

**As Concurred by the House**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. H. B. No. 583**

**Representatives Bird, Jones**

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

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

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**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

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| section;  | 48   |
| (2) Procedures for annually collecting and reporting the data to the state board in accordance with division (D) of this section;   | 49<br>50<br>51   |
| (3) Procedures for annually compiling the data in accordance with division (G) of this section;   | 52<br>53   |
| (4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;   | 54<br>55   |
| (5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.  | 56<br>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<br>59<br>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<br>62<br>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<br>65<br>66<br>67<br>68<br>69<br>70<br>71<br>72<br>73<br>74<br>75<br>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

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| (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<br>109<br>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<br>112<br>113<br>114<br>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<br>117<br>118<br>119<br>120<br>121<br>122<br>123<br>124 |
| (o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division <del>(B) (3)</del> <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<br>126<br>127<br>128<br>129<br>130<br>131<br>132<br>133 |

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| 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



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| 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 state funds due to the district for the current fiscal year and, if not previously required under division (L) (2) (a) of this section, require the district to develop a corrective action plan in accordance with that division;

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

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

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

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

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

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

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

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

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

(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 895  
to a teacher by reason of the teacher's employment, including 896  
compensation paid pursuant to a supplemental contract. The 897  
salary, wages, and other earnings shall be determined prior to 898  
determination of the amount required to be contributed to the 899  
teachers' savings fund or defined contribution fund under 900  
section 3307.26 of the Revised Code and without regard to 901  
whether any of the salary, wages, or other earnings are treated 902  
as deferred income for federal income tax purposes. 903

(b) Except as provided in division (L) (1) (c) of this 904  
section, "compensation" includes amounts paid by an employer as 905  
a retroactive payment of earnings, damages, or back pay pursuant 906  
to a court order, court-adopted settlement agreement, or other 907  
settlement agreement if the retirement system receives both of 908  
the following: 909

(i) Teacher and employer contributions under sections 910  
3307.26 and 3307.28 of the Revised Code, plus interest 911  
compounded annually at a rate determined by the state teachers 912  
retirement board, for each year or portion of a year for which 913  
amounts are paid under the order or agreement; 914

(ii) Teacher and employer contributions under sections 915  
3307.26 and 3307.28 of the Revised Code, plus interest 916  
compounded annually at a rate determined by the board, for each 917  
year or portion of a year not subject to division (L) (1) (b) (i) 918  
of this section for which the board determines the teacher was 919  
improperly paid, regardless of the teacher's ability to recover 920  
on such amounts improperly paid. 921

(c) If any portion of an amount paid by an employer as a 922  
retroactive payment of earnings, damages, or back pay is for an 923  
amount, benefit, or payment described in division (L) (2) of this 924



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| 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 |

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|---|---|
| (g) Payments by the employer for services not actually rendered;  | 953<br>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<br>956<br>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<br>959<br>960<br>961<br>962<br>963<br>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<br>966<br>967<br>968<br>969<br>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<br>972<br>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<br>975<br>976<br>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<br>979<br>980<br>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<br>1446<br>1447<br>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<br>1451<br>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<br>1457<br>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<br>1460<br>1461<br>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<br>1464<br>1465<br>1466<br>1467<br>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  
1677  
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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 contract adoption and execution deadline requirements prescribed in division (D) of section 3314.02 of the Revised Code;

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

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

(vi) No territorial restrictions on sponsorship.

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

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

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

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

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  
1823

(E) The department shall recalculate the rating for the 1824  
2017-2018 school year for each sponsor of a community school 1825  
that receives recalculated ratings pursuant to division (I) of 1826  
section 3314.017 of the Revised Code. 1827

**Sec. 3314.021.** (A) This section applies to any entity that 1828  
is exempt from taxation under section 501(c) (3) of the Internal 1829  
Revenue Code and that satisfies the conditions specified in 1830  
divisions (C) (1) (f) (ii) and (iii) of section 3314.02 of the 1831  
Revised Code but does not satisfy the condition specified in 1832  
division (C) (1) (f) (i) of that section. 1833

(B) Notwithstanding division (C) (1) (f) (i) of section 1834  
3314.02 of the Revised Code, and subject to division (D) (2) of 1835  
this section, an entity described in division (A) of this 1836  
section may do both of the following without obtaining the 1837  
department of education's initial approval of its sponsorship 1838  
under divisions (A) (2) and (B) (1) of section 3314.015 of the 1839  
Revised Code: 1840

(1) Succeed the board of trustees of a state university 1841  
located in the pilot project area or that board's designee as 1842  
the sponsor of a community school established under this 1843  
chapter; 1844

(2) Continue to sponsor that school in conformance with 1845  
the terms of the contract between the board of trustees or its 1846  
designee and the governing authority of the community school and 1847  
renew that contract as provided in division (E) of section 1848  
3314.03 of the Revised Code. 1849

(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<br>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 <del>for the most recent fiscal year for which data is available, using fiscal</del> <u>year 2018 data</u> , as determined by the department;   | 1999<br>2000<br>2001<br>2002<br>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<br>2005<br>2006                                 |
| (c) An amount for district-paid insurance costs equal to the following product:  | 2007<br>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 <del>for the most recent fiscal year for which data is available using fiscal</del> <u>year 2018 data</u> X 12 | 2009<br>2010<br>2011<br>2012<br>2013<br>2014<br>2015 |
| (11) "Eligible school district" means a city, local, or exempted village school district that satisfies one of the following:  | 2016<br>2017<br>2018                                 |
| (a) The district is a member of an organization that regulates interscholastic athletics.  | 2019<br>2020   |
| (b) The district has teams in at least three different sports that participate in an interscholastic league.   | 2021<br>2022   |
| (B) When calculating a district's aggregate base cost under this section, the department shall use data from fiscal  | 2023<br>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<br>2054                                 |
| (1) Calculate the district's classroom teacher cost for that fiscal year as follows:  | 2055<br>2056                                 |
| (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<br>2058<br>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<br>2061<br>2062<br>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<br>2065<br>2066<br>2067<br>2068<br>2069 |
| (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<br>2071<br>2072<br>2073<br>2074<br>2075 |
| (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<br>2077<br>2078<br>2079<br>2080<br>2081 |



(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

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| (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  
 $[(\$80,000 \times 1.16) + \text{the amount specified under division (A) (10)}$  2231  
 $(c) \text{ of this section for that fiscal year}]$ . 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  $[(\$130,000 \times 1.16) + \text{the amount specified}$  2237  
 $\text{under division (A) (10) (c) of this section for that fiscal year}]$ . 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  
 $[(\$60,000 \times 1.16) + \text{the amount specified under division (A) (10)}$  2249

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| (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<br>2252   |
| (a) Divide the average other district administrator salary for that fiscal year by the average superintendent salary for that fiscal year;  | 2253<br>2254<br>2255                                 |
| (b) Divide the district's base cost enrolled ADM for that fiscal year by 750;   | 2256<br>2257   |
| (c) Compute the other district administrator cost in accordance with the following formula:   | 2258<br>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<br>2261<br>2262<br>2263<br>2264<br>2265<br>2266 |
| (4) Calculate the district's fiscal support cost for that fiscal year as follows:   | 2267<br>2268   |
| (a) Divide the district's base cost enrolled ADM for that fiscal year by 850;   | 2269<br>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<br>2273   |
| (ii) 35.  | 2274   |
| (c) Compute the fiscal support cost in accordance with the following formula:   | 2275<br>2276   |

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| 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:

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| (a) Divide the district's base cost enrolled ADM for that fiscal year by 400;  | 2333<br>2334   |
| (b) Determine the number of school buildings in the district for that fiscal year;   | 2335<br>2336   |
| (c) Compute the building leadership support cost in accordance with the following formula:   | 2337<br>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<br>2340<br>2341<br>2342<br>2343<br>2344<br>2345<br>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<br>2348<br>2349<br>2350<br>2351<br>2352<br>2353<br>2354<br>2355 |
| (3) Calculate the district's building operations cost for that fiscal year as follows:   | 2356<br>2357   |
| (a) Using data for the six most recent fiscal years for which data is available, determine both of the following:  | 2358<br>2359   |
| (i) The six-year average of the average building square feet per pupil for all city, local, and exempted village school  | 2360<br>2361   |

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| 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 <del>(E) (6) (a)</del>        | 2371 |
| <u>(E) (5) (a)</u> of this section for that fiscal year/ the sum                    | 2372 |
| determined under division <del>(E) (6) (b)</del> <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

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| 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 |

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| 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<br>2650<br>2651<br>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<br>2654<br>2655<br>2656         |
| (b) Compute the product of divisions (A) (3) (a) (i) and (ii) of this section;  | 2657<br>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<br>2660<br>2661                 |
| (4) Calculate the district's per-pupil local capacity percentage as follows:  | 2662<br>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<br>2665<br>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<br>2668<br>2669<br>2670<br>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<br>2673<br>2674<br>2675<br>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 <del>(B) (2) (d)</del> <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)

|   |                              |
|---|------------------------------|
| <b>Sec. 3317.02.</b> As used in this chapter:   | 2936                         |
| (A) "Alternative school" has the same meaning as in section 3313.974 of the Revised Code.   | 2937<br>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<br>2940<br>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<br>2943<br>2944         |
| (1) The district's enrolled ADM for the previous fiscal year;   | 2945<br>2946                 |
| (2) The average of the district's enrolled ADM for the previous three fiscal years.   | 2947<br>2948                 |
| (D) (1) "Base cost per pupil" means the following for a city, local, or exempted village school district:   | 2949<br>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<br>2952<br>2953<br>2954 |
| (b) For fiscal year 2024 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.  | 2955<br>2956<br>2957         |
| (2) "Base cost per pupil" means the following for a joint vocational school district:   | 2958<br>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<br>2961<br>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

|  |  |
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| (a) Add the students described in division (A) (1) (b) of section 3317.03 of the Revised Code;   | 3171<br>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<br>3174<br>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<br>3177<br>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<br>3180<br>3181<br>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<br>3184<br>3185<br>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<br>3188<br>3189<br>3190<br>3191<br>3192<br>3193<br>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<br>3196<br>3197<br>3198<br>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<br>3259 |
| (ii) <del>The</del> <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 <del>the effective date of this amendment</del> <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 <del>(J) (1)</del>                                   | 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 <del>the effective date of this amendment</del> <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 <del>the effective date of this amendment</del> <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 divisions (E) (1) (a) and (b) of this section by the following:

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

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

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

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

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

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



(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 <del>(A) (4)</del> <u>(A) (4) (a)</u> of section 3317.022 of the Revised Code;   | 4185<br>4186<br>4187                 |
| (2) For a joint vocational school district, the funds received under division (A) (3) of section 3317.16 of the Revised Code;  | 4188<br>4189<br>4190                 |
| (3) For a community school established under Chapter 3314. of the Revised Code, the funds received under division (A) (4) (b) of section <del>3314.08</del> <u>3317.022</u> of the Revised Code;   | 4191<br>4192<br>4193                 |
| (4) For a STEM school established under Chapter 3326. of the Revised Code, the funds received under division (A) (4) (b) of section <del>3326.33</del> <u>3317.022</u> of the Revised Code.  | 4194<br>4195<br>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<br>4198<br>4199<br>4200<br>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<br>4206                         |
| (e) Dropout prevention;  | 4207                                 |
| (f) School safety and security measures;   | 4208                                 |
| (g) Community learning centers that address barriers to learning;  | 4209<br>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<br>4214<br>4215<br>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<br>4219<br>4220<br>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<br>4225<br>4226                 |
| (o) Physical health care services, including telehealth services;   | 4227<br>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<br>4231<br>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<br>4234<br>4235<br>4236<br>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<br>4669                         |
| (4) Wearing and disposal of gloves and other protective garments and devices.   | 4670<br>4671                         |
| (L) Quality assurance standards for advanced practice registered nurses;  | 4672<br>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<br>4675<br>4676<br>4677<br>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<br>4680<br>4681<br>4682         |
| (O) Standards and procedures for delegation under section 4723.48 of the Revised Code of the authority to administer drugs.   | 4683<br>4684<br>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<br>4687<br>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<br>4690<br>4691<br>4692<br>4693 |

(1) Holds a baccalaureate degree in nursing; 4694

(2) Is scheduled to receive a baccalaureate degree in 4695  
nursing within twelve calendar months after the date the program 4696  
first uses the individual as a member of its faculty. 4697

(B) (1) During the period specified in division (A) of this 4698  
section, the board of nursing shall not refuse to grant full 4699  
approval to, or renew approval for, a prelicensure nursing 4700  
education program solely on the basis that the program uses as a 4701  
member of its faculty an individual described in division (A) of 4702  
this section. 4703

(2) On and after February 1, 2028, the board shall not 4704  
refuse to grant full approval to, or renew approval for, a 4705  
prelicensure nursing education program solely on the basis that 4706  
the program uses as a member of its faculty an individual 4707  
described in division (A) of this section if the program was 4708  
approved or applied for approval during the period specified in 4709  
division (A) of this section. 4710

(C) Nothing in this section prohibits the board from 4711  
adopting rules on or after February 1, 2028, to authorize a 4712  
prelicensure nursing education program to use as a member of its 4713  
faculty an individual described in division (A) of this section. 4714

**Sec. 5747.057.** (A) As used in this section: 4715

(1) "Eligible employee" means an employee who is nineteen 4716  
years of age or younger and enrolled in a career-technical 4717  
education program approved under section 3317.161 of the Revised 4718  
Code. 4719

(2) "Eligible compensation" means compensation paid on and 4720  
after the effective date of this section from which the employer 4721  
is required to deduct and withhold income tax under section 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, 5046  
2021; 5047

(ii) The payments deducted from the district and paid to a 5048  
science, technology, engineering, and mathematics school 5049  
established under Chapter 3326. of the Revised Code for fiscal 5050  
year 2021, under divisions (A), (B), (C), (D), (E), (F), and (G) 5051  
of section 3326.33 of the Revised Code as those divisions 5052  
existed for deductions and payments for fiscal year 2021, in 5053  
accordance with division (A) of Section 265.235 of H.B. 166 of 5054  
the 133rd General Assembly, before any funding reductions 5055  
authorized by Executive Order 2020-19D, issued on May 7, 2020, 5056  
and Executive Order 2021-01D, issued on January 22, 2021; 5057

(iii) The payments deducted from the district for fiscal 5058  
year 2021 under division (C) of section 3310.08 of the Revised 5059  
Code as that division existed for deductions for fiscal year 5060  
2021, division (C) (2) of section 3310.41 of the Revised Code, as 5061  
that division existed for deductions for fiscal year 2021, and 5062  
section 3310.55 of the Revised Code as that section existed for 5063  
deductions for fiscal year 2021 and, in the case of a pilot 5064  
project school district as defined in section 3313.975 of the 5065  
Revised Code, the funds deducted from the district for fiscal 5066  
year 2021 under Section 265.210 of H.B. 166 of the 133rd General 5067  
Assembly to operate the pilot project scholarship program for 5068  
fiscal year 2021 under sections 3313.974 to 3313.979 of the 5069  
Revised Code; 5070

(iv) The payments subtracted from the district for fiscal 5071  
year 2021 under divisions (B) (1), ~~(2)~~, and (3) of section 5072  
3313.981 of the Revised Code, as those divisions existed for 5073  
subtractions from the district for fiscal year 2021. 5074

(B) (1) For fiscal years 2022 and 2023, the Department of 5075



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 2021 under section 3326.41 of the Revised Code as that section existed for payments for fiscal year 2021;   | 5164<br>5165<br>5166   |
| (c) The amount calculated for the school for fiscal year 2021 under section 3326.42 of the Revised Code as that section existed for payments for fiscal year 2021 and under Section 20 of S.B. 310 of the 133rd General Assembly.  | 5167<br>5168<br>5169<br>5170   |
| <b>Sec. 265.335. QUALITY COMMUNITY SCHOOLS SUPPORT</b>   | 5171   |
| (A) The foregoing appropriation item 200631, Quality Community Schools Support, shall be used for the Quality Community School Support Program. Under the program, the Department of Education shall pay each community school established under Chapter 3314. of the Revised Code and designated as a Community School of Quality under this section an amount up to \$1,750 in each fiscal year for each pupil identified as economically disadvantaged and up to \$1,000 in each fiscal year for each pupil that is not identified as economically disadvantaged. The payment for the current fiscal year shall be calculated using the final adjusted full-time equivalent number of students enrolled in a community school for the prior fiscal year, except that if a school is in its first year of operation the payment for the current fiscal year shall be calculated using the adjusted full-time equivalent number of students enrolled in the school for the current fiscal year as of the date the payment is made, as reported by the school under section 3314.08 of the Revised Code. The Department shall make the payment to each Community School of Quality not later than January 31 of each fiscal year. If the amount appropriated is not sufficient, the Department shall prorate the amounts so that | 5172<br>5173<br>5174<br>5175<br>5176<br>5177<br>5178<br>5179<br>5180<br>5181<br>5182<br>5183<br>5184<br>5185<br>5186<br>5187<br>5188<br>5189<br>5190<br>5191<br>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<br>5422   |
| (2) The governing authority of a community school established under Chapter 3314. of the Revised Code;  | 5423<br>5424   |
| (3) The governing body of a STEM school established under Chapter 3326. of the Revised Code;  | 5425<br>5426   |
| (4) The governing authority of a chartered nonpublic school;  | 5427<br>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<br>5430<br>5431<br>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 <del>year</del> <u>years</u> only, provided that the individual also meets the following requirements: | 5433<br>5434<br>5435<br>5436<br>5437<br>5438<br>5439<br>5440 |
| (1) The individual meets the district's or school's own set of educational requirements.  | 5441<br>5442   |
| (2) The individual is deemed to be of good moral character.   | 5443<br>5444   |
| (3) The individual successfully completes a criminal records check as prescribed in section 3319.39 of the Revised Code.  | 5445<br>5446<br>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<br>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<br>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<br>5587<br>5588<br>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<br>5591<br>5592   |
| <b>Section 17.</b> 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<br>5594<br>5595<br>5596<br>5597<br>5598<br>5599<br>5600                         |
| <b>Section 18.</b> (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<br>5602<br>5603<br>5604<br>5605<br>5606<br>5607<br>5608<br>5609<br>5610<br>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