share 4755
~~index~~ percentage; 4756

(c) The district's category three ~~limited~~ English ~~proficient~~ 4757
learner ADM X the ~~amount~~ multiple specified in division (C) of 4758
section 3317.016 of the Revised Code X the statewide average base 4759
cost per pupil for that fiscal year X the district's state share 4760
~~index~~ percentage. 4761

~~(7)~~(6)(a) Gifted identification funds calculated according to 4762
the following formula: 4763

~~\$5.05~~ \$24 X the district's ~~formula~~ enrolled ADM for grades 4764
kindergarten through six X the district's state share percentage 4765

(b) Gifted referral funds calculated according to the 4766
following formula: 4767

\$2.50 X the district's enrolled ADM X the district's state share 4768
percentage 4769

(c) Gifted professional development funds calculated 4770
according to the following formula: 4771

(The greater of the number of gifted students enrolled in the 4772
district as certified under division (B)(22) of section 3317.03 of 4773
the Revised Code and ten per cent of the district's enrolled ADM) 4774
X the district's state share percentage X \$7, for fiscal year 4775
2020, \$14, for fiscal year 2021, \$21, for fiscal year 2022, or 4776
\$28, for fiscal year 2023 4777

The department shall make no payments under division 4778

~~(A)(6)(c) of this section for fiscal year 2024 or for each fiscal year thereafter.~~ 4779
4780

~~(d) Gifted unit funding calculated under section 3317.051 of the Revised Code.~~ 4781
4782

~~(8) Career technical education funds calculated as the sum of the following:~~ 4783
4784

~~(a) The district's category one career technical education ADM X the amount specified in division (A) of section 3317.014 of the Revised Code X the district's state share index;~~ 4785
4786
4787

~~(b) The district's category two career technical education ADM X the amount specified in division (B) of section 3317.014 of the Revised Code X the district's state share index;~~ 4788
4789
4790

~~(c) The district's category three career technical education ADM X the amount specified in division (C) of section 3317.014 of the Revised Code X the district's state share index;~~ 4791
4792
4793

~~(d) The district's category four career technical education ADM X the amount specified in division (D) of section 3317.014 of the Revised Code X the district's state share index;~~ 4794
4795
4796

~~(e) The district's category five career technical education ADM X the amount specified in division (E) of section 3317.014 of the Revised Code X the district's state share index.~~ 4797
4798
4799

~~Payment of funds under division (A)(8) of this section is subject to approval under section 3317.161 of the Revised Code.~~ 4800
4801

~~(9) Career technical education associated services funds calculated according to the following formula:~~ 4802
4803

~~The district's state share index X the amount for career technical education associated services specified in section 3317.014 of the Revised Code X the sum of categories one through five career technical education ADM~~ 4804
4805
4806
4807

~~(10) Capacity aid funds calculated under section 3317.0218 of~~ 4808

~~the Revised Code;~~ 4809

~~(11) A graduation bonus calculated under section 3317.0215 of~~ 4810
~~the Revised Code;~~ 4811

~~(12) A third grade reading bonus calculated under section~~ 4812
~~3317.0216 of the Revised Code.~~ 4813

(B) In any fiscal year, a school district shall spend for 4814
purposes that the department designates as approved for special 4815
education and related services expenses at least the amount 4816
calculated as follows: 4817

(The ~~formula amount~~ base cost per pupil calculated for the 4818
district for that fiscal year X the total special education ADM) + 4819
(the district's category one special education ADM X the ~~amount~~ 4820
multiple specified in division (A) of section 3317.013 of the 4821
Revised Code X the statewide average base cost per pupil for that 4822
fiscal year) + (the district's category two special education ADM 4823
X the ~~amount~~ multiple specified in division (B) of section 4824
3317.013 of the Revised Code X the statewide average base cost per 4825
pupil for that fiscal year) + (the district's category three 4826
special education ADM X the ~~amount~~ multiple specified in division 4827
(C) of section 3317.013 of the Revised Code X the statewide 4828
average base cost per pupil for that fiscal year) + (the 4829
district's category four special education ADM X the ~~amount~~ 4830
multiple specified in division (D) of section 3317.013 of the 4831
Revised Code X the statewide average base cost per pupil for that 4832
fiscal year) + (the district's category five special education ADM 4833
X the ~~amount~~ multiple specified in division (E) of section 4834
3317.013 of the Revised Code X the statewide average base cost per 4835
pupil for that fiscal year) + (the district's category six special 4836
education ADM X the ~~amount~~ multiple specified in division (F) of 4837
section 3317.013 of the Revised Code X the statewide average base 4838
cost per pupil for that fiscal year) 4839

The purposes approved by the department for special education 4840

expenses shall include, but shall not be limited to, 4841
identification of children with disabilities, compliance with 4842
state rules governing the education of children with disabilities 4843
and prescribing the continuum of program options for children with 4844
disabilities, provision of speech language pathology services, and 4845
the portion of the school district's overall administrative and 4846
overhead costs that are attributable to the district's special 4847
education student population. 4848

~~The scholarships deducted from the school district's account 4849
under sections 3310.41 and 3310.55 of the Revised Code shall be 4850
considered to be an approved special education and related 4851
services expense for the purpose of the school district's 4852
compliance with this division. 4853~~

~~(C) In any fiscal year, a school district receiving funds 4854
under division (A)(8) of this section shall spend those funds only 4855
for the purposes that the department designates as approved for 4856
career technical education expenses. Career technical education 4857
expenses approved by the department shall include only expenses 4858
connected to the delivery of career technical programming to 4859
career technical students. The department shall require the school 4860
district to report data annually so that the department may 4861
monitor the district's compliance with the requirements regarding 4862
the manner in which funding received under division (A)(8) of this 4863
section may be spent. 4864~~

~~(D) In any fiscal year, a school district receiving funds 4865
under division (A)(9) of this section, or through a transfer of 4866
funds pursuant to division (I) of section 3317.023 of the Revised 4867
Code, shall spend those funds only for the purposes that the 4868
department designates as approved for career technical education 4869
associated services expenses, which may include such purposes as 4870
apprenticeship coordinators, coordinators for other 4871
career technical education services, career technical evaluation, 4872~~

~~and other purposes designated by the department. The department 4873
may deny payment under division (A)(9) of this section to any 4874
district that the department determines is not operating those 4875
services or is using funds paid under division (A)(9) of this 4876
section, or through a transfer of funds pursuant to division (I) 4877
of section 3317.023 of the Revised Code, for other purposes. 4878~~

~~(E) All funds received under division (A)(8) of this section 4879
shall be spent in the following manner: 4880~~

~~(1) At least seventy five per cent of the funds shall be 4881
spent on curriculum development, purchase, and implementation; 4882
instructional resources and supplies; industry based program 4883
certification; student assessment, credentialing, and placement; 4884
curriculum specific equipment purchases and leases; 4885
career technical student organization fees and expenses; home and 4886
agency linkages; work based learning experiences; professional 4887
development; and other costs directly associated with 4888
career technical education programs including development of new 4889
programs. 4890~~

~~(2) Not more than twenty five per cent of the funds shall be 4891
used for personnel expenditures. 4892~~

~~(F) A school district shall spend the funds it receives under 4893
division (A)(5)(4) of this section in accordance with section 4894
3317.25 of the Revised Code. 4895~~

Sec. 3317.023. (A) The amounts required to be paid to a 4896
district under this chapter shall be adjusted by the amount of the 4897
computations made under divisions (B) to (K) of this section. 4898

As used in this section: 4899

(1) "Career-technical planning district" or "CTPD" means a 4900
school district or group of school districts designated by the 4901
department of education as being responsible for the planning for 4902

and provision of career-technical education services to students 4903
within the district or group. A community school established under 4904
Chapter 3314. of the Revised Code or a STEM school established 4905
under Chapter 3326. of the Revised Code that is serving students 4906
in any of grades seven through twelve shall be assigned to a 4907
career-technical planning district by the department. 4908

(2) "Lead district" means a school district, including a 4909
joint vocational school district, designated by the department as 4910
a CTPD, or designated to provide primary career-technical 4911
education leadership within a CTPD composed of a group of 4912
districts, community schools assigned to the CTPD, and STEM 4913
schools assigned to the CTPD. 4914

(B) If a local, city, or exempted village school district to 4915
which a governing board of an educational service center provides 4916
services pursuant to an agreement entered into under section 4917
3313.843 of the Revised Code, deduct the amount of the payment 4918
required for the reimbursement of the governing board under that 4919
section. 4920

(C)(1) If the district is required to pay to or entitled to 4921
receive tuition from another school district under division (C)(2) 4922
or (3) of section 3313.64 or section 3313.65 of the Revised Code, 4923
or if the superintendent of public instruction is required to 4924
determine the correct amount of tuition and make a deduction or 4925
credit under section 3317.08 of the Revised Code, deduct and 4926
credit such amounts as provided in division (J) of section 3313.64 4927
or section 3317.08 of the Revised Code. 4928

(2) For each child for whom the district is responsible for 4929
tuition or payment under division (A)(1) of section 3317.082 or 4930
section 3323.091 of the Revised Code, deduct the amount of tuition 4931
or payment for which the district is responsible. 4932

(D) If the district has been certified by the superintendent 4933

of public instruction under section 3313.90 of the Revised Code as 4934
not in compliance with the requirements of that section, deduct an 4935
amount equal to ten per cent of the amount computed for the 4936
district under this chapter. 4937

(E) If the district has received a loan from a commercial 4938
lending institution for which payments are made by the 4939
superintendent of public instruction pursuant to division (E)(3) 4940
of section 3313.483 of the Revised Code, deduct an amount equal to 4941
such payments. 4942

(F)(1) If the district is a party to an agreement entered 4943
into under division (D), (E), or (F) of section 3311.06 or 4944
division (B) of section 3311.24 of the Revised Code and is 4945
obligated to make payments to another district under such an 4946
agreement, deduct an amount equal to such payments if the district 4947
school board notifies the department in writing that it wishes to 4948
have such payments deducted. 4949

(2) If the district is entitled to receive payments from 4950
another district that has notified the department to deduct such 4951
payments under division (F)(1) of this section, add the amount of 4952
such payments. 4953

(G) If the district is required to pay an amount of funds to 4954
a cooperative education district pursuant to a provision described 4955
by division (B)(4) of section 3311.52 or division (B)(8) of 4956
section 3311.521 of the Revised Code, deduct such amounts as 4957
provided under that provision and credit those amounts to the 4958
cooperative education district for payment to the district under 4959
division (B)(1) of section 3317.19 of the Revised Code. 4960

(H)(1) If a district is educating a student entitled to 4961
attend school in another district pursuant to a shared education 4962
contract, compact, or cooperative education agreement other than 4963
an agreement entered into pursuant to section 3313.842 of the 4964

Revised Code, credit to that educating district on an FTE basis 4965
both of the following: 4966

(a) An amount equal to the ~~formula amount~~ statewide average 4967
base cost per pupil. 4968

(b) Any amount applicable to the student pursuant to section 4969
3317.013 or 3317.014 of the Revised Code. 4970

(2) Deduct any amount credited pursuant to division (H)(1) of 4971
this section from amounts paid to the school district in which the 4972
student is entitled to attend school pursuant to section 3313.64 4973
or 3313.65 of the Revised Code. 4974

(3) If the district is required by a shared education 4975
contract, compact, or cooperative education agreement to make 4976
payments to an educational service center, deduct the amounts from 4977
payments to the district and add them to the amounts paid to the 4978
service center ~~pursuant to section 3317.11 of the Revised Code.~~ 4979

(I)(1) If a district, including a joint vocational school 4980
district, is a lead district of a CTPD, credit to that district 4981
the amount calculated for each school district within that CTPD 4982
under ~~division (A)(9)~~ divisions (D) and (E) of section 3317.022 4983
3317.014 of the Revised Code ~~or division (A)(6) of section 3317.16~~ 4984
~~of the Revised Code, as applicable and for each community school~~ 4985
and STEM school assigned to the CTPD under division (B) of 4986
sections 3314.088 and 3326.39 of the Revised Code. 4987

(2) Deduct from each appropriate district that is not a lead 4988
district, or from the appropriate community school or STEM school, 4989
the amount attributable to that district or school that is 4990
credited to a lead district under division (I)(1) of this section. 4991

(J) If the department pays a joint vocational school district 4992
under division (C)(3) of section 3317.16 of the Revised Code for 4993
excess costs of providing special education and related services 4994
to a student with a disability, as calculated under division 4995

(C)(1) of that section, the department shall deduct the amount of 4996
that payment from the city, local, or exempted village school 4997
district that is responsible as specified in that section for the 4998
excess costs. 4999

(K)(1) If the district reports an amount of excess cost for 5000
special education services for a child under division (C) of 5001
section 3323.14 of the Revised Code, the department shall pay that 5002
amount to the district. 5003

(2) If the district reports an amount of excess cost for 5004
special education services for a child under division (C) of 5005
section 3323.14 of the Revised Code, the department shall deduct 5006
that amount from the district of residence of that child. 5007

Sec. 3317.028. (A) On or before May 15, 2007, and the 5008
fifteenth day of May in each calendar year thereafter, the tax 5009
commissioner shall determine for each school district whether the 5010
taxable value of all utility tangible personal property subject to 5011
taxation by the district in the preceding tax year was less or 5012
greater than the taxable value of such property during the second 5013
preceding tax year. If any decrease exceeds ten per cent of the 5014
district's tangible personal property taxable value included in 5015
the total taxable value used in the district's state aid 5016
computation for the fiscal year that ends in the current calendar 5017
year, or if any increase exceeds ten per cent of the district's 5018
total taxable value used in the district's state education aid 5019
computation for the fiscal year that ends in the current calendar 5020
year, the tax commissioner shall certify all of the following to 5021
the department of education and the office of budget and 5022
management: 5023

(1) The district's total taxable value for the preceding tax 5024
year; 5025

(2) The decrease or increase in taxes charged and payable on 5026

the district's total taxable value for the preceding tax year and 5027
the second preceding tax year; 5028

(3) The taxable value of the utility tangible personal 5029
property increase or decrease, which shall be considered a change 5030
in valuation; 5031

(4) The decrease or increase in taxes charged and payable on 5032
such change in taxable value calculated in the same manner as in 5033
division (A)(3) of section 3317.021 of the Revised Code. 5034

(B)(1) Upon receipt of a certification specified in this 5035
section, the department of education shall replace the three-year 5036
average valuations that were used in computing the district's 5037
state education aid for the fiscal year that ends in the current 5038
calendar year with the taxable value certified under division 5039
(A)(1) of this section and shall recompute the state education aid 5040
for such fiscal year ~~without applying any funding limitations~~ 5041
~~enacted by the general assembly to the computation.~~ Subject to 5042
division (B)(2) of this section, the department shall pay to or 5043
deduct from the district an amount equal to the lesser of the 5044
following: 5045

(a) The difference between the district's state education aid 5046
prior to the recomputation under this section and the district's 5047
recomputed state education aid; 5048

(b) The increase or decrease certified under division (A)(2) 5049
of this section. 5050

The payment date shall be determined by the director of 5051
budget and management. The director shall select a payment date 5052
that is not earlier than the first day of June of the current 5053
fiscal year and not later than the thirty-first day of July of the 5054
following fiscal year. The department of education shall not pay 5055
the district under this section prior to approval by the director 5056
of budget and management to make that payment. 5057

(2)(a) If an increase in the taxable value of the utility 5058
tangible personal property is certified for a district under 5059
division (A)(2) of this section, the department shall not make a 5060
payment to the district under division (B)(1) of this section. The 5061
department may, however, deduct funds from the district under 5062
division (B)(1) of this section. 5063

(b) If a decrease in the taxable value of the utility 5064
tangible personal property is certified for a district under 5065
division (A)(2) of this section, the department shall not deduct 5066
funds from the district under division (B)(1) of this section. The 5067
department may, however, make a payment to the district under 5068
division (B)(1) of this section. 5069

(c) If a school district received a grant from the 5070
catastrophic expenditures account pursuant to division (C) of 5071
section 3316.20 of the Revised Code on the basis of the same 5072
circumstances for which a recomputation is made under this 5073
section, the amount of the recomputation shall be reduced and 5074
transferred in accordance with division (C) of section 3316.20 of 5075
the Revised Code. 5076

Sec. 3317.0212. (A) As used in this section: 5077

(1) "Assigned bus" means a school bus used to transport 5078
qualifying riders. 5079

(2) "Density" means the total riders per square mile of a 5080
school district. 5081

(3) "Nontraditional ridership" means the average number of 5082
qualifying riders who are enrolled in a community school 5083
established under Chapter 3314. of the Revised Code, in a STEM 5084
school established under Chapter 3326. of the Revised Code, or in 5085
a nonpublic school and are provided school bus service by a school 5086
district during the first full week of October. 5087

(4) "Qualifying riders" means resident students enrolled in regular education in grades kindergarten to twelve who are provided school bus service by a school district ~~and who live more than one mile from the school they attend~~, including students with dual enrollment in a joint vocational school district or a cooperative education school district, and students enrolled in a community school, STEM school, or nonpublic school.

~~(2)~~(5) "Qualifying ridership" means the greater of the average number of qualifying riders counted in the morning or counted in the afternoon who are provided school bus service by a school district during the first full week of October.

~~(3) "Rider density" means the total ADM per square mile of a school district.~~

~~(4)~~(6) "Riders" means students enrolled in regular and special education in grades kindergarten through twelve who are provided school bus service by a school district, including students with dual enrollment in a joint vocational school district or a cooperative education school district, and students enrolled in a community school, STEM school, or nonpublic school.

(7) "School bus service" means a school district's transportation of qualifying riders in any of the following types of vehicles:

(a) School buses owned or leased by the district;

(b) School buses operated by a private contractor hired by the district;

(c) School buses operated by another school district or entity with which the district has contracted, either as part of a consortium for the provision of transportation or otherwise.

(B) Not later than the fifteenth day of October each year, each city, local, and exempted village school district shall

report to the department of education its qualifying ridership and 5118
any other information requested by the department. Subsequent 5119
adjustments to the reported numbers shall be made only in 5120
accordance with rules adopted by the department. 5121

(C) The department shall calculate the statewide 5122
transportation cost per student as follows: 5123

(1) Determine each city, local, and exempted village school 5124
district's transportation cost per student by dividing the 5125
district's total costs for school bus service in the previous 5126
fiscal year by its qualifying ridership in the previous fiscal 5127
year. 5128

(2) After excluding districts that do not provide school bus 5129
service and the ten districts with the highest transportation 5130
costs per student and the ten districts with the lowest 5131
transportation costs per student, divide the aggregate cost for 5132
school bus service for the remaining districts in the previous 5133
fiscal year by the aggregate qualifying ridership of those 5134
districts in the previous fiscal year. 5135

(D) The department shall calculate the statewide 5136
transportation cost per mile as follows: 5137

(1) Determine each city, local, and exempted village school 5138
district's transportation cost per mile by dividing the district's 5139
total costs for school bus service in the previous fiscal year by 5140
its total number of miles driven for school bus service in the 5141
previous fiscal year. 5142

(2) After excluding districts that do not provide school bus 5143
service and the ten districts with the highest transportation 5144
costs per mile and the ten districts with the lowest 5145
transportation costs per mile, divide the aggregate cost for 5146
school bus service for the remaining districts in the previous 5147
fiscal year by the aggregate miles driven for school bus service 5148

in those districts in the previous fiscal year. 5149

(E) The department shall calculate each city, local, and 5150
exempted village school district's transportation base payment as 5151
follows: 5152

(1) Multiply the statewide transportation cost per student by 5153
the district's qualifying ridership for the current fiscal year. 5154

(2) Multiply the statewide transportation cost per mile by 5155
the district's total number of miles driven for school bus service 5156
in the current fiscal year. 5157

(3) Multiply the greater of the amounts calculated under 5158
divisions (E)(1) and (2) of this section by the following: 5159

(a) For fiscal year ~~2018~~ 2020, the greater of ~~thirty-seven~~ 5160
~~and one-half~~ thirty and five-sixths per cent or the district's 5161
state share ~~index percentage~~, as defined in section 3317.02 of the 5162
Revised Code; 5163

(b) For fiscal year ~~2019~~ 2021, the greater of ~~twenty-five~~ 5164
thirty-six and two-thirds per cent or the district's state share 5165
~~index percentage~~; 5166

(c) For fiscal year 2022, the greater of forty-two and 5167
one-half per cent or the district's state share percentage; 5168

(d) For fiscal year 2023, the greater of forty-eight and 5169
one-third per cent or the district's state share percentage; 5170

(e) For fiscal year 2024, the greater of fifty-four and 5171
one-sixth per cent or the district's state share percentage; 5172

(f) For fiscal year 2025 and for each fiscal year thereafter, 5173
the greater of sixty per cent or the district's state share 5174
percentage. 5175

(F) The department shall calculate each city, local, and 5176
exempted village school district's nontraditional ridership 5177
adjustment according to the following formula: 5178

(The district's nontraditional ridership for the current fiscal 5179
year / the district's qualifying ridership for the current fiscal 5180
year) X 0.1 X the district's transportation base payment 5181
calculated under division (E) of this section 5182

(G)(1) The department annually shall establish a target 5183
number of qualifying riders per assigned bus for each city, local, 5184
and exempted village school district. The department shall use the 5185
most recently available data in establishing the target number. 5186
The target number shall be based on the statewide median number of 5187
riders per assigned bus as adjusted to reflect the district's 5188
density in comparison to the density of all other districts. The 5189
department shall post on the department's web site each district's 5190
target number of riders per assigned bus and a description of how 5191
the target number was determined. 5192

(2) The department shall determine each school district's 5193
efficiency index by dividing the district's number of riders per 5194
assigned bus by its target number of riders per assigned bus. 5195

(3) The department shall determine each city, local, and 5196
exempted village school district's efficiency adjustment payment 5197
as follows: 5198

(a) If the district's efficiency index is equal to or greater 5199
than 1.5, the efficiency adjustment payment shall be calculated 5200
according to the following formula: 5201
0.15 X the district's transportation base payment calculated under 5202
division (E) of this section 5203

(b) If the district's efficiency index is less than 1.5 but 5204
greater than or equal to 1.0, the efficiency adjustment payment 5205
shall be calculated according to the following formula: 5206
{[(The district's efficiency index - 1) X 0.15] / 0.5} X the 5207
district's transportation base payment calculated under division 5208
(E) of this section 5209

(c) If the district's efficiency index is less than 1.0, the 5210
efficiency adjustment payment shall be zero. 5211

(H) In addition to funds paid under ~~division (E)~~ divisions 5212
(E), (F), and (G) of this section, each city, local, and exempted 5213
village district shall receive in accordance with rules adopted by 5214
the state board of education a payment for students transported by 5215
means other than school bus service and whose transportation is 5216
not funded under division (C) of section 3317.024 of the Revised 5217
Code. The rules shall include provisions for school district 5218
reporting of such students. 5219

~~(G)(1) For purposes of division (G) of this section, a school~~ 5220
~~district's "transportation supplement percentage" means the~~ 5221
~~following quotient:~~ 5222

$$\del{(50 - \text{the district's rider density}) / 100}$$
 5223

~~If the result of the calculation for a district under~~ 5224
~~division (G)(1) of this section is less than zero, the district's~~ 5225
~~transportation supplement percentage shall be zero.~~ 5226

~~(2) The department shall pay each district a transportation~~ 5227
~~supplement calculated according to the following formula:~~ 5228

~~The district's transportation supplement percentage X the amount~~ 5229

~~calculated for the district under division (E)(2) of this section~~ 5230

$$\del{\times 0.55}$$
 5231

Sec. 3317.0213. (A) The department of education shall compute 5232
and pay in accordance with this section additional state aid for 5233
preschool children with disabilities to each city, local, and 5234
exempted village school district and to each institution, as 5235
defined in section 3323.091 of the Revised Code. Funding shall be 5236
provided for children who are not enrolled in kindergarten and who 5237
are under age six on the thirtieth day of September of the 5238
academic year, or on the first day of August of the academic year 5239
if the school district in which the child is enrolled has adopted 5240

a resolution under division (A)(3) of section 3321.01 of the Revised Code, but not less than age three on the first day of December of the academic year.

The additional state aid shall be calculated under the following formula:

(\$4,000 X the number of students who are preschool children with disabilities) + the sum of the following:

(1) The district's or institution's category one special education students who are preschool children with disabilities X the ~~amount~~ multiple specified in division (A) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share ~~index~~ percentage X 0.50;

(2) The district's or institution's category two special education students who are preschool children with disabilities X the ~~amount~~ multiple specified in division (B) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share ~~index~~ percentage X 0.50;

(3) The district's or institution's category three special education students who are preschool children with disabilities X the ~~amount~~ multiple specified in division (C) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share ~~index~~ percentage X 0.50;

(4) The district's or institution's category four special education students who are preschool children with disabilities X the ~~amount~~ multiple specified in division (D) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share ~~index~~ percentage X 0.50;

(5) The district's or institution's category five special 5272
education students who are preschool children with disabilities X 5273
the ~~amount~~ multiple specified in division (E) of section 3317.013 5274
of the Revised Code X the statewide average base cost per pupil 5275
for that fiscal year X the district's state share ~~index~~ percentage 5276
X 0.50; 5277

(6) The district's or institution's category six special 5278
education students who are preschool children with disabilities X 5279
the ~~amount~~ multiple specified in division (F) of section 3317.013 5280
of the Revised Code X the statewide average base cost per pupil 5281
for that fiscal year X the district's state share ~~index~~ percentage 5282
X 0.50. 5283

The special education disability categories for preschool 5284
children used in this section are the same categories prescribed 5285
in section 3317.013 of the Revised Code. 5286

As used in division (A) of this section, the state share 5287
~~index~~ percentage of a student enrolled in an institution is the 5288
state share ~~index~~ percentage of the school district in which the 5289
student is entitled to attend school under section 3313.64 or 5290
3313.65 of the Revised Code. 5291

(B) If an educational service center is providing services to 5292
students who are preschool children with disabilities under 5293
agreement with the city, local, or exempted village school 5294
district in which the students are entitled to attend school, that 5295
district may authorize the department to transfer funds computed 5296
under this section to the service center providing those services. 5297

(C) If a county DD board is providing services to students 5298
who are preschool children with disabilities under agreement with 5299
the city, local, or exempted village school district in which the 5300
students are entitled to attend school, the department shall 5301
deduct from the district's payment computed under division (A) of 5302

this section the total amount of those funds that are attributable 5303
to the students served by the county DD board and pay that amount 5304
to that board. 5305

Sec. 3317.0214. (A) The department shall compute and pay in 5306
accordance with this section additional state aid to school 5307
districts for students in categories two through six special 5308
education ADM. If a district's costs for the fiscal year for a 5309
student in its categories two through six special education ADM 5310
exceed the threshold catastrophic cost for serving the student, 5311
the district may submit to the superintendent of public 5312
instruction documentation, as prescribed by the superintendent, of 5313
all its costs for that student. Upon submission of documentation 5314
for a student of the type and in the manner prescribed, the 5315
department shall pay to the district an amount equal to the sum of 5316
the following: 5317

(1) One-half of the district's costs for the student in 5318
excess of the threshold catastrophic cost; 5319

(2) The product of one-half of the district's costs for the 5320
student in excess of the threshold catastrophic cost multiplied by 5321
the district's state share ~~index~~ percentage. 5322

(B) For purposes of division (A) of this section, the 5323
threshold catastrophic cost for serving a student equals: 5324

(1) For a student in the school district's category two, 5325
three, four, or five special education ADM, twenty-seven thousand 5326
three hundred seventy-five dollars; 5327

(2) For a student in the district's category six special 5328
education ADM, thirty-two thousand eight hundred fifty dollars. 5329

(C) The district shall report under division (A) of this 5330
section, and the department shall pay for, only the costs of 5331
educational expenses and the related services provided to the 5332

student in accordance with the student's individualized education 5333
program. Any legal fees, court costs, or other costs associated 5334
with any cause of action relating to the student may not be 5335
included in the amount. 5336

Sec. 3317.0215. (A) The department of education shall 5337
withhold from the aggregate amount paid for a fiscal year to each 5338
city, local, exempted village, and joint vocational school 5339
district, community school established under Chapter 3314. of the 5340
Revised Code, and science, technology, engineering, and 5341
mathematics school established under Chapter 3326. of the Revised 5342
Code an amount equal to the following: 5343

(1) In the case of a city, local, exempted village, or joint 5344
vocational school district, an amount calculated as follows: 5345

0.10 X [(the district's category one special education ADM X the 5346
multiple specified in division (A) of section 3317.013 of the 5347
Revised Code X the statewide average base cost per pupil for that 5348
fiscal year X the district's state share percentage) + (the 5349
district's category two special education ADM X the multiple 5350
specified in division (B) of section 3317.013 of the Revised Code 5351
X the statewide average base cost per pupil for that fiscal year X 5352
the district's state share percentage) + (the district's category 5353
three special education ADM X the multiple specified in division 5354

(C) of section 3317.013 of the Revised Code X the statewide 5355
average base cost per pupil for that fiscal year X the district's 5356
state share percentage) + (the district's category four special 5357
education ADM X the multiple specified in division (D) of section 5358
3317.013 of the Revised Code X the statewide average base cost per 5359
pupil for that fiscal year X the district's state share 5360
percentage) + (the district's category five special education ADM 5361
X the multiple specified in division (E) of section 3317.013 of 5362
the Revised Code X the statewide average base cost per pupil for 5363

that fiscal year X the district's state share percentage) + (the 5364
district's category six special education ADM X the multiple 5365
specified in division (F) of section 3317.013 of the Revised Code 5366
X the statewide average base cost per pupil for that fiscal year X 5367
the district's state share percentage)l 5368

(2) In the case of a community school, the aggregate amount 5369
of special education funding paid to the school under section 5370
3314.08 of the Revised Code times 0.10. 5371

(3) In the case of a science, technology, engineering, or 5372
mathematics school, the aggregate amount of special education 5373
funding paid to the school under section 3326.33 of the Revised 5374
Code times 0.10. 5375

(B) The department shall use the amount of funds withheld 5376
under division (A) of this section for purposes of division (C)(3) 5377
of section 3314.08 of the Revised Code, section 3317.0214 of the 5378
Revised Code, division (B) of section 3317.16 of the Revised Code, 5379
and section 3326.34 of the Revised Code. 5380

Sec. 3317.0217. Payment of the amount calculated for a school 5381
district under this section shall be made under division (A) of 5382
section 3317.022 of the Revised Code. 5383

(A) For each fiscal year, the department of education shall 5384
compute targeted assistance funds for city, local, and exempted 5385
village school districts, in accordance with the following 5386
formula: 5387

A district's capacity amount for that fiscal year calculated under 5388
division (B) of this section + a district's wealth amount for that 5389
fiscal year calculated under division (C) of this section 5390

(B) The department shall calculate each district's capacity 5391
amount for a fiscal year as follows: 5392

(1) Calculate each district's weighted wealth for that fiscal 5393

year, which equals the following sum: 5394

(The amount determined for the district for that fiscal year under 5395
division (A)(1)(a) of section 3317.017 of the Revised Code X 0.6) 5396

+ (the amount determined for the district for that fiscal year 5397
under division (A)(2)(a) of section 3317.017 of the Revised Code X 5398
0.4) 5399

(2) Determine the median weighted wealth of all school 5400
districts in this state for that fiscal year; 5401

(3) Compute each district's capacity index for that fiscal 5402
year by dividing the median weighted wealth of all school 5403
districts in this state for that fiscal year by the district's 5404
weighted wealth for that fiscal year; 5405

(4) Compute each district's capacity amount for that fiscal 5406
year as follows: 5407

(a) The district's capacity amount shall be zero if the 5408
district satisfies either of the following criteria for that 5409
fiscal year: 5410

(i) The district's capacity index is less than 1. 5411

(ii) The district's enrolled ADM is less than 200. 5412

(b) If the district does not satisfy either of the criteria 5413
specified in division (B)(4)(a) of this section for that fiscal 5414
year, the district's capacity amount for that fiscal year shall be 5415
calculated as follows: 5416

(i) Compute the following amount for the district: 5417
(The median weighted wealth of all school districts in this state 5418
for that fiscal year X 0.008) - (the district's weighted wealth 5419
for that fiscal year X 0.008) 5420

(ii) If the district's enrolled ADM for that fiscal year is 5421
greater than or equal to 200 but less than or equal to 400, the 5422
district's capacity amount for that fiscal year shall be equal to 5423

0.05 X the amount computed under division (B)(4)(b)(i) of this 5424
section. 5425

(iii) If the district's enrolled ADM for that fiscal year is 5426
greater than 400 and less than 600, the district's capacity amount 5427
for that fiscal year shall be calculated in accordance with the 5428
following formula: 5429

{[0.95 X (the district's enrolled ADM for that fiscal year - 400) 5430
/ 200] + 0.05} X the amount computed under division (B)(4)(b)(i) 5431
of this section 5432

(iv) If the district's enrolled ADM for that fiscal year is 5433
greater than or equal to 600, the district's capacity amount for 5434
that fiscal year shall be equal to the amount computed under 5435
division (B)(4)(b)(i) of this section. 5436

(C) The department shall calculate each district's wealth 5437
amount for a fiscal year as follows: 5438

(1) Calculate each district's weighted wealth per pupil for 5439
that fiscal year, which equals the following quotient: 5440

The district's weighted wealth for that fiscal year calculated 5441
under division (B)(1) of this section / the district's enrolled 5442
ADM for that fiscal year 5443

(2) Determine the median weighted wealth per pupil of all 5444
school districts in this state for that fiscal year; 5445

(3) Compute each district's wealth index for that fiscal year 5446
by dividing the median weighted wealth per pupil of all school 5447
districts in this state for that fiscal year by the district's 5448
weighted wealth per pupil for that fiscal year; 5449

(4) Compute each district's wealth amount for that fiscal 5450
year, as follows: 5451

(a) If the district's wealth index computed under division 5452
(C)(3) of this section for that fiscal year is less than 0.8, the 5453

district's wealth amount for that fiscal year shall be zero. 5454

(b) If the district's wealth index computed under division 5455
(C)(3) of this section for that fiscal year is greater than or 5456
equal to 0.8, the district's wealth amount for that fiscal year 5457
shall be calculated in accordance with the following formula: 5458
[(The median weighted wealth per pupil of all school districts in 5459
this state for that fiscal year X 0.014) - (the district's 5460
weighted wealth per pupil for that fiscal year X 0.0112)] X the 5461
district's enrolled ADM for that fiscal year 5462

Sec. 3317.0218. For each fiscal year, the department of 5463
education shall compute and pay supplemental targeted assistance 5464
to each city, local, and exempted village school district as 5465
follows: 5466

(A) Determine if the district satisfies both of the following 5467
criteria: 5468

(1) The wealth index calculated for the district for fiscal 5469
year 2019 under division (A)(4) of former section 3317.0217 of the 5470
Revised Code as it existed prior to the effective date of this 5471
section is greater than 1.6; 5472

(2) The district's enrolled ADM for fiscal year 2019 is less 5473
than eighty-eight per cent of the district's total ADM for fiscal 5474
year 2019. 5475

(B) Determine the maximum of the wealth indices calculated 5476
under division (A)(4) of former section 3317.0217 of the Revised 5477
Code as it existed prior to the effective date of this section for 5478
all districts that satisfy both of the criteria specified under 5479
division (A) of this section; 5480

(C) If the district satisfies both of the criteria specified 5481
under division (A) of this section, compute the district's 5482
supplemental amount as the product of the following: 5483

(1) {[(The number specified under division (A)(1) of this section - 1.6) / (the number determined under division (B) of this section - 1.6)] X 675} + 75; 5484
5485
5486

(2) The district's enrolled ADM. 5487

(D) If the district does not satisfy both of the criteria specified under division (A) of this section, the district's supplemental amount shall be equal to zero. 5488
5489
5490

Sec. 3317.03. (A) The superintendent of each city, local, and 5491
exempted village school district shall report to the state board 5492
of education as of the last day of October, March, and June of 5493
each year the enrollment of students receiving services from 5494
schools under the superintendent's supervision, and the numbers of 5495
other students entitled to attend school in the district under 5496
section 3313.64 or 3313.65 of the Revised Code the superintendent 5497
is required to report under this section, so that the department 5498
of education can calculate the district's enrolled ADM, formula 5499
ADM, total ADM, category one through five career-technical 5500
education ADM, category one through three ~~limited~~ English 5501
~~proficient~~ learner ADM, category one through six special education 5502
ADM, preschool scholarship ADM, transportation ADM, and, for 5503
purposes of provisions of law outside of Chapter 3317. of the 5504
Revised Code, average daily membership. 5505

(1) The enrollment reported by the superintendent during the 5506
reporting period shall consist of the number of students in grades 5507
kindergarten through twelve receiving any educational services 5508
from the district, except that the following categories of 5509
students shall not be included in the determination: 5510

(a) Students enrolled in adult education classes; 5511

(b) Adjacent or other district students enrolled in the 5512
district under an open enrollment policy pursuant to section 5513

3313.98 of the Revised Code; 5514

(c) Students receiving services in the district pursuant to a 5515
compact, cooperative education agreement, or a contract, but who 5516
are entitled to attend school in another district pursuant to 5517
section 3313.64 or 3313.65 of the Revised Code; 5518

(d) Students for whom tuition is payable pursuant to sections 5519
3317.081 and 3323.141 of the Revised Code; 5520

(e) Students receiving services in the district through a 5521
scholarship awarded under either section 3310.41 or sections 5522
3310.51 to 3310.64 of the Revised Code. 5523

When reporting students under division (A)(1) of this 5524
section, the superintendent also shall report the district where 5525
each student is entitled to attend school pursuant to sections 5526
3313.64 and 3313.65 of the Revised Code. 5527

(2) The department of education shall compile a list of all 5528
students reported to be enrolled in a district under division 5529
(A)(1) of this section and of the students entitled to attend 5530
school in the district pursuant to section 3313.64 or 3313.65 of 5531
the Revised Code on an FTE basis but receiving educational 5532
services in grades kindergarten through twelve from one or more of 5533
the following entities: 5534

(a) A community school pursuant to Chapter 3314. of the 5535
Revised Code, including any participation in a college pursuant to 5536
Chapter 3365. of the Revised Code while enrolled in such community 5537
school; 5538

(b) An alternative school pursuant to sections 3313.974 to 5539
3313.979 of the Revised Code ~~as described in division (I)(2)(a) or~~ 5540
~~(b) of this section;~~ 5541

(c) A college pursuant to Chapter 3365. of the Revised Code, 5542
except when the student is enrolled in the college while also 5543

enrolled in a community school pursuant to Chapter 3314., a 5544
science, technology, engineering, and mathematics school 5545
established under Chapter 3326., or a college-preparatory boarding 5546
school established under Chapter 3328. of the Revised Code; 5547

(d) An adjacent or other school district under an open 5548
enrollment policy adopted pursuant to section 3313.98 of the 5549
Revised Code; 5550

(e) An educational service center or cooperative education 5551
district; 5552

(f) Another school district under a cooperative education 5553
agreement, compact, or contract; 5554

(g) A chartered nonpublic school with a scholarship paid 5555
under section 3310.08 of the Revised Code, if the students 5556
qualified for the scholarship under section 3310.03 of the Revised 5557
Code; 5558

(h) An alternative public provider or a registered private 5559
provider with a scholarship awarded under either section 3310.41 5560
or sections 3310.51 to 3310.64 of the Revised Code. 5561

As used in this section, "alternative public provider" and 5562
"registered private provider" have the same meanings as in section 5563
3310.41 or 3310.51 of the Revised Code, as applicable. 5564

(i) A science, technology, engineering, and mathematics 5565
school established under Chapter 3326. of the Revised Code, 5566
including any participation in a college pursuant to Chapter 3365. 5567
of the Revised Code while enrolled in the school; 5568

(j) A college-preparatory boarding school established under 5569
Chapter 3328. of the Revised Code, including any participation in 5570
a college pursuant to Chapter 3365. of the Revised Code while 5571
enrolled in the school. 5572

(3) The department also shall compile a list of the students 5573

entitled to attend school in the district under section 3313.64 or 5574
3313.65 of the Revised Code who are enrolled in a joint vocational 5575
school district or under a career-technical education compact, 5576
excluding any students so entitled to attend school in the 5577
district who are enrolled in another school district through an 5578
open enrollment policy as reported under division (A)(2)(d) of 5579
this section and then enroll in a joint vocational school district 5580
or under a career-technical education compact. 5581

The department shall provide each city, local, and exempted 5582
village school district with an opportunity to review the list of 5583
students compiled under divisions (A)(2) and (3) of this section 5584
to ensure that the students reported accurately reflect the 5585
enrollment of students in the district. 5586

(B) To enable the department of education to obtain the data 5587
needed to complete the calculation of payments pursuant to this 5588
chapter, each superintendent shall certify from the reports 5589
provided by the department under division (A) of this section all 5590
of the following: 5591

(1) The total student enrollment in regular learning day 5592
classes included in the report under division (A)(1) or (2) of 5593
this section for each of the individual grades kindergarten 5594
through twelve in schools under the superintendent's supervision; 5595

(2) The unduplicated count of the number of preschool 5596
children with disabilities enrolled in the district for whom the 5597
district is eligible to receive funding under section 3317.0213 of 5598
the Revised Code adjusted for the portion of the year each child 5599
is so enrolled, in accordance with the disability categories 5600
prescribed in section 3317.013 of the Revised Code; 5601

(3) The number of children entitled to attend school in the 5602
district pursuant to section 3313.64 or 3313.65 of the Revised 5603
Code who are: 5604

(a) Participating in a pilot project scholarship program established under sections 3313.974 to 3313.979 of the Revised Code as described in division (I)(2)(a) or (b) of this section;	5605 5606 5607
(b) Enrolled in a college under Chapter 3365. of the Revised Code, except when the student is enrolled in the college while also enrolled in a community school pursuant to Chapter 3314. of the Revised Code, a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code;	5608 5609 5610 5611 5612 5613 5614
(c) Enrolled in an adjacent or other school district under section 3313.98 of the Revised Code;	5615 5616
(d) Enrolled in a community school established under Chapter 3314. of the Revised Code that is not an internet- or computer-based community school as defined in section 3314.02 of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in such community school;	5617 5618 5619 5620 5621 5622
(e) Enrolled in an internet- or computer-based community school, as defined in section 3314.02 of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;	5623 5624 5625 5626
(f) Enrolled in a chartered nonpublic school with a scholarship paid under section 3310.08 of the Revised Code and who qualified for the scholarship under section 3310.03 of the Revised Code;	5627 5628 5629 5630
(g) Enrolled in kindergarten through grade twelve in an alternative public provider or a registered private provider with a scholarship awarded under section 3310.41 of the Revised Code;	5631 5632 5633
(h) Enrolled as a preschool child with a disability in an alternative public provider or a registered private provider with	5634 5635

a scholarship awarded under section 3310.41 of the Revised Code; 5636

(i) Participating in a program operated by a county board of 5637
developmental disabilities or a state institution; 5638

(j) Enrolled in a science, technology, engineering, and 5639
mathematics school established under Chapter 3326. of the Revised 5640
Code, including any participation in a college pursuant to Chapter 5641
3365. of the Revised Code while enrolled in the school; 5642

(k) Enrolled in a college-preparatory boarding school 5643
established under Chapter 3328. of the Revised Code, including any 5644
participation in a college pursuant to Chapter 3365. of the 5645
Revised Code while enrolled in the school; 5646

(l) Enrolled in an alternative public provider or a 5647
registered private provider with a scholarship awarded under 5648
sections 3310.51 to 3310.64 of the Revised Code. 5649

(4) The total enrollment of pupils in joint vocational 5650
schools; 5651

(5) The combined enrollment of children with disabilities 5652
reported under division (A)(1) or (2) of this section, including 5653
any student described in division (A)(1)(b) of this section and 5654
excluding any student reported under divisions (A)(2)(a), (b), 5655
(d), (g), (h), (i), and (j) of this section, receiving special 5656
education services for the category one disability described in 5657
division (A) of section 3317.013 of the Revised Code, including 5658
children attending a special education program operated by an 5659
alternative public provider or a registered private provider with 5660
a scholarship awarded under sections 3310.51 to 3310.64 of the 5661
Revised Code; 5662

(6) The combined enrollment of children with disabilities 5663
reported under division (A)(1) or (2) of this section, including 5664
any student described in division (A)(1)(b) of this section and 5665
excluding any student reported under divisions (A)(2)(a), (b), 5666

(d), (g), (h), (i), and (j) of this section, receiving special 5667
education services for category two disabilities described in 5668
division (B) of section 3317.013 of the Revised Code, including 5669
children attending a special education program operated by an 5670
alternative public provider or a registered private provider with 5671
a scholarship awarded under sections 3310.51 to 3310.64 of the 5672
Revised Code; 5673

(7) The combined enrollment of children with disabilities 5674
reported under division (A)(1) or (2) of this section, including 5675
any student described in division (A)(1)(b) of this section and 5676
excluding any student reported under divisions (A)(2)(a), (b), 5677
(d), (g), (h), (i), and (j) of this section, receiving special 5678
education services for category three disabilities described in 5679
division (C) of section 3317.013 of the Revised Code, including 5680
children attending a special education program operated by an 5681
alternative public provider or a registered private provider with 5682
a scholarship awarded under sections 3310.51 to 3310.64 of the 5683
Revised Code; 5684

(8) The combined enrollment of children with disabilities 5685
reported under division (A)(1) or (2) of this section, including 5686
any student described in division (A)(1)(b) of this section and 5687
excluding any student reported under divisions (A)(2)(a), (b), 5688
(d), (g), (h), (i), and (j) of this section, receiving special 5689
education services for category four disabilities described in 5690
division (D) of section 3317.013 of the Revised Code, including 5691
children attending a special education program operated by an 5692
alternative public provider or a registered private provider with 5693
a scholarship awarded under sections 3310.51 to 3310.64 of the 5694
Revised Code; 5695

(9) The combined enrollment of children with disabilities 5696
reported under division (A)(1) or (2) of this section, including 5697
any student described in division (A)(1)(b) of this section and 5698

excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of this section, receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(10) The combined enrollment of children with disabilities reported under division (A)(1) or (2) and under division (B)(3)(h) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of this section, receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code;

(11) The enrollment of pupils reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of this section, on a full-time equivalency basis in category one career-technical education programs or classes, described in division (A)(1) of section 3317.014 of the Revised Code, operated by the school district or by another district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division ~~(G)~~(I) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(12) The enrollment of pupils reported under division (A)(1)

or (2) of this section on a full-time equivalency basis, including 5731
any student described in division (A)(1)(b) of this section and 5732
excluding any student reported under divisions (A)(2)(a), (b), 5733
(d), (g), (h), (i), and (j) of this section, in category two 5734
career-technical education programs or services, described in 5735
division ~~(B)~~ (A)(2) of section 3317.014 of the Revised Code, 5736
operated by the school district or another school district that is 5737
a member of the district's career-technical planning district, 5738
other than a joint vocational school district, or by an 5739
educational service center, notwithstanding division ~~(G)~~(I) of 5740
section 3317.02 of the Revised Code and division (C)(3) of this 5741
section; 5742

(13) The enrollment of pupils reported under division (A)(1) 5743
or (2) of this section on a full-time equivalency basis, including 5744
any student described in division (A)(1)(b) of this section and 5745
excluding any student reported under divisions (A)(2)(a), (b), 5746
(d), (g), (h), (i), and (j) of this section, in category three 5747
career-technical education programs or services, described in 5748
division ~~(C)~~ (A)(3) of section 3317.014 of the Revised Code, 5749
operated by the school district or another school district that is 5750
a member of the district's career-technical planning district, 5751
other than a joint vocational school district, or by an 5752
educational service center, notwithstanding division ~~(G)~~(I) of 5753
section 3317.02 of the Revised Code and division (C)(3) of this 5754
section; 5755

(14) The enrollment of pupils reported under division (A)(1) 5756
or (2) of this section on a full-time equivalency basis, including 5757
any student described in division (A)(1)(b) of this section and 5758
excluding any student reported under divisions (A)(2)(a), (b), 5759
(d), (g), (h), (i), and (j) of this section, in category four 5760
career-technical education programs or services, described in 5761
division ~~(D)~~ (A)(4) of section 3317.014 of the Revised Code, 5762

operated by the school district or another school district that is 5763
a member of the district's career-technical planning district, 5764
other than a joint vocational school district, or by an 5765
educational service center, notwithstanding division ~~(G)~~(I) of 5766
section 3317.02 of the Revised Code and division (C)(3) of this 5767
section; 5768

(15) The enrollment of pupils reported under division (A)(1) 5769
or (2) of this section on a full-time equivalency basis, including 5770
any student described in division (A)(1)(b) of this section and 5771
excluding any student reported under divisions (A)(2)(a), (b), 5772
(d), (g), (h), (i), and (j) of this section, in category five 5773
career-technical education programs or services, described in 5774
division ~~(E)~~ (A)(5) of section 3317.014 of the Revised Code, 5775
operated by the school district or another school district that is 5776
a member of the district's career-technical planning district, 5777
other than a joint vocational school district, or by an 5778
educational service center, notwithstanding division ~~(G)~~(I) of 5779
section 3317.02 of the Revised Code and division (C)(3) of this 5780
section; 5781

(16) The enrollment of pupils reported under division (A)(1) 5782
or (2) of this section who are ~~limited English proficient students~~ 5783
learners described in division (A) of section 3317.016 of the 5784
Revised Code, including any student described in division 5785
(A)(1)(b) of this section and excluding any student reported under 5786
division ~~(B)(3)(e)~~ divisions (A)(2)(a), (b), (d), (g), (h), (i), 5787
and (j) of this section as enrolled in an internet or 5788
computer-based community school; 5789

(17) The enrollment of pupils reported under division (A)(1) 5790
or (2) of this section who are ~~limited English proficient students~~ 5791
learners described in division (B) of section 3317.016 of the 5792
Revised Code, including any student described in division 5793
(A)(1)(b) of this section and excluding any student reported under 5794

~~division (B)(3)(e) divisions (A)(2)(a), (b), (d), (g), (h), (i), 5795
and (j) of this section as enrolled in an internet or 5796
computer based community school; 5797~~

(18) The enrollment of pupils reported under division (A)(1) 5798
or (2) of this section who are ~~limited English proficient students~~ 5799
learners described in division (C) of section 3317.016 of the 5800
Revised Code, including any student described in division 5801
(A)(1)(b) of this section and excluding any student reported under 5802
~~division (B)(3)(e) divisions (A)(2)(a), (b), (d), (g), (h), (i), 5803
and (j) of this section as enrolled in an internet or 5804
computer based community school; 5805~~

(19) The average number of children transported during the 5806
reporting period by the school district on board-owned or 5807
contractor-owned and -operated buses, reported in accordance with 5808
rules adopted by the department of education; 5809

(20)(a) The number of children, other than preschool children 5810
with disabilities, the district placed with a county board of 5811
developmental disabilities in fiscal year 1998. Division 5812
(B)(20)(a) of this section does not apply after fiscal year 2013. 5813

(b) The number of children with disabilities, other than 5814
preschool children with disabilities, placed with a county board 5815
of developmental disabilities in the current fiscal year to 5816
receive special education services for the category one disability 5817
described in division (A) of section 3317.013 of the Revised Code; 5818

(c) The number of children with disabilities, other than 5819
preschool children with disabilities, placed with a county board 5820
of developmental disabilities in the current fiscal year to 5821
receive special education services for category two disabilities 5822
described in division (B) of section 3317.013 of the Revised Code; 5823

(d) The number of children with disabilities, other than 5824
preschool children with disabilities, placed with a county board 5825

of developmental disabilities in the current fiscal year to 5826
receive special education services for category three disabilities 5827
described in division (C) of section 3317.013 of the Revised Code; 5828

(e) The number of children with disabilities, other than 5829
preschool children with disabilities, placed with a county board 5830
of developmental disabilities in the current fiscal year to 5831
receive special education services for category four disabilities 5832
described in division (D) of section 3317.013 of the Revised Code; 5833

(f) The number of children with disabilities, other than 5834
preschool children with disabilities, placed with a county board 5835
of developmental disabilities in the current fiscal year to 5836
receive special education services for the category five 5837
disabilities described in division (E) of section 3317.013 of the 5838
Revised Code; 5839

(g) The number of children with disabilities, other than 5840
preschool children with disabilities, placed with a county board 5841
of developmental disabilities in the current fiscal year to 5842
receive special education services for category six disabilities 5843
described in division (F) of section 3317.013 of the Revised Code. 5844

(21) The enrollment of students who are economically 5845
disadvantaged, as defined by the department, including any student 5846
described in division (A)(1)(b) of this section and excluding any 5847
student reported under ~~division (B)(3)(e) divisions (A)(2)(a),~~ 5848
~~(b), (d), (g), (h), (i), and (j) of this section as enrolled in an~~ 5849
~~internet or computer based community school~~. A student shall not 5850
be categorically excluded from the number reported under division 5851
(B)(21) of this section based on anything other than family 5852
income. 5853

(22) The enrollment of students identified as gifted under 5854
division (A), (B), (C), or (D) of section 3324.03 of the Revised 5855
Code. 5856

(C)(1) The state board of education shall adopt rules 5857
necessary for implementing divisions (A), (B), and (D) of this 5858
section. 5859

(2) A student enrolled in a community school established 5860
under Chapter 3314., a science, technology, engineering, and 5861
mathematics school established under Chapter 3326., or a 5862
college-preparatory boarding school established under Chapter 5863
3328. of the Revised Code shall be counted in the formula ADM ~~and,~~ 5864
~~if applicable, the category one, two, three, four, five, or six~~ 5865
~~special education ADM~~ of the school district in which the student 5866
is entitled to attend school under section 3313.64 or 3313.65 of 5867
the Revised Code for the same proportion of the school year that 5868
the student is counted in the enrollment of the community school, 5869
the science, technology, engineering, and mathematics school, or 5870
the college-preparatory boarding school for purposes of section 5871
3314.08, 3326.33, or 3328.24 of the Revised Code. Notwithstanding 5872
the enrollment of students certified pursuant to division 5873
(B)(3)(d), (e), (j), or (k) of this section, the department may 5874
adjust the formula ADM of a school district to account for 5875
students entitled to attend school in the district under section 5876
3313.64 or 3313.65 of the Revised Code who are enrolled in a 5877
community school, a science, technology, engineering, and 5878
mathematics school, or a college-preparatory boarding school for 5879
only a portion of the school year. 5880

(3) No child shall be counted as more than a total of one 5881
child in the sum of the enrollment of students of a school 5882
district under division (A), divisions (B)(1) to (22), or division 5883
(D) of this section, except as follows: 5884

(a)(i) A child with a disability described in section 5885
3317.013 of the Revised Code may be counted both in formula ADM 5886
and in category one, two, three, four, five, or six special 5887
education ADM and, if applicable, in category one, two, three, 5888

four, or five career-technical education ADM. As provided in 5889
division ~~(G)~~(I) of section 3317.02 of the Revised Code, such a 5890
child shall be counted in category one, two, three, four, five, or 5891
six special education ADM in the same proportion that the child is 5892
counted in formula ADM. 5893

(ii) A child with a disability described in section 3317.013 5894
of the Revised Code may be counted both in enrolled ADM and in 5895
category one, two, three, four, five, or six special education ADM 5896
and, if applicable, in category one, two, three, four, or five 5897
career-technical education ADM. As provided in division (I) of 5898
section 3317.02 of the Revised Code, such a child shall be counted 5899
in category one, two, three, four, five, or six special education 5900
ADM in the same proportion that the child is counted in enrolled 5901
ADM. 5902

(b)(i) A child enrolled in career-technical education 5903
programs or classes described in section 3317.014 of the Revised 5904
Code may be counted both in formula ADM and category one, two, 5905
three, four, or five career-technical education ADM and, if 5906
applicable, in category one, two, three, four, five, or six 5907
special education ADM. Such a child shall be counted in category 5908
one, two, three, four, or five career-technical education ADM in 5909
the same proportion as the percentage of time that the child 5910
spends in the career-technical education programs or classes. 5911

(ii) A child enrolled in career-technical education programs 5912
or classes described in section 3317.014 of the Revised Code may 5913
be counted both in enrolled ADM and category one, two, three, 5914
four, or five career-technical education ADM and, if applicable, 5915
in category one, two, three, four, five, or six special education 5916
ADM. Such a child shall be counted in category one, two, three, 5917
four, or five career-technical education ADM in the same 5918
proportion as the percentage of time that the child spends in the 5919
career-technical education programs or classes. 5920

(4) Based on the information reported under this section, the department of education shall determine the total student count, as defined in section 3301.011 of the Revised Code, for each school district.

(D)(1) The superintendent of each joint vocational school district shall report and certify to the superintendent of public instruction as of the last day of October, March, and June of each year the enrollment of students receiving services from schools under the superintendent's supervision so that the department can calculate the district's enrolled ADM, formula ADM, total ADM, category one through five career-technical education ADM, category one through three ~~limited~~ English ~~proficient~~ learner ADM, category one through six special education ADM, and for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership.

The enrollment reported and certified by the superintendent, except as otherwise provided in this division, shall consist of the ~~the~~ number of students in grades six through twelve receiving any educational services from the district, except that the following categories of students shall not be included in the determination:

(a) Students enrolled in adult education classes;

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

(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 a city, local, or exempted village school district whose territory is not part of the territory of the joint vocational district;

(d) Students for whom tuition is payable pursuant to sections

3317.081 and 3323.141 of the Revised Code. 5952

(2) To enable the department of education to obtain the data 5953
needed to complete the calculation of payments pursuant to this 5954
chapter, each superintendent shall certify from the report 5955
provided under division (D)(1) of this section the enrollment for 5956
each of the following categories of students: 5957

(a) Students enrolled in each individual grade included in 5958
the joint vocational district schools, including any student 5959
described in division (D)(1)(b) of this section; 5960

(b) Children with disabilities receiving special education 5961
services for the category one disability described in division (A) 5962
of section 3317.013 of the Revised Code, including any student 5963
described in division (D)(1)(b) of this section; 5964

(c) Children with disabilities receiving special education 5965
services for the category two disabilities described in division 5966
(B) of section 3317.013 of the Revised Code, including any student 5967
described in division (D)(1)(b) of this section; 5968

(d) Children with disabilities receiving special education 5969
services for category three disabilities described in division (C) 5970
of section 3317.013 of the Revised Code, including any student 5971
described in division (D)(1)(b) of this section; 5972

(e) Children with disabilities receiving special education 5973
services for category four disabilities described in division (D) 5974
of section 3317.013 of the Revised Code, including any student 5975
described in division (D)(1)(b) of this section; 5976

(f) Children with disabilities receiving special education 5977
services for the category five disabilities described in division 5978
(E) of section 3317.013 of the Revised Code, including any student 5979
described in division (D)(1)(b) of this section; 5980

(g) Children with disabilities receiving special education 5981

services for category six disabilities described in division (F)	5982
of section 3317.013 of the Revised Code, <u>including any student</u>	5983
<u>described in division (D)(1)(b) of this section;</u>	5984
(h) Students receiving category one career-technical	5985
education services, described in division (A) <u>(1)</u> of section	5986
3317.014 of the Revised Code, <u>including any student described in</u>	5987
<u>division (D)(1)(b) of this section;</u>	5988
(i) Students receiving category two career-technical	5989
education services, described in division (B) <u>(A)(2)</u> of section	5990
3317.014 of the Revised Code, <u>including any student described in</u>	5991
<u>division (D)(1)(b) of this section;</u>	5992
(j) Students receiving category three career-technical	5993
education services, described in division (C) <u>(A)(3)</u> of section	5994
3317.014 of the Revised Code, <u>including any student described in</u>	5995
<u>division (D)(1)(b) of this section;</u>	5996
(k) Students receiving category four career-technical	5997
education services, described in division (D) <u>(A)(4)</u> of section	5998
3317.014 of the Revised Code, <u>including any student described in</u>	5999
<u>division (D)(1)(b) of this section;</u>	6000
(l) Students receiving category five career-technical	6001
education services, described in division (E) <u>(A)(5)</u> of section	6002
3317.014 of the Revised Code, <u>including any student described in</u>	6003
<u>division (D)(1)(b) of this section;</u>	6004
(m) Limited English proficient students <u>learners</u> described in	6005
division (A) of section 3317.016 of the Revised Code, <u>including</u>	6006
<u>any student described in division (D)(1)(b) of this section;</u>	6007
(n) Limited English proficient students <u>learners</u> described in	6008
division (B) of section 3317.016 of the Revised Code, <u>including</u>	6009
<u>any student described in division (D)(1)(b) of this section;</u>	6010
(o) Limited English proficient students <u>learners</u> described in	6011

division (C) of section 3317.016 of the Revised Code, including 6012
any student described in division (D)(1)(b) of this section; 6013

(p) Students who are economically disadvantaged, as defined 6014
by the department, including any student described in division 6015
(D)(1)(b) of this section. A student shall not be categorically 6016
excluded from the number reported under division (D)(2)(p) of this 6017
section based on anything other than family income. 6018

The superintendent of each joint vocational school district 6019
shall also indicate the city, local, or exempted village school 6020
district in which each joint vocational district pupil is entitled 6021
to attend school pursuant to section 3313.64 or 3313.65 of the 6022
Revised Code. 6023

(E) In each school of each city, local, exempted village, 6024
joint vocational, and cooperative education school district there 6025
shall be maintained a record of school enrollment, which record 6026
shall accurately show, for each day the school is in session, the 6027
actual enrollment in regular day classes. For the purpose of 6028
determining the enrollment of students, the enrollment figure of 6029
any school shall not include any pupils except those pupils 6030
described by division (A) or (D) of this section. The record of 6031
enrollment for each school shall be maintained in such manner that 6032
no pupil shall be counted as enrolled prior to the actual date of 6033
entry in the school and also in such manner that where for any 6034
cause a pupil permanently withdraws from the school that pupil 6035
shall not be counted as enrolled from and after the date of such 6036
withdrawal. There shall not be included in the enrollment of any 6037
school any of the following: 6038

(1) Any pupil who has graduated from the twelfth grade of a 6039
public or nonpublic high school; 6040

(2) Any pupil who is not a resident of the state; 6041

(3) Any pupil who was enrolled in the schools of the district 6042

during the previous school year when assessments were administered 6043
under section 3301.0711 of the Revised Code but did not take one 6044
or more of the assessments required by that section and was not 6045
excused pursuant to division (C)(1) or (3) of that section; 6046

(4) Any pupil who has attained the age of twenty-two years, 6047
except for veterans of the armed services whose attendance was 6048
interrupted before completing the recognized twelve-year course of 6049
the public schools by reason of induction or enlistment in the 6050
armed forces and who apply for reenrollment in the public school 6051
system of their residence not later than four years after 6052
termination of war or their honorable discharge; 6053

(5) Any pupil who has a certificate of high school 6054
equivalence as defined in section 5107.40 of the Revised Code. 6055

If, however, any veteran described by division (E)(4) of this 6056
section elects to enroll in special courses organized for veterans 6057
for whom tuition is paid under the provisions of federal laws, or 6058
otherwise, that veteran shall not be included in the enrollment of 6059
students determined under this section. 6060

Notwithstanding division (E)(3) of this section, the 6061
enrollment of any school may include a pupil who did not take an 6062
assessment required by section 3301.0711 of the Revised Code if 6063
the superintendent of public instruction grants a waiver from the 6064
requirement to take the assessment to the specific pupil and a 6065
parent is not paying tuition for the pupil pursuant to section 6066
3313.6410 of the Revised Code. The superintendent may grant such a 6067
waiver only for good cause in accordance with rules adopted by the 6068
state board of education. 6069

The enrolled ADM, formula ADM, total ADM, category one 6070
through five career-technical education ADM, category one through 6071
three ~~limited~~ English ~~proficient~~ learner ADM, category one through 6072
six special education ADM, preschool scholarship ADM, 6073

transportation ADM, and, for purposes of provisions of law outside 6074
of Chapter 3317. of the Revised Code, average daily membership of 6075
any school district shall be determined in accordance with rules 6076
adopted by the state board of education. 6077

(F)(1) If a student attending a community school under 6078
Chapter 3314., a science, technology, engineering, and mathematics 6079
school established under Chapter 3326., or a college-preparatory 6080
boarding school established under Chapter 3328. of the Revised 6081
Code is not included in the formula ADM calculated for the school 6082
district in which the student is entitled to attend school under 6083
section 3313.64 or 3313.65 of the Revised Code, the department of 6084
education shall adjust the formula ADM of that school district to 6085
include the student in accordance with division (C)(2) of this 6086
section, ~~and shall recalculate the school district's payments~~ 6087
~~under this chapter for the entire fiscal year on the basis of that~~ 6088
~~adjusted formula ADM.~~ 6089

(2) If a student awarded an educational choice scholarship is 6090
not included in the formula ADM of the school district ~~from in~~ 6091
which the ~~department deducts funds for the scholarship under~~ 6092
~~section 3310.08 of the Revised Code~~ student resides, the 6093
department shall adjust the formula ADM of that school district to 6094
include the student ~~to the extent necessary to account for the~~ 6095
~~deduction, and shall recalculate the school district's payments~~ 6096
~~under this chapter for the entire fiscal year on the basis of that~~ 6097
~~adjusted formula ADM.~~ 6098

(3) If a student awarded a scholarship under the Jon Peterson 6099
special needs scholarship program is not included in the formula 6100
ADM of the school district ~~from in~~ which the ~~department deducts~~ 6101
~~funds for the scholarship under section 3310.55 of the Revised~~ 6102
~~Code~~ student resides, the department shall adjust the formula ADM 6103
of that school district to include the student ~~to the extent~~ 6104
~~necessary to account for the deduction, and shall recalculate the~~ 6105

~~school district's payments under this chapter for the entire 6106
fiscal year on the basis of that adjusted formula ADM. 6107~~

(G)(1)(a) The superintendent of an institution operating a 6108
special education program pursuant to section 3323.091 of the 6109
Revised Code shall, for the programs under such superintendent's 6110
supervision, certify to the state board of education, in the 6111
manner prescribed by the superintendent of public instruction, 6112
both of the following: 6113

(i) The unduplicated count of the number of all children with 6114
disabilities other than preschool children with disabilities 6115
receiving services at the institution for each category of 6116
disability described in divisions (A) to (F) of section 3317.013 6117
of the Revised Code adjusted for the portion of the year each 6118
child is so enrolled; 6119

(ii) The unduplicated count of the number of all preschool 6120
children with disabilities in classes or programs for whom the 6121
district is eligible to receive funding under section 3317.0213 of 6122
the Revised Code adjusted for the portion of the year each child 6123
is so enrolled, reported according to the categories prescribed in 6124
section 3317.013 of the Revised Code. 6125

(b) The superintendent of an institution with 6126
career-technical education units approved under section 3317.05 of 6127
the Revised Code shall, for the units under the superintendent's 6128
supervision, certify to the state board of education the 6129
enrollment in those units, in the manner prescribed by the 6130
superintendent of public instruction. 6131

(2) The superintendent of each county board of developmental 6132
disabilities that maintains special education classes under 6133
section 3317.20 of the Revised Code or provides services to 6134
preschool children with disabilities pursuant to an agreement 6135
between the county board and the appropriate school district shall 6136

do both of the following: 6137

(a) Certify to the state board, in the manner prescribed by 6138
the board, the enrollment in classes under section 3317.20 of the 6139
Revised Code for each school district that has placed children in 6140
the classes; 6141

(b) Certify to the state board, in the manner prescribed by 6142
the board, the unduplicated count of the number of all preschool 6143
children with disabilities enrolled in classes for which the ~~DD~~ 6144
board is eligible to receive funding under section 3317.0213 of 6145
the Revised Code adjusted for the portion of the year each child 6146
is so enrolled, reported according to the categories prescribed in 6147
section 3317.013 of the Revised Code, and the number of those 6148
classes. 6149

(H) Except as provided in division (I) of this section, when 6150
any city, local, or exempted village school district provides 6151
instruction for a nonresident pupil whose attendance is 6152
unauthorized attendance as defined in section 3327.06 of the 6153
Revised Code, that pupil's enrollment shall not be included in 6154
that district's enrollment figure used in calculating the 6155
district's payments under this chapter. The reporting official 6156
shall report separately the enrollment of all pupils whose 6157
attendance in the district is unauthorized attendance, and the 6158
enrollment of each such pupil shall be credited to the school 6159
district in which the pupil is entitled to attend school under 6160
division (B) of section 3313.64 or section 3313.65 of the Revised 6161
Code as determined by the department of education. 6162

~~(I)~~(1) This division shall not apply on or after the 6163
effective date of this amendment. 6164

(1) A city, local, exempted village, or joint vocational 6165
school district admitting a scholarship student of a pilot project 6166
district pursuant to division (C) of section 3313.976 of the 6167

Revised Code may count such student in its enrollment. 6168

(2) In any year for which funds are appropriated for pilot 6169
project scholarship programs, a school district implementing a 6170
state-sponsored pilot project scholarship program that year 6171
pursuant to sections 3313.974 to 3313.979 of the Revised Code may 6172
count in its enrollment: 6173

(a) All children residing in the district and utilizing a 6174
scholarship to attend kindergarten in any alternative school, as 6175
defined in section 3313.974 of the Revised Code; 6176

(b) All children who were enrolled in the district in the 6177
preceding year who are utilizing a scholarship to attend an 6178
alternative school. 6179

(J) The superintendent of each cooperative education school 6180
district shall certify to the superintendent of public 6181
instruction, in a manner prescribed by the state board of 6182
education, the applicable enrollments for all students in the 6183
cooperative education district, also indicating the city, local, 6184
or exempted village district where each pupil is entitled to 6185
attend school under section 3313.64 or 3313.65 of the Revised 6186
Code. 6187

(K) If the superintendent of public instruction determines 6188
that a component of the enrollment certified or reported by a 6189
district superintendent, or other reporting entity, is not 6190
correct, the superintendent of public instruction may order that 6191
the ~~formula ADM used for the purposes of payments under any~~ 6192
~~section of Title XXXVIII of the Revised Code~~ district's enrolled 6193
ADM, formula ADM, or both be adjusted in the amount of the error. 6194

Sec. 3317.051. (A) ~~As used in this section, "gifted unit ADM"~~ 6195
~~means a school district's formula ADM minus the number of students~~ 6196
~~reported by a district under divisions (A)(2)(a) and (i) of~~ 6197

~~section 3317.03 of the Revised Code.~~ 6198

~~(B)~~ The department of education shall compute and pay to a school district funds based on units for services to students identified as gifted under Chapter 3324. of the Revised Code as prescribed by this section. 6199
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~~(C)~~(B) The department shall allocate gifted units for a school district as follows: 6203
6204

(1) One gifted coordinator unit shall be allocated for every 3,300 students in a district's ~~gifted unit~~ enrolled ADM, with a minimum of 0.5 units and a maximum of 8 units allocated for the district. 6205
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(2) One kindergarten through eighth grade gifted intervention specialist unit shall be allocated for every ~~1,100~~ 140 gifted students ~~in a district's gifted unit ADM~~ enrolled in grades kindergarten through eight in the district, as certified under division (B)(22) of section 3317.03 of the Revised Code, with a minimum of 0.3 units allocated for the district. 6209
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~~(D)~~(3) One ninth through twelfth grade gifted intervention specialist unit shall be allocated for every 140 gifted students enrolled in grades nine through twelve in the district, as certified under division (B)(22) of section 3317.03 of the Revised Code, with a minimum of 0.3 units allocated for the district. 6215
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(C) The department shall pay the following amount to a school district for gifted units: 6220
6221
~~\$37,370 multiplied by~~ (\$85,776 X the number of units allocated to a school district under division ~~(C)~~(B)(1) of this section X the district's state share percentage) + (\$89,378 X the number of units allocated to a school district under division (B)(2) of this section X the district's state share percentage) + (\$80,974 X the number of units allocated to a school district under division 6222
6223
6224
6225
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6227

(B)(3) of this section X the district's state share percentage) 6228

~~(E)(D)~~ A school district may assign gifted unit funding that 6229
it receives under division ~~(D)~~(C) of this section to another 6230
school district, an educational service center, a community 6231
school, or a STEM school as part of an arrangement to provide 6232
services to the district. 6233

Sec. 3317.16. ~~(A)~~ The department of education shall compute 6234
and distribute state core foundation funding to each joint 6235
vocational school district for the fiscal year ~~as prescribed in~~ 6236
~~the following divisions~~ in accordance with the following formula: 6237

The district's funding base + [(the district's state core 6238
foundation funding components for that fiscal year calculated 6239
under division (A) of this section - the district's funding base) 6240
X the district's phase-in percentage for that fiscal year] 6241

(A) A district's state core foundation funding components 6242
shall be all of the following: 6243

(1) ~~An opportunity grant~~ The district's state share of the 6244
base cost calculated according to the following formula: 6245

(The formula amount X formula ADM district's base cost calculated 6246
under section 3317.012 of the Revised Code) - (0.0005 X the lesser 6247
of the district's three-year average valuation or the district's 6248
most recent valuation) 6249

However, no district shall receive an ~~opportunity grant~~ 6250
amount under division (A)(1) of this section that is less than 6251
0.05 times the ~~formula amount times formula ADM~~ base cost 6252
calculated for the district under section 3317.012 of the Revised 6253
Code. 6254

(2) Additional state aid for special education and related 6255
services provided under Chapter 3323. of the Revised Code 6256
calculated as the sum of the following: 6257

(a) The district's category one special education ADM X the 6258
~~amount~~ multiple specified in division (A) of section 3317.013 of 6259
the Revised Code X the statewide average base cost per pupil for 6260
that fiscal year X the district's state share percentage; 6261

(b) The district's category two special education ADM X the 6262
~~amount~~ multiple specified in division (B) of section 3317.013 of 6263
the Revised Code X the statewide average base cost per pupil for 6264
that fiscal year X the district's state share percentage; 6265

(c) The district's category three special education ADM X the 6266
~~amount~~ multiple specified in division (C) of section 3317.013 of 6267
the Revised Code X the statewide average base cost per pupil for 6268
that fiscal year X the district's state share percentage; 6269

(d) The district's category four special education ADM X the 6270
~~amount~~ multiple specified in division (D) of section 3317.013 of 6271
the Revised Code X the statewide average base cost per pupil for 6272
that fiscal year X the district's state share percentage; 6273

(e) The district's category five special education ADM X the 6274
~~amount~~ multiple specified in division (E) of section 3317.013 of 6275
the Revised Code X the statewide average base cost per pupil for 6276
that fiscal year X the district's state share percentage; 6277

(f) The district's category six special education ADM X the 6278
~~amount~~ multiple specified in division (F) of section 3317.013 of 6279
the Revised Code X the statewide average base cost per pupil for 6280
that fiscal year X the district's state share percentage. 6281

(3) Economically disadvantaged funds calculated according to 6282
the following formula: 6283

~~\$272~~ \$422 X the district's economically disadvantaged index X the 6284
number of students who are economically disadvantaged as certified 6285
under division (D)(2)(p) of section 3317.03 of the Revised Code 6286

(4) ~~Limited~~ English ~~proficiency~~ learner funds calculated as 6287
the sum of the following: 6288

(a) The district's category one ~~limited~~ English ~~proficient~~ ~~learner~~ ADM X the ~~amount~~ ~~multiple~~ specified in division (A) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage; 6289
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(b) The district's category two ~~limited~~ English ~~proficient~~ ~~learner~~ ADM X the ~~amount~~ ~~multiple~~ specified in division (B) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage; 6294
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(c) The district's category three ~~limited~~ English ~~proficient~~ ~~learner~~ ADM X the ~~amount~~ ~~multiple~~ specified in division (C) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage; 6299
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~~(5) Career technical education funds calculated as the sum of the following;~~ 6304
6305

~~(a) The district's category one career technical education ADM X the amount specified in division (A) of section 3317.014 of the Revised Code X the district's state share percentage;~~ 6306
6307
6308

~~(b) The district's category two career technical education ADM X the amount specified in division (B) of section 3317.014 of the Revised Code X the district's state share percentage;~~ 6309
6310
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~~(c) The district's category three career technical education ADM X the amount specified in division (C) of section 3317.014 of the Revised Code X the district's state share percentage;~~ 6312
6313
6314

~~(d) The district's category four career technical education ADM X the amount specified in division (D) of section 3317.014 of the Revised Code X the district's state share percentage;~~ 6315
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6317

~~(e) The district's category five career technical education~~ 6318

~~ADM X the amount specified in division (E) of section 3317.014 of
the Revised Code X the district's state share percentage.~~ 6319
6320

~~Payment of funds under division (A)(5) of this section is
subject to approval under section 3317.161 of the Revised Code.~~ 6321
6322

~~(6) Career technical education associated services funds
calculated under the following formula:~~ 6323
6324

~~The district's state share percentage X the amount for
career technical education associated services specified in
section 3317.014 of the Revised Code X the sum of categories one
through five career technical education ADM~~ 6325
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~~(7) A graduation bonus calculated according to the following
formula:~~ 6329
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~~The district's graduation rate as reported on its most recent
report card issued by the department under section 3302.033 of the
Revised Code X 0.075 X the formula amount X the number of the
district's students who received high school or honors high school
diplomas as reported by the district to the department, in
accordance with the guidelines adopted under section 3301.0714 of
the Revised Code, for the same school year for which the most
recent report card was issued X the district's state share
percentage.~~ 6331
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(B)(1) If a joint vocational school district's costs for a 6340
fiscal year for a student in its categories two through six 6341
special education ADM exceed the threshold catastrophic cost for 6342
serving the student, as specified in division (B) of section 6343
3317.0214 of the Revised Code, the district may submit to the 6344
superintendent of public instruction documentation, as prescribed 6345
by the superintendent, of all of its costs for that student. Upon 6346
submission of documentation for a student of the type and in the 6347
manner prescribed, the department shall pay to the district an 6348
amount equal to the sum of the following: 6349

(a) One-half of the district's costs for the student in excess of the threshold catastrophic cost; 6350
6351

(b) The product of one-half of the district's costs for the student in excess of the threshold catastrophic cost multiplied by the district's state share percentage. 6352
6353
6354

(2) The district shall report under division (B)(1) of this section, and the department shall pay for, only the costs of educational expenses and the related services provided to the student in accordance with the student's individualized education program. Any legal fees, court costs, or other costs associated with any cause of action relating to the student may not be included in the amount. 6355
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(C)(1) For each student with a disability receiving special education and related services under an individualized education program, as defined in section 3323.01 of the Revised Code, at a joint vocational school district, the resident district or, if the student is enrolled in a community school, the community school shall be responsible for the amount of any costs of providing those special education and related services to that student that exceed the sum of the amount calculated for those services attributable to that student under division (A) of this section. 6362
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Those excess costs shall be calculated using a formula approved by the department. 6371
6372

(2) The board of education of the joint vocational school district may report the excess costs calculated under division (C)(1) of this section to the department of education. 6373
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(3) If the board of education of the joint vocational school district reports excess costs under division (C)(2) of this section, the department shall pay the amount of excess cost calculated under division (C)(2) of this section to the joint vocational school district and shall deduct that amount as 6376
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provided in division (C)(3)(a) or (b) of this section, as 6381
applicable: 6382

(a) If the student is not enrolled in a community school, the 6383
department shall deduct the amount from the account of the 6384
student's resident district pursuant to division (J) of section 6385
3317.023 of the Revised Code. 6386

(b) If the student is enrolled in a community school, the 6387
department shall deduct the amount from the account of the 6388
community school pursuant to section 3314.083 of the Revised Code. 6389

~~(D)(1) In any fiscal year, a school district receiving funds 6390
under division (A)(5) of this section shall spend those funds only 6391
for the purposes that the department designates as approved for 6392
career technical education expenses. Career technical education 6393
expenses approved by the department shall include only expenses 6394
connected to the delivery of career technical programming to 6395
career technical students. The department shall require the school 6396
district to report data annually so that the department may 6397
monitor the district's compliance with the requirements regarding 6398
the manner in which funding received under division (A)(5) of this 6399
section may be spent. 6400~~

~~(2) All funds received under division (A)(5) of this section 6401
shall be spent in the following manner: 6402~~

~~(a) At least seventy five per cent of the funds shall be 6403
spent on curriculum development, purchase, and implementation; 6404
instructional resources and supplies; industry based program 6405
certification; student assessment, credentialing, and placement; 6406
curriculum specific equipment purchases and leases; 6407
career technical student organization fees and expenses; home and 6408
agency linkages; work based learning experiences; professional 6409
development; and other costs directly associated with 6410
career technical education programs including development of new 6411~~

~~programs.~~ 6412

~~(b) Not more than twenty five per cent of the funds shall be used for personnel expenditures.~~ 6413
6414

~~(E) In any fiscal year, a school district receiving funds under division (A)(6) of this section, or through a transfer of funds pursuant to division (I) of section 3317.023 of the Revised Code, shall spend those funds only for the purposes that the department designates as approved for career technical education associated services expenses, which may include such purposes as apprenticeship coordinators, coordinators for other career technical education services, career technical evaluation, and other purposes designated by the department. The department may deny payment under division (A)(6) of this section to any district that the department determines is not operating those services or is using funds paid under division (A)(6) of this section, or through a transfer of funds pursuant to division (I) of section 3317.023 of the Revised Code, for other purposes.~~ 6415
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~~(F)~~ A joint vocational school district shall spend the funds it receives under division (A)(3) of this section in accordance with section 3317.25 of the Revised Code. 6429
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~~(G)~~(E) As used in this section: 6432

(1) "Community school" means a community school established under Chapter 3314. of the Revised Code. 6433
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(2) "Resident district" means the city, local, or exempted village school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. 6435
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~~(3) "State share percentage" is equal to the following:~~ 6438

~~The amount computed under division (A)(1) of this section / (the formula amount X formula ADM)~~ 6439
6440

Sec. 3317.162. (A) For fiscal years 2020 and 2021, the 6441

department of education shall pay temporary transitional aid to 6442
each joint vocational school district according to the following 6443
formula: 6444

(The district's funding base, as that term is defined in section 6445
3317.02 of the Revised Code) - (the district's payment under 6446
section 3317.16 of the Revised Code for the fiscal year for which 6447
the payment is computed) 6448

If the computation made under division (A) of this section 6449
results in a negative number, the district's funding under 6450
division (A) of this section shall be zero. 6451

(B) For fiscal year 2022 and for each fiscal year thereafter, 6452
the department shall pay temporary transitional aid to each joint 6453
vocational school district according to the following formula: 6454

(The district's guaranteed funding for the third preceding fiscal 6455
year / the average of the district's enrolled ADM for the third, 6456
fourth, and fifth preceding fiscal years) - (the district's 6457
payment under section 3317.16 of the Revised Code for the fiscal 6458
year for which the payment is calculated / the district's enrolled 6459
ADM for the fiscal year for which the payment is calculated) X the 6460
district's enrolled ADM for the fiscal year for which the payment 6461
is calculated 6462

If the computation made under this division results in a 6463
negative number, the district's funding under this division shall 6464
be zero. 6465

For purposes of this computation, a district's "guaranteed 6466
funding" means the following: 6467

(1) For fiscal year 2019, the district's funding base, as 6468
that term is defined in section 3317.02 of the Revised Code; 6469

(2) For fiscal years 2020 and 2021, the district's payment 6470
for that fiscal year under section 3317.16 of the Revised Code 6471
plus the district's payment for that fiscal year under division 6472

(A) of this section; 6473

(3) For fiscal year 2022 and for each fiscal year thereafter, 6474
the district's payment for that fiscal year under section 3317.16 6475
of the Revised Code plus the district's payment for that fiscal 6476
year under division (B) of this section. 6477

(C) If a joint vocational school district begins receiving 6478
payments under section 3317.16 of the Revised Code for fiscal year 6479
2020 or for any fiscal year thereafter but does not receive 6480
payments for the fiscal year immediately preceding that fiscal 6481
year, the department shall establish the following as an amount 6482
equal to the absolute value of the sum of the associated 6483
adjustments of any local school district's funding base under 6484
division (C) of section 3317.019 of the Revised Code: 6485

(1) For purposes of division (A) of this section, the 6486
district's funding base, as that term is defined in section 6487
3317.02 of the Revised Code; 6488

(2) For purposes of division (B) of this section, the 6489
district's guaranteed funding. 6490

Sec. 3317.20. This section does not apply to preschool 6491
children with disabilities. 6492

(A) As used in this section: 6493

(1) "Applicable special education amount" means the amount 6494
specified in section 3317.013 of the Revised Code for a disability 6495
described in that section. 6496

(2) "Child's school district" means the school district in 6497
which a child is entitled to attend school pursuant to section 6498
3313.64 or 3313.65 of the Revised Code. 6499

(3) "State share ~~index~~ percentage" means the state share 6500
~~index~~ percentage of the child's school district. 6501

(B) The department shall annually pay each county board of developmental disabilities for each child with a disability, other than a preschool child with a disability, for whom the county board provides special education and related services an amount equal to the ~~formula amount~~ statewide average base cost per pupil + (state share ~~index~~ percentage X the applicable special education ~~amount~~ weight X the statewide average base cost per pupil).

(C) Each county board of developmental disabilities shall report to the department, in the manner specified by the department, the name of each child for whom the county board of developmental disabilities provides special education and related services and the child's school district.

(D)(1) For the purpose of verifying the accuracy of the payments under this section, the department may request from either of the following entities the data verification code assigned under division (D)(2) of section 3301.0714 of the Revised Code to any child who is placed with a county board of developmental disabilities:

(a) The child's school district;

(b) The independent contractor engaged to create and maintain data verification codes.

(2) Upon a request by the department under division (D)(1) of this section for the data verification code of a child, the child's school district shall submit that code to the department in the manner specified by the department. If the child has not been assigned a code, the district shall assign a code to that child and submit the code to the department by a date specified by the department. If the district does not assign a code to the child by the specified date, the department shall assign a code to the child.

The department annually shall submit to each school district

the name and data verification code of each child residing in the 6533
district for whom the department has assigned a code under this 6534
division. 6535

(3) The department shall not release any data verification 6536
code that it receives under division (D) of this section to any 6537
person except as provided by law. 6538

(E) Any document relative to special education and related 6539
services provided by a county board of developmental disabilities 6540
that the department holds in its files that contains both a 6541
student's name or other personally identifiable information and 6542
the student's data verification code shall not be a public record 6543
under section 149.43 of the Revised Code. 6544

Sec. 3317.25. (A) As used in this section, "economically 6545
disadvantaged funds" means the following: 6546

(1) For a city, local, or exempted village school district, 6547
the funds received under division ~~(A)(5)~~ (A)(4) of section 6548
3317.022 of the Revised Code; 6549

(2) For a joint vocational school district, the funds 6550
received under division (A)(3) of section 3317.16 of the Revised 6551
Code; 6552

(3) For a community school established under Chapter 3314. of 6553
the Revised Code, the funds received under division ~~(C)(1)(e)~~ 6554
(C)(1)(c) of section 3314.08 of the Revised Code; 6555

(4) For a STEM school established under Chapter 3326. of the 6556
Revised Code, the funds received under division ~~(E)(C)~~ of section 6557
3326.33 of the Revised Code. 6558

(B) In any fiscal year, a city, local, exempted village, or 6559
joint vocational school district, community school, or STEM school 6560
shall spend the economically disadvantaged funds it receives for 6561
any of the following initiatives or a combination of any of the 6562

following initiatives:	6563
(1) Extended school day and school year;	6564
(2) Reading improvement and intervention;	6565
(3) Instructional technology or blended learning;	6566
(4) Professional development in reading instruction for teachers of students in kindergarten through third grade;	6567 6568
(5) Dropout prevention;	6569
(6) School safety and security measures;	6570
(7) Community learning centers that address barriers to learning;	6571 6572
(8) Academic interventions for students in any of grades six through twelve;	6573 6574
(9) Employment of an individual who has successfully completed the bright new leaders for Ohio schools program as a principal or an assistant principal. As used in this section, "bright new leaders for Ohio schools program" has the same meaning as in section 3319.271 of the Revised Code.	6575 6576 6577 6578 6579
(C) At the end of each fiscal year, each city, local, exempted village, or joint vocational school district, community school, and STEM school shall submit a report to the department of education describing the initiative or initiatives on which the district's or school's economically disadvantaged funds were spent during that fiscal year.	6580 6581 6582 6583 6584 6585
(D) Starting in 2015, the department shall submit a report of the information it receives under division (C) of this section to the General Assembly not later than the first day of December of each odd-numbered year in accordance with section 101.68 of the Revised Code.	6586 6587 6588 6589 6590
<u>Sec. 3317.60. (A)(1)(a) The office of budget and management</u>	6591

shall, in consultation with the department of education, create an 6592
inventory of all state budget line items that, in the office's 6593
determination, provide funding services to children that includes 6594
all of the following information: 6595

(i) The fiscal year 2019 funding for each line item; 6596

(ii) A brief description of services provided by each line 6597
item; 6598

(iii) Estimates of funding and program descriptions of all 6599
line items that are also used to fund other types of programs, 6600
including a description explaining how those different programs 6601
interact and for whom they are provided; 6602

(iv) A preliminary analysis of policy implications regarding 6603
the potential creation and funding of "wrap-around services," as 6604
defined by the office, including health clinics provided in 6605
educational settings. 6606

(b) The data shall be disaggregated into three categories 6607
based on students' age ranges as follows: 6608

(i) Students receiving special education services for a 6609
disability specified in divisions (A) to (F) of section 3317.013 6610
of the Revised Code between zero and twenty-one years of age; 6611

(ii) Students not described by division (A)(1)(b)(i) of this 6612
section between zero and four years of age; and 6613

(iii) Students not described in division (A)(1)(b)(i) of this 6614
section between five and eighteen years of age. 6615

Additionally, the data shall be disaggregated into service 6616
categories that may be provided by multiple agencies, funds, and 6617
line items, such as children's mental health, children's physical 6618
health, child nutrition, early childhood education, primary and 6619
secondary education, special education, juvenile detention 6620
services, and any other categories that receive significant state 6621

and federal funding. 6622

(c) The office shall submit the inventory to the individuals prescribed in division (B) of this section not later than December 31, 2020. 6623
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(2) The department of education, in consultation with the joint education oversight committee, shall conduct an evaluation of all of the following topics regarding special education: 6626
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(a) The categories of special education students specified under section 3317.013 of the Revised Code and the funding amounts corresponding to those categories; 6629
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(b) Best practices for providing education to special education students; 6632
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(c) Protocols for providing treatment to special education students; 6634
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(d) Technology to enhance the provision of special education; 6636

(e) Costs of providing special education. 6637

The department shall submit a report of its findings and recommendations to the individuals prescribed in division (B) of this section not later than December 31, 2020. 6638
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(3) The joint education oversight committee shall, in collaboration with the department of education, the auditor of state, and a workgroup established by the committee that consists of educators, auditors, and employees of the department of education, review the funding reporting protocols and requirements for gifted services with the intention of recommending improvements regarding accountability for the spending of gifted funds paid to city, local, and exempted village school districts under section 3317.022 of the Revised Code. The committee shall submit a report of its findings and recommendations to the individuals prescribed in division (B) of this section not later 6641
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than December 31, 2020. 6652

(4) The joint education oversight committee shall, in 6653
consultation with the department of education, develop 6654
recommendations for an incentive program for school districts in 6655
rural areas of the state that provide services to students 6656
identified as gifted under division (A), (B), (C), or (D) of 6657
section 3324.03 of the Revised Code and submit a report of its 6658
findings to the individuals prescribed in division (B) of this 6659
section not later than December 31, 2020. 6660

(5) The department of education shall, in consultation with 6661
the joint education oversight committee, conduct a study that does 6662
both of the following: 6663

(a) Evaluates and determines the essential types and amounts 6664
of resources needed to provide economically disadvantaged students 6665
the emotional, social, and academic services necessary to ensure 6666
adequate opportunities for success. 6667

(b) Evaluates and revises the current definition of 6668
"economically disadvantaged student." 6669

The department shall submit a report of its findings to the 6670
individuals prescribed in division (B) of this section not later 6671
than December 31, 2020. 6672

(6) The department of education shall, in consultation with 6673
the joint education oversight committee, the department of job and 6674
family services, and the auditor of state, conduct an evaluation 6675
of all of the following topics regarding preschool education: 6676

(a) The cost effectiveness of continuing the existing 6677
multiple provider system; 6678

(b) Ways in which the existing system may be better 6679
coordinated and cost efficient; 6680

(c) Alternative ways in which the state can supply high 6681

quality preschool, especially for economically disadvantaged students. 6682
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The department shall submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2020. 6684
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(7) The joint education oversight committee shall, in collaboration with the department of education, the auditor of state, and the Ohio educational service center association, conduct an evaluation of educational service centers, including all of the following: 6687
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(a) Services provided; 6692

(b) Cost of existing services; 6693

(c) The ability to generate revenue for providing nonmandatory services and offset fixed costs with that revenue; 6694
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(d) The average operating cost per pupil; 6696

(e) The effectiveness and efficiency of all educational service centers. 6697
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The committee shall submit a report of its findings and a recommendation for a funding formula for educational service centers to the individuals prescribed in division (B) of this section not later than January 30, 2020. 6699
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(8) The department of education shall, in consultation with the joint education oversight committee, evaluate the current funding amounts and required services for all categories of English language learners described in section 3317.016 of the Revised Code. The department shall submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2020. 6703
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(B) Reports prepared under divisions (A)(1), (2), (3), (4), (5), (6), (7), and (8) of this section shall be submitted to all 6710
6711

of the following: 6712

(1) The chair, vice chair, and ranking minority member of the 6713
finance committees of the house of representatives and the senate; 6714

(2) The chair, vice chair, and ranking minority member of the 6715
finance subcommittees regarding primary and secondary education of 6716
the house of representatives and the senate; 6717

(3) The chair, vice chair, and ranking minority member of the 6718
standing committees of the house of representatives and the senate 6719
that consider legislation regarding primary and secondary 6720
education; 6721

(4) The superintendent of public instruction; 6722

(5) The president of the state board of education. 6723

(C) It is the intent of the general assembly that the 6724
recommendations developed under division (A)(7) of this section be 6725
the basis of legislation enacted by the general assembly in order 6726
to take effect for fiscal year 2021 and that the recommendations 6727
developed under divisions (A)(2), (3), (4), (5), (6), and (8) of 6728
this section be the basis of legislation enacted by the general 6729
assembly in order to take effect for fiscal year 2022. 6730

Sec. 3317.61. (A) The department of education, in 6731
consultation with community school governing authorities and other 6732
appropriate stakeholders, shall evaluate the cost of operating 6733
community schools on a per-pupil or other reasonable basis as a 6734
replacement for the discontinuance of a fixed per pupil formula 6735
amount. 6736

(B) Not later than December 31, 2020, the department shall 6737
submit its findings to all of the following: 6738

(1) The chair, vice chair, and ranking minority member of the 6739
finance committees of the house of representatives and the senate; 6740

(2) The chair, vice chair, and ranking minority member of the 6741
finance subcommittees regarding primary and secondary education of 6742
the house of representatives and the senate; 6743

(3) The chair, vice chair, and ranking minority member of the 6744
standing committees of the house of representatives and the senate 6745
that consider legislation regarding primary and secondary 6746
education; 6747

(4) The superintendent of public instruction; 6748

(5) The president of the state board of education. 6749

Sec. 3317.62. (A) A joint legislative task force to examine 6750
transportation of community school and nonpublic school students 6751
is hereby established and shall consist of six members, three of 6752
whom shall be appointed by the speaker of the house of 6753
representatives and three of whom shall be appointed by the 6754
president of the senate. The speaker of the house of 6755
representatives and president of the senate shall appoint a 6756
chairperson and vice-chairperson or co-chairpersons for the task 6757
force. 6758

(B) The task force, in consultation with the superintendent 6759
of public instruction, the auditor of state, and other 6760
stakeholders, shall study the transportation of such students and 6761
determine methods to create greater efficiency and minimize costs 6762
in transporting such students. The task force shall report its 6763
findings and a recommendation for a funding formula for the 6764
transportation of such students to the speaker of the house of 6765
representatives and the president of the senate not later than 6766
December 31, 2020. 6767

Sec. 3319.57. (A) A grant program is hereby established under 6768
which the department of education shall award grants to assist 6769
certain schools in a city, exempted village, local, or joint 6770

vocational school district in implementing one of the following 6771
innovations: 6772

(1) The use of instructional specialists to mentor and 6773
support classroom teachers; 6774

(2) The use of building managers to supervise the 6775
administrative functions of school operation so that a school 6776
principal can focus on supporting instruction, providing 6777
instructional leadership, and engaging teachers as part of the 6778
instructional leadership team; 6779

(3) The reconfiguration of school leadership structure in a 6780
manner that allows teachers to serve in leadership roles so that 6781
teachers may share the responsibility for making and implementing 6782
school decisions; 6783

(4) The adoption of new models for restructuring the school 6784
day or school year, such as including teacher planning and 6785
collaboration time as part of the school day; 6786

(5) The creation of smaller schools or smaller units within 6787
larger schools for the purpose of facilitating teacher 6788
collaboration to improve and advance the professional practice of 6789
teaching; 6790

(6) The implementation of "grow your own" recruitment 6791
strategies that are designed to assist individuals who show a 6792
commitment to education become licensed teachers, to assist 6793
experienced teachers obtain licensure in subject areas for which 6794
there is need, and to assist teachers in becoming principals; 6795

(7) The provision of better conditions for new teachers, such 6796
as reduced teaching load and reduced class size; 6797

(8) The provision of incentives to attract qualified 6798
mathematics, science, or special education teachers; 6799

(9) The development and implementation of a partnership with 6800

teacher preparation programs at colleges and universities to help 6801
attract teachers qualified to teach in shortage areas; 6802

(10) The implementation of a program to increase the cultural 6803
competency of both new and veteran teachers; 6804

(11) The implementation of a program to increase the subject 6805
matter competency of veteran teachers. 6806

(B) To qualify for a grant to implement one of the 6807
innovations described in division (A) of this section, a school 6808
must meet both of the following criteria: 6809

(1) Be hard to staff, as defined by the department. 6810

(2) Use existing school district funds for the implementation 6811
of the innovation in an amount equal to the grant amount 6812
multiplied by (1 - the district's state share ~~index~~ percentage for 6813
the fiscal year in which the grant is awarded). 6814

For purposes of division (B)(2) of this section, "state share 6815
~~index~~ percentage" has the same meaning as in section 3317.02 of 6816
the Revised Code. 6817

(C) The amount and number of grants awarded under this 6818
section shall be determined by the department based on any 6819
appropriations made by the general assembly for grants under this 6820
section. 6821

(D) The state board of education shall adopt rules for the 6822
administration of this grant program. 6823

Sec. 3324.09. Not later than the thirtieth day of October of 6824
each year, the department of education shall publish on its web 6825
site each school district's expenditures for the previous fiscal 6826
year of funds received under division (A)~~(7)~~(6) of section 6827
3317.022 of the Revised Code for the identification of and 6828
services provided to the district's gifted students. 6829

Sec. 3326.31. As used in sections 3326.31 to 3326.50 of the Revised Code:

(A)(1) "Category one career-technical education student" means a student who is receiving the career-technical education services described in division (A)(1) of section 3317.014 of the Revised Code.

(2) "Category two career-technical student" means a student who is receiving the career-technical education services described in division ~~(B)~~(A)(2) of section 3317.014 of the Revised Code.

(3) "Category three career-technical student" means a student who is receiving the career-technical education services described in division ~~(C)~~(A)(3) of section 3317.014 of the Revised Code.

(4) "Category four career-technical student" means a student who is receiving the career-technical education services described in division ~~(D)~~(A)(4) of section 3317.014 of the Revised Code.

(5) "Category five career-technical education student" means a student who is receiving the career-technical education services described in division ~~(E)~~(A)(5) of section 3317.014 of the Revised Code.

(B)(1) "Category one ~~limited English proficient student~~ learner" means a ~~limited~~ an English ~~proficient student~~ learner described in division (A) of section 3317.016 of the Revised Code.

(2) "Category two ~~limited English proficient student~~ learner" means a ~~limited~~ an English ~~proficient student~~ learner described in division (B) of section 3317.016 of the Revised Code.

(3) "Category three ~~limited English proficient student~~ learner" means a ~~limited~~ an English ~~proficient student~~ learner described in division (C) of section 3317.016 of the Revised Code.

(C)(1) "Category one special education student" means a student who is receiving special education services for a

disability specified in division (A) of section 3317.013 of the Revised Code. 6860
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(2) "Category two special education student" means a student who is receiving special education services for a disability specified in division (B) of section 3317.013 of the Revised Code. 6862
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(3) "Category three special education student" means a student who is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code. 6865
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(4) "Category four special education student" means a student who is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code. 6869
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(5) "Category five special education student" means a student who is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code. 6872
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(6) "Category six special education student" means a student who is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code. 6875
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(D) ~~"Formula amount" has the same meaning as in section 3317.02 of the Revised Code.~~ "Economically disadvantaged index for a science, technology, engineering, and mathematics school" means the square of the quotient of the percentage of students enrolled in the school who are identified as economically disadvantaged as defined by the department of education, divided by the percentage of students in the statewide ADM identified as economically disadvantaged. For purposes of this calculation, the "statewide ADM" equals the "statewide ADM" for city, local, and exempted village school districts described in division (F)(1) of section 3317.02 of the Revised Code. 6878
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(E) "IEP" means an individualized education program as defined in section 3323.01 of the Revised Code. 6889
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(F) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(G) ~~"State education aid" has the same meaning as in section 5751.20 of the Revised Code~~ "Statewide average base cost per pupil" and "statewide average career-technical base cost per pupil" have the same meanings as in section 3317.02 of the Revised Code.

Sec. 3326.32. Each science, technology, engineering, and mathematics school shall report to the department of education, in the form and manner required by the department, all of the following information:

(A) The total number of students enrolled in the school who are residents of this state;

(B) The number of students reported under division (A) of this section who are receiving special education and related services pursuant to an IEP;

(C) For each student reported under division (B) of this section, which category specified in divisions (A) to (F) of section 3317.013 of the Revised Code applies to the student;

(D) The full-time equivalent number of students reported under division (A) of this section who are enrolled in career-technical education programs or classes described in each of divisions ~~(A)(1), (B)(2), (C)(3), (D)(4), and (E)(5)~~ of section 3317.014 of the Revised Code that are provided by the STEM school;

(E) The number of students reported under division (A) of this section who are ~~limited English proficient students~~ learners and which category specified in divisions (A) to (C) of section 3317.016 of the Revised Code applies to each student;

(F) The number of students reported under division (A) of

this section who are economically disadvantaged, as defined by the 6921
department. A student shall not be categorically excluded from the 6922
number reported under division (F) of this section based on 6923
anything other than family income. 6924

(G) The resident district of each student reported under 6925
division (A) of this section; 6926

(H) The total number of students enrolled in the school who 6927
are not residents of this state and any additional information 6928
regarding these students that the department requires the school 6929
to report. The school shall not receive any payments under this 6930
chapter for students reported under this division. 6931

(I) Any additional information the department determines 6932
necessary to make payments under this chapter. 6933

Sec. 3326.33. For each student enrolled in a science, 6934
technology, engineering, and mathematics school established under 6935
this chapter, on a full-time equivalency basis, the department of 6936
education annually shall ~~deduct from the state education aid of a~~ 6937
~~student's resident school district and, if necessary, from the~~ 6938
~~payment made to the district under sections 321.24 and 323.156 of~~ 6939
~~the Revised Code and pay to the school the sum of the following:~~ 6940

(A) ~~An opportunity grant~~ The school's base cost per pupil in 6941
an amount equal to ~~the formula amount~~ \$6,179, for fiscal year 6942
2020, and \$6,338, for fiscal year 2021 and for each fiscal year 6943
thereafter; 6944

(B) ~~The per pupil amount of targeted assistance funds~~ 6945
~~calculated under division (A) of section 3317.0217 of the Revised~~ 6946
~~Code for the student's resident district, as determined by the~~ 6947
~~department, X 0.25;~~ 6948

~~(C)~~ Additional state aid for special education and related 6949
services provided under Chapter 3323. of the Revised Code as 6950

follows: 6951

(1) If the student is a category one special education 6952
student, the ~~amount~~ multiple specified in division (A) of section 6953
3317.013 of the Revised Code X the statewide average base cost per 6954
pupil for that fiscal year; 6955

(2) If the student is a category two special education 6956
student, the ~~amount~~ multiple specified in division (B) of section 6957
3317.013 of the Revised Code X the statewide average base cost per 6958
pupil for that fiscal year; 6959

(3) If the student is a category three special education 6960
student, the ~~amount~~ multiple specified in division (C) of section 6961
3317.013 of the Revised Code X the statewide average base cost per 6962
pupil for that fiscal year; 6963

(4) If the student is a category four special education 6964
student, the ~~amount~~ multiple specified in division (D) of section 6965
3317.013 of the Revised Code X the statewide average base cost per 6966
pupil for that fiscal year; 6967

(5) If the student is a category five special education 6968
student, the ~~amount~~ multiple specified in division (E) of section 6969
3317.013 of the Revised Code X the statewide average base cost per 6970
pupil for that fiscal year; 6971

(6) If the student is a category six special education 6972
student, the ~~amount~~ multiple specified in division (F) of section 6973
3317.013 of the Revised Code X the statewide average base cost per 6974
pupil for that fiscal year. 6975

~~(D) If the student is in kindergarten through third grade,~~ 6976
~~§320;~~ 6977

~~(E)~~(C) If the student is economically disadvantaged, an 6978
amount equal to the following: 6979

~~§272~~ §422 X the ~~resident district's~~ school's economically 6980

disadvantaged index	6981
(F) (D) Limited English proficiency funds, as follows:	6982
(1) If the student is a category one limited English	6983
proficient student learner , the amount <u>multiple</u> specified in	6984
division (A) of section 3317.016 of the Revised Code X the	6985
<u>statewide average base cost per pupil for that fiscal year;</u>	6986
(2) If the student is a category two limited English	6987
proficient student learner , the amount <u>multiple</u> specified in	6988
division (B) of section 3317.016 of the Revised Code X the	6989
<u>statewide average base cost per pupil for that fiscal year;</u>	6990
(3) If the student is a category three limited English	6991
proficient student learner , the amount <u>multiple</u> specified in	6992
division (C) of section 3317.016 of the Revised Code X the	6993
<u>statewide average base cost per pupil for that fiscal year.</u>	6994
(G) Career technical education funds as follows:	6995
(1) If the student is a category one career technical	6996
education student, the amount specified in division (A) of section	6997
3317.014 of the Revised Code;	6998
(2) If the student is a category two career technical	6999
education student, the amount specified in division (B) of section	7000
3317.014 of the Revised Code;	7001
(3) If the student is a category three career technical	7002
education student, the amount specified in division (C) of section	7003
3317.014 of the Revised Code;	7004
(4) If the student is a category four career technical	7005
education student, the amount specified in division (D) of section	7006
3317.014 of the Revised Code;	7007
(5) If the student is a category five career technical	7008
education student, the amount specified in division (E) of section	7009
3317.014 of the Revised Code.	7010

~~Deduction and payment of funds under division (C) of this section is subject to approval under section 3317.161 of the Revised Code.~~

Sec. 3326.39. (A) For each student enrolled in a science, technology, engineering, and mathematics school established under this chapter, on a full-time equivalency basis, the department of education shall pay career-technical education funds as follows:

(1) If the student is a category one career-technical education student, the multiple specified in division (A)(1) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year;

(2) If the student is a category two career-technical education student, the multiple specified in division (A)(2) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year;

(3) If the student is a category three career-technical education student, the multiple specified in division (A)(3) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year;

(4) If the student is a category four career-technical education student, the multiple specified in division (A)(4) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year;

(5) If the student is a category five career-technical education student, the multiple specified in division (A)(5) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year.

Payment of funds under division (A) of this section is subject to approval under section 3317.161 of the Revised Code.

(B) Subject to division (I) of section 3317.023 of the

Revised Code, the department shall pay career awareness and 7041
exploration funds to each science, technology, engineering, and 7042
mathematics school as follows: 7043

The number of students enrolled in the science, technology, 7044
engineering, and mathematics school X \$2.50, for fiscal year 2020, 7045
\$5, for fiscal year 2021, \$7.50, for fiscal year 2022, or \$10, for 7046
fiscal year 2023 and each fiscal year thereafter 7047

(C) In any fiscal year, a STEM school receiving funds under 7048
division ~~(G)~~(A) of this section ~~3326.33~~ of the Revised Code shall 7049
spend those funds only for the purposes that the department 7050
designates as approved for career-technical education expenses. 7051
Career-technical ~~educational~~ education expenses approved by the 7052
department shall include only expenses connected to the delivery 7053
of career-technical programming to career-technical students. The 7054
department shall require the school to report data annually so 7055
that the department may monitor the school's compliance with the 7056
requirements regarding the manner in which funding received under 7057
division ~~(G)~~(A) of this section ~~3326.33~~ of the Revised Code may be 7058
spent. 7059

~~(B)~~(D) All funds received under division ~~(G)~~(A) of this 7060
section ~~3326.33~~ of the Revised Code shall be spent in the 7061
following manner: 7062

(1) At least seventy-five per cent of the funds shall be 7063
spent on curriculum development, purchase, and implementation; 7064
instructional resources and supplies; industry-based program 7065
certification; student assessment, credentialing, and placement; 7066
curriculum specific equipment purchases and leases; 7067
career-technical student organization fees and expenses; home and 7068
agency linkages; work-based learning experiences; professional 7069
development; and other costs directly associated with 7070
career-technical education programs including development of new 7071
programs. 7072

(2) Not more than twenty-five per cent of the funds shall be used for personnel expenditures. 7073
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(E) In any fiscal year, a science, technology, engineering, and mathematics school receiving funds under division (H) of section 3317.014 of the Revised Code shall spend those funds only for the following purposes: 7075
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(1) Delivery of career awareness programs to students enrolled in grades kindergarten through twelve; 7079
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(2) Provision of a common, consistent curriculum to students throughout their primary and secondary education; 7081
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(3) Assistance to teachers in providing a career development curriculum to students; 7083
7084

(4) Development of a career development plan for each student that stays with that student for the duration of the student's primary and secondary education; 7085
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(5) Provision of opportunities for students to engage in activities, such as career fairs, hands-on experiences, and job shadowing, across all career pathways at each grade level. 7088
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The department may deny payment under division (B) of this section to any school that the department determines is using funds paid under division (H) of section 3317.014 of the Revised Code for other purposes. 7091
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Sec. 3326.40. A STEM school shall spend the funds it receives under division ~~(E)~~(C) of section 3326.33 of the Revised Code in accordance with section 3317.25 of the Revised Code. 7095
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Sec. 3326.51. (A) As used in this section: 7098

(1) "Resident district" has the same meaning as in section 3326.31 of the Revised Code. 7099
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(2) "STEM school sponsoring district" means a municipal, 7101
city, local, exempted village, or joint vocational school district 7102
that governs and controls a STEM school pursuant to this section. 7103

(B) Notwithstanding any other provision of this chapter to 7104
the contrary: 7105

(1) If a proposal for a STEM school submitted under section 7106
3326.03 of the Revised Code proposes that the governing body of 7107
the school be the board of education of a municipal, city, local, 7108
exempted village, or joint vocational school district that is one 7109
of the partners submitting the proposal, and the STEM committee 7110
approves that proposal, that school district board shall govern 7111
and control the STEM school as one of the schools of its district. 7112

(2) The STEM school sponsoring district shall maintain a 7113
separate accounting for the STEM school as a separate and distinct 7114
operational unit within the district's finances. The auditor of 7115
state, in the course of an annual or biennial audit of the school 7116
district serving as the STEM school sponsoring district, shall 7117
audit that school district for compliance with the financing 7118
requirements of this section. 7119

(3) With respect to students enrolled in a STEM school whose 7120
resident district is the STEM school sponsoring district: 7121

(a) The department of education shall make ~~no deductions~~ 7122
~~under section 3326.33~~ payments to the school in accordance with 7123
sections 3326.31 to 3326.49 of the Revised Code from the STEM 7124
school sponsoring district's state payments. 7125

(b) ~~The STEM school sponsoring district shall ensure that it~~ 7126
~~allocates to the STEM school funds equal to or exceeding the~~ 7127
~~amount that would be calculated pursuant to division (B) of~~ 7128
~~section 3313.981 of the Revised Code for the students attending~~ 7129
~~the school whose resident district is the STEM school sponsoring~~ 7130
~~district.~~ 7131

~~(e)~~ The STEM school sponsoring district is responsible for providing children with disabilities with a free appropriate public education under Chapter 3323. of the Revised Code.

~~(d)~~(c) The STEM school sponsoring district shall provide student transportation in accordance with laws and policies generally applicable to the district.

(4) With respect to students enrolled in the STEM school whose resident district is another school district, the department shall ~~make no payments or deductions under sections 3326.31 to 3326.49 of the Revised Code. Instead, consider~~ the students shall ~~be considered~~ as open enrollment students and the department shall make payments and deductions to the school in accordance with ~~section 3313.981~~ sections 3326.31 to 3326.49 of the Revised Code. ~~The STEM school sponsoring district shall allocate the payments to the STEM school. The STEM school sponsoring district may enter into financial agreements with the students' resident districts, which agreements may provide financial support in addition to the funds received from the open enrollment calculation. The STEM school sponsoring district shall allocate all such additional funds to the STEM school.~~

~~(5) Where the department is required to make, deny, reduce, or adjust payments to a STEM school sponsoring district pursuant to this section, it shall do so in such a manner that the STEM school sponsoring district may allocate that action to the STEM school.~~

~~(6)~~ A STEM school sponsoring district and its board may assign its district employees to the STEM school, in which case section 3326.18 of the Revised Code shall not apply. The district and board may apply any other resources of the district to the STEM school in the same manner that it applies district resources to other district schools.

~~(7)~~(6) Provisions of this chapter requiring a STEM school and its governing body to comply with specified laws as if it were a school district and in the same manner as a board of education shall instead require such compliance by the STEM school sponsoring district and its board of education, respectively, with respect to the STEM school. Where a STEM school or its governing body is required to perform a specific duty or permitted to take a specific action under this chapter, that duty is required to be performed or that action is permitted to be taken by the STEM school sponsoring district or its board of education, respectively, with respect to the STEM school.

~~(8)~~(7) No provision of this chapter limits the authority, as provided otherwise by law, of a school district and its board of education to levy taxes and issue bonds secured by tax revenues.

~~(9)~~(8) The treasurer of the STEM school sponsoring district or, if the STEM school sponsoring district is a municipal school district, the chief financial officer of the district, shall have all of the respective rights, authority, exemptions, and duties otherwise conferred upon the treasurer or chief financial officer by the Revised Code.

Sec. 3327.01. Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section and sections 3327.011, 3327.012, and 3327.02 of the Revised Code do not apply to any joint vocational or cooperative education school district.

In all city, local, and exempted village school districts where resident school pupils in grades kindergarten through eight live more than two miles from the school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code and to which they are assigned by the board of education of the district of residence or

to and from the nonpublic or community school which they attend, 7194
the board of education shall provide transportation for such 7195
pupils to and from that school except as provided in section 7196
3327.02 of the Revised Code. 7197

In all city, local, and exempted village school districts 7198
where pupil transportation is required under a career-technical 7199
plan approved by the state board of education under section 7200
3313.90 of the Revised Code, for any student attending a 7201
career-technical program operated by another school district, 7202
including a joint vocational school district, as prescribed under 7203
that section, the board of education of the student's district of 7204
residence shall provide transportation from the public high school 7205
operated by that district to which the student is assigned to the 7206
career-technical program. 7207

In all city, local, and exempted village school districts, 7208
the board may provide transportation for resident school pupils in 7209
grades nine through twelve to and from the high school to which 7210
they are assigned by the board of education of the district of 7211
residence or to and from the nonpublic or community high school 7212
which they attend for which the state board of education 7213
prescribes minimum standards pursuant to division (D) of section 7214
3301.07 of the Revised Code. 7215

A board of education shall not be required to transport 7216
elementary or high school pupils to and from a nonpublic or 7217
community school where such transportation would require more than 7218
thirty minutes of direct travel time as measured by school bus 7219
from the public school building to which the pupils would be 7220
assigned if attending the public school designated by the district 7221
of residence. 7222

Where it is impractical to transport a pupil by school 7223
conveyance, a board of education may offer payment, in lieu of 7224
providing such transportation in accordance with section 3327.02 7225

of the Revised Code. 7226

A board of education shall not be required to transport 7227
elementary or high school pupils to and from a nonpublic or 7228
community school on Saturday or Sunday, unless a board of 7229
education and a nonpublic or community school have an agreement in 7230
place to do so before the first day of July of the school year in 7231
which the agreement takes effect. 7232

In all city, local, and exempted village school districts, 7233
the board shall provide transportation for all children who are so 7234
disabled that they are unable to walk to and from the school for 7235
which the state board of education prescribes minimum standards 7236
pursuant to division (D) of section 3301.07 of the Revised Code 7237
and which they attend. In case of dispute whether the child is 7238
able to walk to and from the school, the health commissioner shall 7239
be the judge of such ability. In all city, exempted village, and 7240
local school districts, the board shall provide transportation to 7241
and from school or special education classes for mentally disabled 7242
children in accordance with standards adopted by the state board 7243
of education. 7244

When transportation of pupils is provided the conveyance 7245
shall be run on a time schedule that shall be adopted and put in 7246
force by the board not later than ten days after the beginning of 7247
the school term. For pupils attending a nonpublic or community 7248
school, the district's drop-off time may be up to thirty minutes 7249
prior to the start of the school day for that school and the 7250
pick-up time may be up to thirty minutes after the end of the 7251
school day for that school. 7252

The cost of any transportation service authorized by this 7253
section shall be paid first out of federal funds, if any, 7254
available for the purpose of pupil transportation, and secondly 7255
out of state appropriations, in accordance with regulations 7256
adopted by the state board of education. 7257

No transportation of any pupils shall be provided by any board of education to or from any school which in the selection of pupils, faculty members, or employees, practices discrimination against any person on the grounds of race, color, religion, or national origin.

Sec. 3327.016. The board of education of each city, local, or exempted village school district may permit the use of district-owned buses by community organizations to support community events as long as the organization reimburses the district for the cost of the use of those buses.

Sec. 3328.32. Each child enrolled in a college-preparatory boarding school established under this chapter shall be included in the enrollment formula ADM and total ADM of the district in which the child is entitled to attend school ~~and in the district's category one through six special education enrollment, as appropriate,~~ as reported under section 3317.03 of the Revised Code.

~~The department of education shall count that child in the district's formula ADM, total ADM, and, as appropriate, category one through six special education ADM.~~

Sec. 3328.34. (A) For each child enrolled in a college-preparatory boarding school, as reported under section 3328.31 of the Revised Code, the department of education shall pay to the school the sum of the amount ~~deducted from a participating school district's account for that child under section 3328.33 of the Revised Code~~ eighty-five per cent of the operating expenditure per pupil of the city, local, or exempted village school district in which the child is entitled to attend school plus the per-pupil boarding amount specified in division (B) of this section.

As used in this division, a district's "operating expenditure

per pupil" is the total amount of state payments and other 7288
nonfederal revenue spent by the district for operating expenses 7289
during the previous fiscal year, divided by the district's 7290
enrolled ADM, as that term is defined in section 3317.02 of the 7291
Revised Code, for the previous fiscal year. 7292

(B) For the first fiscal year in which a college-preparatory 7293
boarding school may be established under this chapter, the 7294
"per-pupil boarding amount" is twenty-five thousand dollars. For 7295
each fiscal year thereafter, that amount shall be adjusted by the 7296
rate of inflation, as measured by the consumer price index (all 7297
urban consumers, all items) prepared by the bureau of labor 7298
statistics of the United States department of labor, for the 7299
previous twelve-month period. 7300

(C) The state board of education may accept funds from 7301
federal and state noneducation support services programs for the 7302
purpose of funding the per pupil boarding amount prescribed in 7303
division (B) of this section. Notwithstanding any other provision 7304
of the Revised Code, the state board shall coordinate and 7305
streamline any noneducation program requirements in order to 7306
eliminate redundant or conflicting requirements, licensing 7307
provisions, and oversight by government programs or agencies. The 7308
applicable regulatory entities shall, to the maximum extent 7309
possible, use reports and financial audits provided by the auditor 7310
of state and coordinated by the department of education to 7311
eliminate or reduce contract and administrative reviews. 7312
Regulatory entities other than the state board may suggest 7313
reasonable additional items to be included in such reports and 7314
financial audits to meet any requirements of federal law. 7315
Reporting paperwork prepared for the state board shall be shared 7316
with and accepted by other state and local entities to the maximum 7317
extent feasible. 7318

(D)(1) Notwithstanding division (A) of this section, if, in 7319

any fiscal year, a college-preparatory boarding school receives 7320
federal funds for the purpose of supporting the school's 7321
operations, the amount of those federal funds shall be deducted 7322
from the total per-pupil boarding amount for all enrolled students 7323
paid by the department to the school for that fiscal year, unless 7324
the school's board of trustees and the department determine 7325
otherwise in a written agreement. Any portion of the total 7326
per-pupil boarding amount for all enrolled students remaining 7327
after the deduction of the federal funds shall be paid by the 7328
department to the school from state funds appropriated to the 7329
department. 7330

(2) Notwithstanding division (A) of this section, if, in any 7331
fiscal year, the department receives federal funds for the purpose 7332
of supporting the operations of a college-preparatory boarding 7333
school, the department shall use those federal funds, not 7334
including any portion of those funds designated for 7335
administration, to pay the school the total per-pupil boarding 7336
amount for all enrolled students for that fiscal year. Any portion 7337
of the total per-pupil boarding amount for all enrolled students 7338
remaining after the use of the federal funds shall be paid by the 7339
department to the school from state funds appropriated to the 7340
department. 7341

(3) If any federal funds are used for the purpose prescribed 7342
in division (D)(1) or (2) of this section, the department shall 7343
comply with all requirements upon which the acceptance of the 7344
federal funds is conditioned, including any requirements set forth 7345
in the funding application submitted by the school or the 7346
department and, to the extent sufficient funds are appropriated by 7347
the general assembly, any requirements regarding maintenance of 7348
effort in expenditures. 7349

Sec. 3365.01. As used in this chapter: 7350

(A) "Articulated credit" means post-secondary credit that is 7351
reflected on the official record of a student at an institution of 7352
higher education only upon enrollment at that institution after 7353
graduation from a secondary school. 7354

(B) "Default ceiling amount" means one of the following 7355
amounts, whichever is applicable: 7356

(1) For a participant enrolled in a college operating on a 7357
semester schedule, the amount calculated according to the 7358
following formula: 7359

$$((0.83 \times \text{formula amount } \$6,020) / 30) \quad 7360$$

X number of enrolled credit hours 7361

(2) For a participant enrolled in a college operating on a 7362
quarter schedule, the amount calculated according to the following 7363
formula: 7364

$$((0.83 \times \text{formula amount } \$6,020) / 45) \quad 7365$$

X number of enrolled credit hours 7366

(C) "Default floor amount" means twenty-five per cent of the 7367
default ceiling amount. 7368

(D) "Eligible out-of-state college" means any institution of 7369
higher education that is located outside of Ohio and is approved 7370
by the chancellor of higher education to participate in the 7371
college credit plus program. 7372

(E) "Fee" means any course-related fee and any other fee 7373
imposed by the college, but not included in tuition, for 7374
participation in the program established by this chapter. 7375

(F) ~~"Formula amount" has the same meaning as in section~~ 7376
~~3317.02 of the Revised Code.~~ 7377

~~(G)~~ "Governing entity" means a board of education of a school 7378
district, a governing authority of a community school established 7379
under Chapter 3314., a governing body of a STEM school established 7380

under Chapter 3326., or a board of trustees of a 7381
college-preparatory boarding school established under Chapter 7382
3328. of the Revised Code. 7383

~~(H)~~(G) "Home-instructed participant" means a student who has 7384
been excused from the compulsory attendance law for the purpose of 7385
home instruction under section 3321.04 of the Revised Code, and is 7386
participating in the program established by this chapter. 7387

~~(I)~~(H) "Maximum per participant charge amount" means one of 7388
the following amounts, whichever is applicable: 7389

(1) For a participant enrolled in a college operating on a 7390
semester schedule, the amount calculated according to the 7391
following formula: 7392

$$\begin{aligned} & ((\text{formula amount } \underline{\$6,020} / 30) && 7393 \\ & \text{X number of enrolled credit hours}) && 7394 \end{aligned}$$

(2) For a participant enrolled in a college operating on a 7395
quarter schedule, the amount calculated according to the following 7396
formula: 7397

$$\begin{aligned} & ((\text{formula amount } \underline{\$6,020} / 45) && 7398 \\ & \text{X number of enrolled credit hours}) && 7399 \end{aligned}$$

~~(J)~~(I) "Nonpublic secondary school" means a chartered school 7400
for which minimum standards are prescribed by the state board of 7401
education pursuant to division (D) of section 3301.07 of the 7402
Revised Code. 7403

~~(K)~~(J) "Number of enrolled credit hours" means the number of 7404
credit hours for a course in which a participant is enrolled 7405
during the previous term after the date on which a withdrawal from 7406
a course would have negatively affected the participant's 7407
transcripted grade, as prescribed by the college's established 7408
withdrawal policy. 7409

~~(L)~~(K) "Parent" has the same meaning as in section 3313.64 of 7410
the Revised Code. 7411

~~(M)~~(L) "Participant" means any student enrolled in a college 7412
under the program established by this chapter. 7413

~~(N)~~(M) "Partnering college" means a college with which a 7414
public or nonpublic secondary school has entered into an agreement 7415
in order to offer the program established by this chapter. 7416

~~(O)~~(N) "Partnering secondary school" means a public or 7417
nonpublic secondary school with which a college has entered into 7418
an agreement in order to offer the program established by this 7419
chapter. 7420

~~(P)~~(O) "Private college" means any of the following: 7421

(1) A nonprofit institution holding a certificate of 7422
authorization pursuant to Chapter 1713. of the Revised Code; 7423

(2) An institution holding a certificate of registration from 7424
the state board of career colleges and schools and program 7425
authorization for an associate or bachelor's degree program issued 7426
under section 3332.05 of the Revised Code; 7427

(3) A private institution exempt from regulation under 7428
Chapter 3332. of the Revised Code as prescribed in section 7429
3333.046 of the Revised Code. 7430

~~(Q)~~(P) "Public college" means a "state institution of higher 7431
education" in section 3345.011 of the Revised Code, excluding the 7432
northeast Ohio medical university. 7433

~~(R)~~(O) "Public secondary school" means a school serving 7434
grades nine through twelve in a city, local, or exempted village 7435
school district, a joint vocational school district, a community 7436
school established under Chapter 3314., a STEM school established 7437
under Chapter 3326., or a college-preparatory boarding school 7438
established under Chapter 3328. of the Revised Code. 7439

~~(S)~~(R) "School year" has the same meaning as in section 7440
3313.62 of the Revised Code. 7441

~~(T)~~(S) "Secondary grade" means any of grades nine through 7442
twelve. 7443

~~(U)~~(T) "Standard rate" means the amount per credit hour 7444
assessed by the college for an in-state student who is enrolled in 7445
an undergraduate course at that college, but who is not 7446
participating in the college credit plus program, as prescribed by 7447
the college's established tuition policy. 7448

~~(V)~~(U) "Transcripted credit" means post-secondary credit that 7449
is conferred by an institution of higher education and is 7450
reflected on a student's official record at that institution upon 7451
completion of a course. 7452

Section 2. That existing sections 3301.0714, 3302.20, 7453
3310.08, 3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.98, 7454
3313.981, 3314.08, 3314.084, 3314.087, 3314.091, 3314.11, 3314.20, 7455
3315.18, 3317.013, 3317.014, 3317.016, 3317.02, 3317.021, 7456
3317.022, 3317.023, 3317.028, 3317.0212, 3317.0213, 3317.0214, 7457
3317.03, 3317.051, 3317.16, 3317.20, 3317.25, 3319.57, 3324.09, 7458
3326.31, 3326.32, 3326.33, 3326.39, 3326.40, 3326.51, 3327.01, 7459
3328.32, 3328.34, and 3365.01 of the Revised Code are hereby 7460
repealed. 7461

Section 3. That sections 3310.55, 3314.085, 3314.53, 7462
3317.017, 3317.0215, 3317.0216, 3317.0217, 3317.0218, 3326.41, and 7463
3328.33 of the Revised Code are hereby repealed. 7464

Section 4. Except as otherwise provided in this act, all 7465
appropriation items in this act are appropriated out of any moneys 7466
in the state treasury to the credit of the designated fund that 7467
are not otherwise appropriated. For all appropriations made in 7468
this act, the amounts in the first column are for fiscal year 2020 7469
and the amounts in the second column are for fiscal year 2021. 7470

Section 5. EDU DEPARTMENT OF EDUCATION				7471
General Revenue Fund				7472
GRF 200502 Pupil Transportation	\$ 482,821,659	\$ 513,821,659		7473
GRF 200540 Special Education	\$ 148,000,000	\$ 148,000,000		7474
Enhancements				
GRF 200545 Career-Technical	\$ 4,200,000	\$ 8,400,000		7475
Education Enhancements				
GRF 200550 Foundation Funding	\$ 7,288,608,845	\$ 7,453,258,845		7476
TOTAL GRF General Revenue Fund	\$ 7,923,630,504	\$ 8,123,480,504		7477
State Lottery Fund Group				7478
7017 200612 Foundation Funding	\$ 1,077,400,000	\$ 1,128,400,000		7479
TOTAL SLF State Lottery Fund Group	\$ 1,077,400,000	\$ 1,128,400,000		7480
TOTAL ALL BUDGET FUND GROUPS	\$ 9,001,030,504	\$ 9,251,880,504		7481
PUPIL TRANSPORTATION				7482
The foregoing appropriation item 200502, Pupil				7483
Transportation, shall be used to distribute the amounts calculated				7484
for transportation aid under division (A)(2) of section 3317.019				7485
and divisions (E), (F), (G), and (H) of section 3317.0212 of the				7486
Revised Code.				7487
SPECIAL EDUCATION ENHANCEMENTS				7488
Of the foregoing appropriation item 200540, Special Education				7489
Enhancements, up to \$35,000,000 in each fiscal year shall be used				7490
to fund special education and related services at county boards of				7491
developmental disabilities for eligible students under section				7492
3317.20 of the Revised Code and at institutions for eligible				7493
students under section 3317.201 of the Revised Code. If necessary,				7494
the Department of Education shall proportionately reduce the				7495
amount calculated for each county board of developmental				7496
disabilities and institution so as not to exceed the amount				7497
appropriated in each fiscal year.				7498

The remainder of appropriation item 200540, Special Education Enhancements, shall be distributed by the Department of Education to school districts and institutions, as defined in section 3323.091 of the Revised Code, for preschool special education funding under section 3317.0213 of the Revised Code.

CAREER-TECHNICAL EDUCATION ENHANCEMENTS

The foregoing appropriation item 200545, Career-Technical Education Enhancements, shall be used to pay career awareness and exploration funds pursuant to division (B) of section 3314.088, division (E) of section 3317.014, and division (B) of section 3326.39 of the Revised Code. If the amount appropriated is not sufficient, the Department shall prorate the amounts so that the aggregate amount appropriated is not exceeded.

FOUNDATION FUNDING

Of the portion of the formula aid distributed to city, local, and exempted village school districts, joint vocational school districts, community schools, and STEM schools under this section, up to \$93,000,000 in fiscal year 2020 and up to \$94,000,000 in fiscal year 2021 shall be used for purposes of division (B) of section 3317.0215 of the Revised Code.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$43,600,000 in each fiscal year shall be reserved to fund the state reimbursement of educational service centers under the section of this act entitled "EDUCATIONAL SERVICE CENTERS FUNDING."

Of the foregoing appropriation item 200550, Foundation Funding, up to \$7,000,000 in each fiscal year shall be reserved for payments under sections 3317.028 and 3317.029 of the Revised Code. If this amount is not sufficient, the Superintendent of Public Instruction may reallocate excess funds for other purposes supported by this appropriation item in order to fully pay the

amounts required by that section, provided that the aggregate 7530
amount appropriated in appropriation item 200550, Foundation 7531
Funding, is not exceeded. 7532

Of the foregoing appropriation item 200550, Foundation 7533
Funding, up to \$30,800,000 in fiscal year 2020 and up to 7534
\$35,200,000 in fiscal year 2021 shall be used to support school 7535
choice programs. 7536

Of the portion of the funds distributed to the Cleveland 7537
Municipal School District under this section, up to \$13,200,000 in 7538
fiscal year 2020 and up to \$8,800,000 in fiscal year 2021 shall be 7539
used to operate the school choice program in the Cleveland 7540
Municipal School District under sections 3313.974 to 3313.979 of 7541
the Revised Code. Notwithstanding divisions (B) and (C) of section 7542
3313.978 and division (C) of section 3313.979 of the Revised Code, 7543
up to \$1,000,000 in each fiscal year of this amount shall be used 7544
by the Cleveland Municipal School District to provide tutorial 7545
assistance as provided in division (H) of section 3313.974 of the 7546
Revised Code. The Cleveland Municipal School District shall report 7547
the use of these funds in the district's three-year continuous 7548
improvement plan as described in section 3302.04 of the Revised 7549
Code in a manner approved by the Department. 7550

Of the foregoing appropriation item 200550, Foundation 7551
Funding, an amount shall be available in each fiscal year to be 7552
paid to joint vocational school districts in accordance with 7553
divisions (C) and (D) of section 3317.014, section 3317.16, and 7554
division (A) of section 3317.162 of the Revised Code. 7555

Of the foregoing appropriation item 200550, Foundation 7556
Funding, a portion may be used to pay college-preparatory boarding 7557
schools the per pupil boarding amount pursuant to section 3328.34 7558
of the Revised Code. 7559

Of the foregoing appropriation item 200550, Foundation 7560

Funding, a portion in each fiscal year shall be used to pay 7561
community schools and STEM schools in accordance with section 7562
3314.08, division (A) of section 3314.088, division (D) of section 7563
3314.091, section 3326.33, and division (A) of section 3326.39 of 7564
the Revised Code. 7565

Of the foregoing appropriation item 200550, Foundation 7566
Funding, an amount shall be available in each fiscal year to pay 7567
scholarships pursuant to sections 3310.41 and 3310.52 of the 7568
Revised Code and to pay scholarships pursuant to section 3310.08 7569
of the Revised Code for students determined eligible under section 7570
3310.03 of the Revised Code. 7571

The remainder of the foregoing appropriation item 200550, 7572
Foundation Funding, shall be used to distribute the amounts 7573
calculated for formula aid under divisions (C) and (D) of section 7574
3317.014, division (A)(1) of section 3317.019, and sections 7575
3317.022 and 3317.0218 of the Revised Code. 7576

Appropriation items 200502, Pupil Transportation, 200540, 7577
Special Education Enhancements, and 200550, Foundation Funding, 7578
other than specific set-asides, are collectively used in each 7579
fiscal year to pay state formula aid obligations for school 7580
districts, community schools, STEM schools, college preparatory 7581
boarding schools, and joint vocational school districts under this 7582
act. The first priority of these appropriation items, with the 7583
exception of specific set-asides, is to fund state formula aid 7584
obligations. It may be necessary to reallocate funds among these 7585
appropriation items or use excess funds from other general revenue 7586
fund appropriation items in the Department of Education's budget 7587
in each fiscal year in order to meet state formula aid 7588
obligations. If it is determined that it is necessary to transfer 7589
funds among these appropriation items or to transfer funds from 7590
other General Revenue Fund appropriations in the Department's 7591
budget to meet state formula aid obligations, the Superintendent 7592

of Public Instruction shall seek approval from the Director of 7593
Budget and Management to transfer funds as needed. 7594

The Superintendent of Public Instruction shall make payments, 7595
transfers, and deductions, as authorized by Title XXXIII of the 7596
Revised Code in amounts substantially equal to those made in the 7597
prior year, or otherwise, at the discretion of the Superintendent, 7598
until at least the effective date of the amendments and enactments 7599
made to Title XXXIII by this act. Any funds paid to districts or 7600
schools under this section shall be credited toward the annual 7601
funds calculated for the district or school after the changes made 7602
to Title XXXIII in this act are effective. Upon the effective date 7603
of changes made to Title XXXIII in this act, funds shall be 7604
calculated as an annual amount. 7605

LOTTERY PROFITS EDUCATION FUND 7606

The foregoing appropriation item 200612, Foundation Funding, 7607
shall be used in conjunction with appropriation item 200550, 7608
Foundation Funding, to provide state foundation payments to school 7609
districts. 7610

The Department of Education, with the approval of the 7611
Director of Budget and Management, shall determine the monthly 7612
distribution schedules of appropriation item 200550, Foundation 7613
Funding, and appropriation item 200612, Foundation Funding. If 7614
adjustments to the monthly distribution schedule are necessary, 7615
the Department shall make such adjustments with the approval of 7616
the Director. 7617

Section 6. EDUCATIONAL SERVICE CENTERS FUNDING 7618

As used in this section, "high-performing educational service 7619
center" means an educational service center designated as such 7620
pursuant to rule 3301-105-01 of the Administrative Code. 7621

As used in this section, "student count" means the count 7622

calculated under division (G)(1) of section 3313.843 of the Revised Code.

In each fiscal year, the Department of Education shall pay the governing board of each educational service center state funds equal to the sum of the following amounts:

(A) For the first 5,000 students in an educational service center's student count, a per-pupil amount of \$32 for each of those students.

(B) For the next 10,000 students in an educational service center's student count after those described in division (A) of this section, a per-pupil amount of \$30 for each of those students.

(C) For the next 10,000 students in an educational service center's student count after those described in division (B) of this section, a per-pupil amount of \$28 for each of those students.

(D) For any students over the first 25,000 in an educational service center's student count, a per-pupil amount of \$26 for each of those students.

If the amount earmarked for the state reimbursement of educational service centers in appropriation item 200550, Foundation Funding, is not sufficient, the Department shall prorate the payment amounts so that the appropriation is not exceeded.

Notwithstanding any provision of law to the contrary, a school district that has not entered into an agreement for services with an educational service center as of June 30, 2019, shall be prohibited from entering into such an agreement during the period from July 1, 2019, through June 30, 2021.

Dedicated Purpose Fund Group				7653
5VU0 230646 School Bus Purchase	\$	0	\$ 20,000,000	7654
TOTAL DPF Dedicated Purpose Fund	\$	0	\$ 20,000,000	7655
Group				
TOTAL ALL BUDGET FUND GROUPS	\$	0	\$ 20,000,000	7656

SCHOOL BUS PURCHASE 7657

The foregoing appropriation item 230646, School Bus Purchase, 7658
shall be used by the Ohio Facilities Construction Commission to 7659
assist school districts in purchasing school buses in accordance 7660
with the program developed under this section. 7661

The Commission, in partnership with the departments of 7662
Administrative Services and Public Safety, shall develop a program 7663
to provide school bus purchase assistance in a manner comparable 7664
to the method in which school facilities assistance is provided 7665
under sections 3318.01 to 3318.20 of the Revised Code. Not later 7666
than January 31, 2020, the Ohio Facilities Construction Commission 7667
and the departments of Administrative Services and Public Safety 7668
shall submit a report to the General Assembly in accordance with 7669
section 101.68 of the Revised Code that describes how the program 7670
will operate. 7671

Section 8. CASH TRANSFER FROM THE GENERAL REVENUE FUND TO THE 7672
SCHOOL BUS PURCHASE FUND 7673

On July 1, 2020, or as soon as possible thereafter, the 7674
Director of Budget and Management shall transfer \$20,000,000 cash 7675
from the General Revenue Fund to the School Bus Purchase Fund 7676
(Fund 5VU0), which is hereby created in the state treasury. 7677

Section 9. Within the limits set forth in this act, the 7678
Director of Budget and Management shall establish accounts 7679
indicating the source and amount of funds for each appropriation 7680
made in this act, and shall determine the form and manner in which 7681

appropriation accounts shall be maintained. Expenditures from 7682
appropriations contained in this act shall be accounted for as 7683
though made in the main operating appropriations act of the 133rd 7684
General Assembly. 7685

The appropriations made in this act are subject to all 7686
provisions of the main operating appropriations act of the 133rd 7687
General Assembly that are generally applicable to such 7688
appropriations. 7689

Section 10. The General Assembly, applying the principle 7690
stated in division (B) of section 1.52 of the Revised Code that 7691
amendments are to be harmonized if reasonably capable of 7692
simultaneous operation, finds that the following sections, 7693
presented in this act as composites of the sections as amended by 7694
the acts indicated, are the resulting versions of the sections in 7695
effect prior to the effective date of the sections as presented in 7696
this act: 7697

Section 3314.08 of the Revised Code as amended by both Sub. 7698
H.B. 87 and Am. Sub. S.B. 216 of the 132nd General Assembly. 7699

Section 3317.03 of the Revised Code as amended by both Sub. 7700
H.B. 113 and Sub. H.B. 158 of the 131st General Assembly. 7701