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Representatives Bird, Jones

Cosponsors: Representatives Hillyer, Davis, John, LaRe, Abrams, Click, Seitz, Johnson, Creech, Stewart, Pavliga, White, Cross, Edwards, Ghanbari, Gross, Hall, Holmes, Ingram, Lampton, Loychik, Manning, Ray, Riedel, Roemer

Senators Brenner, Cirino, Johnson, Reineke, Schaffer, Schuring, Wilson

A BILL

To amend sections 3301.0714, 3307.01, 3309.01, 1
3310.032, 3310.70, 3313.976, 3314.016, 3314.021, 2
3314.074, 3317.011, 3317.014, 3317.016, 3
3317.017, 3317.019, 3317.0110, 3317.02, 4
3317.024, 3317.0212, 3317.0215, 3317.051, 5
3317.064, 3317.25, 3319.077, 3319.078, 3323.25, 6
3323.251, 3326.39, 4723.07, and 5747.057 and to 7
enact sections 5.2318, 3301.136, 3301.28, 8
3319.263, and 4723.072 of the Revised Code and 9
to amend Sections 265.150, 265.210, 265.225, and 10
265.335 of H.B. 110 of the 134th General 11
Assembly, Section 4 of S.B. 1 of the 134th 12
General Assembly, and Section 5 of H.B. 123 of 13
the 133rd General Assembly as subsequently 14
amended regarding substitute teachers, the 15
school financing system, the Educational Choice 16
Scholarship Program, the Pilot Project 17
Scholarship Program, the ACE Educational Savings 18
Account Program, Community Schools of Quality, 19
community school sponsors, state funding for 20
certain community schools, dyslexia screening 21

requirements, tutoring programs, alternative 22
resident education licenses, Ohio School Safety 23
Month, the career-technical education income tax 24
credit, practical nurse education programs, and 25
to make an appropriation. 26

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

Section 1. That sections 3301.0714, 3307.01, 3309.01, 27
3310.032, 3310.70, 3313.976, 3314.016, 3314.021, 3314.074, 28
3317.011, 3317.014, 3317.016, 3317.017, 3317.019, 3317.0110, 29
3317.02, 3317.024, 3317.0212, 3317.0215, 3317.051, 3317.064, 30
3317.25, 3319.077, 3319.078, 3323.25, 3323.251, 3326.39, 31
4723.07, and 5747.057 be amended and sections 5.2318, 3301.136, 32
3301.28, 3319.263, and 4723.072 of the Revised Code be enacted 33
to read as follows: 34

Sec. 5.2318. The month of October shall be designated as 35
"Ohio School Safety Month" to increase public awareness of 36
school safety programs and to encourage Ohioans to identify 37
their role in keeping Ohio schools a safe place for students to 38
learn and grow. 39

Sec. 3301.0714. (A) The state board of education shall 40
adopt rules for a statewide education management information 41
system. The rules shall require the state board to establish 42
guidelines for the establishment and maintenance of the system 43
in accordance with this section and the rules adopted under this 44
section. The guidelines shall include: 45

(1) Standards identifying and defining the types of data 46
in the system in accordance with divisions (B) and (C) of this 47

section;	48
(2) Procedures for annually collecting and reporting the data to the state board in accordance with division (D) of this section;	49 50 51
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	52 53
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	54 55
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	56 57
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	58 59 60
(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:	61 62 63
(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific subject, a specific type of student, or both, such as regular instructional services in mathematics, remedial reading instructional services, instructional services specifically for students gifted in mathematics or some other subject area, or	64 65 66 67 68 69 70 71 72 73 74 75 76

instructional services for students with a specific type of 77
disability. The categories of instructional services required by 78
the guidelines under this division shall be the same as the 79
categories of instructional services used in determining cost 80
units pursuant to division (C) (3) of this section. 81

(b) The numbers of students receiving support or 82
extracurricular services for each of the support services or 83
extracurricular programs offered by the school district, such as 84
counseling services, health services, and extracurricular sports 85
and fine arts programs. The categories of services required by 86
the guidelines under this division shall be the same as the 87
categories of services used in determining cost units pursuant 88
to division (C) (4) (a) of this section. 89

(c) Average student grades in each subject in grades nine 90
through twelve; 91

(d) Academic achievement levels as assessed under sections 92
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 93

(e) The number of students designated as having a 94
disabling condition pursuant to division (C) (1) of section 95
3301.0711 of the Revised Code; 96

(f) The numbers of students reported to the state board 97
pursuant to division (C) (2) of section 3301.0711 of the Revised 98
Code; 99

(g) Attendance rates and the average daily attendance for 100
the year. For purposes of this division, a student shall be 101
counted as present for any field trip that is approved by the 102
school administration. 103

(h) Expulsion rates; 104

(i) Suspension rates;	105
(j) Dropout rates;	106
(k) Rates of retention in grade;	107
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with state board of education rules;	108 109 110
(m) Graduation rates, to be calculated in a manner specified by the department of education that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	111 112 113 114 115
(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the Revised Code to permit a comparison of the academic readiness of kindergarten students. However, no district shall be required to report to the department the results of any diagnostic assessment administered to a kindergarten student, except for the language and reading assessment described in division (A) (2) of section 3301.0715 of the Revised Code, if the parent of that student requests the district not to report those results.	116 117 118 119 120 121 122 123 124
(o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division (B) (3) <u>(B) (4)</u> of this section, districts and schools also shall include an identification of the person or persons, if any, at whom the student's violent behavior that resulted in discipline was directed. The person or persons shall be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, but shall not be identified by name.	125 126 127 128 129 130 131 132 133

Division (B) (1) (o) of this section does not apply after	134
the date that is two years following the submission of the	135
report required by Section 733.13 of H.B. 49 of the 132nd	136
general assembly.	137
(p) The number of students earning each state diploma seal	138
included in the system prescribed under division (A) of section	139
3313.6114 of the Revised Code;	140
(q) The number of students demonstrating competency for	141
graduation using each option described in divisions (B) (1) (a) to	142
(d) of section 3313.618 of the Revised Code;	143
(r) The number of students completing each foundational	144
and supporting option as part of the demonstration of competency	145
for graduation pursuant to division (B) (1) (b) of section	146
3313.618 of the Revised Code;	147
(s) The number of students enrolled in all-day	148
kindergarten, as defined in section 3321.05 of the Revised Code.	149
(2) Personnel and classroom enrollment data for each	150
school district, including:	151
(a) The total numbers of licensed employees and	152
nonlicensed employees and the numbers of full-time equivalent	153
licensed employees and nonlicensed employees providing each	154
category of instructional service, instructional support	155
service, and administrative support service used pursuant to	156
division (C) (3) of this section. The guidelines adopted under	157
this section shall require these categories of data to be	158
maintained for the school district as a whole and, wherever	159
applicable, for each grade in the school district as a whole,	160
for each school building as a whole, and for each grade in each	161
school building.	162

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

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

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

(3) (a) Student demographic data for each school district, including information regarding the gender ratio of the school district's pupils, the racial make-up of the school district's pupils, the number of English learners in the district, and an appropriate measure of the number of the school district's pupils who reside in economically disadvantaged households. The demographic data shall be collected in a manner to allow correlation with data collected under division (B) (1) of this section. Categories for data collected pursuant to division (B) (3) of this section shall conform, where appropriate, to standard practices of agencies of the federal government.

(b) With respect to each student entering kindergarten, 193
whether the student previously participated in a public 194
preschool program, a private preschool program, or a head start 195
program, and the number of years the student participated in 196
each of these programs. 197

~~(4) For fiscal years 2022 and 2023, the annual reports~~ 198
~~submitted by each school district under section 3317.25 of the~~ 199
~~Revised Code describing the initiative or initiatives on which~~ 200
~~the district's disadvantaged pupil impact aid were spent;~~ 201

~~(5) For fiscal years 2022 and 2023, the average number of~~ 202
~~students riding on school buses routed to community schools~~ 203
~~established under Chapter 3314. of the Revised Code in~~ 204
~~accordance with section 3327.01 of the Revised Code;~~ 205

~~(6) For fiscal years 2022 and 2023, the average number of~~ 206
~~students riding on school buses routed to STEM schools~~ 207
~~established under Chapter 3326. of the Revised Code in~~ 208
~~accordance with section 3327.01 of the Revised Code;~~ 209

~~(7) For fiscal years 2022 and 2023, the average number of~~ 210
~~students riding on school buses routed to nonpublic schools in~~ 211
~~accordance with section 3327.01 of the Revised Code;~~ 212

~~(8) Any data required to be collected pursuant to federal~~ 213
law. 214

(C) The education management information system shall 215
include cost accounting data for each district as a whole and 216
for each school building in each school district. The guidelines 217
adopted under this section shall require the cost data for each 218
school district to be maintained in a system of mutually 219
exclusive cost units and shall require all of the costs of each 220
school district to be divided among the cost units. The 221

guidelines shall require the system of mutually exclusive cost	222
units to include at least the following:	223
(1) Administrative costs for the school district as a	224
whole. The guidelines shall require the cost units under this	225
division (C) (1) to be designed so that each of them may be	226
compiled and reported in terms of average expenditure per pupil	227
in enrolled ADM in the school district, as determined pursuant	228
to section 3317.03 of the Revised Code.	229
(2) Administrative costs for each school building in the	230
school district. The guidelines shall require the cost units	231
under this division (C) (2) to be designed so that each of them	232
may be compiled and reported in terms of average expenditure per	233
full-time equivalent pupil receiving instructional or support	234
services in each building.	235
(3) Instructional services costs for each category of	236
instructional service provided directly to students and required	237
by guidelines adopted pursuant to division (B) (1) (a) of this	238
section. The guidelines shall require the cost units under	239
division (C) (3) of this section to be designed so that each of	240
them may be compiled and reported in terms of average	241
expenditure per pupil receiving the service in the school	242
district as a whole and average expenditure per pupil receiving	243
the service in each building in the school district and in terms	244
of a total cost for each category of service and, as a breakdown	245
of the total cost, a cost for each of the following components:	246
(a) The cost of each instructional services category	247
required by guidelines adopted under division (B) (1) (a) of this	248
section that is provided directly to students by a classroom	249
teacher;	250

(b) The cost of the instructional support services, such 251
as services provided by a speech-language pathologist, classroom 252
aide, multimedia aide, or librarian, provided directly to 253
students in conjunction with each instructional services 254
category; 255

(c) The cost of the administrative support services 256
related to each instructional services category, such as the 257
cost of personnel that develop the curriculum for the 258
instructional services category and the cost of personnel 259
supervising or coordinating the delivery of the instructional 260
services category. 261

(4) Support or extracurricular services costs for each 262
category of service directly provided to students and required 263
by guidelines adopted pursuant to division (B) (1) (b) of this 264
section. The guidelines shall require the cost units under 265
division (C) (4) of this section to be designed so that each of 266
them may be compiled and reported in terms of average 267
expenditure per pupil receiving the service in the school 268
district as a whole and average expenditure per pupil receiving 269
the service in each building in the school district and in terms 270
of a total cost for each category of service and, as a breakdown 271
of the total cost, a cost for each of the following components: 272

(a) The cost of each support or extracurricular services 273
category required by guidelines adopted under division (B) (1) (b) 274
of this section that is provided directly to students by a 275
licensed employee, such as services provided by a guidance 276
counselor or any services provided by a licensed employee under 277
a supplemental contract; 278

(b) The cost of each such services category provided 279
directly to students by a nonlicensed employee, such as 280

janitorial services, cafeteria services, or services of a sports 281
trainer; 282

(c) The cost of the administrative services related to 283
each services category in division (C) (4) (a) or (b) of this 284
section, such as the cost of any licensed or nonlicensed 285
employees that develop, supervise, coordinate, or otherwise are 286
involved in administering or aiding the delivery of each 287
services category. 288

(D) (1) The guidelines adopted under this section shall 289
require school districts to collect information about individual 290
students, staff members, or both in connection with any data 291
required by division (B) or (C) of this section or other 292
reporting requirements established in the Revised Code. The 293
guidelines may also require school districts to report 294
information about individual staff members in connection with 295
any data required by division (B) or (C) of this section or 296
other reporting requirements established in the Revised Code. 297
The guidelines shall not authorize school districts to request 298
social security numbers of individual students. The guidelines 299
shall prohibit the reporting under this section of a student's 300
name, address, and social security number to the state board of 301
education or the department of education. The guidelines shall 302
also prohibit the reporting under this section of any personally 303
identifiable information about any student, except for the 304
purpose of assigning the data verification code required by 305
division (D) (2) of this section, to any other person unless such 306
person is employed by the school district or the information 307
technology center operated under section 3301.075 of the Revised 308
Code and is authorized by the district or technology center to 309
have access to such information or is employed by an entity with 310
which the department contracts for the scoring or the 311

development of state assessments. The guidelines may require 312
school districts to provide the social security numbers of 313
individual staff members and the county of residence for a 314
student. Nothing in this section prohibits the state board of 315
education or department of education from providing a student's 316
county of residence to the department of taxation to facilitate 317
the distribution of tax revenue. 318

(2) (a) The guidelines shall provide for each school 319
district or community school to assign a data verification code 320
that is unique on a statewide basis over time to each student 321
whose initial Ohio enrollment is in that district or school and 322
to report all required individual student data for that student 323
utilizing such code. The guidelines shall also provide for 324
assigning data verification codes to all students enrolled in 325
districts or community schools on the effective date of the 326
guidelines established under this section. The assignment of 327
data verification codes for other entities, as described in 328
division (D) (2) (d) of this section, the use of those codes, and 329
the reporting and use of associated individual student data 330
shall be coordinated by the department in accordance with state 331
and federal law. 332

School districts shall report individual student data to 333
the department through the information technology centers 334
utilizing the code. The entities described in division (D) (2) (d) 335
of this section shall report individual student data to the 336
department in the manner prescribed by the department. 337

(b) (i) Except as provided in sections 3301.941, 3310.11, 338
3310.42, 3310.63, 3313.978, ~~and 3317.20,~~ and 5747.057 of the 339
Revised Code, and in division (D) (2) (b) (ii) of this section, at 340
no time shall the state board or the department have access to 341

information that would enable any data verification code to be 342
matched to personally identifiable student data. 343

(ii) For the purpose of making per-pupil payments to 344
community schools under section 3317.022 of the Revised Code, 345
the department shall have access to information that would 346
enable any data verification code to be matched to personally 347
identifiable student data. 348

(c) Each school district and community school shall ensure 349
that the data verification code is included in the student's 350
records reported to any subsequent school district, community 351
school, or state institution of higher education, as defined in 352
section 3345.011 of the Revised Code, in which the student 353
enrolls. Any such subsequent district or school shall utilize 354
the same identifier in its reporting of data under this section. 355

(d) The director of any state agency that administers a 356
publicly funded program providing services to children who are 357
younger than compulsory school age, as defined in section 358
3321.01 of the Revised Code, including the directors of health, 359
job and family services, mental health and addiction services, 360
and developmental disabilities, shall request and receive, 361
pursuant to sections 3301.0723 and 5123.0423 of the Revised 362
Code, a data verification code for a child who is receiving 363
those services. 364

(E) The guidelines adopted under this section may require 365
school districts to collect and report data, information, or 366
reports other than that described in divisions (A), (B), and (C) 367
of this section for the purpose of complying with other 368
reporting requirements established in the Revised Code. The 369
other data, information, or reports may be maintained in the 370
education management information system but are not required to 371

be compiled as part of the profile formats required under 372
division (G) of this section or the annual statewide report 373
required under division (H) of this section. 374

(F) Beginning with the school year that begins July 1, 375
1991, the board of education of each school district shall 376
annually collect and report to the state board, in accordance 377
with the guidelines established by the board, the data required 378
pursuant to this section. A school district may collect and 379
report these data notwithstanding section 2151.357 or 3319.321 380
of the Revised Code. 381

(G) The state board shall, in accordance with the 382
procedures it adopts, annually compile the data reported by each 383
school district pursuant to division (D) of this section. The 384
state board shall design formats for profiling each school 385
district as a whole and each school building within each 386
district and shall compile the data in accordance with these 387
formats. These profile formats shall: 388

(1) Include all of the data gathered under this section in 389
a manner that facilitates comparison among school districts and 390
among school buildings within each school district; 391

(2) Present the data on academic achievement levels as 392
assessed by the testing of student achievement maintained 393
pursuant to division (B) (1) (d) of this section. 394

(H) (1) The state board shall, in accordance with the 395
procedures it adopts, annually prepare a statewide report for 396
all school districts and the general public that includes the 397
profile of each of the school districts developed pursuant to 398
division (G) of this section. Copies of the report shall be sent 399
to each school district. 400

(2) The state board shall, in accordance with the 401
procedures it adopts, annually prepare an individual report for 402
each school district and the general public that includes the 403
profiles of each of the school buildings in that school district 404
developed pursuant to division (G) of this section. Copies of 405
the report shall be sent to the superintendent of the district 406
and to each member of the district board of education. 407

(3) Copies of the reports received from the state board 408
under divisions (H) (1) and (2) of this section shall be made 409
available to the general public at each school district's 410
offices. Each district board of education shall make copies of 411
each report available to any person upon request and payment of 412
a reasonable fee for the cost of reproducing the report. The 413
board shall annually publish in a newspaper of general 414
circulation in the school district, at least twice during the 415
two weeks prior to the week in which the reports will first be 416
available, a notice containing the address where the reports are 417
available and the date on which the reports will be available. 418

(I) Any data that is collected or maintained pursuant to 419
this section and that identifies an individual pupil is not a 420
public record for the purposes of section 149.43 of the Revised 421
Code. 422

(J) As used in this section: 423

(1) "School district" means any city, local, exempted 424
village, or joint vocational school district and, in accordance 425
with section 3314.17 of the Revised Code, any community school. 426
As used in division (L) of this section, "school district" also 427
includes any educational service center or other educational 428
entity required to submit data using the system established 429
under this section. 430

(2) "Cost" means any expenditure for operating expenses 431
made by a school district excluding any expenditures for debt 432
retirement except for payments made to any commercial lending 433
institution for any loan approved pursuant to section 3313.483 434
of the Revised Code. 435

(K) Any person who removes data from the information 436
system established under this section for the purpose of 437
releasing it to any person not entitled under law to have access 438
to such information is subject to section 2913.42 of the Revised 439
Code prohibiting tampering with data. 440

(L) (1) In accordance with division (L) (2) of this section 441
and the rules adopted under division (L) (10) of this section, 442
the department of education may sanction any school district 443
that reports incomplete or inaccurate data, reports data that 444
does not conform to data requirements and descriptions published 445
by the department, fails to report data in a timely manner, or 446
otherwise does not make a good faith effort to report data as 447
required by this section. 448

(2) If the department decides to sanction a school 449
district under this division, the department shall take the 450
following sequential actions: 451

(a) Notify the district in writing that the department has 452
determined that data has not been reported as required under 453
this section and require the district to review its data 454
submission and submit corrected data by a deadline established 455
by the department. The department also may require the district 456
to develop a corrective action plan, which shall include 457
provisions for the district to provide mandatory staff training 458
on data reporting procedures. 459

(b) Withhold up to ten per cent of the total amount of 460
state funds due to the district for the current fiscal year and, 461
if not previously required under division (L) (2) (a) of this 462
section, require the district to develop a corrective action 463
plan in accordance with that division; 464

(c) Withhold an additional amount of up to twenty per cent 465
of the total amount of state funds due to the district for the 466
current fiscal year; 467

(d) Direct department staff or an outside entity to 468
investigate the district's data reporting practices and make 469
recommendations for subsequent actions. The recommendations may 470
include one or more of the following actions: 471

(i) Arrange for an audit of the district's data reporting 472
practices by department staff or an outside entity; 473

(ii) Conduct a site visit and evaluation of the district; 474

(iii) Withhold an additional amount of up to thirty per 475
cent of the total amount of state funds due to the district for 476
the current fiscal year; 477

(iv) Continue monitoring the district's data reporting; 478

(v) Assign department staff to supervise the district's 479
data management system; 480

(vi) Conduct an investigation to determine whether to 481
suspend or revoke the license of any district employee in 482
accordance with division (N) of this section; 483

(vii) If the district is issued a report card under 484
section 3302.03 of the Revised Code, indicate on the report card 485
that the district has been sanctioned for failing to report data 486
as required by this section; 487

(viii) If the district is issued a report card under 488
section 3302.03 of the Revised Code and incomplete or inaccurate 489
data submitted by the district likely caused the district to 490
receive a higher performance rating than it deserved under that 491
section, issue a revised report card for the district; 492

(ix) Any other action designed to correct the district's 493
data reporting problems. 494

(3) Any time the department takes an action against a 495
school district under division (L)(2) of this section, the 496
department shall make a report of the circumstances that 497
prompted the action. The department shall send a copy of the 498
report to the district superintendent or chief administrator and 499
maintain a copy of the report in its files. 500

(4) If any action taken under division (L)(2) of this 501
section resolves a school district's data reporting problems to 502
the department's satisfaction, the department shall not take any 503
further actions described by that division. If the department 504
withheld funds from the district under that division, the 505
department may release those funds to the district, except that 506
if the department withheld funding under division (L)(2)(c) of 507
this section, the department shall not release the funds 508
withheld under division (L)(2)(b) of this section and, if the 509
department withheld funding under division (L)(2)(d) of this 510
section, the department shall not release the funds withheld 511
under division (L)(2)(b) or (c) of this section. 512

(5) Notwithstanding anything in this section to the 513
contrary, the department may use its own staff or an outside 514
entity to conduct an audit of a school district's data reporting 515
practices any time the department has reason to believe the 516
district has not made a good faith effort to report data as 517

required by this section. If any audit conducted by an outside 518
entity under division (L) (2) (d) (i) or (5) of this section 519
confirms that a district has not made a good faith effort to 520
report data as required by this section, the district shall 521
reimburse the department for the full cost of the audit. The 522
department may withhold state funds due to the district for this 523
purpose. 524

(6) Prior to issuing a revised report card for a school 525
district under division (L) (2) (d) (viii) of this section, the 526
department may hold a hearing to provide the district with an 527
opportunity to demonstrate that it made a good faith effort to 528
report data as required by this section. The hearing shall be 529
conducted by a referee appointed by the department. Based on the 530
information provided in the hearing, the referee shall recommend 531
whether the department should issue a revised report card for 532
the district. If the referee affirms the department's contention 533
that the district did not make a good faith effort to report 534
data as required by this section, the district shall bear the 535
full cost of conducting the hearing and of issuing any revised 536
report card. 537

(7) If the department determines that any inaccurate data 538
reported under this section caused a school district to receive 539
excess state funds in any fiscal year, the district shall 540
reimburse the department an amount equal to the excess funds, in 541
accordance with a payment schedule determined by the department. 542
The department may withhold state funds due to the district for 543
this purpose. 544

(8) Any school district that has funds withheld under 545
division (L) (2) of this section may appeal the withholding in 546
accordance with Chapter 119. of the Revised Code. 547

(9) In all cases of a disagreement between the department 548
and a school district regarding the appropriateness of an action 549
taken under division (L) (2) of this section, the burden of proof 550
shall be on the district to demonstrate that it made a good 551
faith effort to report data as required by this section. 552

(10) The state board of education shall adopt rules under 553
Chapter 119. of the Revised Code to implement division (L) of 554
this section. 555

(M) No information technology center or school district 556
shall acquire, change, or update its student administration 557
software package to manage and report data required to be 558
reported to the department unless it converts to a student 559
software package that is certified by the department. 560

(N) The state board of education, in accordance with 561
sections 3319.31 and 3319.311 of the Revised Code, may suspend 562
or revoke a license as defined under division (A) of section 563
3319.31 of the Revised Code that has been issued to any school 564
district employee found to have willfully reported erroneous, 565
inaccurate, or incomplete data to the education management 566
information system. 567

(O) No person shall release or maintain any information 568
about any student in violation of this section. Whoever violates 569
this division is guilty of a misdemeanor of the fourth degree. 570

(P) The department shall disaggregate the data collected 571
under division (B) (1) (n) of this section according to the race 572
and socioeconomic status of the students assessed. 573

(Q) If the department cannot compile any of the 574
information required by division (I) of section 3302.03 of the 575
Revised Code based upon the data collected under this section, 576

the department shall develop a plan and a reasonable timeline 577
for the collection of any data necessary to comply with that 578
division. 579

Sec. 3301.136. The department of education shall compile a 580
list of tutoring programs that it considers to be of high 581
quality and have the potential to accelerate learning for 582
students in the areas of English language arts, mathematics, 583
science, and social studies. For this purpose, the department 584
shall request the qualifications of public and private entities 585
that provide tutoring programs for students. The department 586
shall establish a rubric to evaluate the programs and determine 587
a minimum score for a tutoring program to be included on the 588
department's list. 589

In compiling the list, the department may designate 590
individual tutoring programs as more appropriate for certain 591
grade levels, populations of students, or subject areas. 592

The department may establish multiple application periods 593
in any school year for entities to submit their qualifications 594
for consideration to be included on the list. However, the 595
department shall post the initial list of tutoring programs on 596
the department's web site not later than October 1, 2022. No 597
school district or school shall be required to use a tutoring 598
program on the list. 599

Sec. 3301.28. (A) As used in this section: 600

(1) "Coordinating service center" means the educational 601
service center of central Ohio or its successor organization. 602

(2) "Public school" means a school building operated by a 603
school district or other public school, as defined in section 604
3301.0711 of the Revised Code, or a building operated by an 605

educational service center. 606

(B) The superintendent of public instruction shall 607
establish a program to provide tutoring and remedial education 608
services in reading and English language arts, mathematics, 609
science, and social studies to students at public and chartered 610
nonpublic schools that elect to participate in the program. 611
Tutors shall not be considered employees of the public or 612
chartered nonpublic school in which they provide tutoring 613
services. Rather, the tutors shall be either employed or engaged 614
as a volunteer by the coordinating service center. The 615
coordinating service center shall be responsible for 616
compensating each individual it employs as a tutor using funds 617
transferred from the school at which the individual works as a 618
tutor. The coordinating service center may coordinate placement 619
of tutors with the sixteen regional educational service centers, 620
selected under division (C) (4) of this section, and other 621
service centers as determined necessary by the coordinating 622
service center. 623

Individuals who wish to participate in the program as 624
tutors shall submit an application to the coordinating service 625
center. Not later than sixty days after the effective date of 626
this section, the coordinating service center shall establish 627
application procedures for individuals who wish to participate 628
in the program as tutors. 629

To be eligible to participate as a tutor under the 630
program, an individual shall be either of the following: 631

(1) A retired teacher or substitute teacher, regardless of 632
whether the teacher holds a valid educator license, certificate, 633
or permit issued under Chapter 3319. or section 3301.071 of the 634
Revised Code, provided that the teacher has not had an educator 635

license, certificate, or permit denied, suspended, or revoked by 636
the state board of education under section 3319.31 of the 637
Revised Code or entered into a consent agreement pursuant to 638
division (E) of section 3319.311 of the Revised Code; 639

(2) An individual, not described in division (A) (1) of 640
this section, who is determined to be eligible by the 641
coordinating service center in accordance with standards 642
established by the state superintendent. 643

(C) The state superintendent, with assistance from 644
participating educational service centers, and in consultation 645
with public and chartered nonpublic schools, shall administer 646
and implement the program as follows: 647

(1) Not later than sixty days after the effective date of 648
this section, the state superintendent shall establish standards 649
for determining the eligibility of tutors under division (B) (2) 650
of this section. 651

(2) Not later than sixty days after the effective date of 652
this section, the coordinating service center, in consultation 653
with the state superintendent, shall create a training course 654
for tutors described in division (B) of this section who do not 655
hold valid educator licenses, certificates, or permits issued 656
under Chapter 3319. or section 3301.071 of the Revised Code. The 657
coordinating service center and state superintendent may 658
establish additional training requirements for tutors who 659
provide tutoring services to students with special needs or 660
students with an individualized education program, as that term 661
is defined in section 3323.01 of the Revised Code. In addition, 662
the coordinating service center and state superintendent may 663
continue to provide training to tutors after their placement in 664
schools. 665

(3) The department of education shall serve as the fiscal agent for the program. The department shall provide for administrative and implementation costs, costs of developing the training course described in division (C) (2) of this section, and provide technical assistance at the request of the coordinating service center. 666
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The department shall not compensate tutors under the program. 672
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The department shall not charge any registration fee to individuals who wish to participate in the program as tutors. 674
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(4) Educational service centers from each educational regional service system described in section 3312.02 of the Revised Code may select one educational service center to administer the training program for their region in conjunction with the coordinating service center. The educational service center selected for each region may cooperate with individual educational service centers to implement the training program. 676
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(5) Each educational service center may coordinate the placement of tutors at the participating public and chartered nonpublic schools within its service territory. 683
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(6) The coordinating service center shall require an individual employed or engaged as a volunteer as a tutor under this section to apply for and receive a registration from the department. 686
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As a condition of registration under this section, an individual shall be subject to a criminal records check as prescribed by section 3319.39 or 3319.391 of the Revised Code, as appropriate. The individual shall request the criminal records check through the coordinating service center and shall 690
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submit the criminal records check to the department of education 695
in a manner determined by the department. The department shall 696
use the information submitted to enroll the individual in the 697
retained applicant fingerprint database, established under 698
section 109.5721 of the Revised Code, in the same manner as any 699
teacher licensed under sections 3319.22 to 3319.31 of the 700
Revised Code. 701

If the department receives notification of the arrest or 702
conviction of an individual registered under division (C) (6) of 703
this section, the department shall promptly notify the 704
coordinating service center and may take any action authorized 705
under sections 3319.31 and 3319.311 of the Revised Code that the 706
department considers appropriate. The department shall not 707
accept the application of any individual under this section if 708
the department learns that the individual has pleaded guilty to, 709
has been found guilty by a jury or court of, or has been 710
convicted of any of the offenses listed in division (C) of 711
section 3319.31 of the Revised Code. 712

The department shall reimburse the coordinating service 713
center for both of the following: 714

(a) Any costs incurred by the coordinating service center 715
when assisting with the registration of tutors with the 716
department; 717

(b) The cost of the criminal records check required under 718
this section. 719

(7) Participation by public and chartered nonpublic 720
schools is voluntary. Public and chartered nonpublic schools 721
that wish to participate in the tutoring and remedial education 722
program shall notify the coordinating service center of their 723

intention to do so. 724

Each participating school shall have the ultimate 725
authority over how best to incorporate tutors into the school 726
setting, but such determinations shall be made in cooperation 727
with the educational service center. Program activities may take 728
place before, during, or after school as well as during breaks 729
from school such as weekends, holidays, or summer vacation. 730
Program activities may take place on an online platform or in 731
person, including on school premises, at community-based youth 732
development organizations, or in another public location the 733
school's governing body and educational service center determine 734
to be appropriate. 735

A participating school shall provide necessary materials, 736
space, and equipment for tutors placed in the school. A 737
participating school shall transfer funds to the coordinating 738
service center to assist the service center in making payments 739
to tutors placed in the school and paying the cost of other 740
benefits for the tutors. The state superintendent, in 741
consultation with the chancellor of higher education, shall 742
create a list of benefits which a participant may receive. 743

Participating schools shall use their own funds to pay 744
costs incurred from participating in the program. 745

(D) Upon the completion of each of the 2022-2023, 2023- 746
2024, and 2024-2025 school years, the department shall conduct a 747
review of the program's effectiveness in providing tutoring and 748
remedial education to students. Based on each of those reviews, 749
the department shall issue a report of its findings. The report 750
also shall include the number of participating public and 751
chartered nonpublic schools, tutors, and students, as well as 752
whether tutoring in a particular school was provided on an 753

online platform or in-person. The department may request and 754
collect data from public or chartered nonpublic schools and from 755
educational service centers for the report. The department 756
shall, in accordance with section 101.68 of the Revised Code, 757
submit those reports to the general assembly, as follows: 758

(1) The report for the 2022-2023 school year shall be 759
submitted not later than September 30, 2023. 760

(2) The report for the 2023-2024 school year shall be 761
submitted not later than September 30, 2024. 762

(3) The report for the 2024-2025 school year shall be 763
submitted not later than September 30, 2025. 764

(E) Nothing in this section shall be construed as 765
prohibiting a public or chartered nonpublic school from 766
contracting or partnering with another entity to provide 767
tutoring services to the school's students. 768

Sec. 3307.01. As used in this chapter: 769

(A) "Employer" means the board of education, school 770
district, governing authority of any community school 771
established under Chapter 3314. of the Revised Code, a science, 772
technology, engineering, and mathematics school established 773
under Chapter 3326. of the Revised Code, college, university, 774
institution, or other agency within the state by which a teacher 775
is employed and paid. 776

(B) (1) "Teacher" means all of the following: 777

(a) Any person paid from public funds and employed in the 778
public schools of the state under any type of contract described 779
in section 3311.77 or 3319.08 of the Revised Code in a position 780
for which the person is required to have a license or 781

registration issued pursuant to sections 3319.22 to 3319.31 of 782
the Revised Code; 783

(b) Except as provided in division (B) (2) (b) or (c) of 784
this section, any person employed as a teacher or faculty member 785
in a community school or a science, technology, engineering, and 786
mathematics school pursuant to Chapter 3314. or 3326. of the 787
Revised Code; 788

(c) Any person having a license or registration issued 789
pursuant to sections 3319.22 to 3319.31 of the Revised Code and 790
employed in a public school in this state in an educational 791
position, as determined by the state board of education, under 792
programs provided for by federal acts or regulations and 793
financed in whole or in part from federal funds, but for which 794
no licensure requirements for the position can be made under the 795
provisions of such federal acts or regulations; 796

(d) Any other teacher or faculty member employed in any 797
school, college, university, institution, or other agency wholly 798
controlled and managed, and supported in whole or in part, by 799
the state or any political subdivision thereof, including 800
Central state university, Cleveland state university, and the 801
university of Toledo; 802

(e) The educational employees of the department of 803
education, as determined by the state superintendent of public 804
instruction; 805

(f) Any person having a registration issued pursuant to 806
section 3301.28 of the Revised Code and employed as a tutor by 807
the coordinating service center as defined in that section. 808

In all cases of doubt, the state teachers retirement board 809
shall determine whether any person is a teacher, and its 810

decision shall be final. 811

(2) "Teacher" does not include any of the following: 812

(a) Any eligible employee of a public institution of 813
higher education, as defined in section 3305.01 of the Revised 814
Code, who elects to participate in an alternative retirement 815
plan established under Chapter 3305. of the Revised Code; 816

(b) Any person employed by a community school operator, as 817
defined in section 3314.02 of the Revised Code, if on or before 818
February 1, 2016, the school's operator was withholding and 819
paying employee and employer taxes pursuant to 26 U.S.C. 3101(a) 820
and 3111(a) for persons employed in the school as teachers, 821
unless the person had contributing service in a community school 822
in the state within one year prior to the later of February 1, 823
2016, or the date on which the operator for the first time 824
withholds and pays employee and employer taxes pursuant to 26 825
U.S.C. 3101(a) and 3111(a) for that person; 826

(c) Any person who would otherwise be a teacher under 827
division (B) (2) (b) of this section who terminates employment 828
with a community school operator and has no contributing service 829
in a community school in the state for a period of at least one 830
year from the date of termination of employment. 831

(C) "Member" means any person included in the membership 832
of the state teachers retirement system, which shall consist of 833
all teachers and contributors as defined in divisions (B) and 834
(D) of this section and all disability benefit recipients, as 835
defined in section 3307.50 of the Revised Code. However, for 836
purposes of this chapter, the following persons shall not be 837
considered members: 838

(1) A student, intern, or resident who is not a member 839

while employed part-time by a school, college, or university at 840
which the student, intern, or resident is regularly attending 841
classes; 842

(2) A person denied membership pursuant to section 3307.24 843
of the Revised Code; 844

(3) An other system retirant, as defined in section 845
3307.35 of the Revised Code, or a superannuate; 846

(4) An individual employed in a program established 847
pursuant to the "Job Training Partnership Act," 96 Stat. 1322 848
(1982), 29 U.S.C.A. 1501; 849

(5) The surviving spouse of a member or retirant if the 850
surviving spouse's only connection to the retirement system is 851
an account in an STRS defined contribution plan. 852

(D) "Contributor" means any person who has an account in 853
the teachers' savings fund or defined contribution fund, except 854
that "contributor" does not mean a member or retirant's 855
surviving spouse with an account in an STRS defined contribution 856
plan. 857

(E) "Beneficiary" means any person eligible to receive, or 858
in receipt of, a retirement allowance or other benefit provided 859
by this chapter. 860

(F) "Year" means the year beginning the first day of July 861
and ending with the thirtieth day of June next following, except 862
that for the purpose of determining final average salary under 863
the plan described in sections 3307.50 to 3307.79 of the Revised 864
Code, "year" may mean the contract year. 865

(G) "Local district pension system" means any school 866
teachers pension fund created in any school district of the 867

state in accordance with the laws of the state prior to 868
September 1, 1920. 869

(H) "Employer contribution" means the amount paid by an 870
employer, as determined by the employer rate, including the 871
normal and deficiency rates, contributions, and funds wherever 872
used in this chapter. 873

(I) "Five years of service credit" means employment 874
covered under this chapter and employment covered under a former 875
retirement plan operated, recognized, or endorsed by a college, 876
institute, university, or political subdivision of this state 877
prior to coverage under this chapter. 878

(J) "Actuary" means an actuarial professional contracted 879
with or employed by the state teachers retirement board, who 880
shall be either of the following: 881

(1) A member of the American academy of actuaries; 882

(2) A firm, partnership, or corporation of which at least 883
one person is a member of the American academy of actuaries. 884

(K) "Fiduciary" means a person who does any of the 885
following: 886

(1) Exercises any discretionary authority or control with 887
respect to the management of the system, or with respect to the 888
management or disposition of its assets; 889

(2) Renders investment advice for a fee, direct or 890
indirect, with respect to money or property of the system; 891

(3) Has any discretionary authority or responsibility in 892
the administration of the system. 893

(L) (1) (a) Except as provided in this division, 894

"compensation" means all salary, wages, and other earnings paid to a teacher by reason of the teacher's employment, including compensation paid pursuant to a supplemental contract. The salary, wages, and other earnings shall be determined prior to determination of the amount required to be contributed to the teachers' savings fund or defined contribution fund under section 3307.26 of the Revised Code and without regard to whether any of the salary, wages, or other earnings are treated as deferred income for federal income tax purposes.

(b) Except as provided in division (L) (1) (c) of this section, "compensation" includes amounts paid by an employer as a retroactive payment of earnings, damages, or back pay pursuant to a court order, court-adopted settlement agreement, or other settlement agreement if the retirement system receives both of the following:

(i) Teacher and employer contributions under sections 3307.26 and 3307.28 of the Revised Code, plus interest compounded annually at a rate determined by the state teachers retirement board, for each year or portion of a year for which amounts are paid under the order or agreement;

(ii) Teacher and employer contributions under sections 3307.26 and 3307.28 of the Revised Code, plus interest compounded annually at a rate determined by the board, for each year or portion of a year not subject to division (L) (1) (b) (i) of this section for which the board determines the teacher was improperly paid, regardless of the teacher's ability to recover on such amounts improperly paid.

(c) If any portion of an amount paid by an employer as a retroactive payment of earnings, damages, or back pay is for an amount, benefit, or payment described in division (L) (2) of this

section, that portion of the amount is not compensation under	925
this section.	926
(2) Compensation does not include any of the following:	927
(a) Payments for accrued but unused sick leave or personal	928
leave, including payments made under a plan established pursuant	929
to section 124.39 of the Revised Code or any other plan	930
established by the employer;	931
(b) Payments made for accrued but unused vacation leave,	932
including payments made pursuant to section 124.13 of the	933
Revised Code or a plan established by the employer;	934
(c) Payments made for vacation pay covering concurrent	935
periods for which other salary, compensation, or benefits under	936
this chapter or Chapter 145. or 3309. of the Revised Code are	937
paid;	938
(d) Amounts paid by the employer to provide life	939
insurance, sickness, accident, endowment, health, medical,	940
hospital, dental, or surgical coverage, or other insurance for	941
the teacher or the teacher's family, or amounts paid by the	942
employer to the teacher in lieu of providing the insurance;	943
(e) Incidental benefits, including lodging, food, laundry,	944
parking, or services furnished by the employer, use of the	945
employer's property or equipment, and reimbursement for job-	946
related expenses authorized by the employer, including moving	947
and travel expenses and expenses related to professional	948
development;	949
(f) Payments made by the employer in exchange for a	950
member's waiver of a right to receive any payment, amount, or	951
benefit described in division (L) (2) of this section;	952

(g) Payments by the employer for services not actually rendered;	953 954
(h) Any amount paid by the employer as a retroactive increase in salary, wages, or other earnings, unless the increase is one of the following:	955 956 957
(i) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for teaching and not designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;	958 959 960 961 962 963 964
(ii) A retroactive increase paid to a member employed by a school district board of education in a position that requires a license designated for being an administrator issued under section 3319.22 of the Revised Code that is paid in accordance with uniform criteria applicable to all members employed by the board in positions requiring the licenses;	965 966 967 968 969 970
(iii) A retroactive increase paid to a member employed by a school district board of education as a superintendent that is also paid as described in division (L) (2) (h) (i) of this section;	971 972 973
(iv) A retroactive increase paid to a member employed by an employer other than a school district board of education in accordance with uniform criteria applicable to all members employed by the employer.	974 975 976 977
(i) Payments made to or on behalf of a teacher that are in excess of the annual compensation that may be taken into account by the retirement system under division (a) (17) of section 401 of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26	978 979 980 981

U.S.C.A. 401(a) (17), as amended. For a teacher who first 982
establishes membership before July 1, 1996, the annual 983
compensation that may be taken into account by the retirement 984
system shall be determined under division (d) (3) of section 985
13212 of the "Omnibus Budget Reconciliation Act of 1993," Pub. 986
L. No. 103-66, 107 Stat. 472. 987

(j) Payments made under division (B), (C), or (E) of 988
section 5923.05 of the Revised Code, Section 4 of Substitute 989
Senate Bill No. 3 of the 119th general assembly, Section 3 of 990
Amended Substitute Senate Bill No. 164 of the 124th general 991
assembly, or Amended Substitute House Bill No. 405 of the 124th 992
general assembly; 993

(k) Anything of value received by the teacher that is 994
based on or attributable to retirement or an agreement to 995
retire. 996

(3) The retirement board shall determine both of the 997
following: 998

(a) Whether particular forms of earnings are included in 999
any of the categories enumerated in this division; 1000

(b) Whether any form of earnings not enumerated in this 1001
division is to be included in compensation. 1002

Decisions of the board made under this division shall be 1003
final. 1004

(M) "Superannuate" means both of the following: 1005

(1) A former teacher receiving from the system a 1006
retirement allowance under section 3307.58 or 3307.59 of the 1007
Revised Code; 1008

(2) A former teacher receiving a benefit from the system 1009

under a plan established under section 3307.81 of the Revised Code, except that "superannuate" does not include a former teacher who is receiving a benefit based on disability under a plan established under section 3307.81 of the Revised Code.

For purposes of sections 3307.35 and 3307.353 of the Revised Code, "superannuate" also means a former teacher receiving from the system a combined service retirement benefit paid in accordance with section 3307.57 of the Revised Code, regardless of which retirement system is paying the benefit.

(N) "STRS defined benefit plan" means the plan described in sections 3307.50 to 3307.79 of the Revised Code.

(O) "STRS defined contribution plan" means the plans established under section 3307.81 of the Revised Code and includes the STRS combined plan under that section.

(P) "Faculty" means the teaching staff of a university, college, or school, including any academic administrators.

Sec. 3309.01. As used in this chapter:

(A) "Employer" or "public employer" means boards of education, school districts, joint vocational districts, governing authorities of community schools established under Chapter 3314. of the Revised Code, a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, educational institutions, technical colleges, state, municipal, and community colleges, community college branches, universities, university branches, other educational institutions, or other agencies within the state by which an employee is employed and paid, including any organization using federal funds, provided the federal funds are disbursed by an employer as determined by the above. In all

cases of doubt, the school employees retirement board shall 1039
determine whether any employer is an employer as defined in this 1040
chapter, and its decision shall be final. 1041

(B) "Employee" means all of the following: 1042

(1) Any person employed by a public employer in a position 1043
for which the person is not required to have a registration, 1044
certificate, or license issued pursuant to section 3301.28 or 1045
sections 3319.22 to 3319.31 of the Revised Code; 1046

(2) Any person who performs a service common to the normal 1047
daily operation of an educational unit even though the person is 1048
employed and paid by one who has contracted with an employer to 1049
perform the service, and the contracting board or educational 1050
unit shall be the employer for the purposes of administering the 1051
provisions of this chapter; 1052

(3) Any person, not a faculty member, employed in any 1053
school or college or other institution wholly controlled and 1054
managed, and wholly or partly supported by the state or any 1055
political subdivision thereof, the board of trustees, or other 1056
managing body of which shall accept the requirements and 1057
obligations of this chapter. 1058

In all cases of doubt, the school employees retirement 1059
board shall determine whether any person is an employee, as 1060
defined in this division, and its decision is final. 1061

(C) "Prior service" means all service rendered prior to 1062
September 1, 1937: 1063

(1) As an employee as defined in division (B) of this 1064
section; 1065

(2) As an employee in a capacity covered by the public 1066

employees retirement system or the state teachers retirement 1067
system; 1068

(3) As an employee of an institution in another state, 1069
service credit for which was procured by a member under the 1070
provisions of section 3309.31 of the Revised Code. 1071

Prior service, for service as an employee in a capacity 1072
covered by the public employees retirement system or the state 1073
teachers retirement system, shall be granted a member under 1074
qualifications identical to the laws and rules applicable to 1075
service credit in those systems. 1076

Prior service shall not be granted any member for service 1077
rendered in a capacity covered by the public employees 1078
retirement system, the state teachers retirement system, and 1079
this system in the event the service credit has, in the 1080
respective systems, been received, waived by exemption, or 1081
forfeited by withdrawal of contributions, except as provided in 1082
this chapter. 1083

If a member who has been granted prior service should, 1084
subsequent to September 16, 1957, and before retirement, 1085
establish three years of contributing service in the public 1086
employees retirement system, or one year in the state teachers 1087
retirement system, then the prior service granted shall become, 1088
at retirement, the liability of the other system, if the prior 1089
service or employment was in a capacity that is covered by that 1090
system. 1091

The provisions of this division shall not cancel any prior 1092
service granted a member by the school employees retirement 1093
board prior to August 1, 1959. 1094

(D) "Total service," "total service credit," or "Ohio 1095

service credit" means all contributing service of a member of 1096
the school employees retirement system, and all prior service, 1097
computed as provided in this chapter, and all service 1098
established pursuant to sections 3309.31, 3309.311, and 3309.33 1099
of the Revised Code. In addition, "total service" includes any 1100
period, not in excess of three years, during which a member was 1101
out of service and receiving benefits from the state insurance 1102
fund, provided the injury or incapacitation was the direct 1103
result of school employment. 1104

(E) "Member" means any employee, except an SERS retirant 1105
or other system retirant as defined in section 3309.341 of the 1106
Revised Code, who has established membership in the school 1107
employees retirement system. "Member" includes a disability 1108
benefit recipient. 1109

(F) "Contributor" means any person who has an account in 1110
the employees' savings fund. When used in the sections listed in 1111
division (B) of section 3309.82 of the Revised Code, 1112
"contributor" includes any person participating in a plan 1113
established under section 3309.81 of the Revised Code. 1114

(G) "Retirant" means any former member who retired and is 1115
receiving a retirement allowance under section 3309.36 or 1116
3309.381 or former section 3309.38 of the Revised Code. 1117

(H) "Beneficiary" or "beneficiaries" means the estate or a 1118
person or persons who, as the result of the death of a 1119
contributor or retirant, qualifies for or is receiving some 1120
right or benefit under this chapter. 1121

(I) "Interest," as specified in division (E) of section 1122
3309.60 of the Revised Code, means interest at the rates for the 1123
respective funds and accounts as the school employees retirement 1124

board may determine from time to time. 1125

(J) "Accumulated contributions" means the sum of all 1126
amounts credited to a contributor's account in the employees' 1127
savings fund together with any regular interest credited thereon 1128
at the rates approved by the retirement board prior to 1129
retirement. 1130

(K) "Final average salary" means the sum of the annual 1131
compensation for the three highest years of compensation for 1132
which contributions were made by the member, divided by three. 1133
If the member has a partial year of contributing service in the 1134
year in which the member terminates employment and the partial 1135
year is at a rate of compensation that is higher than the rate 1136
of compensation for any one of the highest three years of annual 1137
earnings, the board shall substitute the compensation earned for 1138
the partial year for the compensation earned for a similar 1139
fractional portion in the lowest of the three high years of 1140
annual compensation before dividing by three. If a member has 1141
less than three years of contributing membership, the final 1142
average salary shall be the total compensation divided by the 1143
total number of years, including any fraction of a year, of 1144
contributing service. 1145

(L) "Annuity" means payments for life derived from 1146
contributions made by a contributor and paid from the annuity 1147
and pension reserve fund as provided in this chapter. All 1148
annuities shall be paid in twelve equal monthly installments. 1149

(M) (1) "Pension" means annual payments for life derived 1150
from appropriations made by an employer and paid from the 1151
employers' trust fund or the annuity and pension reserve fund. 1152
All pensions shall be paid in twelve equal monthly installments. 1153

(2) "Disability retirement" means retirement as provided	1154
in section 3309.40 of the Revised Code.	1155
(N) "Retirement allowance" means the pension plus the	1156
annuity.	1157
(O) (1) "Benefit" means a payment, other than a retirement	1158
allowance or the annuity paid under section 3309.344 of the	1159
Revised Code, payable from the accumulated contributions of the	1160
member or the employer, or both, under this chapter and includes	1161
a disability allowance or disability benefit.	1162
(2) "Disability allowance" means an allowance paid on	1163
account of disability under section 3309.401 of the Revised	1164
Code.	1165
(3) "Disability benefit" means a benefit paid as	1166
disability retirement under section 3309.40 of the Revised Code,	1167
as a disability allowance under section 3309.401 of the Revised	1168
Code, or as a disability benefit under section 3309.35 of the	1169
Revised Code.	1170
(P) "Annuity reserve" means the present value, computed	1171
upon the basis of mortality tables adopted by the school	1172
employees retirement board, of all payments to be made on	1173
account of any annuity, or benefit in lieu of any annuity,	1174
granted to a retirant.	1175
(Q) "Pension reserve" means the present value, computed	1176
upon the basis of mortality tables adopted by the school	1177
employees retirement board, of all payments to be made on	1178
account of any pension, or benefit in lieu of any pension,	1179
granted to a retirant or a beneficiary.	1180
(R) "Year" means the year beginning the first day of July	1181
and ending with the thirtieth day of June next following.	1182

(S) "Local district pension system" means any school 1183
employees' pension fund created in any school district of the 1184
state prior to September 1, 1937. 1185

(T) "Employer contribution" means the amount paid by an 1186
employer as determined under section 3309.49 of the Revised 1187
Code. 1188

(U) "Fiduciary" means a person who does any of the 1189
following: 1190

(1) Exercises any discretionary authority or control with 1191
respect to the management of the system, or with respect to the 1192
management or disposition of its assets; 1193

(2) Renders investment advice for a fee, direct or 1194
indirect, with respect to money or property of the system; 1195

(3) Has any discretionary authority or responsibility in 1196
the administration of the system. 1197

(V) (1) Except as otherwise provided in this division, 1198
"compensation" means all salary, wages, and other earnings paid 1199
to a contributor by reason of employment. The salary, wages, and 1200
other earnings shall be determined prior to determination of the 1201
amount required to be contributed to the employees' savings fund 1202
under section 3309.47 of the Revised Code and without regard to 1203
whether any of the salary, wages, or other earnings are treated 1204
as deferred income for federal income tax purposes. 1205

(2) Compensation does not include any of the following: 1206

(a) Payments for accrued but unused sick leave or personal 1207
leave, including payments made under a plan established pursuant 1208
to section 124.39 of the Revised Code or any other plan 1209
established by the employer; 1210

(b) Payments made for accrued but unused vacation leave,	1211
including payments made pursuant to section 124.13 of the	1212
Revised Code or a plan established by the employer;	1213
(c) Payments made for vacation pay covering concurrent	1214
periods for which other salary or compensation is also paid or	1215
during which benefits are paid under this chapter;	1216
(d) Amounts paid by the employer to provide life	1217
insurance, sickness, accident, endowment, health, medical,	1218
hospital, dental, or surgical coverage, or other insurance for	1219
the contributor or the contributor's family, or amounts paid by	1220
the employer to the contributor in lieu of providing the	1221
insurance;	1222
(e) Incidental benefits, including lodging, food, laundry,	1223
parking, or services furnished by the employer, use of the	1224
employer's property or equipment, and reimbursement for job-	1225
related expenses authorized by the employer, including moving	1226
and travel expenses and expenses related to professional	1227
development;	1228
(f) Payments made to or on behalf of a contributor that	1229
are in excess of the annual compensation that may be taken into	1230
account by the retirement system under division (a) (17) of	1231
section 401 of the "Internal Revenue Code of 1986," 100 Stat.	1232
2085, 26 U.S.C.A. 401(a) (17), as amended. For a contributor who	1233
first establishes membership before July 1, 1996, the annual	1234
compensation that may be taken into account by the retirement	1235
system shall be determined under division (d) (3) of section	1236
13212 of the "Omnibus Budget Reconciliation Act of 1993," Pub.	1237
L. No. 103-66, 107 Stat. 472;	1238
(g) Payments made under division (B), (C), or (E) of	1239

section 5923.05 of the Revised Code, Section 4 of Substitute 1240
Senate Bill No. 3 of the 119th general assembly, Section 3 of 1241
Amended Substitute Senate Bill No. 164 of the 124th general 1242
assembly, or Amended Substitute House Bill No. 405 of the 124th 1243
general assembly; 1244

(h) Anything of value received by the contributor that is 1245
based on or attributable to retirement or an agreement to 1246
retire, except that payments made on or before January 1, 1989, 1247
that are based on or attributable to an agreement to retire 1248
shall be included in compensation if both of the following 1249
apply: 1250

(i) The payments are made in accordance with contract 1251
provisions that were in effect prior to January 1, 1986. 1252

(ii) The employer pays the retirement system an amount 1253
specified by the retirement board equal to the additional 1254
liability from the payments. 1255

(3) The retirement board shall determine by rule whether 1256
any form of earnings not enumerated in this division is to be 1257
included in compensation, and its decision shall be final. 1258

(W) "Disability benefit recipient" means a member who is 1259
receiving a disability benefit. 1260

(X) "Actuary" means an individual who satisfies all of the 1261
following requirements: 1262

(1) Is a member of the American academy of actuaries; 1263

(2) Is an associate or fellow of the society of actuaries; 1264

(3) Has a minimum of five years' experience in providing 1265
actuarial services to public retirement plans. 1266

Sec. 3310.032. (A) A student is an "eligible student" for 1267
purposes of the expansion of the educational choice scholarship 1268
pilot program under this section if the student's resident 1269
district is not a school district in which the pilot project 1270
scholarship program is operating under sections 3313.974 to 1271
3313.979 of the Revised Code, the student is not eligible for an 1272
educational choice scholarship under section 3310.03 of the 1273
Revised Code, and ~~the~~ either of the following apply: 1274

(1) The student's family income is at or below two hundred 1275
fifty per cent of the federal poverty guidelines, as defined in 1276
section 5101.46 of the Revised Code, when the student applies 1277
for a scholarship under this section. 1278

(2) The student's sibling, as defined in section 3310.033 1279
of the Revised Code, receives a scholarship under this section 1280
for at least one of the following: 1281

(a) For the school year immediately prior to the school 1282
year for which the student is seeking a scholarship; 1283

(b) For the school year for which the student is seeking a 1284
scholarship. 1285

(B) In each fiscal year for which the general assembly 1286
appropriates funds for purposes of this section, the department 1287
of education shall pay scholarships to attend chartered 1288
nonpublic schools in accordance with section 3317.022 of the 1289
Revised Code. The number of scholarships awarded under this 1290
section shall not exceed the number that can be funded for that 1291
school year as authorized by the general assembly. 1292

(C) Scholarships under this section shall be awarded as 1293
follows: 1294

(1) For the 2013-2014 school year, to eligible students 1295

who are entering kindergarten in that school year for the first 1296
time; 1297

(2) For each subsequent school year through the 2019-2020 1298
school year, scholarships shall be awarded to eligible students 1299
in the next grade level above the highest grade level awarded in 1300
the preceding school year, in addition to the grade levels for 1301
which students received scholarships in the preceding school 1302
year; 1303

(3) Beginning with the 2020-2021 school year, to eligible 1304
students who are entering any of grades kindergarten through 1305
twelve in that school year for the first time. 1306

(D) If the number of eligible students who apply for a 1307
scholarship under this section exceeds the scholarships 1308
available based on the appropriation for this section, the 1309
department shall award scholarships in the following order of 1310
priority: 1311

(1) First, to eligible students who received scholarships 1312
under this section in the prior school year; 1313

(2) Second, to eligible students with family incomes at or 1314
below one hundred per cent of the federal poverty guidelines. If 1315
the number of students described in division (D) (2) of this 1316
section who apply for a scholarship exceeds the number of 1317
available scholarships after awards are made under division (D) 1318
(1) of this section, the department shall select students 1319
described in division (D) (2) of this section by lot to receive 1320
any remaining scholarships. 1321

(3) Third, to other eligible students who qualify under 1322
this section. If the number of students described in division 1323
(D) (3) of this section exceeds the number of available 1324

scholarships after awards are made under divisions (D) (1) and 1325
(2) of this section, the department shall select students 1326
described in division (D) (3) of this section by lot to receive 1327
any remaining scholarships. 1328

~~(E) Subject to divisions (E) (1) to (3) of this section, a~~ 1329
A student who receives a scholarship under this section remains 1330
an eligible student and may continue to receive scholarships 1331
under this section in subsequent school years until the student 1332
completes grade twelve, so long as the student satisfies the 1333
conditions specified in divisions (D) (2) and (3) of section 1334
3310.03 of the Revised Code. 1335

Once a scholarship is awarded under this section, the 1336
student shall remain eligible for that scholarship for the 1337
current school year and subsequent school years even if the 1338
student's family income rises above the amount specified in 1339
division (A) of this section, provided the student remains 1340
enrolled in a chartered nonpublic school, ~~however:~~ 1341

~~(1) If the student's family income is above two hundred~~ 1342
~~fifty per cent but at or below three hundred per cent of the~~ 1343
~~federal poverty guidelines, the student shall receive a~~ 1344
~~scholarship in the amount of seventy-five per cent of the full~~ 1345
~~scholarship amount.~~ 1346

~~(2) If the student's family income is above three hundred~~ 1347
~~per cent but at or below four hundred per cent of the federal~~ 1348
~~poverty guidelines, the student shall receive a scholarship in~~ 1349
~~the amount of fifty per cent of the full scholarship amount.~~ 1350

~~(3) If the student's family income is above four hundred~~ 1351
~~per cent of the federal poverty guidelines, the student is no~~ 1352
~~longer eligible to receive an educational choice scholarship.~~ 1353

Sec. 3310.70. (A) A student is an "eligible student" for 1354
purposes of this section if the student is at least six but no 1355
more than eighteen years old and the student's family income is 1356
at or below three hundred per cent of the federal poverty 1357
guidelines, as defined in section 5101.46 of the Revised Code. 1358

(B) (1) There is hereby established the afterschool child 1359
enrichment (ACE) educational savings account program. ~~Not later~~ 1360
~~than thirty days after the effective date of this section, the~~ 1361
The department of education shall adopt ~~emergency~~ rules under 1362
Chapter 119. of the Revised Code that prescribe procedures for 1363
the establishment of these accounts ~~for~~ in fiscal years 2022 and 1364
2023 upon the request of the parent or guardian of an eligible 1365
student enrolled in a public or nonpublic school or an eligible 1366
student who has been excused from the compulsory attendance law 1367
for the purpose of home instruction under section 3321.04 of the 1368
Revised Code. Accounts shall be established on a first-come, 1369
first-served basis according to the availability of funds 1370
appropriated for purposes of this section. 1371

Accounts shall be used in accordance with division (E) of 1372
this section. Any balance remaining in a student's account after 1373
fiscal year 2023 shall remain in that account for use as 1374
prescribed in division (D) (3) of this section. 1375

(2) ~~Not later than one hundred twenty days after the~~ 1376
~~effective date of this section, the~~ The department shall create 1377
an online form for parents and guardians to request the 1378
establishment of an account under this section. 1379

(C) (1) The department shall contract with a vendor for 1380
purposes of administering the provisions of this section and may 1381
contract with the treasurer of state for technical assistance. 1382
In selecting a vendor, the department shall give preference to 1383

those vendors who use a smart phone application that is free for 1384
parents or guardians to use, is capable of scanning receipts, 1385
allows users to provide program feedback, and includes customer 1386
service contact information for parents and guardians who 1387
experience technical issues with the application. For ~~fiscal-~~ 1388
~~year 2022 or fiscal year 2023~~each fiscal year in which the 1389
program operates, the department shall pay the vendor not more 1390
than three per cent of the amount appropriated for that fiscal 1391
year for purposes of this section. 1392

(2) The vendor selected by the department under division 1393
(C) (2) of this section shall do both of the following: 1394

(a) Monitor how accounts are used by parents or guardians 1395
and recoup moneys that are used for purposes that are not 1396
authorized by this section as determined by the vendor; 1397

(b) Provide the department with a comprehensive list of 1398
purchases made with accounts. 1399

(3) At no time shall the vendor authorize parents or 1400
guardians to use moneys for purposes that are not authorized by 1401
this section as determined by the vendor. If the vendor 1402
authorizes parents or guardians to use moneys for a specified 1403
purpose and later determines that purpose is not authorized by 1404
this section, the vendor may recoup that money. 1405

(D) (1) If a parent or guardian makes a request under 1406
division (B) of this section during fiscal year 2022, five 1407
hundred dollars shall be credited to the account established 1408
pursuant to the parent's or guardian's request within fourteen 1409
days of the parent's or guardian's request, and that amount 1410
shall be disbursed upon request to the parent or guardian not 1411
later than June 30, 2022, for use in accordance with division 1412

(E) of this section. Any amount remaining in an account at the 1413
end of fiscal year 2022 shall remain in that account for fiscal 1414
year 2023 for use in accordance with division (E) of this 1415
section. 1416

(2) If a parent or guardian makes a request under division 1417
(B) of this section during fiscal year 2023, five hundred 1418
dollars shall be credited to the account established pursuant to 1419
the parent's or guardian's request within fourteen days of the 1420
parent's or guardian's request, and that amount shall be 1421
disbursed upon request to the parent or guardian not later than 1422
June 30, 2023, for use in accordance with division (E) of this 1423
section. If a parent or guardian had an account established for 1424
fiscal year 2022, that amount shall be credited and distributed 1425
to that account for use in accordance with division (E) of this 1426
section. 1427

(3) Any amount remaining in an account established under 1428
division (B) of this section at the end of fiscal year 2023 1429
shall remain in that account for use in accordance with division 1430
(E) of this section in future fiscal years until either the full 1431
amount has been spent or the student graduates from high school. 1432
Any amount remaining in the account of a student who graduates 1433
from high school shall be returned to the department. 1434

(E) Subject to division (F) of this section, moneys 1435
credited to an education savings account established under 1436
division (B) of this section shall be used by an eligible 1437
student's parent or guardian for any of the following purposes, 1438
whether secular or nonsecular: 1439

(1) Before- or after-school educational programs; 1440

(2) Day camps, including camps for academics, music, and 1441

arts;	1442
(3) Tuition at learning extension centers;	1443
(4) Tuition for learning pods;	1444
(5) If the student has been excused from the compulsory attendance law for the purpose of home instruction under section 3321.04 of the Revised Code, purchase of curriculum and materials;	1445 1446 1447 1448
(6) Educational, learning, or study skills services;	1449
(7) Field trips to historical landmarks, museums, science centers, and theaters, including admission, exhibit, and program fees;	1450 1451 1452
(8) Language classes;	1453
(9) Instrument lessons;	1454
(10) Tutoring.	1455
(F) At no time shall moneys credited to an account established under division (B) of this section be used for the purchase of electronic devices.	1456 1457 1458
(G) The department shall make available to parents and guardians a list of the purposes for which moneys credited to an account established under division (B) of this section may be spent in accordance with division (E) of this section.	1459 1460 1461 1462
(H) Not later than December 31, 2023, the department shall prepare a report regarding the administration of this section, including feedback from a random sampling of parents and guardians who participate in the program for fiscal year 2022, fiscal year 2023, or both and submit the report to the general assembly in accordance with section 101.68 of the Revised Code.	1463 1464 1465 1466 1467 1468

Sec. 3313.976. (A) No private school may receive 1469
scholarship payments from parents pursuant to section 3317.022 1470
of the Revised Code until the chief administrator of the private 1471
school registers the school with the superintendent of public 1472
instruction. The state superintendent shall register any school 1473
that meets the following requirements: 1474

(1) The school ~~offers any of grades kindergarten through~~ 1475
~~twelve and either~~does any of the following: 1476

(a) ~~Is Offers any of grades kindergarten through twelve~~ 1477
and is located within the boundaries of the pilot project school 1478
district; 1479

(b) ~~Is Offers any of grades kindergarten through twelve~~ 1480
and is located within the boundaries of a city, local, or 1481
exempted village school district that is both: 1482

(i) Located in a municipal corporation with a population 1483
of fifteen thousand or more; 1484

(ii) Located within five miles of the border of the pilot 1485
project school district. 1486

(c) Offers all of grades pre-kindergarten through eight, 1487
but not any of grades nine through twelve, and is located within 1488
the boundaries of a city, local, or exempted village school 1489
district that is: 1490

(i) Located in a municipal corporation with a population 1491
of greater than ten thousand but less than thirteen thousand; 1492

(ii) Located within five miles of the border of the pilot 1493
project school district; 1494

(iii) Located in the same county as the pilot project 1495
school district. 1496

- (2) The school indicates in writing its commitment to 1497
follow all requirements for a state-sponsored scholarship 1498
program specified under sections 3313.974 to 3313.979 of the 1499
Revised Code, including, but not limited to, the requirements 1500
for admitting students pursuant to section 3313.977 of the 1501
Revised Code; 1502
- (3) The school meets all state minimum standards for 1503
chartered nonpublic schools in effect on July 1, 1992, except 1504
that the state superintendent at the superintendent's discretion 1505
may register nonchartered nonpublic schools meeting the other 1506
requirements of this division; 1507
- (4) The school does not discriminate on the basis of race, 1508
religion, or ethnic background; 1509
- (5) The school enrolls a minimum of ten students per class 1510
or a sum of at least twenty-five students in all the classes 1511
offered; 1512
- (6) The school does not advocate or foster unlawful 1513
behavior or teach hatred of any person or group on the basis of 1514
race, ethnicity, national origin, or religion; 1515
- (7) The school does not provide false or misleading 1516
information about the school to parents, students, or the 1517
general public; 1518
- (8) For students in grades kindergarten through eight with 1519
family incomes at or below two hundred per cent of the federal 1520
poverty guidelines, as defined in section 5104.46 of the Revised 1521
Code, the school agrees not to charge any tuition in excess of 1522
the scholarship amount established pursuant to division (A)(11) 1523
(a) of section 3317.022 of the Revised Code, excluding any 1524
increase described in that division. 1525

(9) For students in grades kindergarten through eight with family incomes above two hundred per cent of the federal poverty guidelines, whose scholarship amounts are less than the actual tuition charge of the school, the school agrees not to charge any tuition in excess of the difference between the actual tuition charge of the school and the scholarship amount established pursuant to division (A)(11)(a) of section 3317.022 of the Revised Code, excluding any increase described in that division. The school shall permit such tuition, at the discretion of the parent, to be satisfied by the family's provision of in-kind contributions or services.

(10) The school agrees not to charge any tuition to families of students in grades nine through twelve receiving a scholarship in excess of the actual tuition charge of the school less the scholarship amount established pursuant to division (A)(11)(a) of section 3317.022 of the Revised Code, excluding any increase described in that division.

(11) It annually administers the applicable assessments prescribed by section 3301.0710, 3301.0712, or 3313.619 of the Revised Code to each scholarship student enrolled in the school in accordance with section 3301.0711 or 3301.0712 of the Revised Code and reports to the department of education the results of each such assessment administered to each scholarship student, unless one of the following applies to the student:

(a) The student is excused from taking that assessment under federal law, the student's individualized education program, or division (C)(1)(c)(i) of section 3301.0711 of the Revised Code.

(b) The student is enrolled in a chartered nonpublic school that meets the conditions specified in division (K)(2) or

(L) (4) of section 3301.0711 of the Revised Code. 1556

(c) The student is enrolled in any of grades three to 1557
eight and takes an alternative standardized assessment under 1558
division (K) (1) of section 3301.0711 of the Revised Code. 1559

(d) The student is excused from taking the assessment 1560
prescribed under division (B) (1) of section 3301.0712 of the 1561
Revised Code pursuant to division (C) (1) (c) (ii) of section 1562
3301.0711 of the Revised Code. 1563

(B) The state superintendent shall revoke the registration 1564
of any school if, after a hearing, the superintendent determines 1565
that the school is in violation of any of the provisions of 1566
division (A) of this section. 1567

(C) Any public school located in a school district 1568
adjacent to the pilot project school district may receive 1569
scholarship payments on behalf of parents pursuant to section 1570
3317.022 of the Revised Code if the superintendent of the 1571
district in which such public school is located notifies the 1572
state superintendent prior to the first day of March that the 1573
district intends to admit students from the pilot project school 1574
district for the ensuing school year pursuant to section 3327.06 1575
of the Revised Code. 1576

(D) Any parent wishing to purchase tutorial assistance 1577
from any person or governmental entity pursuant to the pilot 1578
project program under sections 3313.974 to 3313.979 of the 1579
Revised Code shall apply to the state superintendent. The state 1580
superintendent shall approve providers who appear to possess the 1581
capability of furnishing the instructional services they are 1582
offering to provide. 1583

Sec. 3314.016. This section applies to any entity that 1584

sponsors a community school, regardless of whether section 1585
3314.021 or 3314.027 of the Revised Code exempts the entity from 1586
the requirement to be approved for sponsorship under divisions 1587
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 1588
office of Ohio school sponsorship established under section 1589
3314.029 of the Revised Code shall be rated under division (B) 1590
of this section, but divisions (A) and (C) of this section do 1591
not apply to the office. 1592

(A) An entity that sponsors a community school shall be 1593
permitted to enter into contracts under section 3314.03 of the 1594
Revised Code to sponsor additional community schools only if the 1595
entity meets all of the following criteria: 1596

(1) The entity is in compliance with all provisions of 1597
this chapter requiring sponsors of community schools to report 1598
data or information to the department of education. 1599

(2) The entity is not rated as "ineffective" under 1600
division (B) (6) of this section. 1601

(3) Except as set forth in sections 3314.021 and 3314.027 1602
of the Revised Code, the entity has received approval from and 1603
entered into an agreement with the department of education 1604
pursuant to section 3314.015 of the Revised Code. 1605

(B) (1) The department shall develop and implement an 1606
evaluation system that annually rates and assigns an overall 1607
rating to each entity that sponsors a community school. The 1608
department, not later than the first day of February of each 1609
year, shall post on the department's web site the framework for 1610
the evaluation system, including technical documentation that 1611
the department intends to use to rate sponsors for the next 1612
school year. The department shall solicit public comment on the 1613

evaluation system for thirty consecutive days. Not later than 1614
the first day of April of each year, the department shall 1615
compile and post on the department's web site all public 1616
comments that were received during the public comment period. 1617
The evaluation system shall be posted on the department's web 1618
site by the fifteenth day of July of each school year. Any 1619
changes to the evaluation system after that date shall take 1620
effect the following year. The evaluation system shall be based 1621
on the following components: 1622

(a) Academic performance of students enrolled in community 1623
schools sponsored by the same entity. The academic performance 1624
component shall be derived from the performance measures 1625
prescribed for the state report cards under section 3302.03 or 1626
3314.017 of the Revised Code, and shall be based on the 1627
performance of the schools for the school year for which the 1628
evaluation is conducted. In addition to the academic performance 1629
for a specific school year, the academic performance component 1630
shall also include year-to-year changes in the overall sponsor 1631
portfolio. For a community school for which no graded 1632
performance measures are applicable or available, the department 1633
shall use nonreport card performance measures specified in the 1634
contract between the community school and the sponsor under 1635
division (A) (4) of section 3314.03 of the Revised Code. 1636

(b) Adherence by a sponsor to the quality practices 1637
prescribed by the department under division (B) (3) of this 1638
section. For a sponsor that was rated "effective" or "exemplary" 1639
on its most recent rating, the department may evaluate that 1640
sponsor's adherence to quality practices once over a period of 1641
three years. If the department elects to evaluate a sponsor once 1642
over a period of three years, the most recent rating for a 1643
sponsor's adherence to quality practices shall be used when 1644

determining an annual overall rating conducted under this 1645
section. 1646

(c) Compliance with all applicable laws and administrative 1647
rules by an entity that sponsors a community school. 1648

Under the evaluation system prescribed under division (B) 1649
(1) of this section, the department shall not assign an overall 1650
rating of "ineffective" or lower to an entity that sponsors a 1651
community school solely because that entity received no points 1652
on one of the components prescribed under that division. 1653

(2) In calculating an academic performance component, the 1654
department shall exclude all community schools that have been in 1655
operation for not more than two full school years and all 1656
community schools described in division (A) (4) (b) of section 1657
3314.35 of the Revised Code. However, the academic performance 1658
of the community schools described in division (A) (4) (b) of 1659
section 3314.35 of the Revised Code shall be reported, but shall 1660
not be used as a factor when determining a sponsoring entity's 1661
rating under this section. 1662

(3) The department, in consultation with entities that 1663
sponsor community schools, shall prescribe quality practices for 1664
community school sponsors and develop an instrument to measure 1665
adherence to those quality practices. The quality practices 1666
shall be based on standards developed by the national 1667
association of charter school authorizers or any other 1668
nationally organized community school organization. 1669

(4) (a) The department may permit peer review of a 1670
sponsor's adherence to the quality practices prescribed under 1671
division (B) (3) of this section. Peer reviewers shall be limited 1672
to individuals employed by sponsors rated "effective" or 1673

"exemplary" on the most recent ratings conducted under this section. 1674
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(b) The department shall require individuals participating in peer review under division (B) (4) (a) of this section to complete training approved or established by the department. 1676
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(c) The department may enter into an agreement with another entity to provide training to individuals conducting peer review of sponsors. Prior to entering into an agreement with an entity, the department shall review and approve of the entity's training program. 1679
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(5) ~~Not later than July 1, 2013, the~~ The state board of education shall adopt rules in accordance with Chapter 119. of the Revised Code prescribing standards for measuring compliance with applicable laws and rules under division (B) (1) (c) of this section. 1684
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(6) The department annually shall rate all entities that sponsor community schools as either "exemplary," "effective," "ineffective," or "poor," based on the components prescribed by division (B) of this section, where each component is weighted equally. A separate rating shall be given by the department for each component of the evaluation system. 1689
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The department shall publish the ratings between the first day of October and the fifteenth day of November. 1695
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Prior to the publication of the final ratings, the department shall designate and provide notice of a period of at least ten business days during which each sponsor may review the information used by the department to determine the sponsor's rating on the components prescribed by division (B) (1) of this section. If the sponsor believes there is an error in the 1697
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department's evaluation, the sponsor may request adjustments to 1703
the rating of any of those components based on documentation 1704
previously submitted as part of an evaluation. The sponsor shall 1705
provide to the department any necessary evidence or information 1706
to support the requested adjustments. The department shall 1707
review the evidence and information, determine whether an 1708
adjustment is valid, and promptly notify the sponsor of its 1709
determination and reasons. If any adjustments to the data could 1710
result in a change to the rating on the applicable component or 1711
to the overall rating, the department shall recalculate the 1712
ratings prior to publication. 1713

The department shall provide training on an annual basis 1714
regarding the evaluation system prescribed under this section. 1715
The training shall, at a minimum, describe methodology, 1716
timelines, and data required for the evaluation system. The 1717
first training session shall occur not later than March 2, 2016. 1718
Beginning in 2018, the training shall be made available to each 1719
entity that sponsors a community school by the fifteenth day of 1720
July of each year and shall include guidance on any changes made 1721
to the evaluation system. 1722

(7) (a) Entities with an overall rating of "exemplary" for 1723
the two most recent years in which the entity was evaluated may 1724
take advantage of the following incentives: 1725

(i) Renewal of the written agreement with the department, 1726
not to exceed ten years, provided that the entity consents to 1727
continued evaluation of adherence to quality practices as 1728
described in division (B) (1) (b) of this section; 1729

(ii) The ability to extend the term of the contract 1730
between the sponsoring entity and the community school beyond 1731
the term described in the written agreement with the department; 1732

(iii) An exemption from the preliminary agreement and 1733
contract adoption and execution deadline requirements prescribed 1734
in division (D) of section 3314.02 of the Revised Code; 1735

(iv) An exemption from the automatic contract expiration 1736
requirement, should a new community school fail to open by the 1737
thirtieth day of September of the calendar year in which the 1738
community school contract is executed; 1739

(v) No limit on the number of community schools the entity 1740
may sponsor; 1741

(vi) No territorial restrictions on sponsorship. 1742

An entity may continue to sponsor any community schools 1743
with which it entered into agreements under division (B) (7) (a) 1744
(v) or (vi) of this section while rated "exemplary," 1745
notwithstanding the fact that the entity later receives a lower 1746
overall rating. 1747

(b) Entities with an overall rating of "exemplary" or 1748
"effective" for the three most recent years in which the entity 1749
was evaluated shall be evaluated by the department once every 1750
three years. 1751

(c) (i) Entities that receive an overall rating of 1752
"ineffective" shall be prohibited from sponsoring any new or 1753
additional community schools during the time in which the 1754
sponsor is rated as "ineffective" and shall be subject to a 1755
quality improvement plan based on correcting the deficiencies 1756
that led to the "ineffective" rating, with timelines and 1757
benchmarks that have been established by the department. 1758

(ii) Entities that receive an overall rating of 1759
"ineffective" on their three most recent ratings shall have all 1760
sponsorship authority revoked. Within thirty days after 1761

receiving its third rating of "ineffective," the entity may 1762
appeal the revocation of its sponsorship authority to the 1763
superintendent of public instruction, who shall appoint an 1764
independent hearing officer to conduct a hearing in accordance 1765
with Chapter 119. of the Revised Code. The hearing shall be 1766
conducted within thirty days after receipt of the notice of 1767
appeal. Within forty-five days after the hearing is completed, 1768
the state board of education shall determine whether the 1769
revocation is appropriate based on the hearing conducted by the 1770
independent hearing officer, and if determined appropriate, the 1771
revocation shall be confirmed. 1772

(d) Entities that receive an overall rating of "poor" 1773
shall have all sponsorship authority revoked. Within thirty days 1774
after receiving a rating of "poor," the entity may appeal the 1775
revocation of its sponsorship authority to the superintendent of 1776
public instruction, who shall appoint an independent hearing 1777
officer to conduct a hearing in accordance with Chapter 119. of 1778
the Revised Code. The hearing shall be conducted within thirty 1779
days after receipt of the notice of appeal. Within forty-five 1780
days after the hearing is completed, the state board of 1781
education shall determine whether the revocation is appropriate 1782
based on the hearing conducted by the independent hearing 1783
officer, and if determined appropriate, the revocation shall be 1784
confirmed. 1785

(8) For the 2014-2015 school year and each school year 1786
thereafter, student academic performance prescribed under 1787
division (B) (1) (a) of this section shall include student 1788
academic performance data from community schools that primarily 1789
serve students enrolled in a dropout prevention and recovery 1790
program. 1791

(C) If the governing authority of a community school 1792
enters into a contract with a sponsor prior to the date on which 1793
the sponsor is prohibited from sponsoring additional schools 1794
under division (A) of this section and the school has not opened 1795
for operation as of that date, that contract shall be void and 1796
the school shall not open until the governing authority secures 1797
a new sponsor by entering into a contract with the new sponsor 1798
under section 3314.03 of the Revised Code. However, the 1799
department's office of Ohio school sponsorship, established 1800
under section 3314.029 of the Revised Code, may assume the 1801
sponsorship of the school until the earlier of the expiration of 1802
two school years or until a new sponsor is secured by the 1803
school's governing authority. A community school sponsored by 1804
the department under this division shall not be included when 1805
calculating the maximum number of directly authorized community 1806
schools permitted under division (A) (3) of section 3314.029 of 1807
the Revised Code. 1808

(D) When an entity's authority to sponsor schools is 1809
revoked pursuant to division (B) (7) (c) or (d) of this section, 1810
the office of Ohio school sponsorship shall assume sponsorship 1811
of any schools with which the original sponsor has contracted 1812
for the remainder of that school year. The office may continue 1813
sponsoring those schools until the earlier of: 1814

(1) The expiration of two school years from the time that 1815
sponsorship is revoked; 1816

(2) When a new sponsor is secured by the governing 1817
authority pursuant to division (C) (1) of section 3314.02 of the 1818
Revised Code. 1819

Any community school sponsored under this division shall 1820
not be counted for purposes of directly authorized community 1821

schools under division (A) (3) of section 3314.029 of the Revised Code. 1822
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(E) The department shall recalculate the rating for the 2017-2018 school year for each sponsor of a community school that receives recalculated ratings pursuant to division (I) of section 3314.017 of the Revised Code. 1824
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Sec. 3314.021. (A) This section applies to any entity that is exempt from taxation under section 501(c) (3) of the Internal Revenue Code and that satisfies the conditions specified in divisions (C) (1) (f) (ii) and (iii) of section 3314.02 of the Revised Code but does not satisfy the condition specified in division (C) (1) (f) (i) of that section. 1828
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(B) Notwithstanding division (C) (1) (f) (i) of section 3314.02 of the Revised Code, and subject to division (D) (2) of this section, an entity described in division (A) of this section may do both of the following without obtaining the department of education's initial approval of its sponsorship under divisions (A) (2) and (B) (1) of section 3314.015 of the Revised Code: 1834
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(1) Succeed the board of trustees of a state university located in the pilot project area or that board's designee as the sponsor of a community school established under this chapter; 1841
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(2) Continue to sponsor that school in conformance with the terms of the contract between the board of trustees or its designee and the governing authority of the community school and renew that contract as provided in division (E) of section 3314.03 of the Revised Code. 1845
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(C) The entity that succeeds the board of trustees or the 1850

board's designee as sponsor of a community school under division 1851
(B) of this section also may enter into contracts to sponsor 1852
other community schools regardless of the proposed school's 1853
location, without obtaining the department's initial approval of 1854
its sponsorship of those schools under divisions (A) (2) and (B) 1855
(1) of section 3314.015 of the Revised Code as long as the 1856
contracts conform with and the entity complies with all other 1857
requirements of this chapter. 1858

(D) (1) Regardless of the entity's authority to sponsor 1859
community schools without the initial approval of the 1860
department, the entity is under the continuing oversight of the 1861
department in accordance with rules adopted under section 1862
3314.015 of the Revised Code. 1863

(2) If an entity described in division (A) of this section 1864
receives a rating below "effective" under division (B) of 1865
section 3314.016 of the Revised Code for two or more consecutive 1866
years, that entity shall receive approval from the department of 1867
education to sponsor community schools and enter into a written 1868
agreement with the department in accordance with division (B) (1) 1869
of section 3314.015 of the Revised Code prior to entering into 1870
any further preliminary agreements under division (C) (2) of 1871
section 3314.02 of the Revised Code or renewing any existing 1872
contract to sponsor a community school. 1873

(E) (1) As used in division (E) of this section: 1874

(a) "Board of trustees" means a board of trustees of a 1875
state university located in the pilot project area. 1876

(b) "Rating" means a sponsor rating under section 3314.016 1877
of the Revised Code. 1878

(2) Notwithstanding anything to the contrary in division 1879

(B) (7) (b) of section 3314.016 of the Revised Code, for the 1880
purposes of that division, the department shall consider an 1881
entity that succeeded a board of trustees as the sponsor of a 1882
community school in accordance with division (B)(1) of this 1883
section to have received the same rating for the 2016-2017 1884
school year as the board of trustees, provided all of the 1885
following apply: 1886

(a) The department assigned the board of trustees a rating 1887
of either "effective" or "exemplary" for the 2016-2017 school 1888
year. 1889

(b) The department did not assign the entity its own 1890
rating for the 2016-2017 school year. 1891

(c) The department assigned the entity its own rating for 1892
the 2017-2018 school year. 1893

Sec. 3314.074. Divisions (A) and (B) of this section apply 1894
only to the extent permitted under Chapter 1702. of the Revised 1895
Code. 1896

(A) If any community school established under this chapter 1897
permanently closes and ceases its operation as a community 1898
school, the assets of that school shall be distributed first to 1899
the retirement funds of employees of the school, employees of 1900
the school, and private creditors who are owed compensation, and 1901
then any remaining funds shall be paid to the department of 1902
education for redistribution to the school districts in which 1903
the students who were enrolled in the school at the time it 1904
ceased operation were entitled to attend school under section 1905
3313.64 or 3313.65 of the Revised Code. The amount distributed 1906
to each school district shall be proportional to the district's 1907
share of the total enrollment in the community school. For any 1908

community school that closes after fiscal year 2021, any 1909
remaining funds shall be paid to the department of education and 1910
deposited into the state general revenue fund. 1911

(B) If a community school closes and ceases to operate as 1912
a community school and the school has received computer hardware 1913
or software from the former Ohio SchoolNet commission or the 1914
former eTech Ohio commission, such hardware or software shall be 1915
turned over to the department of education, which shall 1916
redistribute the hardware and software, to the extent such 1917
redistribution is possible, to school districts in conformance 1918
with the provisions of the programs as they were operated and 1919
administered by the former eTech Ohio commission. 1920

(C) If the assets of the school are insufficient to pay 1921
all persons or entities to whom compensation is owed, the 1922
prioritization of the distribution of the assets to individual 1923
persons or entities within each class of payees may be 1924
determined by decree of a court in accordance with this section 1925
and Chapter 1702. of the Revised Code. 1926

(D) A community school that engages in a merger or 1927
consolidation pursuant to division (B) of section 1702.41 of the 1928
Revised Code and becomes a single public benefit corporation 1929
shall not be required to distribute assets pursuant to divisions 1930
(A), (B), and (C) of this section, provided that the governing 1931
authority of the community school created by the merger or 1932
consolidation enters into a contract for sponsorship under 1933
section 3314.03 of the Revised Code with an entity rated 1934
"effective" or higher by the department of education pursuant to 1935
section 3314.016 of the Revised Code. 1936

Sec. 3317.011. This section shall apply only for fiscal 1937
years 2022 and 2023. 1938

- (A) As used in this section: 1939
- (1) "Average administrative assistant salary" means the 1940
average salary of administrative assistants employed by city, 1941
local, and exempted village school districts in this state with 1942
salaries greater than \$20,000 but less than \$65,000 ~~for the most~~ 1943
~~recent fiscal year for which data is available, using fiscal~~ 1944
~~year 2018 data,~~ as determined by the department of education. 1945
- (2) "Average bookkeeping and accounting employee salary" 1946
means the average salary of bookkeeping employees and accounting 1947
employees employed by city, local, and exempted village school 1948
districts in this state with salaries greater than \$20,000 but 1949
less than \$80,000 ~~for the most recent fiscal year for which data~~ 1950
~~is available, using fiscal year 2018 data,~~ as determined by the 1951
department. 1952
- (3) "Average clerical staff salary" means the average 1953
salary of clerical staff employed by city, local, and exempted 1954
village school districts in this state with salaries greater 1955
than \$15,000 but less than \$50,000 ~~for the most recent fiscal~~ 1956
~~year for which data is available, using fiscal year 2018 data,~~ 1957
as determined by the department. 1958
- (4) "Average counselor salary" means the average salary of 1959
counselors employed by city, local, and exempted village school 1960
districts in this state with salaries greater than \$30,000 but 1961
less than \$95,000 ~~for the most recent fiscal year for which data~~ 1962
~~is available, using fiscal year 2018 data,~~ as determined by the 1963
department. 1964
- (5) "Average education management information system 1965
support employee salary" means the average salary of accounting 1966
employees employed by city, local, and exempted village school 1967

districts in this state with salaries greater than \$30,000 but 1968
less than \$90,000 ~~for the most recent fiscal year for which data~~ 1969
~~is available, using fiscal year 2018 data,~~ as determined by the 1970
department. 1971

(6) "Average librarian and media staff salary" means the 1972
average salary of librarians and media staff employed by city, 1973
local, and exempted village school districts in this state with 1974
salaries greater than \$30,000 but less than \$95,000 ~~for the most~~ 1975
~~recent fiscal year for which data is available, using fiscal~~ 1976
~~year 2018 data,~~ as determined by the department. 1977

(7) "Average other district administrator salary" means 1978
the average salary of all assistant superintendents and 1979
directors employed by city, local, and exempted village school 1980
districts in this state with salaries greater than \$50,000 but 1981
less than \$135,000 ~~for the most recent fiscal year for which~~ 1982
~~data is available, using fiscal year 2018 data,~~ as determined by 1983
the department. 1984

(8) "Average principal salary" means the average salary of 1985
all principals employed by city, local, and exempted village 1986
school districts in this state with salaries greater than 1987
\$50,000 but less than \$120,000 ~~for the most recent fiscal year~~ 1988
~~for which data is available, using fiscal year 2018 data,~~ as 1989
determined by the department. 1990

(9) "Average superintendent salary" means the average 1991
salary of all superintendents employed by city, local, and 1992
exempted village school districts in this state with salaries 1993
greater than \$60,000 but less than \$180,000 ~~for the most recent~~ 1994
~~fiscal year for which data is available, using fiscal year 2018~~ 1995
~~data,~~ as determined by the department. 1996

(10) "Average teacher cost" for a fiscal year is equal to the sum of the following:	1997 1998
(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, using fiscal <u>year 2018 data</u> , as determined by the department;	1999 2000 2001 2002 2003
(b) An amount for teacher benefits equal to 0.16 times the average salary calculated under division (A) (10) (a) of this section;	2004 2005 2006
(c) An amount for district-paid insurance costs equal to the following product:	2007 2008
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 using fiscal <u>year 2018 data</u> X 12	2009 2010 2011 2012 2013 2014 2015
(11) "Eligible school district" means a city, local, or exempted village school district that satisfies one of the following:	2016 2017 2018
(a) The district is a member of an organization that regulates interscholastic athletics.	2019 2020
(b) The district has teams in at least three different sports that participate in an interscholastic league.	2021 2022
(B) When calculating a district's aggregate base cost under this section, the department shall use data from fiscal	2023 2024

year 2018 for all of the following:	2025
(1) The average salaries determined under divisions (A)	2026
(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of this	2027
section;	2028
(2) The amount for teacher benefits determined under	2029
division (A) (10) (b) of this section;	2030
(3) The district-paid insurance costs determined under	2031
division (A) (10) (c) of this section;	2032
(4) The spending determined under divisions (E) (4) (a), (E)	2033
(5) (a), (E) (6) (a), and (H) (1) of this section and the	2034
corresponding student counts determined under divisions (E) (4)	2035
(b), (E) (5) (b), (E) (6) (b), and (H) (2) of this section;	2036
(5) The information determined under division (G) (3) of	2037
this section.	2038
(C) A city, local, or exempted village school district's	2039
aggregate base cost for a fiscal year shall be equal to the	2040
following sum:	2041
(The district's teacher base cost for that fiscal year computed	2042
under division (D) of this section) + (the district's student	2043
support base cost for that fiscal year computed under division	2044
(E) of this section) + (the district's leadership and	2045
accountability base cost for that fiscal year computed under	2046
division (F) of this section) + (the district's building	2047
leadership and operations base cost for that fiscal year	2048
computed under division (G) of this section) + (the athletic co-	2049
curricular activities base cost for that fiscal year computed	2050
under division (H) of this section, if the district is an	2051
eligible school district)	2052

(D) The department of education shall compute a district's teacher base cost for a fiscal year as follows: 2053
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(1) Calculate the district's classroom teacher cost for that fiscal year as follows: 2055
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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; 2057
2058
2059

(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 one through three and divide that number by 23; 2060
2061
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2063

(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; 2064
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(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; 2070
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(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; 2076
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(f) Compute the sum of the quotients obtained under 2082
divisions (D) (1) (a), (b), (c), (d), and (e) of this section; 2083

(g) Compute the classroom teacher cost by multiplying the 2084
average teacher cost for that fiscal year by the sum computed 2085
under division (D) (1) (f) of this section. 2086

(2) Calculate the district's special teacher cost for that 2087
fiscal year as follows: 2088

(a) Divide the district's base cost enrolled ADM for that 2089
fiscal year by 150; 2090

(b) If the quotient obtained under division (D) (2) (a) of 2091
this section is greater than 6, the special teacher cost shall 2092
be equal to that quotient multiplied by the average teacher cost 2093
for that fiscal year. 2094

(c) If the quotient obtained under division (D) (2) (a) of 2095
this section is less than or equal to 6, the special teacher 2096
cost shall be equal to 6 multiplied by the average teacher cost 2097
for that fiscal year. 2098

(3) Calculate the district's substitute teacher cost for 2099
that fiscal year in accordance with the following formula: 2100

(a) Compute the substitute teacher daily rate with 2101
benefits by multiplying the substitute teacher daily rate of \$90 2102
by 1.16; 2103

(b) Compute the substitute teacher cost in accordance with 2104
the following formula: 2105

[The sum computed under division (D) (1) (f) of this section + 2106
(the greater of the quotient obtained under division (D) (2) (a) 2107
of this section and 6)] X the amount computed under division (D) 2108
(3) (a) of this section X 5 2109

(4) Calculate the district's professional development cost	2110
for that fiscal year in accordance with the following formula:	2111
[The sum computed under division (D) (1) (f) of this section +	2112
(the greater of the quotient obtained under division (D) (2) (a)	2113
of this section and 6)] X [(the sum of divisions (A) (10) (a) and	2114
(b) of this section for that fiscal year)/180] X 4	2115
(5) Calculate the district's teacher base cost for that	2116
fiscal year, which equals the sum of divisions (D) (1), (2), (3),	2117
and (4) of this section.	2118
(E) The department shall compute a district's student	2119
support base cost for a fiscal year as follows:	2120
(1) Calculate the district's guidance counselor cost for	2121
that fiscal year as follows:	2122
(a) Determine the number of students in the district's	2123
base cost enrolled ADM for that fiscal year that are enrolled in	2124
grades nine through twelve and divide that number by 360;	2125
(b) Compute the counselor cost in accordance with the	2126
following formula:	2127
(The greater of the quotient obtained under division (E) (1) (a)	2128
of this section and 1) X [(the average counselor salary for that	2129
fiscal year X 1.16) + the amount specified under division (A)	2130
(10) (c) of this section for that fiscal year]	2131
(2) Calculate the district's librarian and media staff	2132
cost for that fiscal year as follows:	2133
(a) Divide the district's base cost enrolled ADM for that	2134
fiscal year by 1,000;	2135
(b) Compute the librarian and media staff cost in	2136

accordance with the following formula: 2137

The quotient obtained under division (E) (2) (a) of this section X 2138
[(the average librarian and media staff salary for that fiscal 2139
year X 1.16) + the amount specified under division (A) (10) (c) of 2140
this section for that fiscal year] 2141

(3) Calculate the district's staffing cost for student 2142
wellness and success for that fiscal year as follows: 2143

(a) Divide the district's base cost enrolled ADM for that 2144
fiscal year by 250; 2145

(b) Compute the staffing cost for student wellness and 2146
success in accordance with the following formula: 2147

(The greater of the quotient obtained under division (E) (3) (a) 2148
of this section and 5) X [(the average counselor salary for that 2149
fiscal year X 1.16) + the amount specified under division (A) 2150
(10) (c) of this section for that fiscal year] 2151

(4) Calculate the district's academic co-curricular 2152
activities cost for that fiscal year as follows: 2153

(a) Determine the total amount of spending for academic 2154
co-curricular activities reported by city, local, and exempted 2155
village school districts to the department ~~for the most recent~~ 2156
~~fiscal year for which data is available~~ using fiscal year 2018 2157
data; 2158

(b) Determine the sum of the enrolled ADM of every school 2159
district in the state ~~for the most recent~~ using fiscal year ~~for~~ 2160
~~which the~~ 2018 data as specified under division (E) (4) (a) of 2161
this section ~~is available~~; 2162

(c) Compute the academic co-curricular activities cost in 2163
accordance with the following formula: 2164

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

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

(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~~using fiscal year 2018 data;

(b) Determine the sum of the enrolled ADM of every school district in the state that reported the data specified under division (E) (5) (a) of this section ~~for the most recent fiscal year for which the data is available~~using fiscal year 2018 data;

(c) Compute the building safety and security cost in accordance with the following formula:

(The amount determined under division (E) (5) (a) of this section / the sum determined under division (E) (5) (a) 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

(6) Calculate the district's supplies and academic content cost for that fiscal year as follows:

(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~~using fiscal year 2018 data;

(b) Determine the sum of the enrolled ADM of every school district in the state ~~for the most recent fiscal year for which the~~ using fiscal year 2018 data as specified under division (E) (6) (a) of this section ~~is available~~;

(c) Compute the supplies and academic content cost in accordance with the following formula:

(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 supplies and academic content cost is computed

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

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

(8) 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), and (7) of this section.

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

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

(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].

(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 2222
equal to 500, the district's superintendent cost shall be equal 2223
to the sum of the following: 2224

(i) (The district's base cost enrolled ADM for that fiscal 2225
year - 500) X $\{[(\$160,000 \times 1.16) - (\$80,000 \times 1.16)]/3500\};$ 2226

(ii) $(\$80,000 \times 1.16)$ + the amount specified under 2227
division (A) (10) (c) of this section for that fiscal year. 2228

(c) If the district's base cost enrolled ADM is less than 2229
500, then the district's superintendent cost shall be equal to 2230
 $[(\$80,000 \times 1.16) +$ the amount specified under division (A) (10) 2231
(c) of this section for that fiscal year]. 2232

(2) Calculate the district's treasurer cost for that 2233
fiscal year as follows: 2234

(a) If the district's base cost enrolled ADM for that 2235
fiscal year is greater than 4,000, then the district's treasurer 2236
cost shall be equal to $[(\$130,000 \times 1.16) +$ the amount specified 2237
under division (A) (10) (c) of this section for that fiscal year]. 2238

(b) If the district's base cost enrolled ADM for that 2239
fiscal year is less than or equal to 4,000 but greater than or 2240
equal to 500, the district's treasurer cost shall be equal to 2241
the sum of the following: 2242

(i) (The district's base cost enrolled ADM for that fiscal 2243
year - 500) X $\{[(\$130,000 \times 1.16) - (\$60,000 \times 1.16)]/3500\};$ 2244

(ii) $(\$60,000 \times 1.16)$ + the amount specified under 2245
division (A) (10) (c) of this section for that fiscal year. 2246

(c) If the district's base cost enrolled ADM is less than 2247
500, then the district's treasurer cost shall be equal to 2248
 $[(\$60,000 \times 1.16) +$ the amount specified under division (A) (10) 2249

(c) of this section for that fiscal year].	2250
(3) Calculate the district's other district administrator cost for that fiscal year as follows:	2251 2252
(a) Divide the average other district administrator salary for that fiscal year by the average superintendent salary for that fiscal year;	2253 2254 2255
(b) Divide the district's base cost enrolled ADM for that fiscal year by 750;	2256 2257
(c) Compute the other district administrator cost in accordance with the following formula:	2258 2259
{[(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 fiscal year) X the quotient obtained under division (F) (3) (a) of this section] + the amount specified under division (A) (10) (c) of this section} X (the greater of the quotient obtained under division (F) (3) (b) of this section and 2)	2260 2261 2262 2263 2264 2265 2266
(4) Calculate the district's fiscal support cost for that fiscal year as follows:	2267 2268
(a) Divide the district's base cost enrolled ADM for that fiscal year by 850;	2269 2270
(b) Determine the lesser of the following:	2271
(i) The maximum of the quotient obtained under division (F) (4) (a) of this section and 2;	2272 2273
(ii) 35.	2274
(c) Compute the fiscal support cost in accordance with the following formula:	2275 2276

The number obtained under division (F) (4) (b) of this section X	2277
[(the average bookkeeping and accounting employee salary for	2278
that fiscal year X 1.16) + the amount specified under division	2279
(A) (10) (c) of this section for that fiscal year]	2280
(5) Calculate the district's education management	2281
information system support cost for that fiscal year as follows:	2282
(a) Divide the district's base cost enrolled ADM for that	2283
fiscal year by 5,000;	2284
(b) Compute the education management information system	2285
support cost in accordance with the following formula:	2286
(The greater of the quotient obtained under division (F) (5) (a)	2287
of this section and 1) X [(the average education management	2288
information system support employee salary for that fiscal year	2289
X 1.16) + the amount specified under division (A) (10) (c) of this	2290
section for that fiscal year]	2291
(6) Calculate the district's leadership support cost for	2292
that fiscal year as follows:	2293
(a) Determine the greater of the quotient obtained under	2294
division (F) (3) (b) of this section and 2, and add 1 to that	2295
number;	2296
(b) Divide the number obtained under division (F) (6) (a) of	2297
this section by 3;	2298
(c) Compute the leadership support cost in accordance with	2299
the following formula:	2300
(The greater of the quotient obtained under division (F) (6) (b)	2301
of this section and 1) X [(the average administrative assistant	2302
salary for that fiscal year X 1.16) + the amount specified under	2303
division (A) (10) (c) of this section for that fiscal year]	2304

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

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

(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.

(G) The department shall compute a district's building leadership and operations base cost for a fiscal year as follows:

(1) Calculate the district's building leadership cost for that fiscal year as follows:

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

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

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

{[(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 fiscal year) X the quotient obtained under division (G) (1) (a) of this section] + the amount specified under division (A) (10) (c) of this section for that fiscal year} X the quotient obtained under division (G) (1) (b) of this section

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

(a) Divide the district's base cost enrolled ADM for that fiscal year by 400;	2333 2334
(b) Determine the number of school buildings in the district for that fiscal year;	2335 2336
(c) Compute the building leadership support cost in accordance with the following formula:	2337 2338
(i) If the quotient obtained under division (G) (2) (a) of this section is less than the number obtained under division (G) (2) (b) of this section, then the district's building leadership support cost shall be equal to {the number obtained under division (G) (2) (b) of this section for that fiscal year X [(the average clerical staff salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year]}.	2339 2340 2341 2342 2343 2344 2345 2346
(ii) If the quotient obtained under division (G) (2) (a) of this section is greater than or equal to the number obtained under division (G) (2) (b) of this section, then the district's building leadership support cost shall be equal to {[the lesser of (the number obtained under division (G) (2) (b) of this section X 3) and the quotient obtained under division (G) (2) (a) of this section] X [(the average clerical staff salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year]}.	2347 2348 2349 2350 2351 2352 2353 2354 2355
(3) Calculate the district's building operations cost for that fiscal year as follows:	2356 2357
(a) Using data for the six most recent fiscal years for which data is available, determine both of the following:	2358 2359
(i) The six-year average of the average building square feet per pupil for all city, local, and exempted village school	2360 2361

district buildings in the state;	2362
(ii) The six-year average cost per square foot for all	2363
city, local, and exempted village school district buildings in	2364
the state.	2365
(b) Compute the building operations cost in accordance	2366
with the following formula:	2367
The district's base cost enrolled ADM for that fiscal year	2368
X [(the number determined under division (G) (3) (a) (i) of this	2369
section X the number determined under division (G) (3) (a) (ii) of	2370
this section) - (the amount determined under division (E) (6) (a)	2371
<u>(E) (5) (a)</u> of this section for that fiscal year/ the sum	2372
determined under division (E) (6) (b) <u>(E) (5) (b)</u> of this section	2373
for that fiscal year)]	2374
(4) Calculate the district's building leadership and	2375
operations base cost for that fiscal year, which equals the sum	2376
of divisions (G) (1), (2), and (3) of this section.	2377
(H) If a district is an eligible school district, the	2378
department shall compute the district's athletic co-curricular	2379
activities base cost for a fiscal year as follows:	2380
(1) Determine the total amount of spending for athletic	2381
co-curricular activities reported by city, local, and exempted	2382
village school districts to the department for that fiscal year;	2383
(2) Determine the sum of the enrolled ADM of every school	2384
district in the state for that fiscal year;	2385
(3) Compute the district's athletic co-curricular	2386
activities base cost in accordance with the following formula:	2387
(The amount determined under division (H) (1) of this section /	2388
the sum determined under division (H) (2) of this section) X the	2389

district's base cost enrolled ADM for the fiscal year for which 2390
the funds for athletic co-curricular activities are computed 2391

Sec. 3317.014. (A) The multiples for the following 2392
categories of career-technical education programs approved by 2393
the department of education under section 3317.161 of the 2394
Revised Code shall be as follows: 2395

(1) A multiple of 0.6230 for students enrolled in career- 2396
technical education workforce development programs in 2397
agricultural and environmental systems, construction 2398
technologies, engineering and science technologies, finance, 2399
health science, information technology, and manufacturing 2400
technologies, each of which shall be defined by the department 2401
in consultation with the governor's office of workforce 2402
transformation; 2403

(2) A multiple of 0.5905 for students enrolled in 2404
workforce development programs in business and administration, 2405
hospitality and tourism, human services, law and public safety, 2406
transportation systems, and arts and communications, each of 2407
which shall be defined by the department in consultation with 2408
the governor's office of workforce transformation; 2409

(3) A multiple of 0.2154 for students enrolled in career- 2410
based intervention programs, which shall be defined by the 2411
department in consultation with the governor's office of 2412
workforce transformation; 2413

(4) A multiple of 0.1830 for students enrolled in 2414
workforce development programs in education and training, 2415
marketing, workforce development academics, public 2416
administration, and career development, each of which shall be 2417
defined by the department of education in consultation with the 2418

governor's office of workforce transformation;	2419
(5) A multiple of 0.1570 for students enrolled in family	2420
and consumer science programs, which shall be defined by the	2421
department of education in consultation with the governor's	2422
office of workforce transformation.	2423
(B) The multiple for career-technical education associated	2424
services, as defined by the department, shall be 0.0294.	2425
(C) The department of education shall calculate career-	2426
technical education funds for each funding unit that is a city,	2427
local, exempted village, or joint vocational school district or	2428
the community and STEM school unit as follows:	2429
(1) For fiscal years 2022 and 2023, the sum of the	2430
following:	2431
(a) The funding unit's category one career-technical	2432
education ADM X the multiple specified in division (A) (1) of	2433
this section X the statewide average career-technical base cost	2434
per pupil for that fiscal year X if the funding unit is a city,	2435
local, exempted village, or joint vocational school district,	2436
the district's state share percentage;	2437
(b) The funding unit's category two career-technical	2438
education ADM X the multiple specified in division (A) (2) of	2439
this section X the statewide average career-technical base cost	2440
per pupil for that fiscal year X if the funding unit is a city,	2441
local, exempted village, or joint vocational school district,	2442
the district's state share percentage;	2443
(c) The funding unit's category three career-technical	2444
education ADM X the multiple specified in division (A) (3) of	2445
this section X the statewide average career-technical base cost	2446
per pupil for that fiscal year X if the funding unit is a city,	2447

local, exempted village, or joint vocational school district,	2448
the district's state share percentage;	2449
(d) The funding unit's category four career-technical	2450
education ADM X the multiple specified in division (A) (4) of	2451
this section X the statewide average career-technical base cost	2452
per pupil for that fiscal year X if the funding unit is a city,	2453
local, exempted village, or joint vocational school district,	2454
the district's state share percentage;	2455
(e) The funding unit's category five career-technical	2456
education ADM X the multiple specified in division (A) (5) of	2457
this section X the statewide average career-technical base cost	2458
per pupil for that fiscal year X if the funding unit is a city,	2459
local, exempted village, or joint vocational school district,	2460
the district's state share percentage.	2461
(2) For fiscal year 2024 and each fiscal year thereafter,	2462
the sum of the following:	2463
(a) An amount calculated in a manner determined by the	2464
general assembly times the funding unit's category one career-	2465
technical education ADM;	2466
(b) An amount calculated in a manner determined by the	2467
general assembly times the funding unit's category two career-	2468
technical education ADM;	2469
(c) An amount calculated in a manner determined by the	2470
general assembly times the funding unit's category three career-	2471
technical education ADM;	2472
(d) An amount calculated in a manner determined by the	2473
general assembly times the funding unit's category four career-	2474
technical education ADM;	2475

(e) An amount calculated in a manner determined by the 2476
general assembly times the funding unit's category five career- 2477
technical education ADM. 2478

(3) Payment of funds calculated under division (C) of this 2479
section is subject to approval under section 3317.161 of the 2480
Revised Code. 2481

(D) Subject to division (I) of section 3317.023 of the 2482
Revised Code, the department shall calculate career-technical 2483
associated services funds for each funding unit that is a city, 2484
local, exempted village, or joint vocational school district or 2485
the community and STEM school unit as follows: 2486

(1) For fiscal years 2022 and 2023, the following product: 2487

(If the funding unit is a city, local, exempted village, or 2488
joint vocational school district, the funding unit's state share 2489
percentage) X the multiple for career-technical education 2490
associated services specified under division (B) of this section 2491
X the statewide average career-technical base cost per pupil for 2492
that fiscal year X the sum of the funding unit's categories one 2493
through five career-technical education ADM 2494

(2) For fiscal year 2024 and each fiscal year thereafter, 2495
an amount calculated in a manner determined by the general 2496
assembly times the funding unit's categories one through five 2497
career-technical education ADM. 2498

(E) (1) In accordance with division (I) of section 3317.023 2499
of the Revised Code, the department shall compute career 2500
awareness and exploration funds for each city, local, exempted 2501
village, and joint vocational school district, community school 2502
established under Chapter 3314. of the Revised Code, and STEM 2503
school established under Chapter 3326. of the Revised Code that 2504

is part of a career technical planning district. The department 2505
shall pay the lead district in each career technical planning 2506
district as follows: 2507

(a) For fiscal years 2022 and 2023, an amount equal to the 2508
following product: 2509

The sum of enrolled ADM for all districts and schools within the 2510
career technical planning district X \$2.50, for fiscal year 2511
2022, or \$5, for fiscal year 2023 2512

(b) For fiscal year 2024 and each fiscal year thereafter, 2513
an amount calculated in a manner determined by the general 2514
assembly, if the general assembly authorizes such a payment to 2515
city, local, exempted village, and joint vocational school 2516
districts, community schools, and STEM schools. 2517

(2) The lead district of a career technical planning 2518
district shall use career awareness and exploration funds in 2519
accordance with division (H) of this section. 2520

(F)(1) In any fiscal year, a school district receiving 2521
funds calculated under division (C) of this section shall spend 2522
those funds only for the purposes that the department designates 2523
as approved for career-technical education expenses. Career- 2524
technical education expenses approved by the department shall 2525
include only expenses connected to the delivery of career- 2526
technical programming to career-technical students. The 2527
department shall require the school district to report data 2528
annually so that the department may monitor the district's 2529
compliance with the requirements regarding the manner in which 2530
funding calculated under division (C) of this section may be 2531
spent. 2532

(2) All funds received under division (C) of this section 2533

shall be spent in the following manner: 2534

(a) At least seventy-five per cent of the funds shall be 2535
spent on curriculum development, purchase, and implementation; 2536
instructional resources and supplies; industry-based program 2537
certification; student assessment, credentialing, and placement; 2538
curriculum specific equipment purchases and leases; career- 2539
technical student organization fees and expenses; home and 2540
agency linkages; work-based learning experiences; professional 2541
development; and other costs directly associated with career- 2542
technical education programs including development of new 2543
programs. 2544

(b) Not more than twenty-five per cent of the funds shall 2545
be used for personnel expenditures. 2546

(G) In any fiscal year, a school district receiving funds 2547
calculated under division (D) of this section, or through a 2548
transfer of funds pursuant to division (I) of section 3317.023 2549
of the Revised Code, shall spend those funds only for the 2550
purposes that the department designates as approved for career- 2551
technical education associated services expenses, which may 2552
include such purposes as apprenticeship coordinators, 2553
coordinators for other career-technical education services, 2554
career-technical evaluation, and other purposes designated by 2555
the department. The department may deny payment of funds 2556
calculated under division (D) of this section to any district 2557
that the department determines is not operating those services 2558
or is using funds calculated under division (D) of this section, 2559
or through a transfer of funds pursuant to division (I) of 2560
section 3317.023 of the Revised Code, for other purposes. 2561

(H) In any fiscal year, a lead district of a career- 2562
technical planning district receiving funds under division (E) 2563

of this section, shall utilize those funds to deliver relevant 2564
career awareness and exploration programs to all students within 2565
its career technical planning district in a manner that is 2566
consistent with the career-technical planning district's plan 2567
that is on file with the department of education. The lead 2568
district that receives funds under this division shall spend 2569
those funds only for the following purposes: 2570

(1) Delivery of career awareness programs to students 2571
enrolled in grades kindergarten through twelve; 2572

(2) Provision of a common, consistent curriculum to 2573
students throughout their primary and secondary education; 2574

(3) Assistance to teachers in providing a career 2575
development curriculum to students; 2576

(4) Development of a career development plan for each 2577
student that stays with that student for the duration of the 2578
student's primary and secondary education; 2579

(5) Provision of opportunities for students to engage in 2580
activities, such as career fairs, hands-on experiences, and job 2581
shadowing, across all career pathways at each grade level. 2582

The department may deny payment under this division to any 2583
district or school that the department determines is using funds 2584
paid under this division for other purposes. 2585

Sec. 3317.016. The multiples for English learners shall be 2586
as follows: 2587

(A) A multiple of 0.2104 for each student who has been 2588
identified as an English learner following the state's 2589
standardized identification process enrolled in schools in the 2590
United States for 180 school days or less ~~and was not previously~~ 2591

~~exempted from taking the spring administration of either of the~~ 2592
~~state's English language arts assessments prescribed by section~~ 2593
~~3301.0710 of the Revised Code (reading or writing).~~ 2594

(B) A multiple of 0.1577 for each student who, for fiscal 2595
years 2022 and 2023 has been identified as an English learner 2596
following the state's standardized identification process and 2597
enrolled in schools in the United States for more than 180 2598
school days until the student achieves a proficient score on the 2599
spring administration of ~~either of the state's English language~~ 2600
~~arts proficiency assessments prescribed by division (C) (3) (b) of~~ 2601
~~section 3301.0710-3301.0711 of the Revised Code (reading or~~ 2602
~~writing) that falls within the levels of achievement specified~~ 2603
~~in divisions (A) (2) (a) to (c) of that section or who, for fiscal~~ 2604
year 2024 and each fiscal year thereafter, satisfies criteria 2605
specified by the general assembly for purposes of this division. 2606

(C) A multiple of 0.1053 for each student who, for fiscal 2607
years 2022 and 2023, achieves a score of proficient on the 2608
spring administration of ~~either of the state's English language~~ 2609
~~arts proficiency assessments prescribed by division (C) (3) (b) of~~ 2610
~~section 3301.0710-3301.0711 of the Revised Code (reading or~~ 2611
~~writing) that falls within the levels of achievement specified~~ 2612
~~in divisions (A) (2) (a) to (c) of that section,~~ for the two 2613
school years following the school year in which the student 2614
achieved that level of achievement or who, for fiscal year 2024 2615
and each fiscal year thereafter, satisfies criteria specified by 2616
the general assembly for purposes of this division. 2617

Sec. 3317.017. This section shall apply only for fiscal 2618
years 2022 and 2023. 2619

(A) The department of education shall compute a city, 2620
local, or exempted village school district's per-pupil local 2621

capacity amount for a fiscal year as follows:	2622
(1) Calculate the district's valuation per pupil for that fiscal year as follows:	2623
(a) Determine the minimum of the district's three-year average valuation for the fiscal year for which the calculation is made and the district's taxable value for the most recent tax year for which data is available;	2624
(b) Divide the amount determined under division (A) (1) (a) of this section by the district's base cost enrolled ADM for the fiscal year for which the calculation is made.	2625
(2) Calculate the district's local share federal adjusted gross income per pupil for that fiscal year as follows:	2626
(a) Determine the minimum of the following:	2627
(i) The average of the total federal adjusted gross income of the district's residents for the three most recent tax years for which data is available, as certified under section 3317.021 of the Revised Code;	2628
(ii) The total federal adjusted gross income of the district's residents for the most recent tax year for which data is available, as certified under section 3317.021 of the Revised Code.	2629
(b) Divide the amount determined under division (A) (2) (a) of this section by the district's base cost enrolled ADM for the fiscal year for which the calculation is made.	2630
(3) Calculate the district's adjusted local share federal adjusted gross income per pupil for that fiscal year as follows:	2631
(a) Determine both of the following:	2632

(i) The median federal adjusted gross income of the district's residents for the most recent tax year for which data is available, as certified under section 3317.021 of the Revised Code;	2649 2650 2651 2652
(ii) The number of state tax returns filed by taxpayers residing in the district for the most recent tax year for which data is available, as certified under section 3317.021 of the Revised Code.	2653 2654 2655 2656
(b) Compute the product of divisions (A) (3) (a) (i) and (ii) of this section;	2657 2658
(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.	2659 2660 2661
(4) Calculate the district's per-pupil local capacity percentage as follows:	2662 2663
(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;	2664 2665 2666
(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;	2667 2668 2669 2670 2671
(c) Rank all school districts in order of the ratios calculated under division (A) (4) (b) of this section, from the district with the highest ratio calculated under division (A) (4) (b) of this section to the district with the lowest ratio calculated under division (A) (4) (b) of this section;	2672 2673 2674 2675 2676

(d) Determine the district's per-pupil local capacity percentage as follows:

(i) If the ratio calculated for the district under division (A) (4) (b) of this section is greater than or equal to the ratio calculated under division (A) (4) (b) of this section for the district with the fortieth highest ratio as determined under division (A) (4) (c) of this section, the district's per-pupil local capacity percentage shall be equal to 0.025.

(ii) If the ratio calculated for the district under division (A) (4) (b) of this section is less than the ratio calculated under division (A) (4) (b) of this section for the district with the fortieth highest ratio as determined under division (A) (4) (c) of this section but greater than 1.0, the district's per-pupil local capacity percentage shall be equal to an amount calculated as follows:

$$\{[(\text{The ratio calculated for the district under division (A) (4) (b) of this section} - 1) \times 0.0025] / (\text{the ratio calculated under division (A) (4) (b) of this section for the district with the fortieth highest ratio as determined under division (A) (4) (c) of this section} - 1)\} + 0.0225$$

(iii) If the ratio calculated for the district under division (A) (4) (b) of this section is less than or equal to 1.0, the district's per-pupil local capacity percentage shall be equal to the amount calculated under division (A) (4) (b) of this section times 0.0225.

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

(The district's valuation per pupil calculated under division (A) (1) of this section for that fiscal year X the district's

per-pupil local capacity percentage calculated under division 2706
(A) (4) of this section X 0.60) + (the district's local share 2707
adjusted federal gross income per pupil calculated under 2708
division (A) (2) of this section for that fiscal year X the 2709
district's per-pupil local capacity percentage calculated under 2710
division (A) (4) of this section X 0.20) + (the district's 2711
adjusted local share federal adjusted gross income per pupil 2712
calculated under division (A) (3) of this section for that fiscal 2713
year X the district's per-pupil local capacity percentage 2714
calculated under division (A) (4) of this section X 0.20) 2715

(B) The department shall compute a city, local, or 2716
exempted village school district's state share for a fiscal year 2717
as follows: 2718

(1) If the district's per-pupil local capacity amount for 2719
that fiscal year divided by the district's base cost per pupil 2720
for that fiscal year is greater than 0.95, then the district's 2721
state share shall be equal to (the district's base cost per 2722
pupil for that fiscal year X 0.05 X the district's enrolled ADM 2723
for that fiscal year). 2724

(2) If the district's per-pupil local capacity amount for 2725
that fiscal year divided by the district's base cost per pupil 2726
for that fiscal year is less than or equal to 0.95, then the 2727
district's state share for that fiscal year shall be equal to 2728
[(the district's base cost per pupil for that fiscal year - the 2729
district's per-pupil local capacity amount for that fiscal year) 2730
X the district's enrolled ADM for that fiscal year]. 2731

(C) The department shall compute a city, local, or 2732
exempted village school district's state share percentage for a 2733
fiscal year as follows: 2734

~~The district's state share calculated under division (B) of this~~ 2735
~~section for that fiscal year/ the aggregate base cost calculated~~ 2736
~~for the district for that fiscal year under section 3317.011 of~~ 2737
~~the Revised Code (the district's base cost per pupil amount for~~ 2738
~~that fiscal year - the district's per pupil local capacity~~ 2739
~~amount for that fiscal year)/(the district's base cost per pupil~~ 2740
~~amount for that fiscal year).~~ 2741

If the result is less than 0.05, the state share percentage 2742
shall be 0.05. 2743

Sec. 3317.019. (A) (1) Subject to division ~~(D)~~ (C) of this 2744
section, for fiscal years 2022 and 2023, the department of 2745
education shall pay temporary transitional aid to each city, 2746
local, and exempted village school district according to the 2747
following formula: 2748

(The district's funding base, as that term is defined in section 2749
3317.02 of the Revised Code) - (the district's payment under 2750
section 3317.022 of the Revised Code - the district's payment 2751
for supplemental targeted assistance under section 3317.0218 of 2752
the Revised Code for the fiscal year for which ~~the~~ each payment 2753
is computed) 2754

If the computation made under division (A) (1) of this 2755
section results in a negative number, the district's funding 2756
under division (A) (1) of this section shall be zero. 2757

(2) For fiscal years 2022 and 2023, the department shall 2758
pay temporary transitional transportation aid to that district 2759
according to the following formula: 2760

(The amount calculated for the district for fiscal year 2020 2761
under division (A) (2) of Section 265.220 of H.B. 166 of the 2762
133rd general assembly, prior to any funding reductions 2763

authorized by Executive Order 2020-19D, "Implementing Additional 2764
Spending Controls to Balance the State Budget" issued on May 7, 2765
2020) - (the district's payment for fiscal year 2019 under 2766
division (D) (2) of section 3314.091 of the Revised Code as that 2767
division existed prior to ~~the effective date of this amendment~~ 2768
September 30, 2021) - (the district's payment under section 2769
3317.0212 of the Revised Code for the fiscal year for which the 2770
payment is computed) 2771

If the computation made under division (A) (2) of this 2772
section results in a negative number, the district's funding 2773
under division (A) (2) of this section shall be zero. 2774

(B) If a local school district participates in the 2775
establishment of a joint vocational school district that begins 2776
receiving payments under section 3317.16 of the Revised Code for 2777
fiscal year 2022 or fiscal year 2023, but does not receive 2778
payments for the fiscal year immediately preceding that fiscal 2779
year, the department shall adjust, as necessary, the district's 2780
funding base, as that term is defined in section 3317.02 of the 2781
Revised Code, according to the amounts received by the district 2782
in the immediately preceding fiscal year for career-technical 2783
education students who attend the newly established joint 2784
vocational school district. 2785

(C) (1) For purposes of division (C) of this section, a 2786
district's "decrease threshold" for a fiscal year is the greater 2787
of the following: 2788

(a) Twenty; 2789

(b) Ten per cent of the number of the district's students 2790
counted under division (A) (1) (b) of section 3317.03 of the 2791
Revised Code for the previous fiscal year. 2792

(2) For fiscal years 2022 and 2023, if a district has fewer students counted under division (A) (1) (b) of section 3317.03 of the Revised Code for that fiscal year than for the previous fiscal year and the positive difference between those two student counts is greater than or equal to the district's decrease threshold for that fiscal year, the amount paid to the district under division (A) of this section shall be reduced by the following amount:

The statewide average base cost per pupil X [(the positive difference between the number of the district's students counted under division (A) (1) (b) of section 3317.03 of the Revised Code for that fiscal year and the number of the district's students counted under that division for the previous fiscal year) - the district's decrease threshold for that fiscal year]

At no time, however, shall the amount paid to a district under division (A) of this section be less than zero.

Sec. 3317.0110. This section shall apply only for fiscal years 2022 and 2023.

(A) As used in this section:

(1) "Average teacher cost" for a fiscal year has the same meaning as in section 3317.011 of the Revised Code.

(2) "Eligible community or STEM school" means a community or STEM school that satisfies one of the following:

(a) The school is a member of an organization that regulates interscholastic athletics.

(b) The school has teams in at least three different sports that participate in an interscholastic league.

(B) When calculating a community or STEM school's

aggregate base cost under this section, the department shall use 2821
data from fiscal year 2018 for the average teacher cost. 2822

(C) A community or STEM school's aggregate base cost for a 2823
fiscal year shall be equal to the following sum: 2824

(The school's teacher base cost for that fiscal year computed 2825
under division (D) of this section) + (the school's student 2826
support base cost for that fiscal year computed under division 2827
(E) of this section) + (the school's leadership and 2828
accountability base cost for that fiscal year computed under 2829
division (F) of this section) + (the school's building 2830
leadership and operations base cost for that fiscal year 2831
computed under division (G) of this section) + (the school's 2832
athletic co-curricular activities base cost for that fiscal year 2833
computed under division (H) of this section, if the school is an 2834
eligible community or STEM school) 2835

(D) The department of education shall compute a community 2836
or STEM school's teacher base cost for a fiscal year as follows: 2837

(1) Calculate the school's classroom teacher cost for that 2838
fiscal year as follows: 2839

(a) Determine the full-time equivalency of students 2840
enrolled in the school for that fiscal year that are enrolled in 2841
kindergarten and divide that number by 20; 2842

(b) Determine the full-time equivalency of students 2843
enrolled in the school for that fiscal year that are enrolled in 2844
grades one through three and divide that number by 23; 2845

(c) Determine the full-time equivalency of students 2846
enrolled in the school for that fiscal year that are enrolled in 2847
grades four through eight but are not enrolled in a career- 2848
technical education program or class described under section 2849

3317.014 of the Revised Code and divide that number by 25;	2850
(d) Determine the full-time equivalency of students	2851
enrolled in the school for that fiscal year that are enrolled in	2852
grades nine through twelve but are not enrolled in a career-	2853
technical education program or class described under section	2854
3317.014 of the Revised Code and divide that number by 27;	2855
(e) Determine the full-time equivalency of students	2856
enrolled in the school for that fiscal year that are enrolled in	2857
a career-technical education program or class, as reported under	2858
division (B) (2) (d) <u>(B) (4)</u> of section 3314.08 of the Revised	2859
Code, and divide that number by 18;	2860
(f) Compute the sum of the quotients obtained under	2861
divisions (D) (1) (a), (b), (c), (d), and (e) of this section;	2862
(g) Compute the classroom teacher cost by multiplying the	2863
average teacher cost for that fiscal year by the sum computed	2864
under division (D) (1) (f) of this section.	2865
(2) Calculate the school's special teacher cost for that	2866
fiscal year as follows:	2867
(a) Divide the number of students enrolled in the school	2868
for that fiscal year by 150;	2869
(b) Compute the special teacher cost by multiplying the	2870
quotient obtained under division (D) (2) (a) of this section by	2871
the average teacher cost for that fiscal year.	2872
(3) Calculate the school's substitute teacher cost for	2873
that fiscal year in accordance with the following formula:	2874
(a) Compute the substitute teacher daily rate with	2875
benefits by multiplying the substitute teacher daily rate of \$90	2876
by 1.16;	2877

(b) Compute the substitute teacher cost in accordance with	2878
the following formula:	2879
(The sum computed under division (D) (1) (f) of this section + the	2880
quotient obtained under division (D) (2) (a) of this section) X	2881
the amount computed under division (D) (3) (a) of this section X 5	2882
(4) Calculate the school's professional development cost	2883
for that fiscal year in accordance with the following formula:	2884
(The sum computed under division (D) (1) (f) of this section + the	2885
quotient obtained under division (D) (2) (a) of this section) X	2886
[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of	2887
the Revised Code for that fiscal year)/180] X 4	2888
(5) Calculate the school's teacher base cost for that	2889
fiscal year, which equals the sum of divisions (D) (1), (2), (3),	2890
and (4) of this section.	2891
(E) The department shall compute a community or STEM	2892
school's student support base cost for a fiscal year as follows:	2893
The number of students enrolled in the school for that fiscal	2894
year X [(the sum of the student support base cost calculated for	2895
all city, local, and exempted village school districts in the	2896
state for that fiscal year under division (E) of section	2897
3317.011 of the Revised Code) / the sum of the base cost	2898
enrolled ADMs of all of the city, local, and exempted village	2899
school districts in the state for that fiscal year]	2900
(F) The department shall compute a community or STEM	2901
school's leadership and accountability base cost for a fiscal	2902
year as follows:	2903
The number of students enrolled in the school for that fiscal	2904
year X (the sum of the leadership and accountability base cost	2905

calculated for all city, local, and exempted village school districts in the state for that fiscal year under division (F) of section 3317.011 of the Revised Code / 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)

(G) The department shall compute a community or STEM school's building leadership and operations base cost for a fiscal year as follows:

The number of students enrolled in the school for that fiscal year X (the sum of the building leadership and accountability base cost calculated for all city, local, and exempted village school districts in the state for that fiscal year under division (G) of section 3317.011 of the Revised Code / 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)

(H) If a community or STEM school is an eligible community or STEM school, the department shall compute the school's athletic co-curricular activities base cost for a fiscal year as follows:

~~The number of students enrolled in the school for that fiscal year X (the sum of the athletic co-curricular activities base cost calculated for all city, local, and exempted village school districts in the state for that fiscal year under division (H) of section 3317.011 of the Revised Code / 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)~~ (the amount determined under division (H) (1) of section 3317.011 of the Revised Code / the sum determined under division (H) (2) of section 3317.011 of the Revised Code)

Sec. 3317.02. As used in this chapter:	2936
(A) "Alternative school" has the same meaning as in section 3313.974 of the Revised Code.	2937 2938
(B) "Autism scholarship unit" means a unit that consists of all of the students for whom autism scholarships are awarded under section 3310.41 of the Revised Code.	2939 2940 2941
(C) For fiscal years 2022 and 2023, a district's "base cost enrolled ADM" for a fiscal year means the greater of the following:	2942 2943 2944
(1) The district's enrolled ADM for the previous fiscal year;	2945 2946
(2) The average of the district's enrolled ADM for the previous three fiscal years.	2947 2948
(D) (1) "Base cost per pupil" means the following for a city, local, or exempted village school district:	2949 2950
(a) For fiscal years 2022 and 2023, 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;	2951 2952 2953 2954
(b) For fiscal year 2024 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.	2955 2956 2957
(2) "Base cost per pupil" means the following for a joint vocational school district:	2958 2959
(a) For fiscal years 2022 and 2023, 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	2960 2961 2962

base cost enrolled ADM for that fiscal year; 2963

(b) For fiscal year 2024 and each fiscal year thereafter, 2964
an amount calculated in a manner determined by the general 2965
assembly. 2966

(E) (1) "Category one career-technical education ADM" means 2967
the enrollment of students during the school year on a full-time 2968
equivalency basis in career-technical education programs 2969
described in division (A) (1) of section 3317.014 of the Revised 2970
Code and, in the case of a funding unit that is a city, local, 2971
exempted village, or joint vocational school district, certified 2972
under division (B) (11) or (D) (2) (h) of section 3317.03 of the 2973
Revised Code or, in the case of the community and STEM school 2974
unit, reported by all community and STEM schools statewide under 2975
divisions (B) (4) and (5) of section 3314.08 of the Revised Code 2976
and division (D) of section 3326.32 of the Revised Code. 2977

(2) "Category two career-technical education ADM" means 2978
the enrollment of students during the school year on a full-time 2979
equivalency basis in career-technical education programs 2980
described in division (A) (2) of section 3317.014 of the Revised 2981
Code and, in the case of a funding unit that is a city, local, 2982
exempted village, or joint vocational school district, certified 2983
under division (B) (12) or (D) (2) (i) of section 3317.03 of the 2984
Revised Code or, in the case of the community and STEM school 2985
unit, reported by all community and STEM schools statewide under 2986
divisions (B) (4) and (5) of section 3314.08 of the Revised Code 2987
and division (D) of section 3326.32 of the Revised Code. 2988

(3) "Category three career-technical education ADM" means 2989
the enrollment of students during the school year on a full-time 2990
equivalency basis in career-technical education programs 2991
described in division (A) (3) of section 3317.014 of the Revised 2992

Code and, in the case of a funding unit that is a city, local, 2993
exempted village, or joint vocational school district, certified 2994
under division (B) (13) or (D) (2) (j) of section 3317.03 of the 2995
Revised Code or, in the case of the community and STEM school 2996
unit, reported by all community and STEM schools statewide under 2997
divisions (B) (4) and (5) of section 3314.08 of the Revised Code 2998
and division (D) of section 3326.32 of the Revised Code. 2999

(4) "Category four career-technical education ADM" means 3000
the enrollment of students during the school year on a full-time 3001
equivalency basis in career-technical education programs 3002
described in division (A) (4) of section 3317.014 of the Revised 3003
Code and, in the case of a funding unit that is a city, local, 3004
exempted village, or joint vocational school district, certified 3005
under division (B) (14) or (D) (2) (k) of section 3317.03 of the 3006
Revised Code or, in the case of the community and STEM school 3007
unit, reported by all community and STEM schools statewide under 3008
divisions (B) (4) and (5) of section 3314.08 of the Revised Code 3009
and division (D) of section 3326.32 of the Revised Code. 3010

(5) "Category five career-technical education ADM" means 3011
the enrollment of students during the school year on a full-time 3012
equivalency basis in career-technical education programs 3013
described in division (A) (5) of section 3317.014 of the Revised 3014
Code and, in the case of a funding unit that is a city, local, 3015
exempted village, or joint vocational school district, certified 3016
under division (B) (15) or (D) (2) (l) of section 3317.03 of the 3017
Revised Code or, in the case of the community and STEM school 3018
unit, reported by all community and STEM schools statewide under 3019
divisions (B) (4) and (5) of section 3314.08 of the Revised Code 3020
and division (D) of section 3326.32 of the Revised Code. 3021

(F) (1) "Category one English learner ADM" means the full- 3022

time equivalent number of English learners described in division 3023
(A) of section 3317.016 of the Revised Code and, in the case of 3024
a funding unit that is a city, local, exempted village, or joint 3025
vocational school district, certified under division (B) (16) or 3026
(D) (2) (m) of section 3317.03 of the Revised Code or, in the case 3027
of the community and STEM school unit, reported by all community 3028
and STEM schools statewide under division (B) (6) of section 3029
3314.08 of the Revised Code and division (E) of section 3326.32 3030
of the Revised Code. 3031

(2) "Category two English learner ADM" means the full-time 3032
equivalent number of English learners described in division (B) 3033
of section 3317.016 of the Revised Code and, in the case of a 3034
funding unit that is a city, local, exempted village, or joint 3035
vocational school district, certified under division (B) (17) or 3036
(D) (2) (n) of section 3317.03 of the Revised Code or, in the case 3037
of the community and STEM school unit, reported by all community 3038
and STEM schools statewide under division (B) (6) of section 3039
3314.08 of the Revised Code and division (E) of section 3326.32 3040
of the Revised Code. 3041

(3) "Category three English learner ADM" means the full- 3042
time equivalent number of English learners described in division 3043
(C) of section 3317.016 of the Revised Code and, in the case of 3044
a funding unit that is a city, local, exempted village, or joint 3045
vocational school district, certified under division (B) (18) or 3046
(D) (2) (o) of section 3317.03 of the Revised Code or, in the case 3047
of the community and STEM school unit, reported by all community 3048
and STEM schools statewide under division (B) (6) of section 3049
3314.08 of the Revised Code and division (E) of section 3326.32 3050
of the Revised Code. 3051

(G) (1) "Category one special education ADM" means the 3052

full-time equivalent number of children with disabilities 3053
receiving special education services for the disability 3054
specified in division (A) of section 3317.013 of the Revised 3055
Code and, in the case of a funding unit that is a city, local, 3056
exempted village, or joint vocational school district, certified 3057
under division (B) (5) or (D) (2) (b) of section 3317.03 of the 3058
Revised Code or, in the case of the community and STEM school 3059
unit, reported by all community and STEM schools statewide under 3060
division (B) (3) of section 3314.08 of the Revised Code and 3061
division (C) of section 3326.32 of the Revised Code. 3062

(2) "Category two special education ADM" means the full- 3063
time equivalent number of children with disabilities receiving 3064
special education services for those disabilities specified in 3065
division (B) of section 3317.013 of the Revised Code and, in the 3066
case of a funding unit that is a city, local, exempted village, 3067
or joint vocational school district, certified under division 3068
(B) (6) or (D) (2) (c) of section 3317.03 of the Revised Code or, 3069
in the case of the community and STEM school unit, reported by 3070
all community and STEM schools statewide under division (B) (3) 3071
of section 3314.08 of the Revised Code and division (C) of 3072
section 3326.32 of the Revised Code. 3073

(3) "Category three special education ADM" means the full- 3074
time equivalent number of students receiving special education 3075
services for those disabilities specified in division (C) of 3076
section 3317.013 of the Revised Code, and, in the case of a 3077
funding unit that is a city, local, exempted village, or joint 3078
vocational school district, certified under division (B) (7) or 3079
(D) (2) (d) of section 3317.03 of the Revised Code or, in the case 3080
of the community and STEM school unit, reported by all community 3081
and STEM schools statewide under division (B) (3) of section 3082
3314.08 of the Revised Code and division (C) of section 3326.32 3083

of the Revised Code. 3084

(4) "Category four special education ADM" means the full- 3085
time equivalent number of students receiving special education 3086
services for those disabilities specified in division (D) of 3087
section 3317.013 of the Revised Code and, in the case of a 3088
funding unit that is a city, local, exempted village, or joint 3089
vocational school district, certified under division (B) (8) or 3090
(D) (2) (e) of section 3317.03 of the Revised Code or, in the case 3091
of the community and STEM school unit, reported by all community 3092
and STEM schools statewide under division (B) (3) of section 3093
3314.08 of the Revised Code and division (C) of section 3326.32 3094
of the Revised Code. 3095

(5) "Category five special education ADM" means the full- 3096
time equivalent number of students receiving special education 3097
services for the disabilities specified in division (E) of 3098
section 3317.013 of the Revised Code and, in the case of a 3099
funding unit that is a city, local, exempted village, or joint 3100
vocational school district, certified under division (B) (9) or 3101
(D) (2) (f) of section 3317.03 of the Revised Code or, in the case 3102
of the community and STEM school unit, reported by all community 3103
and STEM schools statewide under division (B) (3) of section 3104
3314.08 of the Revised Code and division (C) of section 3326.32 3105
of the Revised Code. 3106

(6) "Category six special education ADM" means the full- 3107
time equivalent number of students receiving special education 3108
services for the disabilities specified in division (F) of 3109
section 3317.013 of the Revised Code and, in the case of a 3110
funding unit that is a city, local, exempted village, or joint 3111
vocational school district certified under division (B) (10) or 3112
(D) (2) (g) of section 3317.03 of the Revised Code or, in the case 3113

of the community and STEM school unit, reported by all community 3114
and STEM schools statewide under division (B) (3) of section 3115
3314.08 of the Revised Code and division (C) of section 3326.32 3116
of the Revised Code. 3117

(H) "Community and STEM school unit" means a unit that 3118
consists of all of the students enrolled in community schools 3119
established under Chapter 3314. of the Revised Code and science, 3120
technology, engineering, and mathematics schools established 3121
under Chapter 3326. of the Revised Code. 3122

(I) (1) "Economically disadvantaged index for a school 3123
district" means the following: 3124

(a) For fiscal years 2022 and 2023, the square of the 3125
quotient of that district's percentage of students in its 3126
enrolled ADM who are identified as economically disadvantaged as 3127
defined by the department of education, divided by the 3128
percentage of students in the statewide ADM identified as 3129
economically disadvantaged. For purposes of this calculation: 3130

(i) For a city, local, or exempted village school 3131
district, the "statewide ADM" equals the sum of the following: 3132

(I) The enrolled ADM for all city, local, and exempted 3133
village school districts combined; 3134

(II) The statewide enrollment of students in community 3135
schools established under Chapter 3314. of the Revised Code; 3136

(III) The statewide enrollment of students in science, 3137
technology, engineering, and mathematics schools established 3138
under Chapter 3326. of the Revised Code. 3139

(ii) For a joint vocational school district, the 3140
"statewide ADM" equals the sum of the enrolled ADM for all joint 3141

vocational school districts combined. 3142

(b) For fiscal year 2024 and each fiscal year thereafter, 3143
an index calculated in a manner determined by the general 3144
assembly. 3145

(2) "Economically disadvantaged index for a community or 3146
STEM school" means the following: 3147

(a) For fiscal years 2022 and 2023, the square of the 3148
quotient of the percentage of students enrolled in the school 3149
who are identified as economically disadvantaged as defined by 3150
the department of education, divided by the percentage of 3151
students in the statewide ADM identified as economically 3152
disadvantaged. For purposes of this calculation, the "statewide 3153
ADM" equals the "statewide ADM" for city, local, and exempted 3154
village school districts described in division (I)(1)(a)(i) of 3155
this section. 3156

(b) For fiscal year 2024 and each fiscal year thereafter, 3157
an index calculated in a manner determined by the general 3158
assembly. 3159

(J) "Educational choice scholarship unit" means a unit 3160
that consists of all of the students for whom educational choice 3161
scholarships are awarded under sections 3310.03 and 3310.032 of 3162
the Revised Code. 3163

(K) "Enrolled ADM" means the following: 3164

(1) For a city, local, or exempted village school 3165
district, the enrollment reported under division (A) of section 3166
3317.03 of the Revised Code, as verified by the superintendent 3167
of public instruction and adjusted if so ordered under division 3168
(K) of that section, and as further adjusted by the department 3169
of education, as follows: 3170

(a) Add the students described in division (A) (1) (b) of section 3317.03 of the Revised Code;	3171 3172
(b) Subtract the students counted under divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of section 3317.03 of the Revised Code;	3173 3174 3175
(c) Count only twenty per cent of the number of joint vocational school district students counted under division (A) (3) of section 3317.03 of the Revised Code;	3176 3177 3178
(d) Add twenty per cent of the number of students who are entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code and are enrolled in another school district under a career-technical education compact;	3179 3180 3181 3182
<u>(e) Add twenty per cent of the number of students described in division (A) (1) (b) of section 3317.03 of the Revised Code who enroll in a joint vocational school district or under a career-technical education compact.</u>	3183 3184 3185 3186
(2) For a joint vocational school district, the final number verified by the superintendent of public instruction, based on the enrollment reported and certified under division (D) of section 3317.03 of the Revised Code, as adjusted, if so ordered, under division (K) of that section, and as further adjusted by the department of education by adding the students described in division (D) (1) (b) of section 3317.03 of the Revised Code;	3187 3188 3189 3190 3191 3192 3193 3194
(3) For the community and STEM school unit, the sum of the number of students reported as enrolled in community schools under divisions (B) (1) and (2) of section 3314.08 of the Revised Code and the number of students reported as enrolled in STEM schools under division (A) of section 3326.32 of the Revised	3195 3196 3197 3198 3199

Code;	3200
(4) For the educational choice scholarship unit, the	3201
number of students for whom educational choice scholarships are	3202
awarded under sections 3310.03 and 3310.032 of the Revised Code	3203
as reported under division (A) (2) (g) of section 3317.03 of the	3204
Revised Code;	3205
(5) For the pilot project scholarship unit, the number of	3206
students for whom pilot project scholarships are awarded under	3207
sections 3313.974 to 3313.979 of the Revised Code as reported	3208
under division (A) (2) (b) of section 3317.03 of the Revised Code;	3209
(6) For the autism scholarship unit, the number of	3210
students for whom autism scholarships are awarded under section	3211
3310.41 of the Revised Code as reported under division (A) (2) (h)	3212
of section 3317.03 of the Revised Code;	3213
(7) For the Jon Peterson special needs scholarship unit,	3214
the number of students for whom Jon Peterson special needs	3215
scholarships are awarded under sections 3310.51 to 3310.64 of	3216
the Revised Code as reported under division (A) (2) (h) of section	3217
3317.03 of the Revised Code.	3218
(L) (1) "Formula ADM" means, for a city, local, or exempted	3219
village school district, the enrollment reported under division	3220
(A) of section 3317.03 of the Revised Code, as verified by the	3221
superintendent of public instruction and adjusted if so ordered	3222
under division (K) of that section, and as further adjusted by	3223
the department of education, as follows:	3224
(a) Count only twenty per cent of the number of joint	3225
vocational school district students counted under division (A)	3226
(3) of section 3317.03 of the Revised Code;	3227
(b) Add twenty per cent of the number of students who are	3228

entitled to attend school in the district under section 3313.64 3229
or 3313.65 of the Revised Code and are enrolled in another 3230
school district under a career-technical education compact. 3231

(2) "Formula ADM" means, for a joint vocational school 3232
district, the final number verified by the superintendent of 3233
public instruction, based on the enrollment reported and 3234
certified under division (D) of section 3317.03 of the Revised 3235
Code, as adjusted, if so ordered, under division (K) of that 3236
section. 3237

(M) "FTE basis" means a count of students based on full- 3238
time equivalency, in accordance with rules adopted by the 3239
department of education pursuant to section 3317.03 of the 3240
Revised Code. In adopting its rules under this division, the 3241
department shall provide for counting any student in category 3242
one, two, three, four, five, or six special education ADM or in 3243
category one, two, three, four, or five career-technical 3244
education ADM in the same proportion the student is counted in 3245
enrolled ADM and formula ADM. 3246

(N) For fiscal years 2022 and 2023, "funding base" means, 3247
for a city, local, or exempted village school district, the sum 3248
of the following as calculated by the department: 3249

(1) The district's "general funding base," which equals 3250
the amount calculated as follows: 3251

(a) Compute the sum of the following: 3252

(i) The amount calculated for the district for fiscal year 3253
2020 under division (A) (1) of Section 265.220 of H.B. 166 of the 3254
133rd general assembly after any adjustments required under 3255
Section 265.227 of H.B. 166 of the 133rd general assembly and 3256
prior to any funding reductions authorized by Executive Order 3257

2020-19D, "Implementing Additional Spending Controls to Balance the State Budget" issued on May 7, 2020;	3258 3259
(ii) The <u>Either of the following:</u>	3260
<u>(I) For fiscal year 2022, the district's payments for</u>	3261
fiscal year 2020 under divisions (C) (1), (2), (3), and (4) of	3262
section 3313.981 of the Revised Code as those divisions existed	3263
prior to the effective date of this amendment <u>September 30,</u>	3264
<u>2021;</u>	3265
<u>(II) For fiscal year 2023, the district's payments for</u>	3266
<u>fiscal year 2020 under divisions (C) (1), (3), and (4) of section</u>	3267
<u>3313.981 of the Revised Code as those divisions existed prior to</u>	3268
<u>September 30, 2021.</u>	3269
(b) Subtract from the amount calculated in division (J) (1)	3270
<u>(N) (1) (a)</u> of this section the sum of the following:	3271
(i) The following difference:	3272
(The amount paid to the district under division (A) (5) of	3273
section 3317.022 of the Revised Code, as that division existed	3274
prior to the effective date of this amendment <u>September 30,</u>	3275
<u>2021,</u> for fiscal year 2019) - (the amounts deducted from the	3276
district and paid to a community school under division (C) (1) (e)	3277
of section 3314.08 of the Revised Code or a science, technology,	3278
engineering, and mathematics school under division (E) of	3279
section 3326.33 of the Revised Code as those divisions existed	3280
prior to the effective date of this amendment <u>September 30,</u>	3281
<u>2021,</u> for fiscal year 2020 in accordance with division (A) of	3282
Section 265.235 of H.B. 166 of the 133rd general assembly)	3283
(ii) The payments deducted from the district and paid to a	3284
community school for fiscal year 2020 under divisions (C) (1) (a),	3285
(b), (c), (d), (e), (f), and (g) of section 3314.08 of the	3286

Revised Code as those divisions existed prior to ~~the effective~~ 3287
~~date of this amendment~~ September 30, 2021, in accordance with 3288
division (A) of Section 265.230 of H.B. 166 of the 133rd general 3289
assembly; 3290

(iii) The payments deducted from the district and paid to 3291
a science, technology, engineering, and mathematics school for 3292
fiscal year 2020 under divisions (A), (B), (C), (D), (E), (F), 3293
and (G) of section 3326.33 of the Revised Code as those 3294
divisions existed prior to ~~the effective date of this amendment~~ 3295
September 30, 2021, in accordance with division (A) of Section 3296
265.235 of H.B. 166 of the 133rd general assembly; 3297

(iv) The payments deducted from the district under 3298
division (C) of section 3310.08 of the Revised Code as that 3299
division existed prior to ~~the effective date of this amendment~~ 3300
September 30, 2021, division (C)(2) of section 3310.41 of the 3301
Revised Code as that division existed prior to ~~the effective~~ 3302
~~date of this amendment~~ September 30, 2021, and former section 3303
3310.55 of the Revised Code for fiscal year 2020 and, in the 3304
case of a pilot project school district as defined in section 3305
3313.975 of the Revised Code, the funds deducted from the 3306
district under Section 265.210 of H.B. 166 of the 133rd general 3307
assembly to operate the pilot project scholarship program for 3308
fiscal year 2020 under sections 3313.974 to 3313.979 of the 3309
Revised Code; 3310

(v) ~~The~~ Either of the following: 3311

(I) For fiscal year 2022, the payments subtracted from the 3312
district for fiscal year 2020 under divisions (B)(1), (2), and 3313
(3) of section 3313.981 of the Revised Code as those divisions 3314
existed prior to ~~the effective date of this amendment~~ September 3315
30, 2021; 3316

(II) For fiscal year 2023, the payments subtracted from 3317
the district for fiscal year 2020 under divisions (B) (1) and (3) 3318
of section 3313.981 of the Revised Code as those divisions 3319
existed prior to September 30, 2021. 3320

(2) The district's "disadvantaged pupil impact aid funding 3321
base," which equals the following difference: 3322

(The amount paid to the district under division (A) (5) of 3323
section 3317.022 of the Revised Code, as that division existed 3324
prior to ~~the effective date of this amendment~~ September 30, 3325
2021, for fiscal year 2019) - (the amounts deducted from the 3326
district and paid to a community school under division (C) (1) (e) 3327
of section 3314.08 of the Revised Code or a science, technology, 3328
engineering, and mathematics school under division (E) of 3329
section 3326.33 of the Revised Code as those divisions existed 3330
prior to ~~the effective date of this amendment~~ September 30, 3331
2021, for fiscal year 2020 in accordance with division (A) of 3332
Section 265.235 of H.B. 166 of the 133rd general assembly) 3333

(O) For fiscal years 2022 and 2023, "funding base" means, 3334
for a joint vocational school district, the sum of the following 3335
as calculated by the department: 3336

(1) The district's "general funding base," which equals 3337
the amount calculated as follows: 3338

(a) Compute the sum of the following: 3339

(i) The district's payments for fiscal year 2020 under 3340
Section 265.225 of H.B. 166 of the 133rd general assembly after 3341
any adjustments required under Section 265.227 of H.B. 166 of 3342
the 133rd general assembly; 3343

(ii) ~~The~~ Either of the following: 3344

(I) For fiscal year 2022, the district's payments for 3345
fiscal year 2020 under divisions (D) (1), (2), and (E) (3) of 3346
section 3313.981 of the Revised Code as those divisions existed 3347
prior to ~~the effective date of this amendment~~ September 30, 3348
2021; 3349

(II) For fiscal year 2023, the district's payments for 3350
fiscal year 2020 under divisions (D) (1) and (2) of section 3351
3313.981 of the Revised Code as those divisions existed prior to 3352
September 30, 2021. 3353

(b) Subtract from the amount paid to the district under 3354
division (A) (3) of section 3317.16 of the Revised Code, as that 3355
division existed prior to ~~the effective date of this amendment~~ 3356
September 30, 2021, for fiscal year 2019. 3357

(2) The district's "disadvantaged pupil impact aid funding 3358
base," which equals the amount paid to the district under 3359
division (A) (3) of section 3317.16 of the Revised Code, as that 3360
division existed prior to ~~the effective date of this amendment~~ 3361
September 30, 2021, for fiscal year 2019. 3362

(P) For fiscal years 2022 and 2023, "funding base" for a 3363
community school means the following: 3364

(1) For a community school that was in operation for the 3365
entirety of fiscal year 2020, the amount paid to the school for 3366
that fiscal year under division (C) (1) of section 3314.08 of the 3367
Revised Code as that division existed prior to ~~the effective~~ 3368
~~date of this amendment~~ September 30, 2021, in accordance with 3369
division (A) of Section 265.230 of H.B. 166 of the 133rd general 3370
assembly and the amount, if any, paid to the school for that 3371
fiscal year under section 3314.085 of the Revised Code in 3372
accordance with division (B) of Section 265.230 of H.B. 166 of 3373

the 133rd general assembly; 3374

(2) For a community school that was in operation for part 3375
of fiscal year 2020, the amount that would have been paid to the 3376
school for that fiscal year under division (C)(1) of section 3377
3314.08 of the Revised Code as that division existed prior to 3378
~~the effective date of this amendment~~ September 30, 2021, in 3379
accordance with division (A) of Section 265.230 of H.B. 166 of 3380
the 133rd general assembly if the school had been in operation 3381
for the entirety of that fiscal year, as calculated by the 3382
department, and the amount that would have been paid to the 3383
school for that fiscal year under section 3314.085 of the 3384
Revised Code in accordance with division (B) of Section 265.230 3385
of H.B. 166 of the 133rd general assembly, if any, if the school 3386
had been in operation for the entirety of that fiscal year, as 3387
calculated by the department; 3388

(3) For a community school that was not in operation for 3389
fiscal year 2020, the amount that would have been paid to the 3390
school if it was in operation for that school year under 3391
division (C)(1) of section 3314.08 of the Revised Code as that 3392
division existed prior to ~~the effective date of this amendment~~ 3393
September 30, 2021, in accordance with division (A) of Section 3394
265.230 of H.B. 166 of the 133rd general assembly if the school 3395
had been in operation for the entirety of that fiscal year, as 3396
calculated by the department, and the amount that would have 3397
been paid to the school for that fiscal year under section 3398
3314.085 of the Revised Code in accordance with division (B) of 3399
Section 265.230 of H.B. 166 of the 133rd general assembly, if 3400
any, if the school had been in operation for the entirety of 3401
that fiscal year, as calculated by the department. 3402

(Q) For fiscal years 2022 and 2023, "funding base" for a 3403

STEM school means the following: 3404

(1) For a science, technology, engineering, and 3405
mathematics school that was in operation for the entirety of 3406
fiscal year 2020, the amount paid to the school for that fiscal 3407
year under section 3326.33 of the Revised Code as that section 3408
existed prior to ~~the effective date of this amendment~~ September 3409
30, 2021, in accordance with division (A) of Section 265.235 of 3410
H.B. 166 of the 133rd general assembly and the amount, if any, 3411
paid to the school for that fiscal year under section 3326.41 of 3412
the Revised Code in accordance with division (B) of Section 3413
265.235 of H.B. 166 of the 133rd general assembly; 3414

(2) For a science, technology, engineering, and 3415
mathematics school that was in operation for part of fiscal year 3416
2020, the amount that would have been paid to the school for 3417
that fiscal year under section 3326.33 of the Revised Code as 3418
that section existed prior to ~~the effective date of this~~ 3419
~~amendment~~ September 30, 2021, in accordance with division (A) of 3420
Section 265.235 of H.B. 166 of the 133rd general assembly if the 3421
school had been in operation for the entirety of that fiscal 3422
year, as calculated by the department, and the amount that would 3423
have been paid to the school for that fiscal year under section 3424
3326.41 of the Revised Code in accordance with division (B) of 3425
Section 265.235 of H.B. 166 of the 133rd general assembly, if 3426
any, if the school had been in operation for the entirety of 3427
that fiscal year, as calculated by the department; 3428

(3) For a science, technology, engineering, and 3429
mathematics school that was not in operation for fiscal year 3430
2020, the amount that would have been paid to the school if it 3431
was in operation for that school year under section 3326.33 of 3432
the Revised Code as that section existed prior to ~~the effective~~ 3433

~~date of this amendment, September 30, 2021,~~ in accordance with 3434
division (A) of Section 265.235 of H.B. 166 of the 133rd general 3435
assembly if the school had been in operation for the entirety of 3436
that fiscal year, as calculated by the department, and the 3437
amount that would have been paid to the school for that fiscal 3438
year under section 3326.41 of the Revised Code in accordance 3439
with division (B) of Section 265.235 of H.B. 166 of the 133rd 3440
general assembly, if any, if the school had been in operation 3441
for the entirety of that fiscal year, as calculated by the 3442
department. 3443

(R) "Funding unit" means any of the following: 3444

(1) A city, local, exempted village, or joint vocational 3445
school district; 3446

(2) The community and STEM school unit; 3447

(3) The educational choice scholarship unit; 3448

(4) The pilot project scholarship unit; 3449

(5) The autism scholarship unit; 3450

(6) The Jon Peterson special needs scholarship unit. 3451

(S) "Jon Peterson special needs scholarship unit" means a 3452
unit that consists of all of the students for whom Jon Peterson 3453
scholarships are awarded under sections 3310.51 to 3310.64 of 3454
the Revised Code. 3455

(T) "Internet- or computer-based community school" has the 3456
same meaning as in section 3314.02 of the Revised Code. 3457

(U) "LRE student with a disability" means a child with a 3458
disability who has an individualized education program providing 3459
for the student to spend more than half of each school day in a 3460

regular school setting with nondisabled students. For purposes 3461
of this division, "individualized education program" and "child 3462
with a disability" have the same meanings as in section 3323.01 3463
of the Revised Code, and "LRE" is an abbreviation for "least 3464
restrictive environment." 3465

(V) "Medically fragile child" means a child to whom all of 3466
the following apply: 3467

(1) The child requires the services of a doctor of 3468
medicine or osteopathic medicine at least once a week due to the 3469
instability of the child's medical condition. 3470

(2) The child requires the services of a registered nurse 3471
on a daily basis. 3472

(3) The child is at risk of institutionalization in a 3473
hospital, skilled nursing facility, or intermediate care 3474
facility for individuals with intellectual disabilities. 3475

(W) (1) A child may be identified as having an "other 3476
health impairment-major" if the child's condition meets the 3477
definition of "other health impaired" established in rules 3478
previously adopted by the state board of education and if either 3479
of the following apply: 3480

(a) The child is identified as having a medical condition 3481
that is among those listed by the superintendent of public 3482
instruction as conditions where a substantial majority of cases 3483
fall within the definition of "medically fragile child." 3484

(b) The child is determined by the superintendent of 3485
public instruction to be a medically fragile child. A school 3486
district superintendent may petition the superintendent of 3487
public instruction for a determination that a child is a 3488
medically fragile child. 3489

(2) A child may be identified as having an "other health impairment-minor" if the child's condition meets the definition of "other health impaired" established in rules previously adopted by the state board of education but the child's condition does not meet either of the conditions specified in division (W)(1)(a) or (b) of this section.

(X)(1) For fiscal years 2022 and 2023, a city, local, exempted village, or joint vocational school district's, community school's, or STEM school's "general phase-in percentage" is equal to the percentage for that fiscal year that is determined by the general assembly.

(2) For fiscal years 2022 and 2023, a city, local, exempted village, or joint vocational school district's "phase-in percentage for disadvantaged pupil impact aid" is equal to the percentage for that fiscal year that is determined by the general assembly.

(Y) "Pilot project scholarship unit" means a unit that consists of all of the students for whom pilot project scholarships are awarded under sections 3313.974 to 3313.979 of the Revised Code.

(Z) "Preschool child with a disability" means a child with a disability, as defined in section 3323.01 of the Revised Code, who is at least age three but is not of compulsory school age, as defined in section 3321.01 of the Revised Code, and who is not currently enrolled in kindergarten.

(AA) "Related services" includes:

(1) Child study, special education supervisors and coordinators, speech and hearing services, adaptive physical development services, occupational or physical therapy, teacher

assistants for children with disabilities whose disabilities are 3519
described in division (B) of section 3317.013 or division (G) (3) 3520
of this section, behavioral intervention, interpreter services, 3521
work study, nursing services, and specialized integrative 3522
services as those terms are defined by the department; 3523

(2) Speech and language services provided to any student 3524
with a disability, including any student whose primary or only 3525
disability is a speech and language disability; 3526

(3) Any related service not specifically covered by other 3527
state funds but specified in federal law, including but not 3528
limited to, audiology and school psychological services; 3529

(4) Any service included in units funded under former 3530
division (O) (1) of section 3317.024 of the Revised Code; 3531

(5) Any other related service needed by children with 3532
disabilities in accordance with their individualized education 3533
programs. 3534

(BB) "School district," unless otherwise specified, means 3535
city, local, and exempted village school districts. 3536

(CC) "Separately educated student with a disability" has 3537
the same meaning as in section 3313.974 of the Revised Code. 3538

(DD) "State education aid" has the same meaning as in 3539
section 5751.20 of the Revised Code. 3540

(EE) (1) "State share percentage" means the following for a 3541
city, local, or exempted village school district: 3542

(a) For fiscal years 2022 and 2023, the state share 3543
percentage calculated under section 3317.017 of the Revised 3544
Code; 3545

(b) For fiscal year 2024 and each fiscal year thereafter, 3546
a percentage calculated in a manner determined by the general 3547
assembly. 3548

(2) "State share percentage" means the following for a 3549
joint vocational school district: 3550

(a) For fiscal years 2022 and 2023, the percentage 3551
calculated in accordance with the following formula: 3552

The amount computed for the district under division (A) (1) of 3553
section 3317.16 of the Revised Code for that fiscal year / the 3554
aggregate base cost calculated for the district for that fiscal 3555
year under section 3317.012 of the Revised Code 3556

(b) For fiscal year 2024 and each fiscal year thereafter, 3557
a percentage calculated in a manner determined by the general 3558
assembly. 3559

(FF) "Statewide average base cost per pupil" means the 3560
following: 3561

(1) For fiscal years 2022 and 2023, the statewide average 3562
base cost per pupil calculated under division (A) of section 3563
3317.018 of the Revised Code; 3564

(2) For fiscal year 2024 and each fiscal year thereafter, 3565
an amount calculated in a manner determined by the general 3566
assembly. 3567

(GG) "Statewide average career-technical base cost per 3568
pupil" means the following: 3569

(1) For fiscal years 2022 and 2023, the statewide average 3570
career-technical base cost per pupil calculated under division 3571
(B) of section 3317.018 of the Revised Code; 3572

(2) For fiscal year 2024 and each fiscal year thereafter, 3573
an amount calculated in a manner determined by the general 3574
assembly. 3575

(HH) "STEM school" means a science, technology, 3576
engineering, and mathematics school established under Chapter 3577
3326. of the Revised Code. 3578

(II) "Taxes charged and payable" means the taxes charged 3579
and payable against real and public utility property after 3580
making the reduction required by section 319.301 of the Revised 3581
Code, plus the taxes levied against tangible personal property. 3582

(JJ) For purposes of sections 3317.017 and 3317.16 of the 3583
Revised Code, "three-year average valuation" for a fiscal year 3584
means the average of total taxable value for the three most 3585
recent tax years for which data is available, as certified under 3586
section 3317.021 of the Revised Code. 3587

(KK) "Total ADM" means, for a city, local, or exempted 3588
village school district, the enrollment reported under division 3589
(A) of section 3317.03 of the Revised Code minus the enrollment 3590
reported under divisions (A) (2) (a), (b), (g), (h), and (i) of 3591
that section, as verified by the superintendent of public 3592
instruction and adjusted if so ordered under division (K) of 3593
that section. 3594

(LL) "Total special education ADM" means the sum of 3595
categories one through six special education ADM. 3596

(MM) "Total taxable value" means the sum of the amounts 3597
certified for a city, local, exempted village, or joint 3598
vocational school district under divisions (A) (1) and (2) of 3599
section 3317.021 of the Revised Code. 3600

(NN) "Tuition discount" means any deduction from the base 3601

tuition amount per student charged by a chartered nonpublic 3602
school, to which the student's family is entitled due to one or 3603
more of the following conditions: 3604

(1) The student's family has multiple children enrolled in 3605
the same school. 3606

(2) The student's family is a member of or affiliated with 3607
a religious or secular organization that provides oversight of 3608
the school or from which the school has agreed to enroll 3609
students. 3610

(3) The student's parent is an employee of the school. 3611

(4) Some other qualification not based on the income of 3612
the student's family or the student's athletic or academic 3613
ability and for which all students in the school may qualify. 3614

Sec. 3317.024. The following shall be distributed monthly, 3615
quarterly, or annually as may be determined by the state board 3616
of education: 3617

(A) An amount for each island school district and each 3618
joint state school district for the operation of each high 3619
school and each elementary school maintained within such 3620
district and for capital improvements for such schools. Such 3621
amounts shall be determined on the basis of standards adopted by 3622
the state board of education. However, for fiscal years 2012 and 3623
2013, an island district shall receive the lesser of its actual 3624
cost of operation, as certified to the department of education, 3625
or ninety-three per cent of the amount the district received in 3626
state operating funding for fiscal year 2011. If an island 3627
district received no funding for fiscal year 2011, it shall 3628
receive no funding for either of fiscal year 2012 or 2013. 3629

(B) An amount for each school district required to pay 3630

tuition for a child in an institution maintained by the 3631
department of youth services pursuant to section 3317.082 of the 3632
Revised Code, provided the child was not included in the 3633
calculation of the district's formula ADM, as that term is 3634
defined in section 3317.02 of the Revised Code, for the 3635
preceding school year. 3636

~~(C)~~ (C) (1) An amount for the approved cost of transporting 3637
eligible pupils with disabilities attending a special education 3638
program approved by the department of education whom it is 3639
impossible or impractical to transport by regular school bus in 3640
the course of regular route transportation provided by the 3641
school district or educational service center. For fiscal years 3642
2022 and 2023, ~~in the case of a school district~~, this amount 3643
shall be equal to the actual costs incurred in the prior fiscal 3644
year by the district or service center when transporting those 3645
students, as reported to the department, ~~times multiplied by one~~ 3646
of the following: 3647

(a) For a district, the percentage determined for the 3648
district for that fiscal year under divisions ~~(E) (3) (a) to (f)~~ 3649
(E) (1) (c) (i) and (ii) of section 3317.0212 of the Revised Code. ~~—~~ 3650
~~No;~~ 3651

(b) For a service center, twenty-nine and one-sixth per 3652
cent for fiscal year 2022 and thirty-three and one-third per 3653
cent for fiscal year 2023. 3654

(2) No district or service center is eligible to receive a 3655
payment under ~~this~~ division (C) of this section for the cost of 3656
transporting any pupil whom it transports by regular school bus 3657
and who is included in the district's transportation ADM. ~~The~~ 3658
~~state board of education shall establish standards and~~ 3659
~~guidelines for use by the department of education in determining~~ 3660

~~the approved cost of such transportation for each service center. For~~ 3661
3662

(3) For fiscal years 2022 and 2023, the both of the 3663
following apply: 3664

(a) The state board shall also establish the deadline for 3665
each district and service center to report its actual costs for 3666
transporting these students described in division (C) (1) of this 3667
section. For fiscal years 2022 and 2023, 3668

(b) The costs reported by each district and service center 3669
under this division (C) of this section shall be subject to 3670
periodic, random audits by the department. 3671

(D) An amount to each school district, including each 3672
cooperative education school district, pursuant to section 3673
3313.81 of the Revised Code to assist in providing free lunches 3674
to needy children. The amounts shall be determined on the basis 3675
of rules adopted by the state board of education. 3676

(E) (1) An amount for auxiliary services to each school 3677
district, for each pupil attending a chartered nonpublic 3678
elementary or high school within the district that has not 3679
elected to receive funds under division (E) (2) of this section. 3680

(2) (a) An amount for auxiliary services paid directly to 3681
each chartered nonpublic school that has elected to receive 3682
funds under division (E) (2) of this section for each pupil 3683
attending the school. To elect to receive funds under division 3684
(E) (2) of this section, a school, by the first day of April of 3685
each odd-numbered year, shall notify the department and the 3686
school district in which the school is located of the election 3687
and shall submit to the department an affidavit certifying that 3688
the school shall expend the funds in the manner outlined in 3689

section 3317.062 of the Revised Code. The election shall take 3690
effect the following first day of July. The school subsequently 3691
may rescind its election, but it may do so only in an odd- 3692
numbered year by notifying the department and the school 3693
district in which the school is located of the rescission not 3694
later than the first day of April of that year. Beginning the 3695
following first day of July after the rescission, the school 3696
shall receive funds under division (E) (1) of this section. 3697

(b) A chartered nonpublic school that elects to receive 3698
auxiliary services funds under division (E) (2) of this section 3699
may designate an organization that oversees one or more 3700
nonpublic schools to receive those funds on its behalf. 3701

(i) Each chartered nonpublic school that designates an 3702
organization to receive auxiliary services funds on its behalf 3703
shall notify the department of education of the organization's 3704
name not later than the first day of April of each odd-numbered 3705
year. 3706

(ii) A school may rescind its decision, but may do so only 3707
in each odd-numbered year by notifying the department of that 3708
rescission not later than the first day of April of that year. A 3709
rescission submitted in compliance with this division takes 3710
effect on the following first day of July, and the school 3711
district may elect to then begin receiving auxiliary services 3712
funds directly or as specified under division (E) (1) of this 3713
section. 3714

(iii) An organization shall disburse the auxiliary 3715
services funds of all chartered nonpublic schools that have 3716
designated the organization to receive funds on their behalf in 3717
accordance with division (E) (2) (b) of this section. If multiple 3718
chartered nonpublic schools designate the same organization to 3719

receive auxiliary services funds on their behalf, that 3720
organization may use one or more accounts for the purposes of 3721
managing the funds. The organization shall maintain appropriate 3722
accounting and reporting standards and ensure that each 3723
chartered nonpublic school receives the auxiliary services funds 3724
to which the school is entitled. 3725

(iv) Each chartered nonpublic school that elects to 3726
receive funds directly in accordance with division (E) (2) of 3727
this section or the organization designated to receive and 3728
disburse auxiliary services funds on behalf of a chartered 3729
nonpublic school shall maintain records of receipt and 3730
expenditures of the funds in a manner that conforms with 3731
generally accepted accounting principles. 3732

(v) The department of education shall create and 3733
disseminate a standardized reporting form that chartered 3734
nonpublic schools and organizations designated to receive funds 3735
in accordance with division (E) (2) (b) of this section may use to 3736
comply with division (E) (2) (b) (iv) of this section. However, the 3737
department shall not require schools to use that form. 3738

(vi) An organization that manages a school's auxiliary 3739
services funds pursuant to a designation made in accordance with 3740
division (E) (2) (b) of this section may require the school's 3741
governing authority to pay a fee for that service that does not 3742
exceed four per cent of the total amount of payments for 3743
auxiliary services that the school receives from the state. A 3744
school may pay any fee assessed pursuant to division (E) (2) (b) 3745
(vi) of this section using auxiliary services funds. 3746

(c) The amount paid under divisions (E) (1) and (2) of this 3747
section shall equal the total amount appropriated for the 3748
implementation of sections 3317.06 and 3317.062 of the Revised 3749

Code divided by the average daily membership in grades 3750
kindergarten through twelve in chartered nonpublic elementary 3751
and high schools within the state as determined as of the last 3752
day of October of each school year. 3753

(F) An amount for each county board of developmental 3754
disabilities, ~~distributed on the basis of standards adopted by~~ 3755
~~the state board of education,~~ for the approved cost of 3756
transportation required for children attending special education 3757
programs operated by the county board under section 3323.09 of 3758
the Revised Code~~r~~. For fiscal years 2022 and 2023, this amount 3759
shall be equal to the actual costs incurred in the prior fiscal 3760
year by the county board when transporting those students 3761
multiplied by twenty-nine and one-sixth per cent for fiscal year 3762
2022 and thirty-three and one-third per cent for fiscal year 3763
2023. 3764

(G) An amount to each institution defined under section 3765
3317.082 of the Revised Code providing elementary or secondary 3766
education to children other than children receiving special 3767
education under section 3323.091 of the Revised Code. This 3768
amount for any institution in any fiscal year shall equal the 3769
total of all tuition amounts required to be paid to the 3770
institution under division (A) (1) of section 3317.082 of the 3771
Revised Code. 3772

The state board of education or any other board of 3773
education or governing board may provide for any resident of a 3774
district or educational service center territory any educational 3775
service for which funds are made available to the board by the 3776
United States under the authority of public law, whether such 3777
funds come directly or indirectly from the United States or any 3778
agency or department thereof or through the state or any agency, 3779

department, or political subdivision thereof. 3780

Sec. 3317.0212. (A) As used in this section: 3781

(1) For fiscal years 2022 and 2023, "assigned bus" means a 3782
school bus used to transport qualifying riders. 3783

(2) For fiscal years 2022 and 2023, "density" means the 3784
total riders per square mile of a school district. 3785

(3) For fiscal years 2022 and 2023, "nontraditional 3786
ridership" means the average number of qualifying riders who are 3787
enrolled in a community school established under Chapter 3314. 3788
of the Revised Code, in a STEM school established under Chapter 3789
3326. of the Revised Code, or in a nonpublic school and are 3790
provided school bus service by a school district during the 3791
first full week of October. 3792

(4) "Qualifying riders" means the following: 3793

(a) For fiscal years 2022 and 2023, resident students 3794
enrolled in preschool and regular education in grades 3795
kindergarten to twelve who are provided school bus service by a 3796
school district, including students with dual enrollment in a 3797
joint vocational school district or a cooperative education 3798
school district, and students enrolled in a community school, 3799
STEM school, or nonpublic school; 3800

(b) For fiscal year 2024 and each fiscal year thereafter, 3801
students specified by the general assembly. 3802

(5) "Qualifying ridership" means the following: 3803

(a) For fiscal years 2022 and 2023, the greater of the 3804
average number of qualifying riders counted in the morning or 3805
counted in the afternoon who are provided school bus service by 3806
a school district during the first full week of October; 3807

(b) For fiscal year 2024 and each fiscal year thereafter, 3808
a ridership determined in a manner specified by the general 3809
assembly. 3810

(6) "Rider density" means the following: 3811

(a) For fiscal years 2022 and 2023, the following 3812
quotient: 3813

A school district's total number of qualifying riders/ the 3814
number of square miles in the district 3815

(b) For fiscal year 2024 and each fiscal year thereafter, 3816
a number calculated in a manner determined by the general 3817
assembly. 3818

(7) For fiscal years 2022 and 2023, "riders" means 3819
students enrolled in regular and special education in grades 3820
kindergarten through twelve who are provided school bus service 3821
by a school district, including students with dual enrollment in 3822
a joint vocational school district or a cooperative education 3823
school district, and students enrolled in a community school, 3824
STEM school, or nonpublic school. 3825

(8) "School bus service" means a school district's 3826
transportation of qualifying riders in any of the following 3827
types of vehicles: 3828

(a) School buses owned or leased by the district; 3829

(b) School buses operated by a private contractor hired by 3830
the district; 3831

(c) School buses operated by another school district or 3832
entity with which the district has contracted, either as part of 3833
a consortium for the provision of transportation or otherwise. 3834

(B) Not later than the first day of November, for fiscal 3835
years 2022 and 2023, or a date determined by the general 3836
assembly, for fiscal year 2024 and each fiscal year thereafter, 3837
of each year, each city, local, and exempted village school 3838
district shall report to the department of education its 3839
qualifying ridership and any other information requested by the 3840
department. Subsequent adjustments to the reported numbers shall 3841
be made only in accordance with rules adopted by the department. 3842

(C) The department shall calculate the statewide 3843
transportation cost per student as follows: 3844

(1) Determine each city, local, and exempted village 3845
school district's transportation cost per student by dividing 3846
the district's total costs for school bus service in the 3847
previous fiscal year by its qualifying ridership in the previous 3848
fiscal year. 3849

(2) After excluding districts that do not provide school 3850
bus service and the ten districts with the highest 3851
transportation costs per student and the ten districts with the 3852
lowest transportation costs per student, divide the aggregate 3853
cost for school bus service for the remaining districts in the 3854
previous fiscal year by the aggregate qualifying ridership of 3855
those districts in the previous fiscal year. 3856

(D) The department shall calculate the statewide 3857
transportation cost per mile as follows: 3858

(1) Determine each city, local, and exempted village 3859
school district's transportation cost per mile by dividing the 3860
district's total costs for school bus service in the previous 3861
fiscal year by its total number of miles driven for school bus 3862
service in the previous fiscal year. 3863

(2) After excluding districts that do not provide school bus service and the ten districts with the highest transportation costs per mile and the ten districts with the lowest transportation costs per mile, divide the aggregate cost for school bus service for the remaining districts in the previous fiscal year by the aggregate miles driven for school bus service in those districts in the previous fiscal year.

(E) The department shall calculate each city, local, and exempted village school district's transportation base payment as follows:

(1) For fiscal years 2022 and 2023:

(a) Calculate the sum of the following:

(i) The product of the statewide transportation cost per student and the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in the district;

(ii) 1.5 times the statewide transportation cost per student times the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in community schools established under Chapter 3314. of the Revised Code or STEM schools established under Chapter 3326. of the Revised Code;

(iii) 2.0 times the statewide transportation cost per student times the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in nonpublic schools.

(b) Multiply the statewide transportation cost per mile by the district's total number of miles driven for school bus service in the current fiscal year.

(c) Multiply the greater of the amounts calculated under 3893
divisions (E) (1) (a) and (b) of this section by the following: 3894

(i) For fiscal year 2022, the greater of twenty-nine and 3895
one-sixth per cent or the district's state share percentage, as 3896
defined in section 3317.02 of the Revised Code; 3897

(ii) For fiscal year 2023, the greater of thirty-three and 3898
one-third per cent or the district's state share percentage. 3899

(2) For fiscal year 2024 and each fiscal year thereafter, 3900
an amount determined by the general assembly. 3901

(F) For fiscal years 2022 and 2023, the department shall 3902
pay a district's efficiency adjustment payment in accordance 3903
with divisions (F) (1) to (3) of this section. For fiscal year 3904
2024 and each fiscal year thereafter, the department shall pay a 3905
district's efficiency adjustment payment in a manner determined 3906
by the general assembly, if the general assembly authorizes such 3907
a payment to districts. 3908

(1) The department annually shall establish a target 3909
number of qualifying riders per assigned bus for each city, 3910
local, and exempted village school district. The department 3911
shall use the most recently available data in establishing the 3912
target number. The target number shall be based on the statewide 3913
median number of riders per assigned bus as adjusted to reflect 3914
the district's density in comparison to the density of all other 3915
districts. The department shall post on the department's web 3916
site each district's target number of riders per assigned bus 3917
and a description of how the target number was determined. 3918

(2) The department shall determine each school district's 3919
efficiency index by dividing the district's number of riders per 3920
assigned bus by its target number of riders per assigned bus. 3921

(3) The department shall determine each city, local, and
exempted village school district's efficiency adjustment payment
as follows:

(a) If the district's efficiency index is equal to or
greater than 1.5, the efficiency adjustment payment shall be
calculated according to the following formula:

0.15 X the district's transportation base payment calculated
under division (E) of this section

(b) If the district's efficiency index is less than 1.5
but greater than or equal to 1.0, the efficiency adjustment
payment shall be calculated according to the following formula:

{[(The district's efficiency index - 1) X 0.15]/0.5} X the
district's transportation base payment calculated under division
(E) of this section

(c) If the district's efficiency index is less than 1.0,
the efficiency adjustment payment shall be zero.

(G) In addition to funds paid under divisions (E), (F),
and (H) of this section, each city, local, and exempted village
district shall receive in accordance with rules adopted by the
state board of education a payment for students transported by
means other than school bus service and whose transportation is
not funded under division (C) of section 3317.024 of the Revised
Code. The rules shall include provisions for school district
reporting of such students.

(H) (1) For purposes of division (H) of this section, a
school district's "transportation supplement percentage" means
the following:

(a) For fiscal years 2022 and 2023, the following

quotient: 3950

(28 - the district's rider density) / 100 3951

If the result of the calculation for a district under 3952
division (H) (1) (a) of this section is less than zero, the 3953
district's transportation supplement percentage shall be zero. 3954

(b) For fiscal year 2024 and each fiscal year thereafter, 3955
a percentage calculated in a manner determined by the general 3956
assembly. 3957

(2) The department shall pay each district a 3958
transportation supplement calculated according to the following 3959
formula: 3960

The district's transportation supplement percentage X the amount 3961
calculated for the district under division ~~(E) (2)~~ (E) (1) (b) of 3962
this section X 0.55 3963

(I) (1) If a school district board and a community school 3964
governing authority elect to enter into an agreement under 3965
division (A) of section 3314.091 of the Revised Code, the 3966
department shall make payments to the community school according 3967
to the terms of the agreement for each student actually 3968
transported under division (C) (1) of that section. If a 3969
community school governing authority accepts transportation 3970
responsibility under division (B) of that section, the 3971
department shall make payments to the community school for each 3972
student actually transported or for whom transportation is 3973
arranged by the community school under division (C) (1) of that 3974
section, calculated as follows: 3975

(a) For any fiscal year which the general assembly has 3976
specified that transportation payments to school districts be 3977
based on an across-the-board percentage of the district's 3978

payment for the previous school year, the per pupil payment to 3979
the community school shall be the following quotient: 3980

(i) The total amount calculated for the school district in 3981
which the child is entitled to attend school for student 3982
transportation other than transportation of children with 3983
disabilities; divided by 3984

(ii) The number of students included in the district's 3985
transportation ADM for the current fiscal year, as calculated 3986
under section 3317.03 of the Revised Code, plus the number of 3987
students enrolled in the community school not counted in the 3988
district's transportation ADM who are transported under division 3989
(B) (1) or (2) of section 3314.091 of the Revised Code. 3990

(b) For any fiscal year which the general assembly has 3991
specified that the transportation payments to school districts 3992
be calculated in accordance with this section and any rules of 3993
the state board of education implementing this section, the 3994
payment to the community school shall be the following: 3995

(i) For fiscal years 2022 and 2023, either of the 3996
following: 3997

(I) If the school district in which the student is 3998
entitled to attend school would have used a method of 3999
transportation for the student for which payments are computed 4000
and paid under division (E) of this section, 1.0 times the 4001
statewide transportation cost per student, as calculated in 4002
division (C) of this section; 4003

(II) If the school district in which the student is 4004
entitled to attend school would have used a method of 4005
transportation for the student for which payments are computed 4006
and paid in a manner ~~not~~ described in division ~~(H) (1) (b) (i)~~ (G) 4007

of this section, the amount that would otherwise be computed for 4008
and paid to the district. 4009

(ii) For fiscal year 2024 and each fiscal year thereafter, 4010
an amount calculated in a manner determined by the general 4011
assembly. 4012

The community school, however, is not required to use the 4013
same method to transport the student. 4014

As used in this division, "entitled to attend school" 4015
means entitled to attend school under section 3313.64 or 3313.65 4016
of the Revised Code. 4017

(2) A community school shall be paid under division (H) (1) 4018
of this section only for students who are eligible as specified 4019
in section 3327.01 of the Revised Code and division (C) (1) of 4020
section 3314.091 of the Revised Code, and whose transportation 4021
to and from school is actually provided, who actually utilized 4022
transportation arranged, or for whom a payment in lieu of 4023
transportation is made by the community school's governing 4024
authority. To qualify for the payments, the community school 4025
shall report to the department, in the form and manner required 4026
by the department, data on the number of students transported or 4027
whose transportation is arranged, the number of miles traveled, 4028
cost to transport, and any other information requested by the 4029
department. 4030

Sec. 3317.0215. (A) (1) For fiscal years 2022 and 2023, the 4031
department of education shall withhold from the aggregate amount 4032
paid for a fiscal year to each city, local, exempted village, 4033
and joint vocational school district, community school 4034
established under Chapter 3314. of the Revised Code, and 4035
science, technology, engineering, and mathematics school 4036

established under Chapter 3326. of the Revised Code an amount 4037
equal to the following: 4038

(a) In the case of a city, local, or ~~exempted~~ village, ~~or~~ 4039
~~joint vocational~~ school district, ~~an~~ the aggregate amount 4040
~~calculated as follows:-~~ 4041

~~0.10 X [(the district's category one special education ADM~~ 4042
~~X the multiple specified in division (A) of section 3317.013 of~~ 4043
~~the Revised Code X the statewide average base cost per pupil for~~ 4044
~~that fiscal year X the district's state share percentage) + (the~~ 4045
~~district's category two special education ADM X the multiple~~ 4046
~~specified in division (B) of section 3317.013 of the Revised~~ 4047
~~Code X the statewide average base cost per pupil for that fiscal~~ 4048
~~year X the district's state share percentage) + (the district's~~ 4049
~~category three special education ADM X the multiple specified in~~ 4050
~~division (C) of section 3317.013 of the Revised Code X the~~ 4051
~~statewide average base cost per pupil for that fiscal year X the~~ 4052
~~district's state share percentage) + (the district's category~~ 4053
~~four special education ADM X the multiple specified in division~~ 4054
~~(D) of section 3317.013 of the Revised Code X the statewide~~ 4055
~~average base cost per pupil for that fiscal year X the~~ 4056
~~district's state share percentage) + (the district's category~~ 4057
~~five special education ADM X the multiple specified in division~~ 4058
~~(E) of section 3317.013 of the Revised Code X the statewide~~ 4059
~~average base cost per pupil for that fiscal year X the~~ 4060
~~district's state share percentage) + (the district's category~~ 4061
~~six special education ADM X the multiple specified in division~~ 4062
~~(F) of section 3317.013 of the Revised Code X the statewide~~ 4063
~~average base cost per pupil for that fiscal year X the~~ 4064
~~district's state share percentage)] of special education funding 4065
paid to the district under division (A) (3) of section 3317.022 4066
of the Revised Code times 0.10, subject to any funding 4067~~

limitations enacted by the general assembly to the computation. 4068

(b) In the case of a community school or STEM school, the 4069
aggregate amount of special education funding paid to the school 4070
under division (A) (1) (b) of section ~~3317.022~~ 3317.026 of the 4071
Revised Code times 0.10, subject to any funding limitations 4072
enacted by the general assembly to the computation. 4073

(c) In the case of a ~~science, technology, engineering, or~~ 4074
~~mathematics school~~ joint vocational school district, the 4075
aggregate amount of special education funding paid to the school 4076
under division (A) (2) of section ~~3317.022~~ 3317.16 of the Revised 4077
Code times 0.10, subject to any funding limitations enacted by 4078
the general assembly to the computation. 4079

(2) For fiscal year 2024 and each fiscal year thereafter, 4080
the department of education shall withhold from the aggregate 4081
amount paid for a fiscal year to each city, local, exempted 4082
village, and joint vocational school district, community school, 4083
and science, technology, engineering, and mathematics school an 4084
amount determined by the general assembly, if any, for purposes 4085
of this section. 4086

(B) For fiscal years 2022 and 2023, the department shall 4087
use the amount of funds withheld under division (A) of this 4088
section for purposes of division (C) (1) of section 3314.08 of 4089
the Revised Code, section 3317.0214 of the Revised Code, 4090
division (B) of section 3317.16 of the Revised Code, and section 4091
3326.34 of the Revised Code. 4092

For fiscal year 2024 and each fiscal year thereafter, the 4093
department shall use the amount of funds withheld under division 4094
(A) of this section, if any, for purposes determined by the 4095
general assembly. 4096

Sec. 3317.051. (A) The department of education shall 4097
compute and pay to a school district funds based on units for 4098
services to students identified as gifted under Chapter 3324. of 4099
the Revised Code as prescribed by this section. 4100

(B) The department shall allocate gifted units for a 4101
school district as follows: 4102

(1) For fiscal years 2022 and 2023: 4103

(a) One gifted coordinator unit shall be allocated for 4104
every 3,300 students in a district's enrolled ADM, with a 4105
minimum of 0.5 units and a maximum of 8 units allocated for the 4106
district. 4107

(b) One kindergarten through eighth grade gifted 4108
intervention specialist unit shall be allocated for every 140 4109
gifted students enrolled in grades kindergarten through eight in 4110
the district, as certified under division (B) (22) of section 4111
3317.03 of the Revised Code, with a minimum of 0.3 units 4112
allocated for the district. 4113

(c) One ninth through twelfth grade gifted intervention 4114
specialist unit shall be allocated for every 140 gifted students 4115
enrolled in grades nine through twelve in the district, as 4116
certified under division (B) (22) of section 3317.03 of the 4117
Revised Code, with a minimum of 0.3 units allocated for the 4118
district. 4119

(2) For fiscal year 2024 and each fiscal year thereafter, 4120
in the manner prescribed by the general assembly. 4121

(C) The department shall pay an amount to a school 4122
district for gifted units as follows: 4123

~~(a)~~ (1) For fiscal years 2022 and 2023, an amount equal to 4124

the following sum: 4125

(\$85,776 X the number of units allocated to a school district 4126

under division ~~(B)(1)~~ (B)(1)(a) of this section X the district's 4127

state share percentage) + (\$89,378 X the number of units 4128

allocated to a school district under division ~~(B)(2)~~ (B)(1)(b) 4129

of this section X the district's state share percentage) + 4130

(\$80,974 X the number of units allocated to a school district 4131

under division ~~(B)(3)~~ (B)(1)(c) of this section X the district's 4132

state share percentage) 4133

~~(b)(2)~~ (2) For fiscal year 2024 and each fiscal year 4134

thereafter, an amount calculated in a manner determined by the 4135

general assembly. 4136

(D) A school district may assign gifted unit funding that 4137

it receives under division (C) of this section to another school 4138

district, an educational service center, a community school, or 4139

a STEM school as part of an arrangement to provide services to 4140

the district. 4141

Sec. 3317.064. (A) There is hereby established in the 4142

state treasury the auxiliary services reimbursement fund. By the 4143

thirtieth day of January of each odd-numbered year, the director 4144

of job and family services and the superintendent of public 4145

instruction shall determine the amount of any excess moneys in 4146

the auxiliary services personnel unemployment compensation fund 4147

not reasonably necessary for the purposes of section 4141.47 of 4148

the Revised Code, and shall certify such amount to the director 4149

of budget and management for transfer to the auxiliary services 4150

reimbursement fund. If the director of job and family services 4151

and the superintendent disagree on such amount, the director of 4152

budget and management shall determine the amount to be 4153

transferred. 4154

(B) Except as provided in divisions (C) and (D) of this section, moneys in the auxiliary services reimbursement fund shall be used for the relocation or for the replacement and repair of mobile units used to provide the services specified in division (E), (F), (G), or (I) of section 3317.06 and in division (A)(3) of section 3317.062 of the Revised Code. The state board of education shall adopt guidelines and procedures for replacement, repair, and relocation of mobile units and the procedures under which a school district or chartered nonpublic school may apply to receive moneys with which to repair or replace or relocate such units.

(C) School districts and educational service centers may apply to the department for moneys from the auxiliary services reimbursement fund for payment of incentives for early retirement and severance for school district personnel assigned to provide services authorized by section 3317.06 or 3317.062 of the Revised Code at chartered nonpublic schools. The portion of the cost of any early retirement or severance incentive for any employee that is paid using money from the auxiliary services reimbursement fund shall not exceed the percentage of such employee's total service credit that the employee spent providing services to chartered nonpublic school students under section 3317.06 of the Revised Code.

(D) The department of education may use a portion of the moneys in the auxiliary services reimbursement fund to make payments for chartered nonpublic school students under section 3365.07 of the Revised Code, in accordance with rules adopted pursuant to section 3365.071 of the Revised Code.

Sec. 3317.25. (A) As used in this section, "disadvantaged pupil impact aid" means the following:

(1) For a city, local, or exempted village school district, the funds received under division (A) (4) <u>(A) (4) (a)</u> of section 3317.022 of the Revised Code;	4185 4186 4187
(2) For a joint vocational school district, the funds received under division (A) (3) of section 3317.16 of the Revised Code;	4188 4189 4190
(3) For a community school established under Chapter 3314. of the Revised Code, the funds received under division (A) (4) (b) of section 3314.08 <u>3317.022</u> of the Revised Code;	4191 4192 4193
(4) For a STEM school established under Chapter 3326. of the Revised Code, the funds received under division (A) (4) (b) of section 3326.33 <u>3317.022</u> of the Revised Code.	4194 4195 4196
(B) (1) For fiscal years 2022 and 2023, a city, local, exempted village, or joint vocational school district, community school, or STEM school shall spend the disadvantaged pupil impact aid it receives for any of the following initiatives or a combination of any of the following initiatives:	4197 4198 4199 4200 4201
(a) Extended school day and school year;	4202
(b) Reading improvement and intervention;	4203
(c) Instructional technology or blended learning;	4204
(d) Professional development in reading instruction for teachers of students in kindergarten through third grade;	4205 4206
(e) Dropout prevention;	4207
(f) School safety and security measures;	4208
(g) Community learning centers that address barriers to learning;	4209 4210
(h) Academic interventions for students in any of grades	4211

six through twelve;	4212
(i) Employment of an individual who has successfully completed the bright new leaders for Ohio schools program as a principal or an assistant principal under section 3319.272 of the Revised Code;	4213 4214 4215 4216
(j) Mental health services, including telehealth services;	4217
(k) Culturally appropriate, evidence-based or evidence-informed prevention education, including youth-led programming and social and emotional learning curricula to promote mental health and prevent substance use and suicide;	4218 4219 4220 4221
(l) Services for homeless youth;	4222
(m) Services for child welfare involved youth;	4223
(n) Community liaisons or programs that connect students to community resources, including city connects, communities in schools, and other similar programs;	4224 4225 4226
(o) Physical health care services, including telehealth services;	4227 4228
(p) Family engagement and support services;	4229
(q) Student services provided prior to or after the regularly scheduled school day or any time school is not in session, including mentoring programs.	4230 4231 4232
(2) For fiscal year 2024 and each fiscal year thereafter, each city, local, exempted village, and joint vocational school district, community school, and STEM school shall spend the disadvantaged pupil impact aid it receives for one or more initiatives specified by the general assembly.	4233 4234 4235 4236 4237
(C) (1) For fiscal years 2022 and 2023, each city, local,	4238

exempted village, and joint vocational school district, 4239
community school, and STEM school that is subject to the 4240
requirements of this section shall develop a plan for utilizing 4241
the disadvantaged pupil impact aid it receives in coordination 4242
with at least one of the following community partners: 4243

(a) A board of alcohol, drug addiction, and mental health 4244
services established under Chapter 340. of the Revised Code; 4245

(b) An educational service center; 4246

(c) A county board of developmental disabilities; 4247

(d) A community-based mental health treatment provider; 4248

(e) A board of health of a city or general health 4249
district; 4250

(f) A county department of job and family services; 4251

(g) A nonprofit organization with experience serving 4252
children; 4253

(h) A public hospital agency. 4254

(2) For fiscal year 2024 and each fiscal year thereafter, 4255
each city, local, exempted village, and joint vocational school 4256
district, community school, and STEM school that is subject to 4257
the requirements of this section shall develop a plan for 4258
utilizing the disadvantaged pupil impact aid it receives in the 4259
manner specified by the general assembly, if the general 4260
assembly requires city, local, exempted village, and joint 4261
vocational school districts, community schools, and STEM schools 4262
to develop such a plan. 4263

(D) After the end of each fiscal year, each city, local, 4264
exempted village, or joint vocational school district, community 4265

school, and STEM school shall submit a report to the department 4266
of education describing the initiative or initiatives on which 4267
the district's or school's disadvantaged pupil impact aid were 4268
spent during that fiscal year. For fiscal years 2022 and 2023, 4269
this report shall be submitted in a manner prescribed by the 4270
department and shall also describe the amount of money that was 4271
spent on each initiative. 4272

(E) Starting in 2015, the department shall submit a report 4273
of the information it receives under division (C) of this 4274
section to the ~~General Assembly~~ general assembly not later than 4275
the first day of December of each odd-numbered year in 4276
accordance with section 101.68 of the Revised Code. 4277

Sec. 3319.077. (A) As used in this section: 4278

(1) "Dyslexia" has the same meaning as in section 3323.25 4279
of the Revised Code. 4280

(2) "Ohio dyslexia committee" means the committee 4281
established under section 3325.25 of the Revised Code. 4282

(3) "Special education" has the same meaning as in section 4283
3323.01 of the Revised Code. 4284

(4) "Teacher" does not include any teacher who provides 4285
instruction in fine arts, music, or physical education. 4286

(B) (1) The department of education, in collaboration with 4287
the Ohio dyslexia committee, shall maintain a list of ~~courses~~ 4288
training that fulfill-fulfills the professional development 4289
requirements prescribed in division (C) of this section. The 4290
list may consist of online or classroom learning models. 4291

(2) Each approved ~~course~~ training shall align with the 4292
guidebook developed under section 3323.25 of the Revised Code, 4293

be evidence-based, and require instruction and training for 4294
identifying characteristics of dyslexia and understanding the 4295
pedagogy for instructing students with dyslexia. 4296

(3) The Ohio dyslexia committee shall prescribe a total 4297
number of clock hours of instruction in ~~courses~~training 4298
approved under this section for a teacher to complete to satisfy 4299
the professional development requirements prescribed in division 4300
(C) of this section. The Ohio dyslexia committee shall prescribe 4301
a total number of clock hours that is not less than six clock 4302
hours and not more than eighteen clock hours. 4303

(C) (1) Not later than the beginning of the 2023-2024 4304
school year, each teacher employed by a local, city, or exempted 4305
village school district who provides instruction for students in 4306
kindergarten and first grade, including those providing special 4307
education instruction, shall complete the number of 4308
instructional hours in approved professional development ~~courses~~ 4309
training required by the committee under this section. 4310

(2) Not later than the beginning of the 2024-2025 school 4311
year, each teacher employed by a school district who provides 4312
instruction for students in grades two and three, including 4313
those providing special education instruction, shall complete 4314
the number of instructional hours in approved professional 4315
development ~~courses~~training required by the committee under 4316
this section. 4317

(3) Not later than the beginning of the 2025-2026 school 4318
year, each teacher employed by a school district who provides 4319
special education instruction for students in grades four 4320
through twelve shall complete a professional development ~~course~~ 4321
training approved under division (B) of this section. 4322

(D) Any professional development ~~course-training~~ completed 4323
by a teacher prior to ~~the effective date of this section~~ April 4324
12, 2021, that is then included on the list of ~~courses-training~~ 4325
approved under division (B) (1) of this section shall count 4326
toward the number of instructional hours in approved 4327
professional development ~~courses-training~~ required under 4328
division (C) of this section. 4329

(E) Nothing in this section shall prohibit a school 4330
district from requiring employees who are not subject to this 4331
section from completing professional development training 4332
approved under division (B) of this section. 4333

Sec. 3319.078. Beginning in the 2022-2023 school year, 4334
each city, local, and exempted village school district shall 4335
establish a ~~multi-sensory~~ structured literacy certification 4336
process for teachers providing instruction for students in 4337
grades kindergarten through three employed by the district. Each 4338
process shall align with the guidebook developed under section 4339
3323.25 of the Revised Code. 4340

Sec. 3319.263. Beginning on the first day of July 4341
succeeding the effective date of this section and for only five 4342
years thereafter, notwithstanding anything to the contrary in 4343
section 3319.26 of the Revised Code or any rule of the state 4344
board of education adopted under that section, the state board 4345
and the department of education shall not limit the subject 4346
areas for which an individual may receive an alternative 4347
resident educator license issued under that section. 4348

Sec. 3323.25. (A) As used in this section and section 4349
3323.251 of the Revised Code: 4350

(1) "Dyslexia" means a specific learning disorder that is 4351

neurological in origin and that is characterized by unexpected 4352
difficulties with accurate or fluent word recognition and by 4353
poor spelling and decoding abilities not consistent with the 4354
person's intelligence, motivation, and sensory capabilities, 4355
which difficulties typically result from a deficit in the 4356
phonological component of language. 4357

(2) "Appropriate certification" means either of the 4358
following: 4359

(a) Certification at a certified level, or higher, from a 4360
research-based, ~~multi-sensory~~-structured literacy program; 4361

(b) Any other certification as recognized by a majority 4362
vote of the Ohio dyslexia committee. 4363

(B) (1) The department of education shall establish the 4364
Ohio dyslexia committee which shall consist of the following 4365
members: 4366

(a) A school district superintendent appointed by the 4367
superintendent of public instruction; 4368

(b) An elementary school principal appointed by the state 4369
superintendent; 4370

(c) A classroom teacher appointed by the state 4371
superintendent. The teacher shall have an appropriate 4372
certification and at least two years of experience teaching in a 4373
~~multi-sensory~~-structured literacy program. 4374

(d) An educational service center employee appointed by 4375
the state superintendent. The employee shall have an appropriate 4376
certification. 4377

(e) An employee of the department of education appointed 4378
by the state superintendent; 4379

(f) A parent of a child with dyslexia or an adult with
dyslexia appointed by the international dyslexia association in
Ohio;

(g) An individual with experience in higher education and
teacher preparation programs appointed by the chancellor of
higher education. The individual appointed by the chancellor
shall have an appropriate certification.

(h) A board member of the international dyslexia
association in Ohio appointed by the international dyslexia
association in Ohio. The board member shall have an appropriate
certification.

(i) A school psychologist appointed by the state
superintendent;

(j) A reading intervention specialist appointed by the
state superintendent. The reading intervention specialist shall
have an appropriate certification.

(k) A speech-language pathologist appointed by the state
speech and hearing professionals board. The speech-language
pathologist shall have an appropriate certification.

(2) Each appointing authority shall determine a selection
process for the appointments under this section. Each appointing
authority that is not the state superintendent shall make and
submit to the department each appointment prescribed under this
section not later than thirty days after ~~the effective date of~~
~~this section~~ April 12, 2021. The state superintendent also shall
make each appointment prescribed to the state superintendent
under this section not later than that date. Members of the
committee shall serve at the pleasure of their appointing
authority.

(3) An individual may be appointed to the committee 4409
without required certification or experience if the appointing 4410
authority determines that the individual has sufficient 4411
experience in the individual's respective field. 4412

(4) The state superintendent shall convene the first 4413
meeting of the committee within thirty days after nine members 4414
have been appointed to the committee. At the first meeting, 4415
members of the committee shall elect one of the members as 4416
chairperson. 4417

(5) The department shall provide facilities for the 4418
meetings of the committee. 4419

(C) (1) Not later than December 31, 2021, the Ohio dyslexia 4420
committee shall develop a guidebook regarding the best practices 4421
and methods for universal screening, intervention, and 4422
remediation for children with dyslexia or children displaying 4423
dyslexic characteristics and tendencies using a ~~multi-sensory~~ 4424
structured literacy program. 4425

(2) The committee shall provide an opportunity for public 4426
input when developing the guidebook, in the manner determined by 4427
the committee. 4428

(3) Prior to its distribution, the guidebook shall be 4429
subject to final approval by the state board of education. 4430

(4) The guidebook shall be developed and issued to 4431
districts and schools in an electronic format. After the initial 4432
development of the guidebook, the Ohio dyslexia committee shall 4433
update the guidebook as necessary. 4434

(D) Not later than December 31, 2021, the department, in 4435
collaboration with the Ohio dyslexia committee, shall do all of 4436
the following: 4437

- (1) Provide ~~multi-sensory~~ structured literacy program 4438
professional development for teachers in evidence-based dyslexia 4439
screening and intervention practices for the purposes of section 4440
3319.077 of the Revised Code. 4441
- (2) Assist school districts and other public schools in 4442
establishing multidisciplinary teams to support the 4443
identification, intervention, and remediation of dyslexia; 4444
- (3) Develop reporting mechanisms for districts and schools 4445
to submit to the department the information and data required in 4446
the guidebook developed under this section; 4447
- (4) Develop academic standards for kindergarten in reading 4448
and writing that incorporate a ~~multi-sensory~~ structured literacy 4449
program; 4450
- (5) Provide on the department's web site information about 4451
training for teachers about dyslexia that is available at 4452
minimal or no cost. 4453
- (E) The department, in collaboration with the Ohio 4454
dyslexia committee, shall identify reliable, valid, universal, 4455
and evidence-based screening and intervention measures that 4456
evaluate the literacy skills of students enrolled in grades 4457
kindergarten through five using a ~~multi-sensory~~ structured 4458
literacy program. 4459
- (F) The Ohio dyslexia committee may do any of the 4460
following: 4461
- (1) Recommend appropriate ratios in school buildings for 4462
students to teachers who have received certification in 4463
identifying and addressing dyslexia; 4464
- (2) Recommend which other school personnel, including 4465

school psychologists or speech-language pathologists, should 4466
receive certification in identifying and addressing dyslexia; 4467

(3) Consider and make recommendations regarding whether 4468
professional development required under section 3319.077 of the 4469
Revised Code should require the completion of a practicum. 4470

Sec. 3323.251. (A) Each school district and other public 4471
school shall do all of the following: 4472

(1) For the ~~2022-2023~~2023-2024 school year, administer a 4473
tier one dyslexia screening measure to a student to whom either 4474
of the following applies: 4475

(a) The student is enrolled in any of grades kindergarten 4476
through three. A screening measure shall be administered to a 4477
student enrolled in kindergarten after January 1, ~~2023~~2024, but 4478
prior to January 1, ~~2024~~2025. 4479

(b) The student is enrolled in any of grades four through 4480
six and either of the following applies: 4481

(i) The student's parent, guardian, or custodian requests 4482
that the screening measure be administered to the student. 4483

(ii) A classroom teacher requests that the screening 4484
measure be administered to the student and the student's parent, 4485
guardian, or custodian grants permission for the screening 4486
measure to be administered. 4487

A school district may implement the screening under 4488
division (A)(1) of this section prior to the 2023-2024 school 4489
year. 4490

(2) For the ~~2023-2024~~2024-2025 school year and each 4491
school year thereafter, administer a tier one dyslexia screening 4492
measure to a student to whom either of the following applies: 4493

(a) A student enrolled in kindergarten. A screening 4494
measure shall be administered to a student after the first day 4495
of January of the school year in which the student is enrolled 4496
in kindergarten and prior to the first day of January of the 4497
following school year. 4498

(b) A student enrolled in any of grades one through six if 4499
either of the following applies: 4500

(i) The student's parent, guardian, or custodian requests 4501
that the screening measure be administered to the student. 4502

(ii) A classroom teacher requests that the screening 4503
measure be administered to the student and the student's parent, 4504
guardian, or custodian grants permission for the screening 4505
measure to be administered. 4506

A district or school may administer a tier two dyslexia 4507
screening measure to a student to whom the district or school 4508
administers a tier one screening measure under division (A) (1) 4509
or (2) of this section. In that case, a district or school shall 4510
not be required to complete division (A) (4) of this section. 4511

(3) Identify each student that is at risk of dyslexia 4512
based on the student's results on the tier one screening measure 4513
and notify the student's parent, guardian, or custodian that the 4514
student has been identified as being at risk. 4515

(4) Monitor the progress of each at-risk student toward 4516
attaining grade-level reading and writing skills for up to six 4517
weeks. The district or school shall check each at-risk student's 4518
progress on at least the second week, fourth week, and sixth 4519
week after the student is identified as being at risk. If no 4520
progress is observed during the monitoring period, the district 4521
or school shall notify the parent, guardian, or custodian of the 4522

student and administer a tier two dyslexia screening measure to 4523
the student. 4524

(5) Report to a student's parent or guardian the student's 4525
results on a tier two screening measure approved by the Ohio 4526
dyslexia committee within thirty days after the measure's 4527
administration. If, as determined by the tier two screening 4528
measure, the student is identified as having dyslexia 4529
tendencies, the student's parent or guardian shall be provided 4530
with information about reading development, the risk factors for 4531
dyslexia, and descriptions for evidenced-based interventions. 4532

(6) If a student demonstrates markers for dyslexia, 4533
provide the student's parents or guardian with a written 4534
explanation of the district or school's ~~multi-sensory~~ structured 4535
literacy program. 4536

(B) (1) Beginning in the ~~2022-2023~~ 2023-2024 school year, 4537
each district or school shall: 4538

(a) Administer a tier one dyslexia screening measure to 4539
each kindergarten student that transfers into the district or 4540
school midyear during the school's regularly scheduled screening 4541
of the kindergarten class or within thirty days after the 4542
student's enrollment if the screening already has been 4543
completed; 4544

(b) Administer a tier one dyslexia screening measure to 4545
each student in grades one through six that transfers into the 4546
district or school midyear within thirty days after the 4547
student's enrollment. 4548

(2) If a student is identified as being at risk of 4549
dyslexia under division (B) (1) of this section, the district or 4550
school shall administer a tier two screening measure in a timely 4551

manner. 4552

(C) Each district or school shall do all of the following: 4553

(1) Comply with any provisions that are statutorily 4554
required, as they pertain to the guidebook developed under 4555
division (C) of section 3323.25 of the Revised Code; 4556

(2) Select screening and intervention measures to 4557
administer to students from the measures identified under 4558
division (E) of section 3323.25 of the Revised Code; 4559

(3) Establish a multidisciplinary team to administer 4560
screening and intervention measures and analyze the results of 4561
the measures. The team shall include trained and certified 4562
personnel and a stakeholder with expertise in the 4563
identification, intervention, and remediation of dyslexia. 4564

(4) Report to the department of education the results of 4565
screening measures administered under this section. 4566

In addition, districts and schools may utilize any best 4567
practices and recommendations contained in the guidebook 4568
developed under division (C) of section 3323.25 of the Revised 4569
Code. 4570

Sec. 3326.39. (A) In any fiscal year, a STEM school 4571
receiving funds calculated under division (A) (7) of section 4572
3317.022 of the Revised Code shall spend those funds only for 4573
the purposes that the department designates as approved for 4574
career-technical education expenses. Career-technical education 4575
expenses approved by the department shall include only expenses 4576
connected to the delivery of career-technical programming to 4577
career-technical students. The department shall require the 4578
school to report data annually so that the department may 4579
monitor the school's compliance with the requirements regarding 4580

the manner in which funding received under division ~~(A) (8)~~ (A) 4581
(7) of section 3317.022 of the Revised Code may be spent. 4582

(B) All funds received under division (A) (7) of section 4583
3317.022 of the Revised Code shall be spent in the following 4584
manner: 4585

(1) At least seventy-five per cent of the funds shall be 4586
spent on curriculum development, purchase, and implementation; 4587
instructional resources and supplies; industry-based program 4588
certification; student assessment, credentialing, and placement; 4589
curriculum specific equipment purchases and leases; career- 4590
technical student organization fees and expenses; home and 4591
agency linkages; work-based learning experiences; professional 4592
development; and other costs directly associated with career- 4593
technical education programs including development of new 4594
programs. 4595

(2) Not more than twenty-five per cent of the funds shall 4596
be used for personnel expenditures. 4597

(C) In any fiscal year, a science, technology, 4598
engineering, and mathematics school receiving funds under 4599
division (H) of section 3317.014 of the Revised Code shall spend 4600
those funds only for the following purposes: 4601

(1) Delivery of career awareness programs to students 4602
enrolled in grades kindergarten through twelve; 4603

(2) Provision of a common, consistent curriculum to 4604
students throughout their primary and secondary education; 4605

(3) Assistance to teachers in providing a career 4606
development curriculum to students; 4607

(4) Development of a career development plan for each 4608

student that stays with that student for the duration of the 4609
student's primary and secondary education; 4610

(5) Provision of opportunities for students to engage in 4611
activities, such as career fairs, hands-on experiences, and job 4612
shadowing, across all career pathways at each grade level. 4613

The department may deny payment under division (E) of 4614
section 3317.014 of the Revised Code to any school that the 4615
department determines is using funds paid under division (H) of 4616
section 3317.014 of the Revised Code for other purposes. 4617

Sec. 4723.07. In accordance with Chapter 119. of the 4618
Revised Code, the board of nursing shall adopt and may amend and 4619
rescind rules that establish all of the following: 4620

(A) Provisions for the board's government and control of 4621
its actions and business affairs; 4622

(B) ~~Minimum~~ Subject to section 4723.072 of the Revised 4623
Code, minimum standards for nursing education programs that 4624
prepare graduates to be licensed under this chapter and 4625
procedures for granting, renewing, and withdrawing approval of 4626
those programs; 4627

(C) Criteria that applicants for licensure must meet to be 4628
eligible to take examinations for licensure; 4629

(D) Standards and procedures for renewal of the licenses 4630
and certificates issued by the board; 4631

(E) Standards for approval of continuing nursing education 4632
programs and courses for registered nurses, advanced practice 4633
registered nurses, and licensed practical nurses. The standards 4634
may provide for approval of continuing nursing education 4635
programs and courses that have been approved by other state 4636

boards of nursing or by national accreditation systems for 4637
nursing, including, but not limited to, the American nurses' 4638
credentialing center and the national association for practical 4639
nurse education and service. 4640

(F) Standards that persons must meet to be authorized by 4641
the board to approve continuing education programs and courses 4642
and a schedule by which that authorization expires and may be 4643
renewed; 4644

(G) Requirements, including continuing education 4645
requirements, for reactivating inactive licenses or 4646
certificates, and for reinstating licenses or certificates that 4647
have lapsed; 4648

(H) Conditions that may be imposed for reinstatement of a 4649
license or certificate following action taken under section 4650
3123.47, 4723.28, 4723.281, 4723.652, or 4723.86 of the Revised 4651
Code resulting in a license or certificate suspension; 4652

(I) Requirements for board approval of courses in 4653
medication administration by licensed practical nurses; 4654

(J) Criteria for evaluating the qualifications of an 4655
applicant for a license to practice nursing as a registered 4656
nurse, a license to practice nursing as an advanced practice 4657
registered nurse, or a license to practice nursing as a licensed 4658
practical nurse for the purpose of issuing the license by the 4659
board's endorsement of the applicant's authority to practice 4660
issued by the licensing agency of another state; 4661

(K) Universal and standard precautions that shall be used 4662
by each licensee or certificate holder. The rules shall define 4663
and establish requirements for universal and standard 4664
precautions that include the following: 4665

(1) Appropriate use of hand washing;	4666
(2) Disinfection and sterilization of equipment;	4667
(3) Handling and disposal of needles and other sharp instruments;	4668 4669
(4) Wearing and disposal of gloves and other protective garments and devices.	4670 4671
(L) Quality assurance standards for advanced practice registered nurses;	4672 4673
(M) Additional criteria for the standard care arrangement required by section 4723.431 of the Revised Code entered into by a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner and the nurse's collaborating physician or podiatrist;	4674 4675 4676 4677 4678
(N) For purposes of division (B) (31) of section 4723.28 of the Revised Code, the actions, omissions, or other circumstances that constitute failure to establish and maintain professional boundaries with a patient;	4679 4680 4681 4682
(O) Standards and procedures for delegation under section 4723.48 of the Revised Code of the authority to administer drugs.	4683 4684 4685
The board may adopt other rules necessary to carry out the provisions of this chapter. The rules shall be adopted in accordance with Chapter 119. of the Revised Code.	4686 4687 4688
<u>Sec. 4723.072. (A) From the effective date of this section through January 31, 2028, a prelicensure nursing education program leading to initial licensure to practice nursing as a licensed practical nurse may use as a member of its faculty any individual who meets either of the following conditions:</u>	4689 4690 4691 4692 4693

<u>(1) Holds a baccalaureate degree in nursing;</u>	4694
<u>(2) Is scheduled to receive a baccalaureate degree in</u>	4695
<u>nursing within twelve calendar months after the date the program</u>	4696
<u>first uses the individual as a member of its faculty.</u>	4697
<u>(B) (1) During the period specified in division (A) of this</u>	4698
<u>section, the board of nursing shall not refuse to grant full</u>	4699
<u>approval to, or renew approval for, a prelicensure nursing</u>	4700
<u>education program solely on the basis that the program uses as a</u>	4701
<u>member of its faculty an individual described in division (A) of</u>	4702
<u>this section.</u>	4703
<u>(2) On and after February 1, 2028, the board shall not</u>	4704
<u>refuse to grant full approval to, or renew approval for, a</u>	4705
<u>prelicensure nursing education program solely on the basis that</u>	4706
<u>the program uses as a member of its faculty an individual</u>	4707
<u>described in division (A) of this section if the program was</u>	4708
<u>approved or applied for approval during the period specified in</u>	4709
<u>division (A) of this section.</u>	4710
<u>(C) Nothing in this section prohibits the board from</u>	4711
<u>adopting rules on or after February 1, 2028, to authorize a</u>	4712
<u>prelicensure nursing education program to use as a member of its</u>	4713
<u>faculty an individual described in division (A) of this section.</u>	4714
Sec. 5747.057. (A) As used in this section:	4715
<u>(1) "Eligible employee" means an employee who is nineteen</u>	4716
<u>years of age or younger and enrolled in a career-technical</u>	4717
<u>education program approved under section 3317.161 of the Revised</u>	4718
<u>Code.</u>	4719
<u>(2) "Eligible compensation" means compensation paid on and</u>	4720
<u>after the effective date of this section from which the employer</u>	4721
<u>is required to deduct and withhold income tax under section</u>	4722

5747.06 of the Revised Code. 4723

(B) A nonrefundable credit is allowed against a taxpayer's 4724
aggregate tax liability under section 5747.02 of the Revised 4725
Code for a taxpayer that holds a tax credit certificate issued 4726
under this section. The credit equals the amount listed on the 4727
certificate and shall be claimed for the taxable year that 4728
includes the last day of the calendar year for which the 4729
certificate was issued. The credit shall be claimed in the order 4730
required under section 5747.98 of the Revised Code. 4731

(C) An employer that is a taxpayer or a pass-through 4732
entity and that employs an eligible employee in fulfillment of a 4733
work-based learning experience, internship, or cooperative 4734
education program associated with the career-technical education 4735
program in which the eligible employee is enrolled may apply to 4736
the department of education for a tax credit certificate. The 4737
application shall be made on forms prescribed by the department, 4738
in consultation with the tax commissioner, on or after the first 4739
day of January and on or before the first day of February of 4740
each year. The application shall include all of the following 4741
information for the calendar year preceding the year in which 4742
the application is made: 4743

(1) The amount of eligible compensation paid by the 4744
applicant to each of its eligible employees; 4745

(2) The name, birth date, and social security number of 4746
each eligible employee employed by the applicant; 4747

(3) The career-technical education program in which each 4748
eligible employee is enrolled; 4749

(4) A description of each eligible employee's duties as 4750
part of the employee's work-based learning experience, 4751

internship, or cooperative education program; 4752

(5) Any other information requested by the department. 4753

(D) (1) After determining that the applicant satisfies the 4754
conditions described in division (C) of this section, the 4755
department of education shall issue, within sixty days after the 4756
receipt of a complete application under that division, a tax 4757
credit certificate to the applicant equal to the lesser of (a) 4758
fifteen per cent of the eligible compensation paid by the 4759
applicant to all eligible employees during the calendar year or 4760
(b) five thousand dollars per eligible employee, in either case 4761
subject to the limitations in division (D) (2) of this section. 4762

(2) If the applicant pays eligible compensation to an 4763
employee who ceases to qualify as an eligible employee during 4764
the calendar year, only the eligible compensation paid to the 4765
employee while the employee qualified as an eligible employee 4766
may be used to calculate the credit amount on a tax credit 4767
certificate issued under this section. The department shall not 4768
issue certificates in a total amount that would cause the tax 4769
credits claimed in any fiscal biennium to exceed five million 4770
dollars. 4771

(3) Each tax credit certificate issued under this section 4772
shall include a unique identification number and shall state the 4773
amount of tax credit that may be claimed. A taxpayer claiming 4774
the credit allowed under this section shall submit a copy of the 4775
certificate with the taxpayer's return or report. 4776

(E) If a tax credit certificate is issued to a pass- 4777
through entity under this section, any taxpayer that is a direct 4778
or indirect investor in the pass-through entity on the last day 4779
of the entity's taxable year ending in the calendar year for 4780

which the certificate was issued may claim the taxpayer's 4781
distributive or proportionate share of the credit against the 4782
taxpayer's aggregate tax liability under section 5747.02 of the 4783
Revised Code. 4784

(F) For the purpose of issuing tax credit certificates 4785
under this section, the department of education may request from 4786
any of the following entities the data verification code 4787
assigned under division (D) (2) of section 3301.0714 of the 4788
Revised Code to any student who is included on an application 4789
made pursuant to division (C) of this section as an eligible 4790
employee: 4791

(1) The student's resident district; 4792

(2) The district or school offering the career-technical 4793
education program in which the student is enrolled; 4794

(3) The independent contractor engaged to create and 4795
maintain student data verification codes. 4796

The department may not release a data verification code 4797
received under this division to any person except as authorized 4798
by law. Any document related to the tax credit authorized under 4799
this section that the department maintains in its files that 4800
contains both a student's name or other personally identifiable 4801
information and the student's data verification code is not a 4802
public record as defined in section 149.43 of the Revised Code. 4803

Section 2. That existing sections 3301.0714, 3307.01, 4804
3309.01, 3310.032, 3310.70, 3313.976, 3314.016, 3314.021, 4805
3314.074, 3317.011, 3317.014, 3317.016, 3317.017, 3317.019, 4806
3317.0110, 3317.02, 3317.024, 3317.0212, 3317.0215, 3317.051, 4807
3317.064, 3317.25, 3319.077, 3319.078, 3323.25, 3323.251, 4808
3326.39, 4723.07, and 5747.057 of the Revised Code are hereby 4809

repealed. 4810

Section 3. That Sections 265.150, 265.210, 265.225, and 4811
265.335 of H.B. 110 of the 134th General Assembly be amended to 4812
read as follows: 4813

Sec. 265.150. PUPIL TRANSPORTATION 4814

Of the foregoing appropriation item 200502, Pupil 4815
Transportation, up to \$838,930 in each fiscal year may be used 4816
by the Department of Education for training prospective and 4817
experienced school bus drivers in accordance with training 4818
programs prescribed by the Department. A portion of these funds 4819
may also be used to pay for costs associated with the enrollment 4820
of bus drivers in the retained applicant fingerprint database. 4821

Of the foregoing appropriation item 200502, Pupil 4822
Transportation, \$250,000 in each fiscal year shall be used to 4823
award transportation collaboration grants pursuant to section 4824
3317.072 of the Revised Code. An amount equal to the unexpended, 4825
unencumbered balance of this set-aside at the end of fiscal year 4826
2022 is hereby reappropriated for the same purpose for fiscal 4827
year 2023. Notwithstanding any provision of law to the contrary, 4828
the Department may allow grant recipients to carry over funds 4829
for expenses incurred in the fiscal year following the year the 4830
grant award was made according to guidelines established by the 4831
Department of Education. 4832

Of the foregoing appropriation item 200502, Pupil 4833
Transportation, up to \$117,469,220 in fiscal year 2022 and up to 4834
\$123,469,220 in fiscal year 2023 may be used by the Department 4835
for special education transportation reimbursements to school 4836
districts and county DD boards for transportation operating 4837
costs as provided in divisions (C) and (F) of section 3317.024 4838

of the Revised Code. 4839

The remainder of the foregoing appropriation item 200502, 4840
Pupil Transportation, shall be used to distribute the amounts 4841
calculated for transportation aid under divisions (E), (F), (G), 4842
(H), and (I) of section 3317.0212, and division (A) (2) of 4843
section 3317.019 of the Revised Code. 4844

PAYMENTS IN LIEU OF TRANSPORTATION 4845

For purposes of division (D) of section 3327.02 of the 4846
Revised Code, if a parent, guardian, or other person in charge 4847
of a pupil accepts an offer from a school district of payment in 4848
lieu of providing transportation for the pupil, the school 4849
district shall pay that parent, guardian, or other person an 4850
amount not less than fifty per cent and not more than the amount 4851
determined by the Department as the average cost of pupil 4852
transportation for the previous school year. Payment may be 4853
prorated if the time period involved is only a part of the 4854
school year. 4855

DATA REPORTING 4856

For fiscal years 2022 and 2023, each city, local, and 4857
exempted village school district shall report, in a manner 4858
determined by the Department, the average number of students 4859
riding on school buses only routed to community schools 4860
established under Chapter 3314. of the Revised Code, STEM 4861
schools established under Chapter 3326. of the Revised Code, or 4862
nonpublic schools in accordance with section 3327.01 of the 4863
Revised Code. 4864

Sec. 265.210. FOUNDATION FUNDING - ALL STUDENTS 4865

Of the portion of the formula aid distributed to city, 4866
local, and exempted village school districts, joint vocational 4867

school districts, community schools, and STEM schools under this 4868
section, an amount in each fiscal year, as calculated by the 4869
Department of Education, shall be used for the purposes of 4870
division (B) of section 3317.0215 of the Revised Code. 4871

Of the foregoing appropriation item 200550, Foundation 4872
Funding - All Students, up to \$3,800,000 in each fiscal year 4873
shall be used to fund gifted education at educational service 4874
centers. The Department shall distribute the funding through the 4875
unit-based funding methodology in place under division (L) of 4876
section 3317.024, division (E) of section 3317.05, and divisions 4877
(A), (B), and (C) of section 3317.053 of the Revised Code as 4878
they existed prior to fiscal year 2010. 4879

Of the foregoing appropriation item 200550, Foundation 4880
Funding - All Students, up to \$42,500,000 in fiscal year 2022 4881
and up to \$45,000,000 in fiscal year 2023 shall be reserved to 4882
fund the state reimbursement of educational service centers 4883
under section 3317.11 of the Revised Code. 4884

Of the foregoing appropriation item 200550, Foundation 4885
Funding - All Students, up to \$3,500,000 in each fiscal year 4886
shall be distributed to educational service centers for School 4887
Improvement Initiatives and for the provision of technical 4888
assistance to schools and districts consistent with requirements 4889
of section 3312.01 of the Revised Code. The Department may 4890
distribute these funds through a competitive grant process. 4891

Of the foregoing appropriation item 200550, Foundation 4892
Funding - All Students, up to \$7,000,000 in each fiscal year 4893
shall be reserved for payments under the section of ~~this act~~ 4894
H.B. 110 of the 134th General Assembly entitled "POWER PLANT 4895
VALUATION ADJUSTMENT." If this amount is not sufficient, the 4896
Superintendent of Public Instruction may reallocate excess funds 4897

for other purposes supported by this appropriation item in order 4898
to fully pay the amounts required by that section, provided that 4899
the aggregate amount appropriated in appropriation item 200550, 4900
Foundation Funding - All Students, is not exceeded. 4901

Of the foregoing appropriation item 200550, Foundation 4902
Funding - All Students, up to \$2,000,000 in each fiscal year 4903
shall be used to support the administration of state scholarship 4904
programs. 4905

Of the foregoing appropriation item 200550, Foundation 4906
Funding - All Students, up to \$3,000,000 in each fiscal year may 4907
be used for payment of the College Credit Plus Program for 4908
students instructed at home pursuant to section 3321.04 of the 4909
Revised Code. 4910

Of the foregoing appropriation item 200550, Foundation 4911
Funding - All Students, an amount shall be available in each 4912
fiscal year to be paid to joint vocational school districts in 4913
accordance with sections 3317.16 and 3317.162 of the Revised 4914
Code and the section of ~~this act~~ H.B. 110 of the 134th General 4915
Assembly entitled "FORMULA TRANSITION SUPPLEMENT." 4916

Of the foregoing appropriation item 200550, Foundation 4917
Funding - All Students, up to \$700,000 in each fiscal year shall 4918
be used by the Department for a program to pay for educational 4919
services for youth who have been assigned by a juvenile court or 4920
other authorized agency to any of the facilities described in 4921
division (A) of the section of ~~this act~~ H.B. 110 of the 134th 4922
General Assembly entitled "PRIVATE TREATMENT FACILITY PROJECT." 4923

Of the foregoing appropriation item 200550, Foundation 4924
Funding - All Students, a portion may be used to pay college- 4925
preparatory boarding schools the per pupil boarding amount 4926

pursuant to section 3328.34 of the Revised Code. 4927

Of the foregoing appropriation item 200550, Foundation 4928
Funding - All Students, up to \$1,760,000 in each fiscal year may 4929
be used by the Department for duties and activities related to 4930
the establishment of academic distress commissions under section 4931
3302.10 of the Revised Code, to provide support and assistance 4932
to academic distress commissions to further their duties under 4933
Chapter 3302. of the Revised Code, and to provide technical 4934
assistance and tools to support districts subject to academic 4935
distress commissions. 4936

Of the foregoing appropriation item 200550, Foundation 4937
Funding - All Students, up to \$1,500,000 in each fiscal year 4938
shall be distributed to the Ohio STEM Learning Network to 4939
support the expansion of free STEM programming aligned to Ohio's 4940
STEM priorities, to create regional STEM supports targeting 4941
underserved student populations, and to support the Ohio STEM 4942
Committee's STEM school designation process. 4943

Of the foregoing appropriation item 200550, Foundation 4944
Funding - All Students, up to \$2,500,000 in each fiscal year 4945
shall be used to make supplemental payments under Section 5 of 4946
H.B. 123 of the 133rd General Assembly, as amended by ~~this act~~ 4947
H.B. 110 of the 134th General Assembly. If the amount 4948
appropriated is insufficient, the Department shall prorate the 4949
payments so that the aggregate amount appropriated in this 4950
section is not exceeded. 4951

The remainder of the foregoing appropriation item 200550, 4952
Foundation Funding - All Students, shall be used to distribute 4953
the amounts calculated for formula aid under division (B) of 4954
section 3313.979, division (A)(1) of section 3317.019, section 4955
3317.022 of the Revised Code, and the section of ~~this act~~ H.B. 4956

110 of the 134th General Assembly entitled "FORMULA TRANSITION 4957
SUPPLEMENT-" and to make payments pursuant to Section 14 of H.B. 4958
583 of the 134th General Assembly. 4959

Appropriation items 200502, Pupil Transportation, and 4960
200550, Foundation Funding - All Students, other than specific 4961
set-asides, are collectively used in each fiscal year to pay 4962
state formula aid obligations for school districts, community 4963
schools, STEM schools, college preparatory boarding schools, 4964
joint vocational school districts, and state scholarship 4965
programs under ~~this act~~ H.B. 110 of the 134th General Assembly. 4966
The first priority of these appropriation items, with the 4967
exception of specific set-asides, is to fund state formula aid 4968
obligations. It may be necessary to reallocate funds among these 4969
appropriation items or use excess funds from other General 4970
Revenue Fund appropriation items in the Department of 4971
Education's budget, including appropriation item 200903, 4972
Property Tax Reimbursement - Education, in each fiscal year in 4973
order to meet state formula aid obligations. If it is determined 4974
that it is necessary to transfer funds among these appropriation 4975
items or to transfer funds from other General Revenue Fund 4976
appropriations in the Department's budget to meet state formula 4977
aid obligations, the Superintendent of Public Instruction shall 4978
seek approval from the Director of Budget and Management to 4979
transfer funds as needed. 4980

The Superintendent of Public Instruction shall make 4981
payments, transfers, and deductions, as authorized by Title 4982
XXXIII of the Revised Code in amounts substantially equal to 4983
those made in the prior year, or otherwise, at the discretion of 4984
the Superintendent, until at least the effective date of the 4985
amendments and enactments made to Title XXXIII of the Revised 4986
Code by ~~this act~~ H.B. 110 of the 134th General Assembly. Any 4987

funds paid to districts or schools under this section shall be 4988
credited toward the annual funds calculated for the district or 4989
school after the changes made to Title XXXVIII of the Revised 4990
Code in ~~this act~~ H.B. 110 of the 134th General Assembly are 4991
effective. Upon the effective date of changes made to Title 4992
XXXVIII of the Revised Code in ~~this act~~ H.B. 110 of the 134th 4993
General Assembly, funds shall be calculated as an annual amount. 4994

Sec. 265.225. FORMULA TRANSITION SUPPLEMENT 4995

(A) (1) For fiscal years 2022 and 2023, the Department of 4996
Education shall pay a formula transition supplement to each 4997
city, local, and exempted village school district according to 4998
the following formula: 4999

(The district's funding base for fiscal year 2021) - (the 5000
district's payments for the fiscal year for which the supplement 5001
is calculated under sections 3317.019, 3317.022, and 3317.0212 5002
of the Revised Code) 5003

If the computation made under division (A) (1) of this 5004
section for a fiscal year results in a negative number, the 5005
district's formula transition supplement for that fiscal year 5006
shall be zero. 5007

(2) For purposes of division (A) (1) of this section, a 5008
city, local, or exempted village school district's "funding base 5009
for fiscal year 2021" means the amount calculated as follows: 5010

(a) Compute the sum of the following: 5011

(i) The amount calculated for the district for fiscal year 5012
2021 under division (A) (1) of Section 265.220 of H.B. 166 of the 5013
133rd General Assembly after any adjustments required under 5014
Section 265.227 of H.B. 166 of the 133rd General Assembly and 5015
before any funding reductions authorized by Executive Order 5016

2020-19D, issued on May 7, 2020, and Executive Order 2021-01D, 5017
issued on January 22, 2021; 5018

(ii) The amount calculated for the district for fiscal 5019
year 2021 under division (A) (2) of Section 265.220 of H.B. 166 5020
of the 133rd General Assembly before any funding reductions 5021
authorized by Executive Order 2020-19D, issued on May 7, 2020, 5022
and Executive Order 2021-01D, issued on January 22, 2021; 5023

(iii) The amount calculated for the district for fiscal 5024
year 2021 under division (B) of Section 265.220 of H.B. 166 of 5025
the 133rd General Assembly; 5026

(iv) The district's payments for fiscal year 2021 under 5027
divisions (C) (1), ~~(2)~~, (3), and (4) of section 3313.981 of the 5028
Revised Code as those divisions existed for payments for fiscal 5029
year 2021; 5030

(v) The district's payments for fiscal year 2021 under 5031
section 3317.0219 of the Revised Code as that section existed 5032
for payments for fiscal year 2021 and under Section 20 of S.B. 5033
310 of the 133rd General Assembly. 5034

(b) Subtract from the amount calculated in division (A) (2) 5035
(a) of this section the sum of the following: 5036

(i) The payments deducted from the district and paid to a 5037
community school established under Chapter 3314. of the Revised 5038
Code for fiscal year 2021 under divisions (C) (1) (a), (b), (c), 5039
(d), (e), (f), and (g) of section 3314.08 of the Revised Code 5040
and division (D) of section 3314.091 of the Revised Code, as 5041
those divisions existed for deductions and payments for fiscal 5042
year 2021, in accordance with division (A) of Section 265.230 of 5043
H.B. 166 of the 133rd General Assembly, before any funding 5044
reductions authorized by Executive Order 2020-19D, issued on May 5045

7, 2020, and Executive Order 2021-01D, issued on January 22,
2021;

(ii) The payments deducted from the district and paid to a
science, technology, engineering, and mathematics school
established under Chapter 3326. of the Revised Code for fiscal
year 2021, under divisions (A), (B), (C), (D), (E), (F), and (G)
of section 3326.33 of the Revised Code as those divisions
existed for deductions and payments for fiscal year 2021, in
accordance with division (A) of Section 265.235 of H.B. 166 of
the 133rd General Assembly, before any funding reductions
authorized by Executive Order 2020-19D, issued on May 7, 2020,
and Executive Order 2021-01D, issued on January 22, 2021;

(iii) The payments deducted from the district for fiscal
year 2021 under division (C) of section 3310.08 of the Revised
Code as that division existed for deductions for fiscal year
2021, division (C) (2) of section 3310.41 of the Revised Code, as
that division existed for deductions for fiscal year 2021, and
section 3310.55 of the Revised Code as that section existed for
deductions for fiscal year 2021 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 for fiscal
year 2021 under Section 265.210 of H.B. 166 of the 133rd General
Assembly to operate the pilot project scholarship program for
fiscal year 2021 under sections 3313.974 to 3313.979 of the
Revised Code;

(iv) The payments subtracted from the district for fiscal
year 2021 under divisions (B) (1), ~~(2)~~, and (3) of section
3313.981 of the Revised Code, as those divisions existed for
subtractions from the district for fiscal year 2021.

(B) (1) For fiscal years 2022 and 2023, the Department of

Education shall pay a formula transition supplement to each 5076
joint vocational school district according to the following 5077
formula: 5078

(The district's funding base for fiscal year 2021) - (the 5079
district's payments for the fiscal year for which the supplement 5080
is calculated under sections 3317.16 and 3317.162 of the Revised 5081
Code) 5082

If the computation made under division (B)(1) of this 5083
section for a fiscal year results in a negative number, the 5084
district's formula transition supplement for that fiscal year 5085
shall be zero. 5086

(2) For purposes of division (B)(1) of this section, a 5087
joint vocational district's "funding base for fiscal year 2021" 5088
means the sum of the following: 5089

(a) The district's payments for fiscal year 2021 under 5090
Section 265.225 of H.B. 166 of the 133rd General Assembly after 5091
any adjustments required under Section 265.227 of H.B. 166 of 5092
the 133rd General Assembly; 5093

(b) The district's payments for fiscal year 2021 under 5094
divisions (D)(1), (2), ~~and (E)(3)~~ of section 3313.981 of the 5095
Revised Code, as those divisions existed for payments for fiscal 5096
year 2021; 5097

(c) The district's payments for fiscal year 2021 under 5098
section 3317.163 of the Revised Code as that section existed for 5099
payments for fiscal year 2021 and under Section 20 of S.B. 310 5100
of the 133rd General Assembly. 5101

(C)(1) For fiscal years 2022 and 2023, the Department of 5102
Education shall pay a formula transition supplement to each 5103
community school established under Chapter 3314. of the Revised 5104

Code according to the following formula: 5105

[(The school's funding base for fiscal year 2021 / the number of 5106
students enrolled in the school for fiscal year 2021) - (the 5107
school's payments for the fiscal year for which the supplement 5108
is calculated under sections 3317.022 and 3317.0212 of the 5109
Revised Code / the number of students enrolled in the school for 5110
the fiscal year for which the supplement is calculated)] X the 5111
number of students enrolled in the school for the fiscal year 5112
for which the supplement is calculated. 5113

If the computation made under division (C)(1) of this 5114
section for a fiscal year results in a negative number, the 5115
school's formula transition supplement for that fiscal year 5116
shall be zero. 5117

(2) For purposes of division (C)(1) of this section, a 5118
community school's "funding base for fiscal year 2021" means the 5119
sum of the following: 5120

(a) The amount calculated for the school for fiscal year 5121
2021 under division (C)(1) of section 3314.08 of the Revised 5122
Code as that section existed for payments for fiscal year 2021, 5123
before any funding reductions authorized by Executive Order 5124
2020-19D, issued on May 7, 2020, and Executive Order 2021-01D, 5125
issued on January 22, 2021; 5126

(b) The amount calculated for the school for fiscal year 5127
2021 under section 3314.085 of the Revised Code as that section 5128
existed for payments for fiscal year 2021; 5129

(c) The amount calculated for the school for fiscal year 5130
2021 under division (D)(1) of section 3314.091 of the Revised 5131
Code as that division existed for payments for fiscal year 2021; 5132

(d) The amount calculated for the school for fiscal year 5133

2021 under section 3314.088 of the Revised Code as that section 5134
existed for payments for fiscal year 2021 and under Section 20 5135
of S.B. 310 of the 133rd General Assembly. 5136

(D) (1) For fiscal years 2022 and 2023, the Department of 5137
Education shall pay a formula transition supplement to each 5138
science, technology, engineering, and mathematics school 5139
established under Chapter 3326. of the Revised Code according to 5140
the following formula: 5141

[(The school's funding base for fiscal year 2021 / the number of 5142
students enrolled in the school for fiscal year 2021) - (the 5143
school's payments for the fiscal year for which the supplement 5144
is calculated under section 3317.022 of the Revised Code / the 5145
number of students enrolled in the school for the fiscal year 5146
for which the supplement is calculated)] X the number of 5147
students enrolled in the school for the fiscal year for which 5148
the supplement is calculated. 5149

If the computation made under division (D) (1) of this 5150
section for a fiscal year results in a negative number, the 5151
school's formula transition supplement for that fiscal year 5152
shall be zero. 5153

(2) For purposes of division (D) (1) of this section, a 5154
science, technology, engineering, and mathematics school's 5155
"funding base for fiscal year 2021" means the sum of the 5156
following: 5157

(a) The amount calculated for the school for fiscal year 5158
2021 under section 3326.33 of the Revised Code as that section 5159
existed for payments for fiscal year 2021, before any funding 5160
reductions authorized by Executive Order 2020-19D, issued on May 5161
7, 2020, and Executive Order 2021-01D, issued on January 22, 5162

2021;	5163
(b) The amount calculated for the school for fiscal year	5164
2021 under section 3326.41 of the Revised Code as that section	5165
existed for payments for fiscal year 2021;	5166
(c) The amount calculated for the school for fiscal year	5167
2021 under section 3326.42 of the Revised Code as that section	5168
existed for payments for fiscal year 2021 and under Section 20	5169
of S.B. 310 of the 133rd General Assembly.	5170
Sec. 265.335. QUALITY COMMUNITY SCHOOLS SUPPORT	5171
(A) The foregoing appropriation item 200631, Quality	5172
Community Schools Support, shall be used for the Quality	5173
Community School Support Program. Under the program, the	5174
Department of Education shall pay each community school	5175
established under Chapter 3314. of the Revised Code and	5176
designated as a Community School of Quality under this section	5177
an amount up to \$1,750 in each fiscal year for each pupil	5178
identified as economically disadvantaged and up to \$1,000 in	5179
each fiscal year for each pupil that is not identified as	5180
economically disadvantaged. The payment for the current fiscal	5181
year shall be calculated using the final adjusted full-time	5182
equivalent number of students enrolled in a community school for	5183
the prior fiscal year, except that if a school is in its first	5184
year of operation the payment for the current fiscal year shall	5185
be calculated using the adjusted full-time equivalent number of	5186
students enrolled in the school for the current fiscal year as	5187
of the date the payment is made, as reported by the school under	5188
section 3314.08 of the Revised Code. The Department shall make	5189
the payment to each Community School of Quality not later than	5190
January 31 of each fiscal year. If the amount appropriated is	5191
not sufficient, the Department shall prorate the amounts so that	5192

the aggregate amount appropriated is not exceeded. 5193

(B) To be designated as a Community School of Quality, a 5194
community school shall satisfy at least one of the following 5195
conditions: 5196

(1) The community school meets all of the following 5197
criteria: 5198

(a) The school's sponsor was rated "exemplary" or 5199
"effective" on the sponsor's most recent evaluation conducted 5200
under section 3314.016 of the Revised Code. 5201

(b) The school received a higher performance index score 5202
than the school district in which the school is located on the 5203
two most recent report cards issued for the school under section 5204
3302.03 of the Revised Code. 5205

(c) The school received an overall grade of "A" or "B" for 5206
the value-added progress dimension on the most recent report 5207
card issued for the school under section 3302.03 of the Revised 5208
Code or is a school described under division (A)(4) of section 5209
3314.35 of the Revised Code and did not receive a grade for the 5210
value-added progress dimension on the most recent report card. 5211

(d) At least fifty per cent of the students enrolled in 5212
the school are economically disadvantaged, as determined by the 5213
Department. 5214

(2) The community school meets all of the following 5215
criteria: 5216

(a) The school's sponsor was rated "exemplary" or 5217
"effective" on the sponsor's most recent evaluation conducted 5218
under section 3314.016 of the Revised Code. 5219

(b) The school is in its first year of operation or the 5220

school opened as a kindergarten school and has added one grade 5221
per year and has been in operation for less than four school 5222
years. 5223

(c) The school is replicating an operational and 5224
instructional model used by a community school described in 5225
division (B) (1) of this section. 5226

(d) If the school has an operator, the operator received a 5227
"C" or better on its most recent performance report published 5228
under section 3314.031 of the Revised Code. 5229

(3) The community school meets all of the following 5230
criteria: 5231

(a) The school's sponsor was rated "exemplary" or 5232
"effective" on the sponsor's most recent evaluation conducted 5233
under section 3314.016 of the Revised Code. 5234

(b) The school contracts with an operator that operates 5235
schools in other states and meets at least one of the following 5236
criteria: 5237

(i) Has operated a school that received a grant funded 5238
through the federal Charter School Program established under 20 5239
U.S.C. 7221 within the five years prior to the date of 5240
application or received funding from the Charter School Growth 5241
Fund; 5242

(ii) Meets all of the following criteria: 5243

(I) One of the operator's schools in another state 5244
performed better than the school district in which the school is 5245
located, as determined by the Department. 5246

(II) At least fifty per cent of the total number of 5247
students enrolled in all of the operator's schools are 5248

economically disadvantaged, as determined by the Department. 5249

(III) The operator is in good standing in all states where 5250
it operates schools, as determined by the Department. 5251

(IV) The Department has determined that the operator does 5252
not have any financial viability issues that would prevent it 5253
from effectively operating a community school in Ohio. 5254

(c) The school is in its first year of operation. 5255

(C) A school designated as a Community School of Quality 5256
under division (B) of this section shall maintain that 5257
designation for the two fiscal years following the fiscal year 5258
in which the school was initially designated as a Community 5259
School of Quality. 5260

(D) A school designated a Community School of Quality may 5261
renew its designation each year that it satisfies the criteria 5262
under division (B) (1) of this section. The school shall maintain 5263
that designation for the two fiscal years following each fiscal 5264
year in which the criteria under division (B) (1) of this section 5265
are satisfied. This division applies to schools designated as a 5266
Community School of Quality based on the report cards issued in 5267
accordance with sections 3302.03 and 3314.012 of the Revised 5268
Code for the 2017-2018 and 2018-2019 school years. 5269

(E) A school that was designated as a Community School of 5270
Quality for the first time for the 2019-2020 school year shall 5271
maintain that designation for the 2022-2023 school year and may 5272
renew its designation under division (D) of this section after 5273
that school year. 5274

Section 4. That existing Sections 265.150, 265.210, 5275
265.225, and 265.335 of H.B. 110 of the 134th General Assembly 5276
are hereby repealed. 5277

Section 5. That Section 5 of H.B. 123 of the 133rd General Assembly (as amended by H.B. 110 of the 134th General Assembly) be amended to read as follows:

Sec. 5. (A) As used in this section:

(1) "Eligible internet- or computer-based community school" means the following:

(a) For fiscal year 2021, an internet- or computer-based community school that was designated for the 2019-2020 school year as an internet- or computer-based community school in which a majority of the students were enrolled in a dropout prevention and recovery program and satisfies both of the following conditions:

(i) The school does not have a for-profit operator;

(ii) The school received a rating of "exceeds standards" on the combined graduation component of the most recent report card issued for the school under section 3314.017 of the Revised Code.

(b) For fiscal years 2022 and 2023, an internet- or computer-based community school that participated in the program for fiscal year 2021.

(2) "Formula amount" shall equal the amount specified in division (F)(1) of the section of H.B. 166 of the 133rd General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 and 2021."

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

(B) The Department of Education shall establish a pilot program to provide additional funding for students enrolled in

grades eight through twelve in eligible internet- or computer- 5306
based community schools for fiscal years 2021, 2022, and 2023. 5307
An eligible internet- or computer-based community school may 5308
choose to participate in the program by notifying the Department 5309
of Education not later than ten days after December 21, 2020. 5310

(C) For fiscal years 2021, 2022, and 2023, the Department 5311
of Education shall require each eligible internet- or computer- 5312
based community school that chooses to participate in the pilot 5313
program to report all information that is necessary to make 5314
payments under division (D) of this section. 5315

(D) For fiscal years 2021, 2022, and 2023, the Department 5316
shall calculate an additional payment for each eligible 5317
internet- or computer-based community school that chooses to 5318
participate in the pilot program, as follows: 5319

(1) Compute the lesser of the following for each student 5320
enrolled in grades eight through twelve: 5321

(a) The formula amount X the maximum full-time equivalency 5322
for the portion of the school year for which the student is 5323
enrolled in the school; 5324

(b) The sum of the following: 5325

(i) A one-time payment of \$1,750. In the case of a student 5326
enrolled in the school for the first time for the 2020-2021, 5327
2021-2022, or 2022-2023 school year, payment shall be made under 5328
division (D) (1) (b) (i) of this section at least thirty days after 5329
the student is considered to be enrolled in the school in 5330
accordance with division (H) (2) of section 3314.08 of the 5331
Revised Code, provided the student has been continuously 5332
enrolled in the school during that time, as determined by the 5333
Department. In the case of a student that was enrolled in the 5334

school for the 2019-2020, 2020-2021, or 2021-2022 school year, 5335
payment shall be made under division (D) (1) (b) (i) of this 5336
section at least thirty days after the student has started to 5337
participate in learning opportunities for the 2020-2021, 2021- 5338
2022, or 2022-2023 school year, provided the student has been 5339
continuously enrolled in the school during that time, as 5340
determined by the Department. 5341

(ii) The formula amount $X (1/920) X$ the lesser of the 5342
number of hours the student participates in learning 5343
opportunities in that fiscal year or 920; 5344

(iii) The lesser of ($\$500 X$ either the number of courses 5345
completed by the student in that fiscal year, in the case of a 5346
student enrolled in grade eight, or the number of credits earned 5347
by the student in that fiscal year, in the case of a student 5348
enrolled in grades nine through twelve) or $\$2,500$. 5349

(2) Compute the sum of the amounts calculated under 5350
division (D) (1) of this section for all students enrolled in 5351
grades eight through twelve. 5352

(3) Compute the school's payment in accordance with the 5353
following formula: 5354

The amount determined under division (D) (2) of this 5355
section) - ~~(the total amount paid to the school for the fiscal-~~ 5356
~~year for which the payment is calculated under this section-~~ 5357
~~under division (C) (1) (a) of section 3314.08 of the Revised Code-~~ 5358
~~for number of full-time equivalent students enrolled in grades~~ 5359
~~eight through twelve in the school X the formula amount)~~ 5360

If the amount computed under division (D) (3) is a negative 5361
number, the school shall not receive a payment under this 5362
section. 5363

(E) (1) The Department shall complete a review of the 5364
enrollment of each eligible internet- or computer-based 5365
community school that chooses to participate in the pilot 5366
program in accordance with division (K) of section 3314.08 of 5367
the Revised Code. If the Department determines a school has been 5368
overpaid based on a review completed under division (E) (1) of 5369
this section, the Department shall require a repayment of the 5370
overpaid funds and may require the school to establish a plan to 5371
improve the reporting of enrollment. 5372

(2) The Department may require each eligible internet- or 5373
computer-based community school that chooses to participate in 5374
the pilot program to create a debt reduction plan approved by 5375
the school's sponsor, if determined appropriate by the 5376
Department. 5377

(3) To the extent that an eligible internet- or computer- 5378
based community school that chooses to participate in the pilot 5379
program had, for the 2019-2020, 2020-2021, or 2021-2022 school 5380
year, a percentage of student engagement in learning 5381
opportunities that was less than sixty-five per cent, the school 5382
shall provide to the Department a meaningful plan for increasing 5383
student engagement. 5384

(4) All eligible internet- or computer-based community 5385
schools that choose to participate in the pilot program shall 5386
implement programming or protocol which documents enrollment and 5387
participation in learning opportunities in order to participate 5388
in the program. 5389

(F) Upon completion of the pilot program, and not later 5390
than December 31, 2022, the Department shall issue a report on 5391
the program. For purposes of this report, the Department may 5392
request each eligible internet- or computer-based community 5393

school that chooses to participate in the pilot program to 5394
submit information to the Department on any of the following: 5395

(1) The time, resources, and cost associated with 5396
enrolling students in the school and preparing students to 5397
engage in learning opportunities; 5398

(2) The time and cost associated with providing counseling 5399
and other supports to students; 5400

(3) Student enrollment and participation data; 5401

(4) Individualized student plans; 5402

(5) An assessment of strategies used to improve student 5403
engagement and the percentage of participation in learning 5404
opportunities 5405

(6) Any other data the Department considers relevant. 5406

The Department shall submit copies of the report in 5407
accordance with section 101.68 of the Revised Code to the 5408
Governor, the President and Minority Leader of the Senate, the 5409
Speaker and Minority Leader of the House of Representatives, and 5410
the chairpersons and ranking members of the standing committees 5411
on primary and secondary education of the Senate and the House 5412
of Representatives. 5413

Section 6. That existing Section 5 of H.B. 123 of the 5414
133rd General Assembly (as amended by H.B. 110 of the 134th 5415
General Assembly) is hereby repealed. 5416

Section 7. That Section 4 of S.B. 1 of the 134th General 5417
Assembly be amended to read as follows: 5418

Sec. 4. (A) As used in this section, "school governing 5419
body" means any of the following: 5420

(1) The board of education of a city, local, exempted village, or joint vocational school district;	5421 5422
(2) The governing authority of a community school established under Chapter 3314. of the Revised Code;	5423 5424
(3) The governing body of a STEM school established under Chapter 3326. of the Revised Code;	5425 5426
(4) The governing authority of a chartered nonpublic school;	5427 5428
(5) The governing board of an educational service center or a regional council of governments, established under Chapter 167. of the Revised Code, consisting of one or more educational service centers that provide substitute teaching services.	5429 5430 5431 5432
(B) Notwithstanding anything to the contrary in sections 3301.071, 3319.226, 3319.30, and 3319.36 and Chapters 3314. and 3326. of the Revised Code, or the administrative rules of the State Board of Education, a school governing body may employ an individual who does not hold a post-secondary degree as a substitute teacher, for the 2021-2022, <u>2022-2023, and 2023-2024</u> school year <u>years</u> only, provided that the individual also meets the following requirements:	5433 5434 5435 5436 5437 5438 5439 5440
(1) The individual meets the district's or school's own set of educational requirements.	5441 5442
(2) The individual is deemed to be of good moral character.	5443 5444
(3) The individual successfully completes a criminal records check as prescribed in section 3319.39 of the Revised Code.	5445 5446 5447
(C) The State Board shall issue a nonrenewable temporary	5448

substitute teaching license to an individual who does not hold a 5449
 post-secondary degree but meets the requirements prescribed in 5450
 division (B) of this section for the 2021-2022, 2022-2023, and 5451
2023-2024 school year-years only. 5452

Section 8. That existing Section 4 of S.B. 1 of the 134th 5453
 General Assembly is hereby repealed. 5454

Section 9. All items in this act are hereby appropriated 5455
 as designated out of any moneys in the state treasury to the 5456
 credit of the designated fund. For all operating appropriations 5457
 made in this act, those in the first column are for fiscal year 5458
 2022 and those in the second column are for fiscal year 2023. 5459
 The operating appropriations made in this act are in addition to 5460
 any other operating appropriations made for the FY 2022-FY 2023 5461
 biennium. 5462

5463

	1	2	3	4	5
A	EDU DEPARTMENT OF EDUCATION				
B	Federal Fund Group				
C	3HS0	200640	Federal Coronavirus School Relief	\$2,415,201	\$0
D	TOTAL FED Federal Fund Group			\$2,415,201	\$0
E	TOTAL ALL BUDGET FUND GROUPS			\$2,415,201	\$0
	FEDERAL CORONAVIRUS SCHOOL RELIEF				5464
	(A) The foregoing appropriation item 200640, Federal				5465

Coronavirus School Relief, shall be used by the Department of 5466
Education for the following purposes regarding the tutoring and 5467
remedial education services program established in section 5468
3301.28 of the Revised Code: 5469

(1) For purposes of division (C) (3) of section 3301.28 of 5470
the Revised Code; 5471

(2) To reimburse the coordinating service center, as 5472
defined in section 3301.28 of the Revised Code, for the costs 5473
described in divisions (C) (6) (a) and (b) of that section and to 5474
pay costs associated with enrolling participating tutors in the 5475
retained applicant fingerprint database; 5476

(3) Subject to available funds, to pay incidental costs of 5477
training opportunities conducted by educational service centers 5478
under division (C) (4) of that section, in a manner determined by 5479
the Department. 5480

(B) An amount equal to the unexpended, unencumbered 5481
balance of the foregoing appropriation item 200640, Federal 5482
Coronavirus School Relief, at the end of fiscal year 2022 is 5483
hereby reappropriated to the Department to be used for the same 5484
purposes in fiscal year 2023. 5485

(C) The foregoing appropriation item 200640, Federal 5486
Coronavirus School Relief, shall be supported using the funds 5487
for emergency needs authorized under Title II, Sec. 2001(f) (4) 5488
of the federal "American Rescue Plan Act of 2021," Pub. L. No. 5489
117-2. 5490

Section 10. Within the limits set forth in this act, the 5491
Director of Budget and Management shall establish accounts 5492
indicating the source and amount of funds for each appropriation 5493
made in this act, and shall determine the form and manner in 5494

which appropriation accounts shall be maintained. Expenditures 5495
from operating appropriations contained in this act shall be 5496
accounted for as though made in H.B. 110 of the 134th General 5497
Assembly. The operating appropriations made in this act are 5498
subject to all provisions of H.B. 110 of the 134th General 5499
Assembly that are generally applicable to such appropriations. 5500

Section 11. (A) The Substitute Teacher Shortages Study 5501
Committee is hereby established. The study committee shall 5502
consist of the following members: 5503

(1) Three members of the House of Representatives 5504
appointed by the Speaker of the House of Representatives, two of 5505
whom are members of the majority party and one of whom is a 5506
member of the minority party. The Speaker shall appoint the 5507
member of the minority party in consultation with the Minority 5508
Leader of the House of Representatives. 5509

(2) Three members of the Senate appointed by the President 5510
of the Senate, two of whom are members of the majority party and 5511
one of whom is a member of the minority party. The President 5512
shall appoint the member of the minority party in consultation 5513
with the Minority Leader of the Senate. 5514

(B) The study committee established under this section 5515
shall address the shortage of substitute teachers and examine 5516
the temporary substitute licensing provision prescribed in 5517
Section 3 of H.B. 409 of the 133rd General Assembly and Section 5518
4 of S.B. 1 of the 134th General Assembly. 5519

The study committee shall consider addressing the causes 5520
of the shortage and how to alleviate that shortage with more 5521
permanent solutions. 5522

(C) The study committee shall produce a report of its 5523

findings not later than December 31, 2022. 5524

Section 12. (A) As used in this section, "public school" 5525
means any of the following: 5526

(1) A city, local, exempted village, or joint vocational 5527
school district; 5528

(2) A community school established under Chapter 3314. of 5529
the Revised Code; 5530

(3) A STEM school established under Chapter 3326. of the 5531
Revised Code. 5532

(B) Any state funds that a public school spent providing 5533
services related to disadvantaged pupil impact aid or providing 5534
services to gifted students or English learners as determined by 5535
the Department of Education, on or after July 1, 2021, but prior 5536
to September 30, 2021, shall be applied by the Department to any 5537
spending requirements prescribed for those services for fiscal 5538
year 2022 under Chapter 3314., 3317., or 3326. of the Revised 5539
Code, as those chapters exist on and after September 30, 2021. 5540

Section 13. Notwithstanding anything to the contrary in 5541
section 3317.0212 or Chapter 3327. of the Revised Code, in 5542
fiscal years 2022 and 2023, the statewide average cost per rider 5543
and statewide average cost per mile used to calculate funding 5544
under section 3317.0212 of the Revised Code and payment in lieu 5545
of transportation payment under section 3327.02 shall be based 5546
on data from fiscal year 2020. 5547

Section 14. For up to ninety days after the effective date 5548
of this section, a chartered nonpublic school participating in 5549
the Educational Choice Scholarship Pilot Program under sections 5550
3310.01 to 3310.17 of the Revised Code, including the income- 5551
based expansion of that program under section 3310.032 of the 5552

Revised Code, may request that the Department of Education 5553
review the scholarship payments made for eligible students, as 5554
defined in section 3310.01 of the Revised Code, participating in 5555
the program for the 2020-2021 school year who attended the 5556
school during that school year and determine whether there was a 5557
scholarship payment error for any such student for that school 5558
year. If the Department finds that scholarship payments for any 5559
such student for that school year were less than they should 5560
have been based on the student's attendance at the school, the 5561
Department shall make a payment to the school, on behalf of the 5562
student, in an amount equal to the difference between the total 5563
amount of scholarship payments made to the student for that 5564
school year and the total amount the scholarship payments should 5565
have been. 5566

The Department shall make payments under this section from 5567
appropriation line item 200550 in accordance with Section 5568
265.210 of H.B. 110 of the 134th General Assembly, as amended by 5569
this act. 5570

Section 15. A student who received an educational choice 5571
scholarship under section 3310.032 of the Revised Code on the 5572
effective date of this section whose scholarship amount was 5573
prorated under division (E) of that section as it existed prior 5574
to that date shall, on and after that date, receive the full 5575
scholarship amount. 5576

Section 16. Notwithstanding anything to the contrary in 5577
section 3314.08 of the Revised Code, a community school 5578
established under Chapter 3314. of the Revised Code shall be 5579
considered as having met any requirements to receive state funds 5580
prescribed under Chapters 3314. and 3317. of the Revised Code 5581
for the 2021-2022 school year, if all of the following apply to 5582

the school:	5583
(A) The community school opened for the first time during the 2021-2022 school year.	5584 5585
(B) The community school has the same sponsor as another community school that was open during the 2020-2021 school year and 2021-2022 school year and operated using a remote learning plan model for both of those school years.	5586 5587 5588 5589
(C) During the 2021-2022 school year, the community school implemented the same remote learning plan model as the community school described in division (B) of this section.	5590 5591 5592
Section 17. Notwithstanding anything to the contrary in section 3314.034 of the Revised Code, for the 2022-2023 school year only, a community school to which division (A) of that section applies, based on the school's state report card issued for the 2021-2022 school year under section 3302.03 or 3314.017 of the Revised Code, may enter into a contract with a new sponsor without regard to the conditions prescribed in divisions (B) to (D) of section 3314.034 of the Revised Code.	5593 5594 5595 5596 5597 5598 5599 5600
Section 18. (A) Notwithstanding anything in section 3314.016 of the Revised Code to the contrary, community school sponsor ratings issued under that section for the 2021-2022 school year shall have no effect in determining sanctions or penalties of a sponsor under Chapter 3314. of the Revised Code but shall not create a new starting point for sanction or penalty determinations that are based on ratings over multiple years. The sponsor ratings of any previous or subsequent school years shall be considered when a sponsor is subject to sanctions or penalties under that chapter. Sponsor ratings for the 2021-2022 school year shall not be used to determine the revocation	5601 5602 5603 5604 5605 5606 5607 5608 5609 5610 5611

of sponsorship under division (B) (7) (c) (ii) of section 3314.016 5612
of the Revised Code. 5613

(B) A sponsor shall remain eligible in the 2022-2023 5614
school year for any incentives that the sponsor was eligible for 5615
in the 2021-2022 school year, and the 2021-2022 school year 5616
shall not count toward the number of years in which a sponsor 5617
subject to division (B) (7) (b) of section 3314.016 of the Revised 5618
Code is not required to be evaluated. However, a sponsor's 5619
rating for the 2021-2022 school year shall not qualify the 5620
sponsor for any incentive for which the sponsor was not 5621
previously eligible prior to receiving that rating, unless the 5622
sponsor elects to have the sponsor's rating for the 2021-2022 5623
school year count for the purposes of qualifying for incentives 5624
under division (C) of this section. 5625

(C) Any sponsor may elect to have the sponsor's overall 5626
rating for the 2021-2022 school year count toward qualifying the 5627
sponsor for any incentives for which the sponsor was not 5628
previously eligible, provided the overall rating for that school 5629
year is calculated based on the three components identified in 5630
division (B) (1) of section 3314.016 of the Revised Code. 5631

Section 19. Section 3301.0714 of the Revised Code is 5632
presented in this act as a composite of the section as amended 5633
by both H.B. 82 and H.B. 110 of the 134th General Assembly. The 5634
General Assembly, applying the principle stated in division (B) 5635
of section 1.52 of the Revised Code that amendments are to be 5636
harmonized if reasonably capable of simultaneous operation, 5637
finds that the composite is the resulting version of the section 5638
in effect prior to the effective date of the section as 5639
presented in this act. 5640