

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**S. B. No. 336**

**Senator Lang**

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**A BILL**

To amend sections 3301.163, 3310.01, 3310.02, 1  
3310.03, 3310.032, 3310.06, 3310.07, 3310.10, 2  
3310.11, 3310.13, 3310.14, 3310.15, 3310.16, 3  
3310.17, 3317.022, 3317.03, and 3365.07 of the 4  
Revised Code to expand the Ed Choice Scholarship 5  
Program to include nonchartered nonpublic 6  
schools. 7

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

**Section 1.** That sections 3301.163, 3310.01, 3310.02, 8  
3310.03, 3310.032, 3310.06, 3310.07, 3310.10, 3310.11, 3310.13, 9  
3310.14, 3310.15, 3310.16, 3310.17, 3317.022, 3317.03, and 10  
3365.07 of the Revised Code be amended to read as follows: 11

**Sec. 3301.163.** (A) Any third-grade student who attends a 12  
chartered or nonchartered nonpublic school with a scholarship 13  
awarded under either the educational choice scholarship pilot 14  
program, prescribed in sections 3310.01 to 3310.17, or the pilot 15  
project scholarship program prescribed in sections 3313.974 to 16  
3313.979 of the Revised Code, shall be subject to the third- 17  
grade reading guarantee retention provisions under division (A) 18  
(2) of section 3313.608 of the Revised Code, including the 19

exemptions prescribed by that division. For purposes of 20  
determining if a child with a disability is exempt from 21  
retention under this section, an individual services plan 22  
created for the child that has been reviewed by either the 23  
student's school district of residence or the school district in 24  
which the chartered or nonchartered nonpublic school is located 25  
and that specifies that the student is not subject to retention 26  
shall be considered in the same manner as an individualized 27  
education program or plan under section 504 of the 28  
"Rehabilitation Act of 1973," 87 Stat. 355, 29 U.S.C. 794, as 29  
amended, as prescribed by division (A) (2) of section 3313.608 of 30  
the Revised Code. 31

As used in this section, "child with a disability" and 32  
"school district of residence" have the same meanings as in 33  
section 3323.01 of the Revised Code. 34

(B) (1) Each chartered or nonchartered nonpublic school 35  
that enrolls students in any of grades kindergarten through 36  
three and that accepts students under the educational choice 37  
scholarship pilot program or the pilot project scholarship 38  
program shall adopt policies and procedures for the annual 39  
assessment of the reading skills of those students. Each school 40  
may use the diagnostic assessment to measure reading ability for 41  
the appropriate grade level prescribed in division (D) of 42  
section 3301.079 of the Revised Code. If the school uses such 43  
assessments, the department of education and workforce shall 44  
furnish them to the chartered or nonchartered nonpublic school. 45

(2) For each student identified as having reading skills 46  
below grade level, the school shall do both of the following: 47

(a) Provide to the student's parent or guardian, in 48  
writing, all of the following: 49

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| (i) Notification that the student has been identified as having a substantial deficiency in reading;   | 50<br>51                               |
| (ii) Notification that if the student attains a score in the range designated under division (A) (3) of section 3301.0710 of the Revised Code on the assessment prescribed under that section to measure skill in English language arts expected at the end of third grade, the student shall be retained unless the student is exempt under division (A) (1) of section 3313.608 of the Revised Code. | 52<br>53<br>54<br>55<br>56<br>57<br>58 |
| (b) Provide intensive reading instruction services, as determined appropriate by the school, to each student identified under this section.  | 59<br>60<br>61                         |
| (C) Each chartered <u>or nonchartered</u> nonpublic school subject to this section annually shall report to the department the number of students identified as reading at grade level and the number of students identified as reading below grade level.   | 62<br>63<br>64<br>65                   |
| (D) Each chartered <u>or nonchartered</u> nonpublic school shall provide reading intervention services required under division (B) (2) of this section for students who did not achieve a proficient level of skill but were promoted to the fourth grade, that do all of the following:   | 66<br>67<br>68<br>69<br>70             |
| (1) Continue to be offered for as long as a student does not achieve a proficient level of skill in reading for the student's current grade level;   | 71<br>72<br>73                         |
| (2) Provides high-dosage tutoring opportunities through a state-approved vendor on the list of high-quality tutoring vendors under section 3301.136 of the Revised Code or a locally approved opportunity that aligns with high-dosage tutoring best practices, including additional instruction time of at least  | 74<br>75<br>76<br>77<br>78             |

three days per week, or at least fifty hours over thirty-six weeks; 79  
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(3) Align with the science of reading as defined under section 3313.6028 of the Revised Code. 81  
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**Sec. 3310.01.** As used in sections 3310.01 to 3310.17 of the Revised Code: 83  
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(A) "Chartered nonpublic school" means a nonpublic school that holds a valid charter issued by the director of education and workforce under section 3301.16 of the Revised Code and meets the standards established for such schools in rules adopted by the director. 85  
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(B) An "eligible student" is a student who satisfies the conditions specified in section 3310.03 or 3310.032 of the Revised Code. 90  
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(C) "Parent" has the same meaning as in section 3313.98 of the Revised Code. 93  
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(D) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. 95  
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(E) "School year" has the same meaning as in section 3313.62 of the Revised Code. 98  
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(F) "Nonchartered nonpublic school" means a nonpublic school that does not hold a charter issued under section 3301.016 of the Revised Code, but meets the minimum education standards prescribed under section 3301.0732 of the Revised Code, and maintains a physical location in this state that does not primarily serve as a residence and at which each student has regular and direct contact with teachers. 100  
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**Sec. 3310.02.** The educational choice scholarship pilot 107  
program is hereby established. Under the program, the department 108  
of education and workforce annually shall pay scholarships to 109  
attend chartered or nonchartered nonpublic schools in accordance 110  
with section 3317.022 of the Revised Code. 111

**Sec. 3310.03.** For the 2021-2022 school year and each 112  
school year thereafter, subject to division (G) of this section, 113  
a student is an "eligible student" for purposes of the 114  
educational choice scholarship pilot program if the student's 115  
resident district is not a school district in which the pilot 116  
project scholarship program is operating under sections 3313.974 117  
to 3313.979 of the Revised Code, the student satisfies one of 118  
the conditions in division (A), (B), or (C) of this section, and 119  
the student maintains eligibility to receive a scholarship under 120  
division (D) of this section. 121

However, any student who received a scholarship for the 122  
2020-2021 school year under this section, as it existed prior to 123  
March 2, 2021, shall continue to receive that scholarship until 124  
the student completes grade twelve, as long as the student 125  
maintains eligibility to receive a scholarship under division 126  
(D) of this section. 127

(A) (1) A student is eligible for a scholarship if the 128  
student is enrolled in a school building operated by the 129  
student's resident district and to which both of the following 130  
apply: 131

(a) The building was ranked in the lowest twenty per cent 132  
of all buildings operated by city, local, and exempted village 133  
school districts according to performance index score as 134  
determined by the department of education and workforce, as 135  
follows: 136

(i) For a scholarship sought for the 2021-2022 or 2022-2023 school year, the building was ranked in the lowest twenty per cent of buildings for each of the 2017-2018 and 2018-2019 school years.

(ii) For a scholarship sought for the 2023-2024 school year, the building was ranked in the lowest twenty per cent of buildings for each of the 2018-2019 and 2021-2022 school years.

(iii) For a scholarship sought for the 2024-2025 school year, the building was ranked in the lowest twenty per cent of buildings for each of the 2021-2022 and 2022-2023 school years.

(iv) For a scholarship sought for the 2025-2026 school year or any school year thereafter, the building was ranked in the lowest twenty per cent of buildings for at least two of the three most recent consecutive rankings issued prior to the first day of July of the school year for which a scholarship is sought.

(b) The building is operated by a school district in which, for the three consecutive school years prior to the school year for which a scholarship is sought, an average of twenty per cent or more of the students entitled to attend school in the district, under section 3313.64 or 3313.65 of the Revised Code, were qualified to be included in the formula to distribute funds under Title I of the "Elementary and Secondary Education Act of 1965," 20 U.S.C. 6301 et seq.

When ranking school buildings under division (A)(1) of this section, the department shall not include buildings operated by a school district in which the pilot project scholarship program is operating in accordance with sections 3313.974 to 3313.979 of the Revised Code.

(2) A student is eligible for a scholarship if the student 166  
will be enrolling in any of grades kindergarten through twelve 167  
in this state for the first time in the school year for which a 168  
scholarship is sought, will be at least five years of age, as 169  
defined in section 3321.01 of the Revised Code, by the first day 170  
of January of the school year for which a scholarship is sought, 171  
and otherwise would be assigned under section 3319.01 of the 172  
Revised Code in the school year for which a scholarship is 173  
sought, to a school building described in division (A)(1) of 174  
this section. 175

(3) A student is eligible for a scholarship if the student 176  
is enrolled in a community school established under Chapter 177  
3314. of the Revised Code but otherwise would be assigned under 178  
section 3319.01 of the Revised Code to a building described in 179  
division (A)(1) of this section. 180

(4) A student is eligible for a scholarship if the student 181  
is enrolled in a school building operated by the student's 182  
resident district or in a community school established under 183  
Chapter 3314. of the Revised Code and otherwise would be 184  
assigned under section 3319.01 of the Revised Code to a school 185  
building described in division (A)(1) of this section in the 186  
school year for which the scholarship is sought. 187

(5) A student is eligible for a scholarship if the student 188  
was enrolled in a public or nonpublic school or was homeschooled 189  
in the prior school year and completed any of grades eight 190  
through eleven in that school year and otherwise would be 191  
assigned under section 3319.01 of the Revised Code to a school 192  
building described in division (A)(1) of this section in the 193  
school year for which the scholarship is sought. 194

(B) A student is eligible for a scholarship if the student 195

is enrolled in a nonpublic school at the time the school is 196  
granted a charter by the director of education and workforce 197  
under section 3301.16 of the Revised Code and the student meets 198  
the standards of division (B) of section 3310.031 of the Revised 199  
Code. 200

(C) A student is eligible for a scholarship if the 201  
student's resident district is subject to section 3302.10 of the 202  
Revised Code and the student either: 203

(1) Is enrolled in a school building operated by the 204  
resident district or in a community school established under 205  
Chapter 3314. of the Revised Code; 206

(2) Will be both enrolling in any of grades kindergarten 207  
through twelve in this state for the first time and at least 208  
five years of age by the first day of January of the school year 209  
for which a scholarship is sought. 210

(D) A student who receives a scholarship under the 211  
educational choice scholarship pilot program remains an eligible 212  
student and may continue to receive scholarships in subsequent 213  
school years until the student completes grade twelve, so long 214  
as all of the following apply: 215

(1) The student's resident district remains the same, or 216  
the student transfers to a new resident district and otherwise 217  
would be assigned in the new resident district to a school 218  
building described in division (A) (1) or (C) of this section. 219

(2) The student takes each assessment prescribed for the 220  
student's grade level under section 3301.0710, 3301.0712, or 221  
3313.619 of the Revised Code while enrolled in a chartered 222  
nonpublic school or, in accordance with section 3310.14 of the 223  
Revised Code, a nonchartered nonpublic school, unless one of the 224



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| following applies to the student:   | 225                             |
| (a) The student is <u>enrolled in a chartered nonpublic school and 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.</u>  | 226<br>227<br>228<br>229        |
| (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.  | 230<br>231<br>232               |
| (c) The student is enrolled in <u>a chartered nonpublic school in any of grades three to eight and takes an alternative standardized assessment under division (K) (1) of section 3301.0711 of the Revised Code.</u>  | 233<br>234<br>235<br>236        |
| (d) The student is <u>enrolled in a chartered nonpublic school and is excused from taking the assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code pursuant to division (C) (1) (c) (ii) of section 3301.0711 of the Revised Code.</u>   | 237<br>238<br>239<br>240<br>241 |
| (e) <u>The student is enrolled in a nonchartered nonpublic school and is excused from taking the assessment under division (C) of section 3310.14 of the Revised Code.</u>  | 242<br>243<br>244               |
| (3) In each school year that the student is enrolled in a chartered <u>or nonchartered</u> nonpublic school, the student is absent from school for not more than twenty days that the school is open for instruction, not including excused absences.   | 245<br>246<br>247<br>248        |
| (E) (1) The department shall cease awarding first-time scholarships pursuant to divisions (A) (1) to (5) of this section with respect to a school building that, in the most recent ratings of school buildings under section 3302.03 of the Revised Code prior to the first day of July of the school year, ceases | 249<br>250<br>251<br>252<br>253 |

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| to meet the criteria in division (A) (1) of this section.   | 254                             |
| (2) The department shall cease awarding first-time scholarships pursuant to division (C) of this section with respect to a school district subject to section 3302.10 of the Revised Code when the academic distress commission established for the district ceases to exist.                                   | 255<br>256<br>257<br>258<br>259 |
| (3) However, students who have received scholarships in the prior school year remain eligible students pursuant to division (D) of this section.  | 260<br>261<br>262               |
| (F) The department shall adopt rules defining excused absences for purposes of division (D) (3) of this section.  | 263<br>264                      |
| (G) Notwithstanding anything to the contrary in this section or section 3310.031 of the Revised Code, a student shall not be required to be enrolled or enrolling in a school building operated by the student's resident district or a community school in order to be eligible for a scholarship, as follows: | 265<br>266<br>267<br>268<br>269 |
| (1) For a scholarship sought for the 2021-2022 school year, a student entering any of grades kindergarten through two;  | 270<br>271                      |
| (2) For a scholarship sought for the 2022-2023 school year, a student entering any of grades kindergarten through four;   | 272<br>273<br>274               |
| (3) For a scholarship sought for the 2023-2024 school year, a student entering any of grades kindergarten through six;  | 275<br>276                      |
| (4) For a scholarship sought for the 2024-2025 school year, a student entering any of grades kindergarten through eight;  | 277<br>278<br>279               |
| (5) For a scholarship sought for the 2025-2026 school year, and each school year thereafter, a student entering any of  | 280<br>281                      |

grades kindergarten through twelve. 282

(H) Except as provided for in section 3310.13 of the 283  
Revised Code and in division (C) (2) of section 3365.07 of the 284  
Revised Code, the department shall not require the parent of a 285  
student who applies for or receives a scholarship under this 286  
section or section 3310.033, 3310.034, or 3310.035 of the 287  
Revised Code to complete any kind of income verification 288  
regarding the student's family income. 289

**Sec. 3310.032.** (A) A student is an "eligible student" for 290  
purposes of the expansion of the educational choice scholarship 291  
pilot program under this section if the student's resident 292  
district is not a school district in which the pilot project 293  
scholarship program is operating under sections 3313.974 to 294  
3313.979 of the Revised Code and the student is entering any of 295  
grades kindergarten through twelve in the school year for which 296  
a scholarship is sought. A student's parent or guardian may 297  
certify income eligibility to the department of education and 298  
workforce by submitting, in a manner determined by the 299  
department, an affidavit affirming the student's family income 300  
meets the requirement, proof of income eligibility under another 301  
state or federal program, or other evidence determined 302  
appropriate by the department. Any individual who is not 303  
required to file a tax return under section 5747.02 of the 304  
Revised Code shall not be required to certify income eligibility 305  
under this section. 306

(B) In each fiscal year for which the general assembly 307  
appropriates funds for purposes of this section, the department 308  
of education and workforce shall pay scholarships to attend 309  
chartered and nonchartered nonpublic schools in accordance with 310  
section 3317.022 of the Revised Code. The number of scholarships 311

awarded under this section shall not exceed the number that can 312  
be funded for that school year as authorized by the general 313  
assembly. 314

(C) Scholarships under this section shall be awarded as 315  
follows: 316

(1) For the 2013-2014 school year, to eligible students 317  
who are entering kindergarten in that school year for the first 318  
time; 319

(2) For each subsequent school year through the 2019-2020 320  
school year, scholarships shall be awarded to eligible students 321  
in the next grade level above the highest grade level awarded in 322  
the preceding school year, in addition to the grade levels for 323  
which students received scholarships in the preceding school 324  
year; 325

(3) Beginning with the 2020-2021 school year, to eligible 326  
students who are entering any of grades kindergarten through 327  
twelve in that school year for the first time. 328

(D) A student who receives a scholarship under this 329  
section remains an eligible student and may continue to receive 330  
scholarships under this section in subsequent school years until 331  
the student completes grade twelve, so long as the student 332  
satisfies the conditions specified in divisions (D) (2) and (3) 333  
of section 3310.03 of the Revised Code. 334

Once a scholarship is awarded under this section, the 335  
student shall remain eligible for that scholarship for the 336  
current school year and subsequent school years even if the 337  
student's family income rises above the amount specified in 338  
division (A) of this section, provided the student remains 339  
enrolled in a chartered or nonchartered nonpublic school. 340

**Sec. 3310.06.** It is the policy adopted by the general 341  
assembly that the educational choice scholarship pilot program 342  
shall be construed as one of several educational options 343  
available for students enrolled in persistently low-performing 344  
school buildings or for students from low-income families. 345  
Students may be enrolled in the schools of the student's 346  
resident district, in a community school established under 347  
Chapter 3314. of the Revised Code, in the schools of another 348  
school district pursuant to an open enrollment policy adopted 349  
under section 3313.98 of the Revised Code, in a chartered or 350  
nonchartered nonpublic school with or without a scholarship 351  
under the educational choice scholarship pilot program, or in 352  
other schools as the law may provide. 353

**Sec. 3310.07.** (A) Any parent, or any student who is at 354  
least eighteen years of age, who is seeking a scholarship under 355  
the educational choice scholarship pilot program shall notify 356  
the department of education and workforce of the student's and 357  
parent's names and address, the chartered or nonchartered 358  
nonpublic school in which the student has been accepted for 359  
enrollment, and the tuition charged by the school. 360

(B) ~~Not later than February 1, 2022, the~~ The department 361  
shall establish a system under which any parent, or any student 362  
who is at least eighteen years of age, may provide the 363  
department with a student's address and, not later than ten days 364  
after receiving the address, the department shall notify the 365  
parent, or student, using regular mail or electronic mail 366  
whether the student is eligible for an educational choice 367  
scholarship under section 3310.03 of the Revised Code. The 368  
student's resident district shall not be permitted to object to 369  
a student's eligibility for an educational choice scholarship 370  
under that section if the department's system determines the 371

student is eligible. 372

For the purposes of division (B) of this section, not 373  
later than the first day of January of each year, each school 374  
district that has a school building described in division (A) (1) 375  
or (C) of section 3310.03 of the Revised Code shall submit to 376  
the department, in the manner prescribed by the department, the 377  
attendance zone for students assigned to that building. 378

**Sec. 3310.10.** A scholarship awarded under section 3310.03 379  
or 3310.032 of the Revised Code may be used only to pay tuition 380  
to any chartered or nonchartered nonpublic school. 381

**Sec. 3310.11.** (A) Only for the purpose of administering 382  
the educational choice scholarship pilot program, the department 383  
of education and workforce may request from any of the following 384  
entities the data verification code assigned under division (D) 385  
(2) of section 3301.0714 of the Revised Code to any student who 386  
is seeking a scholarship under the program: 387

(1) The student's resident district; 388

(2) If applicable, the community school in which that 389  
student is enrolled; 390

(3) The independent contractor engaged to create and 391  
maintain student data verification codes. 392

(B) Upon a request by the department under division (A) of 393  
this section for the data verification code of a student seeking 394  
a scholarship or a request by the student's parent for that 395  
code, the school district or community school shall submit that 396  
code to the department or parent in the manner specified by the 397  
department. If the student has not been assigned a code, because 398  
the student will be entering kindergarten during the school year 399  
for which the scholarship is sought, the district shall assign a 400

code to that student and submit the code to the department or 401  
parent by a date specified by the department. If the district 402  
does not assign a code to the student by the specified date, the 403  
department shall assign a code to that student. 404

The department annually shall submit to each school 405  
district the name and data verification code of each student 406  
residing in the district who is entering kindergarten, who has 407  
been awarded a scholarship under the program, and for whom the 408  
department has assigned a code under this division. 409

(C) For the purpose of administering the applicable 410  
assessments prescribed under sections 3301.0710 and 3301.0712 of 411  
the Revised Code, as required by section 3310.14 of the Revised 412  
Code, the department shall provide to each chartered or 413  
nonchartered nonpublic school that enrolls a scholarship student 414  
the data verification code for that student. 415

(D) The department and each chartered or nonchartered 416  
nonpublic school that receives a data verification code under 417  
this section shall not release that code to any person except as 418  
provided by law. 419

Any document relative to this program that the department 420  
holds in its files that contains both a student's name or other 421  
personally identifiable information and the student's data 422  
verification code shall not be a public record under section 423  
149.43 of the Revised Code. 424

**Sec. 3310.13.** (A) No chartered or nonchartered nonpublic 425  
school shall charge any student whose family income is at or 426  
below two hundred per cent of the federal poverty guidelines, as 427  
defined in section 5101.46 of the Revised Code, a tuition fee 428  
that is greater than the total amount paid for that student 429

under section 3317.022 of the Revised Code. 430

(B) A chartered or nonchartered nonpublic school may 431  
charge any other student who is paid a scholarship under that 432  
section up to the difference between the amount of the 433  
scholarship and the regular tuition charge of the school. Each 434  
chartered or nonchartered nonpublic school may permit such an 435  
eligible student's family to provide volunteer services in lieu 436  
of cash payment to pay all or part of the amount of the school's 437  
tuition not covered by the scholarship paid under section 438  
3317.022 of the Revised Code. 439

(C) Each chartered or nonchartered nonpublic school that 440  
charges a scholarship student an additional amount as authorized 441  
under division (B) of this section shall annually report to the 442  
department of education and workforce in the manner prescribed 443  
by the department the following: 444

(1) The number of students charged; 445

(2) The average of the amounts charged to such students. 446

(D) On and after July 1, 2024, the department shall not 447  
require the parent of a student to submit a complete copy of the 448  
parent's federal income tax return, or a return filed under 449  
section 5747.08 of the Revised Code, to determine a student's 450  
family income for the purposes of the educational choice 451  
scholarship pilot program. Rather, the department may require a 452  
parent to submit a partial federal income tax return, or a 453  
return filed under section 5747.08 of the Revised Code, that 454  
only contains the minimum amount of information necessary to 455  
determine a student's family income. 456

(E) No chartered or nonchartered nonpublic school 457  
participating in the educational choice scholarship pilot 458



program shall require the parent of a student to disclose, as 459  
part of the school's admission procedure, whether the student's 460  
family income is at or below two hundred per cent of the federal 461  
poverty guidelines. 462

(F) A chartered or nonchartered nonpublic school may 463  
accept scholarships issued by a scholarship granting 464  
organization authorized under section 5747.73 of the Revised 465  
Code as payment for the difference between the amount of the 466  
scholarship paid under section 3317.022 of the Revised Code and 467  
the regular tuition charge of the school, as well as for any 468  
fees regularly charged by the school. 469

(G) Not later than the thirtieth day of June of each year, 470  
each chartered and nonchartered nonpublic school that enrolls 471  
students who receive educational choice scholarships shall 472  
submit to the department of education and workforce, in a form 473  
and manner prescribed by the department, the tuition rates 474  
charged by the school for the following school year. 475

**Sec. 3310.14.** (A) Except as provided in division (B) of 476  
this section, each chartered nonpublic school that is not 477  
subject to division (K) (1) of section 3301.0711 of the Revised 478  
Code and enrolls students awarded scholarships under sections 479  
3310.01 to 3310.17 of the Revised Code annually shall administer 480  
the assessments prescribed by section 3301.0710, 3301.0712, or 481  
3313.619 of the Revised Code, as applicable, to each scholarship 482  
student enrolled in the school in accordance with section 483  
3301.0711 of the Revised Code. Each chartered nonpublic school 484  
that is subject to this section shall report to the department 485  
of education and workforce the results of each assessment 486  
administered to each scholarship student under this section. 487

Nothing in this section requires a chartered nonpublic 488

school to administer any achievement assessment, except for an 489  
Ohio graduation test prescribed by division (B) (1) of section 490  
3301.0710 or the college and work ready assessment system 491  
prescribed by division (B) of section 3301.0712 of the Revised 492  
Code to any student enrolled in the school who is not a 493  
scholarship student. 494

(B) A chartered nonpublic school that meets the conditions 495  
specified in division (K) (2) of section 3301.0711 of the Revised 496  
Code shall not be required to administer the elementary 497  
assessments prescribed by division (A) of section 3301.0710 of 498  
the Revised Code. 499

(C) Each nonchartered nonpublic school that enrolls 500  
scholarship students shall administer the assessments prescribed 501  
by section 3301.0710, 3301.0712, or 3313.619 of the Revised 502  
Code, as follows: 503

(1) Each nonchartered nonpublic school for which at least 504  
sixty-five per cent of its total enrollment is made up of 505  
scholarship students shall administer the assessments prescribed 506  
under division (A) of section 3301.0710 of the Revised Code or 507  
an alternative standardized assessment described in division (K) 508  
(1) (b) of that section to all students in the school in the 509  
grade levels applicable for those assessments. In accordance 510  
with procedures and deadlines prescribed by the department, the 511  
parent or guardian of a student who is not a scholarship student 512  
may submit notice to the chief administrative officer of the 513  
school that the parent or guardian does not wish to have the 514  
student take the assessments prescribed for the student's grade 515  
level. If a parent or guardian submits an opt-out notice, the 516  
school shall not administer the assessments to that student. 517

(2) Each nonchartered nonpublic school for which fewer 518

than sixty-five per cent of its total enrollment is made up of 519  
scholarship students shall administer the assessments prescribed 520  
under division (A) of section 3301.0710 of the Revised Code or 521  
an alternative standardized assessment described under division 522  
(K)(1)(b) of that section only to scholarship students enrolled 523  
in the applicable grade levels for those assessments. 524

(3) Each nonchartered nonpublic school shall do at least 525  
one of the following with regard to the administration of 526  
assessments prescribed under sections 3301.0712 and 3313.619 of 527  
the Revised Code to scholarship students in the applicable grade 528  
levels for those assessments: 529

(a) Administer all of the assessments prescribed under 530  
division (B) of section 3301.0712 of the Revised Code; 531

(b) Administer the assessment prescribed under division 532  
(B)(1) of section 3301.0712 of the Revised Code; 533

(c) Administer the alternative assessment approved under 534  
section 3313.619 of the Revised Code. 535

A scholarship student who attends a nonchartered nonpublic 536  
school qualifies for any exemption from assessments that is 537  
prescribed under section 3301.0711 of the Revised Code for a 538  
scholarship student who attends a chartered nonpublic school. 539

(D) The department annually shall furnish, grade, and 540  
score assessments administered by nonchartered nonpublic schools 541  
in accordance with this section to such schools in the same 542  
manner as the department does so for chartered nonpublic 543  
schools. Each nonchartered nonpublic school that administers 544  
assessments in accordance with this section shall report to the 545  
department the results of each assessment administered to a 546  
student under this section. 547

Except as provided for in division (C)(1) of this section, 548  
nothing in this section requires a nonchartered nonpublic school 549  
to administer any achievement assessment to any student enrolled 550  
in the school who is not a scholarship student. 551

**Sec. 3310.15.** (A) The department of education and 552  
workforce annually shall compile the scores attained by 553  
scholarship students to whom an assessment is administered under 554  
section 3310.14 of the Revised Code. The scores shall be 555  
aggregated as follows: 556

(1) By state, which shall include all students awarded a 557  
scholarship under the educational choice scholarship pilot 558  
program and who were required to take an assessment under 559  
section 3310.14 of the Revised Code; 560

(2) By school district, which shall include all 561  
scholarship students who were required to take an assessment 562  
under section 3310.14 of the Revised Code and for whom the 563  
district is the student's resident district; 564

(3) By chartered or nonchartered nonpublic school, which 565  
shall include all scholarship students enrolled in that school 566  
who were required to take an assessment under section 3310.14 of 567  
the Revised Code. 568

(B) The department shall disaggregate the student 569  
performance data described in division (A) of this section 570  
according to the following categories: 571

(1) Grade level; 572

(2) Race and ethnicity; 573

(3) Gender; 574

(4) Students who have participated in the scholarship 575

|   |  |
|---|--|
| program for three or more years;  | 576  |
| (5) Students who have participated in the scholarship program for more than one year and less than three years;   | 577<br>578   |
| (6) Students who have participated in the scholarship program for one year or less;   | 579<br>580   |
| (7) Economically disadvantaged students.  | 581  |
| (C) The department shall post the student performance data required under divisions (A) and (B) of this section on its web site and, by the first day of February each year, shall distribute that data to the parent of each eligible student. In reporting student performance data under this division, the department shall not include any data that is statistically unreliable or that could result in the identification of individual students. For this purpose, the department shall not report performance data for any group that contains less than ten students. | 582<br>583<br>584<br>585<br>586<br>587<br>588<br>589<br>590<br>591 |
| Not later than July 1, 2025, the department shall develop a measure of student growth for scholarship students enrolled in chartered <u>and nonchartered</u> nonpublic schools. The measure of student growth shall be used to report data annually on student growth for students in grades four through eight during the school year in which data is reported. No data shall be reported for schools with fewer than ten scholarship students. The department shall make the growth reports available on its publicly accessible web site.                                   | 592<br>593<br>594<br>595<br>596<br>597<br>598<br>599<br>600        |
| (D) The department shall provide the parent of each scholarship student with information comparing the student's performance on the assessments administered under section 3310.14 of the Revised Code with the average performance of  | 601<br>602<br>603<br>604   |

similar students enrolled in the building operated by the 605  
student's resident district that the scholarship student would 606  
otherwise attend. In calculating the performance of similar 607  
students, the department shall consider age, grade, race and 608  
ethnicity, gender, and socioeconomic status. 609

**Sec. 3310.16.** (A) For the 2020-2021 school year and each 610  
school year thereafter, the department of education and 611  
workforce shall accept, process, and award scholarships each 612  
year for the educational choice scholarship pilot program under 613  
sections 3310.03 and 3310.032 of the Revised Code, as follows: 614

(1) The application period shall open on the first day of 615  
February prior to the first day of July of the school year for 616  
which a scholarship is sought. Not later than forty-five days 617  
after an applicant submits to the department of education and 618  
workforce a completed application, the department shall 619  
determine whether that applicant is eligible for a scholarship 620  
and notify the applicant whether or not the applicant is 621  
eligible. The department shall award a scholarship to each 622  
student with an approved application. However, for any 623  
application submitted on or after the fifteenth day of October 624  
of the school year for which a scholarship is sought, the 625  
department shall prorate the amount of the awarded scholarship 626  
based on how much of the school year remains after the date of 627  
the student's enrollment in the chartered or nonchartered 628  
nonpublic school. 629

(2) In each school year, the department shall accept 630  
applications for conditional approval of a scholarship sought 631  
for that year or the next school year. Not later than five days 632  
after receiving an application under this division, the 633  
department shall grant conditional approval to an applicant who 634

is eligible for a scholarship and notify the applicant whether 635  
or not conditional approval is granted. 636

(B) If the department determines an application submitted 637  
under this section contains an error or deficiency, the 638  
department shall notify the applicant who submitted that 639  
application not later than fourteen days after the application 640  
is submitted. 641

(C) The departments of education and workforce, job and 642  
family services, and taxation shall enter into a data sharing 643  
agreement so that, in administering this section, the department 644  
of education and workforce shall be able to determine, based on 645  
the address provided in a student's application, whether that 646  
student is eligible for an educational choice scholarship under 647  
section 3310.03 of the Revised Code and whether the student 648  
meets the residency requirements for an educational choice 649  
scholarship under section 3310.032 of the Revised Code. 650

(D) No city, local, or exempted village school district 651  
shall have access to an application submitted under this 652  
section. 653

**Sec. 3310.17.** (A) The department of education and 654  
workforce shall adopt rules in accordance with Chapter 119. of 655  
the Revised Code prescribing procedures for the administration 656  
of the educational choice scholarship pilot program. 657

(B) The department shall not require chartered or 658  
nonchartered nonpublic schools to comply with any education laws 659  
or rules or other requirements that are not specified in 660  
sections 3310.01 to 3310.17 of the Revised Code or in rules 661  
necessary for the administration of the program, adopted under 662  
division (A) of this section, and that otherwise would not apply 663

to a chartered or nonchartered nonpublic school. 664

**Sec. 3317.022.** The department of education and workforce 665  
shall compute and distribute state core foundation funding to 666  
each eligible funding unit that is a city, local, or exempted 667  
village school district, the community and STEM school unit, the 668  
educational choice scholarship unit, the pilot project 669  
scholarship unit, the autism scholarship unit, and the Jon 670  
Peterson special needs scholarship unit for the fiscal year, 671  
using the information obtained under section 3317.021 of the 672  
Revised Code in the calendar year in which the fiscal year 673  
begins in accordance with the following: 674

For fiscal years 2024 and 2025, for a funding unit that is 675  
a city, local, or exempted village school district: 676

The district's funding base + [(the district's state core 677  
foundation funding components for that fiscal year calculated 678  
under divisions (A) (1), (2), (3), (5), (6), (7), and (8) of this 679  
section - the district's general funding base calculated in 680  
accordance with division (N) (1) of section 3317.02 of the 681  
Revised Code) X the district's general phase-in percentage for 682  
that fiscal year] + [(the district's disadvantaged pupil impact 683  
aid for that fiscal year calculated under division (A) (4) of 684  
this section - the district's disadvantaged pupil impact aid 685  
funding base calculated in accordance with division (N) (2) of 686  
section 3317.02 of the Revised Code) X the district's phase-in 687  
percentage for disadvantaged pupil impact aid for that fiscal 688  
year] + the district's supplemental targeted assistance funds 689  
calculated under section 3317.0218 of the Revised Code 690

For fiscal year 2026 and each fiscal year thereafter, for 691  
a funding unit that is a city, local, or exempted village school 692  
district, the sum of the district's state core foundation 693



funding components for that fiscal year calculated under 694  
divisions (A) (1), (2), (3), (4), (5), (6), (7), and (8) of this 695  
section and the district's supplemental targeted assistance 696  
funds calculated under section 3317.0218 of the Revised Code, if 697  
the general assembly authorizes such payments to these funding 698  
units. 699

For fiscal years 2024 and 2025, for the community and STEM 700  
school unit, an amount calculated in accordance with section 701  
3317.026 of the Revised Code. 702

For fiscal ~~years~~year 2026 and each fiscal year 703  
thereafter, for the community and STEM school unit, an amount 704  
calculated in accordance with divisions (A) (1), (3), (4), (5), 705  
(7), (8), and (9) of this section, if the general assembly 706  
authorizes such payments to these funding units. 707

For the educational choice scholarship unit, the amount 708  
calculated under division (A) (10) of this section. 709

For the pilot project scholarship unit, the amount 710  
calculated under division (A) (11) of this section. 711

For the autism scholarship unit, the amount calculated 712  
under division (A) (12) of this section. 713

For the Jon Peterson special needs scholarship unit, the 714  
amount calculated under division (A) (13) of this section. 715

(A) A funding unit's state core foundation funding 716  
components shall be the following: 717

(1) (a) If the funding unit is a city, local, or exempted 718  
village school district, the district's state share, which is 719  
equal to the following: 720

(i) For fiscal years 2024 and 2025, the amount calculated 721

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| under division (B) of section 3317.017 of the Revised Code;     | 722 |
| (ii) For fiscal year 2026 and each fiscal year thereafter,      | 723 |
| an amount calculated in a manner determined by the general      | 724 |
| assembly.   | 725 |
| (b) If the funding unit is the community and STEM school        | 726 |
| unit, the aggregate base cost for all schools in that unit,     | 727 |
| which is equal to the following:                                | 728 |
| (i) For fiscal years 2024 and 2025, the amount calculated       | 729 |
| under section 3317.0110 of the Revised Code;                    | 730 |
| (ii) For fiscal year 2026 and each fiscal year thereafter,      | 731 |
| an amount calculated in a manner determined by the general      | 732 |
| assembly.   | 733 |
| (2) If the funding unit is a city, local, or exempted           | 734 |
| village school district, targeted assistance funds equal to the | 735 |
| following:  | 736 |
| (a) For fiscal years 2024 and 2025, an amount calculated        | 737 |
| under section 3317.0217 of the Revised Code;                    | 738 |
| (b) For fiscal year 2026 and each fiscal year thereafter,       | 739 |
| an amount calculated in a manner determined by the general      | 740 |
| assembly.   | 741 |
| (3) If the funding unit is a city, local, or exempted           | 742 |
| village school district or the community and STEM school unit,  | 743 |
| additional state aid for special education and related services | 744 |
| provided under Chapter 3323. of the Revised Code calculated as  | 745 |
| follows:  | 746 |
| (a) For fiscal years 2024 and 2025, the sum of the              | 747 |
| following:  | 748 |

(i) The funding unit's category one special education ADM 749  
X the multiple specified in division (A) of section 3317.013 of 750  
the Revised Code X the statewide average base cost per pupil for 751  
that fiscal year X if the funding unit is a city, local, or 752  
exempted village school district, the district's state share 753  
percentage; 754

(ii) The funding unit's category two special education ADM 755  
X the multiple specified in division (B) of section 3317.013 of 756  
the Revised Code X the statewide average base cost per pupil for 757  
that fiscal year X if the funding unit is a city, local, or 758  
exempted village school district, the district's state share 759  
percentage; 760

(iii) The funding unit's category three special education 761  
ADM X the multiple specified in division (C) of section 3317.013 762  
of the Revised Code X the statewide average base cost per pupil 763  
for that fiscal year X if the funding unit is a city, local, or 764  
exempted village school district, the district's state share 765  
percentage; 766

(iv) The funding unit's category four special education 767  
ADM X the multiple specified in division (D) of section 3317.013 768  
of the Revised Code X the statewide average base cost per pupil 769  
for that fiscal year X if the funding unit is a city, local, or 770  
exempted village school district, the district's state share 771  
percentage; 772

(v) The funding unit's category five special education ADM 773  
X the multiple specified in division (E) of section 3317.013 of 774  
the Revised Code X the statewide average base cost per pupil for 775  
that fiscal year X if the funding unit is a city, local, or 776  
exempted village school district, the district's state share 777  
percentage; 778

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| (vi) The funding unit's category six special education ADM       | 779 |
| X the multiple specified in division (F) of section 3317.013 of  | 780 |
| the Revised Code X the statewide average base cost per pupil for | 781 |
| that fiscal year X if the funding unit is a city, local, or      | 782 |
| exempted village school district, the district's state share     | 783 |
| percentage.  | 784 |
| (b) For fiscal year 2026 and each fiscal year thereafter,        | 785 |
| the sum of the following:  | 786 |
| (i) An amount calculated in a manner determined by the           | 787 |
| general assembly times the funding unit's category one special   | 788 |
| education ADM;   | 789 |
| (ii) An amount calculated in a manner determined by the          | 790 |
| general assembly times the funding unit's category two special   | 791 |
| education ADM;   | 792 |
| (iii) An amount calculated in a manner determined by the         | 793 |
| general assembly times the funding unit's category three special | 794 |
| education ADM;   | 795 |
| (iv) An amount calculated in a manner determined by the          | 796 |
| general assembly times the funding unit's category four special  | 797 |
| education ADM;   | 798 |
| (v) An amount calculated in a manner determined by the           | 799 |
| general assembly times the funding unit's category five special  | 800 |
| education ADM;   | 801 |
| (vi) An amount calculated in a manner determined by the          | 802 |
| general assembly times the funding unit's category six special   | 803 |
| education ADM.   | 804 |
| (4) If the funding unit is a city, local, or exempted            | 805 |
| village school district or the community and STEM school unit,   | 806 |

disadvantaged pupil impact aid calculated according to the 807  
following formula: 808

(a) If the funding unit is a city, local, or exempted 809  
village school district, an amount equal to the following: 810

(i) For fiscal years 2024 and 2025, the following product: 811

\$422 X (the district's economically disadvantaged index) X the 812  
number of students who are economically disadvantaged as 813  
certified under division (B) (21) of section 3317.03 of the 814  
Revised Code 815

(ii) For fiscal year 2026 and each fiscal year thereafter, 816  
an amount calculated in a manner determined by the general 817  
assembly. 818

(b) If the funding unit is the community and STEM school 819  
unit, an amount equal to the following: 820

(i) For fiscal years 2024 and 2025, an amount calculated 821  
as follows: 822

(I) For each student in the funding unit's enrolled ADM 823  
who is economically disadvantaged and is not enrolled in an 824  
internet- or computer-based community school, multiply \$422 by 825  
the economically disadvantaged index of the school in which the 826  
student is enrolled; 827

(II) Compute the funding unit's disadvantaged pupil impact 828  
aid by calculating the sum of the amounts determined under 829  
division (A) (4) (b) (i) (I) of this section. 830

(ii) For fiscal year 2026 and each fiscal year thereafter, 831  
an amount calculated as follows: 832

(I) For each student in the funding unit's enrolled ADM 833

who is economically disadvantaged and is not enrolled in an 834  
internet- or computer-based community school, calculate an 835  
amount in the manner determined by the general assembly; 836

(II) Compute the funding unit's disadvantaged pupil impact 837  
aid by calculating the sum of the amounts determined under 838  
division (A) (4) (b) (ii) (I) of this section. 839

(5) If the funding unit is a city, local, or exempted 840  
village school district or the community and STEM school unit, 841  
English learner funds calculated as follows: 842

(a) For fiscal years 2024 and 2025, the sum of the 843  
following: 844

(i) The funding unit's category one English learner ADM X 845  
the multiple specified in division (A) of section 3317.016 of 846  
the Revised Code X the statewide average base cost per pupil for 847  
that fiscal year X if the funding unit is a city, local, or 848  
exempted village school district, the district's state share 849  
percentage; 850

(ii) The funding unit's category two English learner ADM X 851  
the multiple specified in division (B) of section 3317.016 of 852  
the Revised Code X the statewide average base cost per pupil for 853  
that fiscal year X if the funding unit is a city, local, or 854  
exempted village school district, the district's state share 855  
percentage; 856

(iii) The funding unit's category three English learner 857  
ADM X the multiple specified in division (C) of section 3317.016 858  
of the Revised Code X the statewide average base cost per pupil 859  
for that fiscal year X if the funding unit is a city, local, or 860  
exempted village school district, the district's state share 861  
percentage. 862

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|---|-----|
| (b) For fiscal year 2026 and each fiscal year thereafter,         | 863 |
| the sum of the following:   | 864 |
| (i) An amount calculated in a manner determined by the            | 865 |
| general assembly times the funding unit's category one English    | 866 |
| learner ADM;  | 867 |
| (ii) An amount calculated in a manner determined by the           | 868 |
| general assembly times the funding unit's category two English    | 869 |
| learner ADM;  | 870 |
| (iii) An amount calculated in a manner determined by the          | 871 |
| general assembly times the funding unit's category three English  | 872 |
| learner ADM.  | 873 |
| (6) (a) For fiscal years 2024 and 2025, if the funding unit       | 874 |
| is a city, local, or exempted village school district, all of     | 875 |
| the following:  | 876 |
| (i) Gifted identification funds calculated according to           | 877 |
| the following formula:  | 878 |
| \$24 X the district's enrolled ADM for grades kindergarten        | 879 |
| through six X the district's state share percentage               | 880 |
| (ii) Gifted referral funds calculated according to the            | 881 |
| following formula:  | 882 |
| \$2.50 X the district's enrolled ADM X the district's state share | 883 |
| percentage  | 884 |
| (iii) Gifted professional development funds calculated            | 885 |
| according to the following formula:                               | 886 |
| (The greater of the number of gifted students enrolled in the     | 887 |
| district as certified under division (B) (22) of section 3317.03  | 888 |
| of the Revised Code and ten per cent of the district's enrolled   | 889 |

|   |     |
|---|-----|
| ADM) X the district's state share percentage X \$21, for fiscal | 890 |
| year 2024, or \$28, for fiscal year 2025                        | 891 |
| (iv) Gifted unit funding calculated under section 3317.051      | 892 |
| of the Revised Code.  | 893 |
| (b) For fiscal year 2026 and each fiscal year thereafter,       | 894 |
| all of the following:   | 895 |
| (i) Gifted identification funds calculated in a manner          | 896 |
| determined by the general assembly;                             | 897 |
| (ii) Gifted referral funds calculated in a manner               | 898 |
| determined by the general assembly, if the general assembly     | 899 |
| authorizes such a payment;                                      | 900 |
| (iii) Gifted professional development funds calculated in       | 901 |
| a manner determined by the general assembly, if the general     | 902 |
| assembly authorizes such a payment;                             | 903 |
| (iv) Gifted unit funding calculated in an amount                | 904 |
| determined by the general assembly.                             | 905 |
| (7) If the funding unit is a city, local, or exempted           | 906 |
| village school district or the community and STEM school unit,  | 907 |
| career-technical education funds calculated under division (C)  | 908 |
| of section 3317.014 of the Revised Code.                        | 909 |
| (8) If the funding unit is a city, local, or exempted           | 910 |
| village school district or the community and STEM school unit,  | 911 |
| career-technical education associated services funds calculated | 912 |
| under division (D) of section 3317.014 of the Revised Code.     | 913 |
| (9) If the funding unit is the community and STEM school        | 914 |
| unit, an amount calculated as follows:                          | 915 |
| (a) For fiscal years 2024 and 2025, an amount equal to the      | 916 |



following: 917

[The number of students in the funding unit's enrolled ADM who 918  
are reported under division (B) (5) of section 3314.08 of the 919  
Revised Code X (the aggregate base cost calculated for all 920  
schools in the funding unit for that fiscal year under section 921  
3317.0110 of the Revised Code / the funding unit's enrolled ADM) 922  
X.20] 923

(b) For fiscal year 2026 and each fiscal year thereafter, 924  
an amount calculated in a manner determined by the general 925  
assembly. 926

(10) If the funding unit is the educational choice 927  
scholarship unit, an amount calculated as follows: 928

(a) For each student in the funding unit's enrolled ADM, 929  
determine the lesser of the following: 930

(i) The base tuition of the chartered or nonchartered 931  
nonpublic school in which the student is enrolled minus the 932  
total amount of any applicable tuition discounts for which the 933  
student qualifies; 934

(ii) (I) If the student receives a scholarship under 935  
section 3310.03 of the Revised Code, or received a scholarship 936  
for the first time under section 3310.032 of the Revised Code 937  
prior to ~~the effective date of this amendment~~ October 3, 2023, 938  
and the student's parent does not elect to receive a scholarship 939  
amount under division (A) (10) (a) (ii) (II) of this section, 940  
\$5,500, if the student is in grades kindergarten through eight, 941  
or \$7,500, if the student is in grades nine through twelve. 942

(II) If the student receives a scholarship for the first 943  
time under section 3310.032 of the Revised Code on and after ~~the~~ 944  
~~effective date of this amendment~~ October 3, 2023, or if a 945

student who received a scholarship for the first time under that 946  
section prior to that date and the student's parent elects to 947  
receive a scholarship amount under division (A) (10) (a) (ii) (II) 948  
of this section, an amount calculated in accordance with section 949  
3310.08 of the Revised Code. The department shall provide an 950  
opportunity each fiscal year for a parent to elect to receive a 951  
scholarship amount under division (A) (10) (a) (ii) (II) of this 952  
section. 953

The amounts specified in division (A) (10) (a) (ii) (I) of 954  
this section shall increase in future fiscal years by the same 955  
percentage that the statewide average base cost per pupil 956  
increases in future fiscal years. 957

(b) Compute the sum of the amounts calculated under 958  
division (A) (10) (a) of this section. 959

(11) If the funding unit is the pilot project scholarship 960  
unit, an amount calculated as follows: 961

(a) For each student in the funding unit's enrolled ADM, 962  
determine the lesser of the following: 963

(i) The net tuition charges of the student's alternative 964  
school; 965

(ii) \$5,500, if the student is in grades kindergarten 966  
through eight, or \$7,500, if the student is in grades nine 967  
through twelve. 968

The amounts specified in division (A) (11) (a) (ii) of this 969  
section shall increase in future fiscal years by the same 970  
percentage that the statewide average base cost per pupil 971  
increases in future fiscal years. 972

For purposes of division (A) (11) (a) of this section, the 973

net tuition and fees charged to a student shall be the tuition 974  
amount specified by the alternative school minus all other 975  
financial aid, discounts, and adjustments received for the 976  
student. In cases where discounts are offered for multiple 977  
students from the same family, and not all students in the same 978  
family are scholarship recipients, the net tuition amount 979  
attributable to the scholarship recipient shall be the lowest 980  
net tuition to which the family is entitled. 981

The department shall provide for an increase in the amount 982  
determined for any student who is an LRE student with a 983  
disability and shall further increase such amount in the case of 984  
any separately educated student with a disability, as that term 985  
is defined in section 3313.974 of the Revised Code. Such 986  
increases shall take into account the instruction, related 987  
services, and transportation costs of educating such students. 988

(b) Compute the sum of the amounts calculated under 989  
division (A) (17) (a) of this section. 990

(12) If the funding unit is the autism scholarship unit, 991  
an amount calculated as follows: 992

(a) For each student in the funding unit's enrolled ADM, 993  
determine the lesser of the following: 994

(i) The tuition charged for the student's special 995  
education program, as that term is defined in section 3310.41 of 996  
the Revised Code; 997

(ii) \$32,445. 998

(b) Compute the sum of the amounts calculated under 999  
division (A) (12) (a) of this section. 1000

(13) If the funding unit is the Jon Peterson special needs 1001

|   |      |
|---|------|
| scholarship unit, an amount calculated as follows:                            | 1002 |
| (a) For each student in the funding unit's enrolled ADM,                      | 1003 |
| determine the least of the following:   | 1004 |
| (i) The amount of fees charged for that school year by the                    | 1005 |
| student's alternative public provider or registered private                   | 1006 |
| provider, as those terms are defined in section 3310.51 of the                | 1007 |
| Revised Code;   | 1008 |
| (ii) \$7,190 plus an amount determined as follows:                            | 1009 |
| (I) If the student is receiving special education services                    | 1010 |
| for a disability specified in division (A) of section 3317.013                | 1011 |
| of the Revised Code, \$1,751 <del>7</del> for fiscal year 2024, and \$2,395   | 1012 |
| for fiscal year 2025;   | 1013 |
| (II) If the student is receiving special education                            | 1014 |
| services for a disability specified in division (B) of section                | 1015 |
| 3317.013 of the Revised Code, \$4,442 <del>7</del> for fiscal year 2024, and  | 1016 |
| \$5,280 for fiscal year 2025;   | 1017 |
| (III) If the student is receiving special education                           | 1018 |
| services for a disability specified in division (C) of section                | 1019 |
| 3317.013 of the Revised Code, \$10,673 <del>7</del> for fiscal year 2024, and | 1020 |
| \$11,960 for fiscal year 2025;  | 1021 |
| (IV) If the student is receiving special education                            | 1022 |
| services for a disability specified in division (D) of section                | 1023 |
| 3317.013 of the Revised Code, \$14,243 <del>7</del> for fiscal year 2024, and | 1024 |
| \$15,787 for fiscal year 2025;  | 1025 |
| (V) If the student is receiving special education services                    | 1026 |
| for a disability specified in division (E) of section 3317.013                | 1027 |
| of the Revised Code, \$19,290 <del>7</del> for fiscal year 2024, and \$21,197 | 1028 |
| for fiscal year 2025;   | 1029 |

(VI) If the student is receiving special education 1030  
services for a disability specified in division (F) of section 1031  
3317.013 of the Revised Code, \$28,438~~7~~ for fiscal year 2024, and 1032  
\$30,469 for fiscal year 2025. 1033

(iii) \$30,000~~7~~ for fiscal year 2024, and \$32,445 for 1034  
fiscal year 2025. 1035

The amount specified in division (A) (13) (a) (ii) of this 1036  
section shall increase in future fiscal years by the same 1037  
percentage that the statewide average base cost per pupil 1038  
increases in future fiscal years. 1039

The amounts specified in divisions (A) (13) (a) (ii) (I) to 1040  
(VI) of this section shall increase in future fiscal years by 1041  
the same percentage that the amounts calculated by the general 1042  
assembly for those categories of special education services 1043  
under division (A) (3) of this section increase in future fiscal 1044  
years. 1045

(b) Compute the sum of the amounts calculated under 1046  
division (A) (13) (a) of this section. 1047

(B) In any fiscal year, a funding unit that is a city, 1048  
local, or exempted village school district shall spend for 1049  
purposes that the department designates as approved for special 1050  
education and related services expenses at least the amount 1051  
calculated as follows: 1052

(The base cost per pupil calculated for the district for that 1053  
fiscal year X the total special education ADM) + (the district's 1054  
category one special education ADM X the multiple specified in 1055  
division (A) of section 3317.013 of the Revised Code X the 1056  
statewide average base cost per pupil) + (the district's 1057  
category two special education ADM X the multiple specified in 1058

division (B) of section 3317.013 of the Revised Code X the 1059  
statewide average base cost per pupil) + (the district's 1060  
category three special education ADM X the multiple specified in 1061  
division (C) of section 3317.013 of the Revised Code X the 1062  
statewide average base cost per pupil) + (the district's 1063  
category four special education ADM X the multiple specified in 1064  
division (D) of section 3317.013 of the Revised Code X the 1065  
statewide average base cost per pupil) + (the district's 1066  
category five special education ADM X the multiple specified in 1067  
division (E) of section 3317.013 of the Revised Code X the 1068  
statewide average base cost per pupil) + (the district's 1069  
category six special education ADM X the multiple specified in 1070  
division (F) of section 3317.013 of the Revised Code X the 1071  
statewide average base cost per pupil) 1072

The purposes approved by the department for special 1073  
education expenses shall include, but shall not be limited to, 1074  
identification of children with disabilities, compliance with 1075  
state rules governing the education of children with 1076  
disabilities and prescribing the continuum of program options 1077  
for children with disabilities, provision of speech language 1078  
pathology services, and the portion of the school district's 1079  
overall administrative and overhead costs that are attributable 1080  
to the district's special education student population. 1081

(C) A funding unit that is a city, local, or exempted 1082  
village school district shall spend the funds it receives under 1083  
division (A) (4) of this section in accordance with section 1084  
3317.25 of the Revised Code. 1085

(D) (1) Except as provided in division (B) of section 1086  
3317.026 of the Revised Code, the department shall distribute to 1087  
each community school established under Chapter 3314. of the 1088

Revised Code and to each STEM school established under Chapter 1089  
3326. of the Revised Code, from the funds paid to the community 1090  
and STEM school unit under this section, an amount for each 1091  
student enrolled in the school equal to the sum of the 1092  
following: 1093

(a) The school's base cost per pupil for that fiscal year, 1094  
calculated as follows: 1095

(i) For fiscal years 2024 and 2025: 1096

The aggregate base cost calculated for the school for that 1097  
fiscal year under section 3317.0110 of the Revised Code / the 1098  
number of students enrolled in the school for that fiscal year 1099

(ii) For fiscal year 2026 and each fiscal year thereafter, 1100  
an amount determined by the general assembly under division (A) 1101  
(1) (b) (ii) of this section divided by the number of students 1102  
enrolled in the school for that fiscal year. 1103

(b) If the student is a special education student: 1104

(i) For fiscal years 2024 and 2025, the multiple specified 1105  
for the student's special education category under section 1106  
3317.013 of the Revised Code times the statewide average base 1107  
cost per pupil; 1108

(ii) For fiscal year 2026 and each fiscal year thereafter, 1109  
the amount calculated for the student's special education 1110  
category in a manner determined by the general assembly under 1111  
division (A) (3) (b) of this section. 1112

(c) If the school is not an internet- or computer-based 1113  
community school and the student is economically disadvantaged: 1114

(i) For fiscal years 2024 and 2025, the amount calculated 1115  
for the student under division (A) (4) (b) (i) (I) of this section; 1116

(ii) For fiscal year 2026 and each fiscal year thereafter, 1117  
an amount calculated for the student in the manner determined by 1118  
the general assembly under division (A) (4) (b) (ii) (I) of this 1119  
section. 1120

(d) If the student is an English learner: 1121

(i) For fiscal years 2024 and 2025, the multiple specified 1122  
for the student's English learner category under section 1123  
3317.016 of the Revised Code times the statewide average base 1124  
cost per pupil; 1125

(ii) For fiscal year 2026 and each fiscal year thereafter, 1126  
the amount calculated for the student's special education 1127  
category in a manner determined by the general assembly under 1128  
division (A) (5) (b) of this section. 1129

(e) If the student is a career-technical education 1130  
student: 1131

(i) For fiscal years 2024 and 2025, the multiple specified 1132  
for the student's career-technical education category under 1133  
section 3317.014 of the Revised Code times the statewide average 1134  
career-technical base cost per pupil; 1135

(ii) For fiscal year 2026 and each fiscal year thereafter, 1136  
the amount calculated for the student's career-technical 1137  
education category in a manner determined by the general 1138  
assembly under section 3317.014 of the Revised Code. 1139

(f) If the student is a career-technical education 1140  
student: 1141

(i) For fiscal years 2024 and 2025, the multiple for 1142  
career-technical associated services specified under section 1143  
3317.014 of the Revised Code times the statewide average career- 1144



technical base cost per pupil; 1145

(ii) For fiscal year 2026 and each fiscal year thereafter, 1146  
the amount calculated for career-technical associated services 1147  
in a manner determined by the general assembly under section 1148  
3317.014 of the Revised Code. 1149

(2) The department shall distribute to each community 1150  
school established under Chapter 3314. of the Revised Code and 1151  
to each STEM school established under Chapter 3326. of the 1152  
Revised Code, from the funds paid to the community and STEM 1153  
school unit under this section, an amount equal to the amount 1154  
calculated for the school under division (A) (9) of this section. 1155

(E) The department shall distribute to the parent of each 1156  
student for whom an educational choice scholarship is awarded 1157  
under section 3310.03 or 3310.032 of the Revised Code, or to the 1158  
student if at least eighteen years of age, from the funds paid 1159  
to the educational choice scholarship unit under this section, a 1160  
scholarship equal to the amount calculated for the student under 1161  
division (A) (10) (a) of this section. The scholarship shall be 1162  
distributed in monthly partial payments, and the department 1163  
shall proportionately reduce or terminate the payments for any 1164  
student who withdraws from a chartered or nonchartered nonpublic 1165  
school prior to the end of the school year. 1166

For purposes of divisions (E) and (F) of this section, in 1167  
the case of a student who is not living with the student's 1168  
parent, the department shall distribute the scholarship payments 1169  
to the student's guardian, legal custodian, kinship caregiver, 1170  
foster caregiver, or caretaker. For the purposes of this 1171  
division, "caretaker" has the same meaning as in section 1172  
3310.033 of the Revised Code, "kinship caregiver" has the same 1173  
meaning as in section 5101.85 of the Revised Code, and "foster 1174

caregiver" has the same meaning as in section 5103.02 of the Revised Code.

(F) If a student is awarded a pilot project scholarship under sections 3313.974 to 3313.979 of the Revised Code, the department shall distribute to the parent of the student, if the student is attending a registered private school as defined in section 3313.974 of the Revised Code, or the student's school district of attendance, if the scholarship is to be used for payments to a public school in a school district adjacent to the pilot project school district pursuant to section 3327.06 of the Revised Code, a scholarship from the funds paid to the pilot project scholarship unit under this section that is equal to the amount calculated for the student under division (A)(11)(a) of this section.

In the case of a scholarship distributed to a student's parent, the scholarship shall be distributed in monthly partial payments. The scholarship amount shall be proportionately reduced in the case of any such student who is not enrolled in a registered private school, as that term is defined in section 3313.974 of the Revised Code, for the entire school year.

In the case of a scholarship distributed to a student's school district of attendance, the department shall, on behalf of the student's parents, use the scholarship to make the tuition payments required by section 3327.06 of the Revised Code to the student's school district of attendance, except that, notwithstanding sections 3323.13, 3323.14, and 3327.06 of the Revised Code, the total payments in any school year shall not exceed the scholarship amount calculated for the student under division (A)(11)(a) of this section.

(G) The department shall distribute to the parent of each

student for whom an autism scholarship is awarded under section 1205  
3310.41 of the Revised Code, from the funds paid to the autism 1206  
scholarship unit under this section, a scholarship equal to the 1207  
amount calculated for the student under division (A) (12) (a) of 1208  
this section. The scholarship shall be distributed from time to 1209  
time in partial payments. The scholarship amount shall be 1210  
proportionately reduced in the case of any student who is not 1211  
enrolled in the special education program for which a 1212  
scholarship was awarded under section 3310.41 of the Revised 1213  
Code for the entire school year. The department shall make no 1214  
payments to the parent of a student while any administrative or 1215  
judicial mediation or proceedings with respect to the content of 1216  
the student's individualized education program are pending. 1217

(H) The department shall distribute to the parent of each 1218  
student for whom a Jon Peterson special needs scholarship is 1219  
awarded under sections 3310.51 to 3310.64 of the Revised Code, 1220  
from the funds paid to the Jon Peterson special needs 1221  
scholarship unit under this section, a scholarship equal to the 1222  
amount calculated for the student under division (A) (13) (a) of 1223  
this section. The scholarship shall be distributed in periodic 1224  
payments, and the department shall proportionately reduce or 1225  
terminate the payments for any student who is not enrolled in 1226  
the special education program of an alternative public provider 1227  
or a registered private provider, as those terms are defined in 1228  
section 3310.51 of the Revised Code, for the entire school year. 1229

(I) For fiscal years 2024 and 2025, a school district 1230  
shall spend the funds it receives under division (A) (5) of this 1231  
section only for services for English learners. 1232

(J) For fiscal year 2024 and each fiscal year thereafter, 1233  
a school district shall spend the funds it receives under 1234

division (A) (6) of this section only for the identification of 1235  
gifted students, gifted coordinator services, gifted 1236  
intervention specialist services, and gifted professional 1237  
development. For fiscal year 2024 and each fiscal year 1238  
thereafter, if the department determines that a district is not 1239  
in compliance with this division, it shall reduce the district's 1240  
payments for that fiscal year under this chapter by an amount 1241  
equal to the amount paid to the district for that fiscal year 1242  
under division (A) (6) of this section that was not spent in 1243  
accordance with this division. The department shall reduce the 1244  
payment within ninety days of data finalization. 1245

**Sec. 3317.03.** (A) The superintendent of each city, local, 1246  
and exempted village school district shall report to the 1247  
department of education and workforce as of the last day of 1248  
October, March, and June of each year the enrollment of students 1249  
receiving services from schools under the superintendent's 1250  
supervision, and the numbers of other students entitled to 1251  
attend school in the district under section 3313.64 or 3313.65 1252  
of the Revised Code the superintendent is required to report 1253  
under this section, so that the department can calculate the 1254  
district's enrolled ADM, formula ADM, total ADM, category one 1255  
through five career-technical education ADM, category one 1256  
through three English learner ADM, category one through six 1257  
special education ADM, transportation ADM, and, for purposes of 1258  
provisions of law outside of Chapter 3317. of the Revised Code, 1259  
average daily membership. 1260

(1) The enrollment reported by the superintendent during 1261  
the reporting period shall consist of the number of students in 1262  
grades kindergarten through twelve receiving any educational 1263  
services from the district, except that the following categories 1264  
of students shall not be included in the determination: 1265

|  |  |
|--|--|
| (a) Students enrolled in adult education classes;  | 1266   |
| (b) Adjacent or other district students enrolled in the district under an open enrollment policy pursuant to section 3313.98 of the Revised Code;  | 1267<br>1268<br>1269                                 |
| (c) Students receiving services in the district pursuant to a compact, cooperative education agreement, or a contract, but who are entitled to attend school in another district pursuant to section 3313.64 or 3313.65 of the Revised Code;   | 1270<br>1271<br>1272<br>1273                         |
| (d) Students for whom tuition is payable pursuant to sections 3317.081 and 3323.141 of the Revised Code;   | 1274<br>1275   |
| (e) Students receiving services in the district through a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code.   | 1276<br>1277<br>1278                                 |
| When reporting students under division (A) (1) of this section, the superintendent also shall report the district where each student is entitled to attend school pursuant to sections 3313.64 and 3313.65 of the Revised Code.  | 1279<br>1280<br>1281<br>1282                         |
| (2) The department shall compile a list of all students reported to be enrolled in a district under division (A) (1) of this section and of the students entitled to attend school in the district pursuant to section 3313.64 or 3313.65 of the Revised Code on an FTE basis but receiving educational services in grades kindergarten through twelve from one or more of the following entities: | 1283<br>1284<br>1285<br>1286<br>1287<br>1288<br>1289 |
| (a) A community school pursuant to Chapter 3314. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in such community school;  | 1290<br>1291<br>1292<br>1293                         |

|  |  |
|--|--|
| (b) An alternative school pursuant to sections 3313.974 to 3313.979 of the Revised Code;   | 1294<br>1295   |
| (c) A college pursuant to Chapter 3365. of the Revised Code, except when the student is enrolled in the college while also enrolled in a community school pursuant to Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code; | 1296<br>1297<br>1298<br>1299<br>1300<br>1301<br>1302 |
| (d) An adjacent or other school district under an open enrollment policy adopted pursuant to section 3313.98 of the Revised Code;  | 1303<br>1304<br>1305                                 |
| (e) An educational service center or cooperative education district;   | 1306<br>1307   |
| (f) Another school district under a cooperative education agreement, compact, or contract;   | 1308<br>1309   |
| (g) A chartered <u>or nonchartered</u> nonpublic school with a scholarship paid under section 3317.022 of the Revised Code, if the students qualified for the scholarship under section 3310.03 or 3310.032 of the Revised Code;   | 1310<br>1311<br>1312<br>1313                         |
| (h) An alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code.  | 1314<br>1315<br>1316                                 |
| As used in this section, "alternative public provider" and "registered private provider" have the same meanings as in section 3310.41 or 3310.51 of the Revised Code, as applicable.   | 1317<br>1318<br>1319                                 |
| (i) A science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code,  | 1320<br>1321   |

including any participation in a college pursuant to Chapter 1322  
3365. of the Revised Code while enrolled in the school; 1323

(j) A college-preparatory boarding school established 1324  
under Chapter 3328. of the Revised Code, including any 1325  
participation in a college pursuant to Chapter 3365. of the 1326  
Revised Code while enrolled in the school. 1327

(3) The department also shall compile a list of the 1328  
students entitled to attend school in the district under section 1329  
3313.64 or 3313.65 of the Revised Code who are enrolled in a 1330  
joint vocational school district or under a career-technical 1331  
education compact, excluding any students so entitled to attend 1332  
school in the district who are enrolled in another school 1333  
district through an open enrollment policy as reported under 1334  
division (A) (2) (d) of this section and then enroll in a joint 1335  
vocational school district or under a career-technical education 1336  
compact. 1337

The department shall provide each city, local, and 1338  
exempted village school district with an opportunity to review 1339  
the list of students compiled under divisions (A) (2) and (3) of 1340  
this section to ensure that the students reported accurately 1341  
reflect the enrollment of students in the district. 1342

(B) To enable the department to obtain the data needed to 1343  
complete the calculation of payments pursuant to this chapter, 1344  
each superintendent shall certify from the reports provided by 1345  
the department under division (A) of this section all of the 1346  
following: 1347

(1) The total student enrollment in regular learning day 1348  
classes included in the report under division (A) (1) or (2), 1349  
including any student described in division (A) (1) (b) of this 1350

section and excluding any student reported under divisions (A) 1351  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, of 1352  
this section for each of the individual grades kindergarten 1353  
through twelve in schools under the superintendent's 1354  
supervision; 1355

(2) The unduplicated count of the number of preschool 1356  
children with disabilities enrolled in the district for whom the 1357  
district is eligible to receive funding under section 3317.0213 1358  
of the Revised Code adjusted for the portion of the year each 1359  
child is so enrolled, in accordance with the disability 1360  
categories prescribed in section 3317.013 of the Revised Code; 1361

(3) The number of children entitled to attend school in 1362  
the district pursuant to section 3313.64 or 3313.65 of the 1363  
Revised Code who are: 1364

(a) Enrolled in a college under Chapter 3365. of the 1365  
Revised Code, except when the student is enrolled in the college 1366  
while also enrolled in a community school pursuant to Chapter 1367  
3314. of the Revised Code, a science, technology, engineering, 1368  
and mathematics school established under Chapter 3326., or a 1369  
college-preparatory boarding school established under Chapter 1370  
3328. of the Revised Code; 1371

(b) Participating in a program operated by a county board 1372  
of developmental disabilities or a state institution. 1373

(4) The total enrollment of pupils in joint vocational 1374  
schools; 1375

(5) The combined enrollment of children with disabilities 1376  
reported under division (A) (1) or (2) of this section, including 1377  
any student described in division (A) (1) (b) of this section and 1378  
excluding any student reported under divisions (A) (2) (a), (b), 1379



(d), (g), (h), (i), and (j) of this section, receiving special 1380  
education services for the category one disability described in 1381  
division (A) of section 3317.013 of the Revised Code, including 1382  
children attending a special education program operated by an 1383  
alternative public provider or a registered private provider 1384  
with a scholarship awarded under sections 3310.51 to 3310.64 of 1385  
the Revised Code; 1386

(6) The combined enrollment of children with disabilities 1387  
reported under division (A)(1) or (2) of this section, including 1388  
any student described in division (A)(1)(b) of this section and 1389  
excluding any student reported under divisions (A)(2)(a), (b), 1390  
(d), (g), (h), (i), and (j) of this section, receiving special 1391  
education services for category two disabilities described in 1392  
division (B) of section 3317.013 of the Revised Code, including 1393  
children attending a special education program operated by an 1394  
alternative public provider or a registered private provider 1395  
with a scholarship awarded under sections 3310.51 to 3310.64 of 1396  
the Revised Code; 1397

(7) The combined enrollment of children with disabilities 1398  
reported under division (A)(1) or (2) of this section, including 1399  
any student described in division (A)(1)(b) of this section and 1400  
excluding any student reported under divisions (A)(2)(a), (b), 1401  
(d), (g), (h), (i), and (j) of this section, receiving special 1402  
education services for category three disabilities described in 1403  
division (C) of section 3317.013 of the Revised Code, including 1404  
children attending a special education program operated by an 1405  
alternative public provider or a registered private provider 1406  
with a scholarship awarded under sections 3310.51 to 3310.64 of 1407  
the Revised Code; 1408

(8) The combined enrollment of children with disabilities 1409

reported under division (A) (1) or (2) of this section, including 1410  
any student described in division (A) (1) (b) of this section and 1411  
excluding any student reported under divisions (A) (2) (a), (b), 1412  
(d), (g), (h), (i), and (j) of this section, receiving special 1413  
education services for category four disabilities described in 1414  
division (D) of section 3317.013 of the Revised Code, including 1415  
children attending a special education program operated by an 1416  
alternative public provider or a registered private provider 1417  
with a scholarship awarded under sections 3310.51 to 3310.64 of 1418  
the Revised Code; 1419

(9) The combined enrollment of children with disabilities 1420  
reported under division (A) (1) or (2) of this section, including 1421  
any student described in division (A) (1) (b) of this section and 1422  
excluding any student reported under divisions (A) (2) (a), (b), 1423  
(d), (g), (h), (i), and (j) of this section, receiving special 1424  
education services for the category five disabilities described 1425  
in division (E) of section 3317.013 of the Revised Code, 1426  
including children attending a special education program 1427  
operated by an alternative public provider or a registered 1428  
private provider with a scholarship awarded under sections 1429  
3310.51 to 3310.64 of the Revised Code; 1430

(10) The combined enrollment of children with disabilities 1431  
reported under division (A) (1) or (2) of this section, including 1432  
any student described in division (A) (1) (b) of this section and 1433  
excluding any student reported under divisions (A) (2) (a), (b), 1434  
(d), (g), (h), (i), and (j) of this section, receiving special 1435  
education services for category six disabilities described in 1436  
division (F) of section 3317.013 of the Revised Code, including 1437  
children attending a special education program operated by an 1438  
alternative public provider or a registered private provider 1439  
with a scholarship awarded under either section 3310.41 or 1440

sections 3310.51 to 3310.64 of the Revised Code; 1441

(11) The enrollment of pupils reported under division (A) 1442  
(1) or (2) of this section on a full-time equivalency basis, 1443  
including any student described in division (A)(1)(b) of this 1444  
section and excluding any student reported under divisions (A) 1445  
(2)(a), (b), (d), (g), (h), (i), and (j) of this section, in 1446  
category one career-technical education programs or classes, 1447  
described in division (A)(1) of section 3317.014 of the Revised 1448  
Code, operated by the school district or by another district 1449  
that is a member of the district's career-technical planning 1450  
district, other than a joint vocational school district, or by 1451  
an educational service center, notwithstanding division (M) of 1452  
section 3317.02 of the Revised Code and division (C)(3) of this 1453  
section; 1454

(12) The enrollment of pupils reported under division (A) 1455  
(1) or (2) of this section on a full-time equivalency basis, 1456  
including any student described in division (A)(1)(b) of this 1457  
section and excluding any student reported under divisions (A) 1458  
(2)(a), (b), (d), (g), (h), (i), and (j) of this section, in 1459  
category two career-technical education programs or services, 1460  
described in division (A)(2) of section 3317.014 of the Revised 1461  
Code, operated by the school district or another school district 1462  
that is a member of the district's career-technical planning 1463  
district, other than a joint vocational school district, or by 1464  
an educational service center, notwithstanding division (M) of 1465  
section 3317.02 of the Revised Code and division (C)(3) of this 1466  
section; 1467

(13) The enrollment of pupils reported under division (A) 1468  
(1) or (2) of this section on a full-time equivalency basis, 1469  
including any student described in division (A)(1)(b) of this 1470

section and excluding any student reported under divisions (A) 1471  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 1472  
category three career-technical education programs or services, 1473  
described in division (A) (3) of section 3317.014 of the Revised 1474  
Code, operated by the school district or another school district 1475  
that is a member of the district's career-technical planning 1476  
district, other than a joint vocational school district, or by 1477  
an educational service center, notwithstanding division (M) of 1478  
section 3317.02 of the Revised Code and division (C) (3) of this 1479  
section; 1480

(14) The enrollment of pupils reported under division (A) 1481  
(1) or (2) of this section on a full-time equivalency basis, 1482  
including any student described in division (A) (1) (b) of this 1483  
section and excluding any student reported under divisions (A) 1484  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 1485  
category four career-technical education programs or services, 1486  
described in division (A) (4) of section 3317.014 of the Revised 1487  
Code, operated by the school district or another school district 1488  
that is a member of the district's career-technical planning 1489  
district, other than a joint vocational school district, or by 1490  
an educational service center, notwithstanding division (M) of 1491  
section 3317.02 of the Revised Code and division (C) (3) of this 1492  
section; 1493

(15) The enrollment of pupils reported under division (A) 1494  
(1) or (2) of this section on a full-time equivalency basis, 1495  
including any student described in division (A) (1) (b) of this 1496  
section and excluding any student reported under divisions (A) 1497  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 1498  
category five career-technical education programs or services, 1499  
described in division (A) (5) of section 3317.014 of the Revised 1500  
Code, operated by the school district or another school district 1501

that is a member of the district's career-technical planning 1502  
district, other than a joint vocational school district, or by 1503  
an educational service center, notwithstanding division (M) of 1504  
section 3317.02 of the Revised Code and division (C) (3) of this 1505  
section; 1506

(16) The enrollment of pupils reported under division (A) 1507  
(1) or (2) of this section who are English learners described in 1508  
division (A) of section 3317.016 of the Revised Code, including 1509  
any student described in division (A) (1) (b) of this section and 1510  
excluding any student reported under divisions (A) (2) (a), (b), 1511  
(d), (g), (h), (i), and (j) of this section; 1512

(17) The enrollment of pupils reported under division (A) 1513  
(1) or (2) of this section who are English learners described in 1514  
division (B) of section 3317.016 of the Revised Code, including 1515  
any student described in division (A) (1) (b) of this section and 1516  
excluding any student reported under divisions (A) (2) (a), (b), 1517  
(d), (g), (h), (i), and (j) of this section; 1518

(18) The enrollment of pupils reported under division (A) 1519  
(1) or (2) of this section who are English learners described in 1520  
division (C) of section 3317.016 of the Revised Code, including 1521  
any student described in division (A) (1) (b) of this section and 1522  
excluding any student reported under divisions (A) (2) (a), (b), 1523  
(d), (g), (h), (i), and (j) of this section; 1524

(19) The average number of children transported during the 1525  
reporting period by the school district on board-owned or 1526  
contractor-owned and -operated buses, reported in accordance 1527  
with rules adopted by the department; 1528

(20) (a) The number of children, other than preschool 1529  
children with disabilities, the district placed with a county 1530

board of developmental disabilities in fiscal year 1998. 1531  
Division (B) (20) (a) of this section does not apply after fiscal 1532  
year 2013. 1533

(b) The number of children with disabilities, other than 1534  
preschool children with disabilities, placed with a county board 1535  
of developmental disabilities in the current fiscal year to 1536  
receive special education services for the category one 1537  
disability described in division (A) of section 3317.013 of the 1538  
Revised Code; 1539

(c) The number of children with disabilities, other than 1540  
preschool children with disabilities, placed with a county board 1541  
of developmental disabilities in the current fiscal year to 1542  
receive special education services for category two disabilities 1543  
described in division (B) of section 3317.013 of the Revised 1544  
Code; 1545

(d) The number of children with disabilities, other than 1546  
preschool children with disabilities, placed with a county board 1547  
of developmental disabilities in the current fiscal year to 1548  
receive special education services for category three 1549  
disabilities described in division (C) of section 3317.013 of 1550  
the Revised Code; 1551

(e) The number of children with disabilities, other than 1552  
preschool children with disabilities, placed with a county board 1553  
of developmental disabilities in the current fiscal year to 1554  
receive special education services for category four 1555  
disabilities described in division (D) of section 3317.013 of 1556  
the Revised Code; 1557

(f) The number of children with disabilities, other than 1558  
preschool children with disabilities, placed with a county board 1559

of developmental disabilities in the current fiscal year to 1560  
receive special education services for the category five 1561  
disabilities described in division (E) of section 3317.013 of 1562  
the Revised Code; 1563

(g) The number of children with disabilities, other than 1564  
preschool children with disabilities, placed with a county board 1565  
of developmental disabilities in the current fiscal year to 1566  
receive special education services for category six disabilities 1567  
described in division (F) of section 3317.013 of the Revised 1568  
Code. 1569

(21) The enrollment of students who are economically 1570  
disadvantaged, as defined by the department, including any 1571  
student described in divisions (A) (1) (b) of this section and 1572  
excluding any student reported under divisions (A) (2) (a), (b), 1573  
(d), (g), (h), (i), and (j) of this section. A student shall not 1574  
be categorically excluded from the number reported under 1575  
division (B) (21) of this section based on anything other than 1576  
family income. 1577

(22) The enrollment of students identified as gifted under 1578  
division (A), (B), (C), or (D) of section 3324.03 of the Revised 1579  
Code. 1580

(C) (1) The department shall adopt rules necessary for 1581  
implementing divisions (A), (B), and (D) of this section. 1582

(2) A student enrolled in a community school established 1583  
under Chapter 3314., a science, technology, engineering, and 1584  
mathematics school established under Chapter 3326., or a 1585  
college-preparatory boarding school established under Chapter 1586  
3328. of the Revised Code shall be counted in the formula ADM of 1587  
the school district in which the student is entitled to attend 1588

school under section 3313.64 or 3313.65 of the Revised Code for 1589  
the same proportion of the school year that the student is 1590  
counted in the enrollment of the community school, the science, 1591  
technology, engineering, and mathematics school, or the college- 1592  
preparatory boarding school for purposes of section 3317.022 or 1593  
3328.24 of the Revised Code. Notwithstanding the enrollment of 1594  
students reported pursuant to division (A)(2)(a), (i), or (j) of 1595  
this section, the department may adjust the formula ADM of a 1596  
school district to account for students entitled to attend 1597  
school in the district under section 3313.64 or 3313.65 of the 1598  
Revised Code who are enrolled in a community school, a science, 1599  
technology, engineering, and mathematics school, or a college- 1600  
preparatory boarding school for only a portion of the school 1601  
year. 1602

(3) No child shall be counted as more than a total of one 1603  
child in the sum of the enrollment of students of a school 1604  
district under division (A), divisions (B)(1) to (22), or 1605  
division (D) of this section, except as follows: 1606

(a)(i) A child with a disability described in section 1607  
3317.013 of the Revised Code may be counted both in formula ADM 1608  
and in category one, two, three, four, five, or six special 1609  
education ADM and, if applicable, in category one, two, three, 1610  
four, or five career-technical education ADM. As provided in 1611  
division (M) of section 3317.02 of the Revised Code, such a 1612  
child shall be counted in category one, two, three, four, five, 1613  
or six special education ADM in the same proportion that the 1614  
child is counted in formula ADM. 1615

(ii) A child with a disability described in section 1616  
3317.013 of the Revised Code may be counted both in enrolled ADM 1617  
and in category one, two, three, four, five, or six special 1618



education ADM and, if applicable, in category one, two, three, 1619  
four, or five career-technical education ADM. As provided in 1620  
division (M) of section 3317.02 of the Revised Code, such a 1621  
child shall be counted in category one, two, three, four, five, 1622  
or six special education ADM in the same proportion that the 1623  
child is counted in enrolled ADM. 1624

(b) (i) A child enrolled in career-technical education 1625  
programs or classes described in section 3317.014 of the Revised 1626  
Code may be counted both in formula ADM and category one, two, 1627  
three, four, or five career-technical education ADM and, if 1628  
applicable, in category one, two, three, four, five, or six 1629  
special education ADM. Such a child shall be counted in category 1630  
one, two, three, four, or five career-technical education ADM in 1631  
the same proportion as the percentage of time that the child 1632  
spends in the career-technical education programs or classes. 1633

(ii) A child enrolled in career-technical education 1634  
programs or classes described in section 3317.014 of the Revised 1635  
Code may be counted both in enrolled ADM and category one, two, 1636  
three, four, or five career-technical education ADM and, if 1637  
applicable, in category one, two, three, four, five, or six 1638  
special education ADM. Such a child shall be counted in category 1639  
one, two, three, four, or five career-technical education ADM in 1640  
the same proportion as the percentage of time that the child 1641  
spends in the career-technical education programs or classes. 1642

(4) Based on the information reported under this section, 1643  
the department shall determine the total student count, as 1644  
defined in section 3301.011 of the Revised Code, for each school 1645  
district. 1646

(D) (1) The superintendent of each joint vocational school 1647  
district shall report and certify to the department as of the 1648

last day of October, March, and June of each year the enrollment 1649  
of students receiving services from schools under the 1650  
superintendent's supervision so that the department can 1651  
calculate the district's enrolled ADM, formula ADM, total ADM, 1652  
category one through five career-technical education ADM, 1653  
category one through three English learner ADM, category one 1654  
through six special education ADM, and for purposes of 1655  
provisions of law outside of Chapter 3317. of the Revised Code, 1656  
average daily membership. 1657

The enrollment reported and certified by the 1658  
superintendent, except as otherwise provided in this division, 1659  
shall consist of the number of students in grades six through 1660  
twelve receiving any educational services from the district, 1661  
except that the following categories of students shall not be 1662  
included in the determination: 1663

(a) Students enrolled in adult education classes; 1664

(b) Adjacent or other district joint vocational students 1665  
enrolled in the district under an open enrollment policy 1666  
pursuant to section 3313.98 of the Revised Code; 1667

(c) Students receiving services in the district pursuant 1668  
to a compact, cooperative education agreement, or a contract, 1669  
but who are entitled to attend school in a city, local, or 1670  
exempted village school district whose territory is not part of 1671  
the territory of the joint vocational district; 1672

(d) Students for whom tuition is payable pursuant to 1673  
sections 3317.081 and 3323.141 of the Revised Code. 1674

(2) To enable the department to obtain the data needed to 1675  
complete the calculation of payments pursuant to this chapter, 1676  
each superintendent shall certify from the report provided under 1677

|  |      |
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| division (D) (1) of this section the enrollment for each of the  | 1678 |
| following categories of students:                                | 1679 |
| (a) Students enrolled in each individual grade included in       | 1680 |
| the joint vocational district schools, including any student     | 1681 |
| described in division (D) (1) (b) of this section;               | 1682 |
| (b) Children with disabilities receiving special education       | 1683 |
| services for the category one disability described in division   | 1684 |
| (A) of section 3317.013 of the Revised Code, including any       | 1685 |
| student described in division (D) (1) (b) of this section;       | 1686 |
| (c) Children with disabilities receiving special education       | 1687 |
| services for the category two disabilities described in division | 1688 |
| (B) of section 3317.013 of the Revised Code, including any       | 1689 |
| student described in division (D) (1) (b) of this section;       | 1690 |
| (d) Children with disabilities receiving special education       | 1691 |
| services for category three disabilities described in division   | 1692 |
| (C) of section 3317.013 of the Revised Code, including any       | 1693 |
| student described in division (D) (1) (b) of this section;       | 1694 |
| (e) Children with disabilities receiving special education       | 1695 |
| services for category four disabilities described in division    | 1696 |
| (D) of section 3317.013 of the Revised Code, including any       | 1697 |
| student described in division (D) (1) (b) of this section;       | 1698 |
| (f) Children with disabilities receiving special education       | 1699 |
| services for the category five disabilities described in         | 1700 |
| division (E) of section 3317.013 of the Revised Code, including  | 1701 |
| any student described in division (D) (1) (b) of this section;   | 1702 |
| (g) Children with disabilities receiving special education       | 1703 |
| services for category six disabilities described in division (F) | 1704 |
| of section 3317.013 of the Revised Code, including any student   | 1705 |
| described in division (D) (1) (b) of this section;               | 1706 |

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|--|------------------------------|
| (h) Students receiving category one career-technical education services, described in division (A) (1) of section 3317.014 of the Revised Code, including any student described in division (D) (1) (b) of this section;   | 1707<br>1708<br>1709<br>1710 |
| (i) Students receiving category two career-technical education services, described in division (A) (2) of section 3317.014 of the Revised Code, including any student described in division (D) (1) (b) of this section;   | 1711<br>1712<br>1713<br>1714 |
| (j) Students receiving category three career-technical education services, described in division (A) (3) of section 3317.014 of the Revised Code, including any student described in division (D) (1) (b) of this section; | 1715<br>1716<br>1717<br>1718 |
| (k) Students receiving category four career-technical education services, described in division (A) (4) of section 3317.014 of the Revised Code, including any student described in division (D) (1) (b) of this section;  | 1719<br>1720<br>1721<br>1722 |
| (l) Students receiving category five career-technical education services, described in division (A) (5) of section 3317.014 of the Revised Code, including any student described in division (D) (1) (b) of this section;  | 1723<br>1724<br>1725<br>1726 |
| (m) English learners described in division (A) of section 3317.016 of the Revised Code, including any student described in division (D) (1) (b) of this section;   | 1727<br>1728<br>1729         |
| (n) English learners described in division (B) of section 3317.016 of the Revised Code, including any student described in division (D) (1) (b) of this section;   | 1730<br>1731<br>1732         |
| (o) English learners described in division (C) of section 3317.016 of the Revised Code, including any student described in division (D) (1) (b) of this section;   | 1733<br>1734<br>1735         |

(p) Students who are economically disadvantaged, as 1736  
defined by the department, including any student described in 1737  
division (D) (1) (b) of this section. A student shall not be 1738  
categorically excluded from the number reported under division 1739  
(D) (2) (p) of this section based on anything other than family 1740  
income. 1741

The superintendent of each joint vocational school 1742  
district shall also indicate the city, local, or exempted 1743  
village school district in which each joint vocational district 1744  
pupil is entitled to attend school pursuant to section 3313.64 1745  
or 3313.65 of the Revised Code. 1746

(E) In each school of each city, local, exempted village, 1747  
joint vocational, and cooperative education school district 1748  
there shall be maintained a record of school enrollment, which 1749  
record shall accurately show, for each day the school is in 1750  
session, the actual enrollment in regular day classes. For the 1751  
purpose of determining the enrollment of students, the 1752  
enrollment figure of any school shall not include any pupils 1753  
except those pupils described by division (A) or (D) of this 1754  
section. The record of enrollment for each school shall be 1755  
maintained in such manner that no pupil shall be counted as 1756  
enrolled prior to the actual date of entry in the school and 1757  
also in such manner that where for any cause a pupil permanently 1758  
withdraws from the school that pupil shall not be counted as 1759  
enrolled from and after the date of such withdrawal. There shall 1760  
not be included in the enrollment of any school any of the 1761  
following: 1762

(1) Any pupil who has graduated from the twelfth grade of 1763  
a public or nonpublic high school; 1764

(2) Any pupil who is not a resident of the state; 1765

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

(4) Any pupil who has attained the age of twenty-two years, except for veterans of the armed services whose attendance was interrupted before completing the recognized twelve-year course of the public schools by reason of induction or enlistment in the armed forces and who apply for reenrollment in the public school system of their residence not later than four years after termination of war or their honorable discharge;

(5) Any pupil who has a certificate of high school equivalence as defined in section 5107.40 of the Revised Code.

If, however, any veteran described by division (E) (4) of this section elects to enroll in special courses organized for veterans for whom tuition is paid under the provisions of federal laws, or otherwise, that veteran shall not be included in the enrollment of students determined under this section.

Notwithstanding division (E) (3) of this section, the enrollment of any school may include a pupil who did not take an assessment required by section 3301.0711 of the Revised Code if the department of education and workforce grants a waiver from the requirement to take the assessment to the specific pupil and a parent is not paying tuition for the pupil pursuant to section 3313.6410 of the Revised Code. The department may grant such a waiver only for good cause in accordance with rules adopted by the department.

The enrolled ADM, formula ADM, total ADM, category one 1796  
through five career-technical education ADM, category one 1797  
through three English learner ADM, category one through six 1798  
special education ADM, transportation ADM, and, for purposes of 1799  
provisions of law outside of Chapter 3317. of the Revised Code, 1800  
average daily membership of any school district shall be 1801  
determined in accordance with rules adopted by the department. 1802

(F) (1) If a student attending a community school under 1803  
Chapter 3314., a science, technology, engineering, and 1804  
mathematics school established under Chapter 3326., or a 1805  
college-preparatory boarding school established under Chapter 1806  
3328. of the Revised Code is not included in the formula ADM 1807  
calculated for the school district in which the student is 1808  
entitled to attend school under section 3313.64 or 3313.65 of 1809  
the Revised Code, the department shall adjust the formula ADM of 1810  
that school district to include the student in accordance with 1811  
division (C) (2) of this section. 1812

(2) If a student awarded an educational choice scholarship 1813  
is not included in the formula ADM of the school district in 1814  
which the student resides, the department shall adjust the 1815  
formula ADM of that school district to include the student. 1816

(3) If a student awarded a scholarship under the Jon 1817  
Peterson special needs scholarship program is not included in 1818  
the formula ADM of the school district in which the student 1819  
resides, the department shall adjust the formula ADM of that 1820  
school district to include the student. 1821

(G) (1) (a) The superintendent of an institution operating a 1822  
special education program pursuant to section 3323.091 of the 1823  
Revised Code shall, for the programs under such superintendent's 1824  
supervision, certify to the department, in the manner prescribed 1825

by the director of education and workforce, both of the 1826  
following: 1827

(i) The unduplicated count of the number of all children 1828  
with disabilities other than preschool children with 1829  
disabilities receiving services at the institution for each 1830  
category of disability described in divisions (A) to (F) of 1831  
section 3317.013 of the Revised Code adjusted for the portion of 1832  
the year each child is so enrolled; 1833

(ii) The unduplicated count of the number of all preschool 1834  
children with disabilities in classes or programs for whom the 1835  
district is eligible to receive funding under section 3317.0213 1836  
of the Revised Code adjusted for the portion of the year each 1837  
child is so enrolled, reported according to the categories 1838  
prescribed in section 3317.013 of the Revised Code. 1839

(b) The superintendent of an institution with career- 1840  
technical education units approved under section 3317.05 of the 1841  
Revised Code shall, for the units under the superintendent's 1842  
supervision, certify to the department the enrollment in those 1843  
units, in the manner prescribed by the director of education and 1844  
workforce. 1845

(2) The superintendent of each county board of 1846  
developmental disabilities that maintains special education 1847  
classes under section 3317.20 of the Revised Code or provides 1848  
services to preschool children with disabilities pursuant to an 1849  
agreement between the county board and the appropriate school 1850  
district shall do both of the following: 1851

(a) Certify to the department, in the manner prescribed by 1852  
the department, the enrollment in classes under section 3317.20 1853  
of the Revised Code for each school district that has placed 1854



children in the classes; 1855

(b) Certify to the department, in the manner prescribed by 1856  
the department, the unduplicated count of the number of all 1857  
preschool children with disabilities enrolled in classes for 1858  
which the board is eligible to receive funding under section 1859  
3317.0213 of the Revised Code adjusted for the portion of the 1860  
year each child is so enrolled, reported according to the 1861  
categories prescribed in section 3317.013 of the Revised Code, 1862  
and the number of those classes. 1863

(H) Except as provided in division (I) of this section, 1864  
when any city, local, or exempted village school district 1865  
provides instruction for a nonresident pupil whose attendance is 1866  
unauthorized attendance as defined in section 3327.06 of the 1867  
Revised Code, that pupil's enrollment shall not be included in 1868  
that district's enrollment figure used in calculating the 1869  
district's payments under this chapter. The reporting official 1870  
shall report separately the enrollment of all pupils whose 1871  
attendance in the district is unauthorized attendance, and the 1872  
enrollment of each such pupil shall be credited to the school 1873  
district in which the pupil is entitled to attend school under 1874  
division (B) of section 3313.64 or section 3313.65 of the 1875  
Revised Code as determined by the department. 1876

(I) This division shall not apply on or after September 1877  
30, 2021. 1878

(1) A city, local, exempted village, or joint vocational 1879  
school district admitting a scholarship student of a pilot 1880  
project district pursuant to division (C) of section 3313.976 of 1881  
the Revised Code may count such student in its enrollment. 1882

(2) In any year for which funds are appropriated for pilot 1883

project scholarship programs, a school district implementing a 1884  
state-sponsored pilot project scholarship program that year 1885  
pursuant to sections 3313.974 to 3313.979 of the Revised Code 1886  
may count in its enrollment: 1887

(a) All children residing in the district and utilizing a 1888  
scholarship to attend kindergarten in any alternative school, as 1889  
defined in section 3313.974 of the Revised Code; 1890

(b) All children who were enrolled in the district in the 1891  
preceding year who are utilizing a scholarship to attend an 1892  
alternative school. 1893

(J) The superintendent of each cooperative education 1894  
school district shall certify to the director of education and 1895  
workforce, in a manner prescribed by the department, the 1896  
applicable enrollments for all students in the cooperative 1897  
education district, also indicating the city, local, or exempted 1898  
village district where each pupil is entitled to attend school 1899  
under section 3313.64 or 3313.65 of the Revised Code. 1900

(K) If the director of education and workforce determines 1901  
that a component of the enrollment certified or reported by a 1902  
district superintendent, or other reporting entity, is not 1903  
correct, the director of education and workforce may order that 1904  
the district's enrolled ADM, formula ADM, or both be adjusted in 1905  
the amount of the error. 1906

**Sec. 3365.07.** The department of education and workforce 1907  
shall calculate and pay state funds to colleges for participants 1908  
in the college credit plus program under division (B) of section 1909  
3365.06 of the Revised Code pursuant to this section. For a 1910  
nonpublic secondary school participant, a nonchartered nonpublic 1911  
secondary school participant, or a home-educated participant, 1912

the department shall pay state funds pursuant to this section 1913  
only if that participant is awarded funding according to rules 1914  
adopted by the chancellor of higher education, in consultation 1915  
with the department of education and workforce, pursuant to 1916  
section 3365.071 of the Revised Code. The program shall be the 1917  
sole mechanism by which state funds are paid to colleges for 1918  
students to earn transcribed credit for college courses while 1919  
enrolled in both a secondary school and a college, with the 1920  
exception of state funds paid to colleges according to an 1921  
agreement described in division (A) (1) of section 3365.02 of the 1922  
Revised Code. 1923

(A) For each public or nonpublic secondary school 1924  
participant enrolled in a public college: 1925

(1) If no agreement has been entered into under division 1926  
(A) (2) of this section, both of the following shall apply: 1927

(a) The department shall pay to the college the applicable 1928  
amount as follows: 1929

(i) For a participant enrolled in a college course 1930  
delivered on the college campus, at another location operated by 1931  
the college, or online, the lesser of the default ceiling amount 1932  
or the college's standard rate; 1933

(ii) For a participant enrolled in a college course 1934  
delivered at the participant's secondary school but taught by 1935  
college faculty, the lesser of fifty per cent of the default 1936  
ceiling amount or the college's standard rate; 1937

(iii) For a participant enrolled in a college course 1938  
delivered at the participant's secondary school and taught by a 1939  
high school teacher who has met the credential requirements 1940  
established for purposes of the program in rules adopted by the 1941

chancellor, the default floor amount. 1942

(b) The participant's secondary school shall pay for 1943  
textbooks, and the college shall waive payment of all other fees 1944  
related to participation in the program. 1945

(2) The governing entity of a participant's secondary 1946  
school and the college may enter into an agreement to establish 1947  
an alternative payment structure for tuition, textbooks, and 1948  
fees. Under such an agreement, payments for each participant 1949  
made by the department shall be not less than the default floor 1950  
amount, unless approved by the chancellor, and not more than 1951  
either the default ceiling amount or the college's standard 1952  
rate, whichever is less. The chancellor may approve an agreement 1953  
that includes a payment below the default floor amount, as long 1954  
as the provisions of the agreement comply with all other 1955  
requirements of this chapter to ensure program quality. If no 1956  
agreement is entered into under division (A) (2) of this section, 1957  
both of the following shall apply: 1958

(a) The department shall pay to the college the applicable 1959  
default amounts prescribed by division (A) (1) (a) of this 1960  
section, depending upon the method of delivery and instruction. 1961

(b) In accordance with division (A) (1) (b) of this section, 1962  
the participant's secondary school shall pay for textbooks, and 1963  
the college shall waive payment of all other fees related to 1964  
participation in the program. 1965

(3) No participant that is enrolled in a public college 1966  
shall be charged for any tuition, textbooks, or other fees 1967  
related to participation in the program. 1968

(B) For each public secondary school participant enrolled 1969  
in a private college: 1970

(1) If no agreement has been entered into under division 1971  
(B) (2) of this section, the department shall pay to the college 1972  
the applicable amount calculated in the same manner as in 1973  
division (A) (1) (a) of this section. 1974

(2) The governing entity of a participant's secondary 1975  
school and the college may enter into an agreement to establish 1976  
an alternative payment structure for tuition, textbooks, and 1977  
fees. Under such an agreement, payments shall be not less than 1978  
the default floor amount, unless approved by the chancellor, and 1979  
not more than either the default ceiling amount or the college's 1980  
standard rate, whichever is less. 1981

If an agreement is entered into under division (B) (2) of 1982  
this section, both of the following shall apply: 1983

(a) The department shall make a payment to the college for 1984  
each participant that is equal to the default floor amount, 1985  
unless approved by the chancellor to pay an amount below the 1986  
default floor amount. The chancellor may approve an agreement 1987  
that includes a payment below the default floor amount, as long 1988  
as the provisions of the agreement comply with all other 1989  
requirements of this chapter to ensure program quality. 1990

(b) Payment for costs for the participant that exceed the 1991  
amount paid by the department pursuant to division (B) (2) (a) of 1992  
this section shall be negotiated by the school and the college. 1993  
The agreement may include a stipulation permitting the charging 1994  
of a participant. 1995

However, under no circumstances shall: 1996

(i) Payments for a participant made by the department 1997  
under division (B) (2) of this section exceed the lesser of the 1998  
default ceiling amount or the college's standard rate; 1999

|   |      |
|---|------|
| (ii) The amount charged to a participant under division           | 2000 |
| (B) (2) of this section exceed the difference between the maximum | 2001 |
| per participant charge amount and the default floor amount;       | 2002 |
| (iii) The sum of the payments made by the department for a        | 2003 |
| participant and the amount charged to that participant under      | 2004 |
| division (B) (2) of this section exceed the following amounts, as | 2005 |
| applicable:   | 2006 |
| (I) For a participant enrolled in a college course                | 2007 |
| delivered on the college campus, at another location operated by  | 2008 |
| the college, or online, the maximum per participant charge        | 2009 |
| amount;   | 2010 |
| (II) For a participant enrolled in a college course               | 2011 |
| delivered at the participant's secondary school but taught by     | 2012 |
| college faculty, one hundred twenty-five dollars;                 | 2013 |
| (III) For a participant enrolled in a college course              | 2014 |
| delivered at the participant's secondary school and taught by a   | 2015 |
| high school teacher who has met the credential requirements       | 2016 |
| established for purposes of the program in rules adopted by the   | 2017 |
| chancellor, one hundred dollars.                                  | 2018 |
| (iv) A participant that is identified as economically             | 2019 |
| disadvantaged according to rules adopted by the department be     | 2020 |
| charged under division (B) (2) of this section for any tuition,   | 2021 |
| textbooks, or other fees related to participation in the          | 2022 |
| program.  | 2023 |
| (C) For each nonpublic secondary school participant               | 2024 |
| enrolled in a private or eligible out-of-state college, the       | 2025 |
| department shall pay to the college the applicable amount         | 2026 |
| calculated in the same manner as in division (A) (1) (a) of this  | 2027 |
| section. Payment for costs for the participant that exceed the    | 2028 |

amount paid by the department shall be negotiated by the 2029  
governing body of the nonpublic secondary school and the 2030  
college. 2031

However, under no circumstances shall: 2032

(1) The payments for a participant made by the department 2033  
under this division exceed the lesser of the default ceiling 2034  
amount or the college's standard rate. 2035

(2) Any nonpublic secondary school participant, who is 2036  
enrolled in that secondary school with a scholarship awarded 2037  
under either the educational choice scholarship pilot program, 2038  
as prescribed by sections 3310.01 to 3310.17, or the pilot 2039  
project scholarship program, as prescribed by sections 3313.974 2040  
to 3313.979 of the Revised Code, and who qualifies as a low- 2041  
income student, as determined by a method established by the 2042  
department be charged for any tuition, textbooks, or other fees 2043  
related to participation in the college credit plus program. 2044

(D) For each nonchartered nonpublic secondary school 2045  
participant and each home-educated participant enrolled in a 2046  
public, private, or eligible out-of-state college, the 2047  
department shall pay to the college the lesser of the default 2048  
ceiling amount or the college's standard rate, if that 2049  
participant is enrolled in a college course delivered on the 2050  
college campus, at another location operated by the college, or 2051  
online. No nonchartered nonpublic secondary school participant 2052  
who is enrolled in that secondary school with a scholarship 2053  
awarded under the educational choice scholarship pilot program, 2054  
as prescribed by sections 3310.01 to 3310.17 of the Revised 2055  
Code, and who qualifies as a low-income student, as determined 2056  
by a method established by the department, shall be charged for 2057  
any tuition, textbooks, or other fees related to participation 2058

in the college credit plus program. 2059

(E) Not later than thirty days after the end of each term, 2060  
each college expecting to receive payment for the costs of a 2061  
participant under this section shall notify the department of 2062  
the number of enrolled credit hours for each participant. 2063

(F) The department shall make the applicable payments 2064  
under this section to each college, which provided proper 2065  
notification to the department under division (E) of this 2066  
section, for the number of enrolled credit hours for 2067  
participants enrolled in the college under division (B) of 2068  
section 3365.06 of the Revised Code. Except in cases involving 2069  
incomplete participant information or a dispute of participant 2070  
information, payments shall be made by the last day of January 2071  
for participants who were enrolled during the fall term and by 2072  
the last day of July for participants who were enrolled during 2073  
the spring term. The department shall not make any payments to a 2074  
college under this section if a participant withdrew from a 2075  
course prior to the date on which a withdrawal from the course 2076  
would have negatively affected the participant's transcribed 2077  
grade, as prescribed by the college's established withdrawal 2078  
policy. 2079

(1) Payments made for public secondary school participants 2080  
under this section shall be deducted as follows: 2081

(a) For a participant enrolled in a school district, from 2082  
the school foundation payments made to the participant's school 2083  
district. If the participant is enrolled in a joint vocational 2084  
school district, a portion of the amount shall be deducted from 2085  
the payments to the joint vocational school district and a 2086  
portion shall be deducted from the payments to the participant's 2087  
city, local, or exempted village school district in accordance 2088



with the full-time equivalency of the student's enrollment in each district. 2089  
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(b) For a participant enrolled in a community school established under Chapter 3314. of the Revised Code, from the payments made to that school under section 3317.022 of the Revised Code; 2091  
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(c) For a participant enrolled in a STEM school, from the payments made to that school under section 3317.022 of the Revised Code; 2095  
2096  
2097

(d) For a participant enrolled in a college-preparatory boarding school, from the payments made to that school under section 3328.34 of the Revised Code; 2098  
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(e) For a participant enrolled in the state school for the deaf or the state school for the blind, from the amount paid to that school with funds appropriated by the general assembly for support of Ohio deaf and blind education services; 2101  
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(f) For a participant enrolled in an institution operated by the department of youth services, from the amount paid to that institution with funds appropriated by the general assembly for support of that institution. 2105  
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Amounts deducted under divisions (F) (1) (a) to (f) of this section shall be calculated in accordance with rules adopted by the chancellor, in consultation with the department of education and workforce, pursuant to division (B) of section 3365.071 of the Revised Code. 2109  
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(2) Payments made for nonpublic secondary school participants, nonchartered nonpublic secondary school participants, and home-educated participants under this section shall be deducted from moneys appropriated by the general 2114  
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assembly for such purpose. Payments shall be allocated and 2118  
distributed in accordance with rules adopted by the chancellor, 2119  
in consultation with the department of education and workforce, 2120  
pursuant to division (A) of section 3365.071 of the Revised 2121  
Code. 2122

(G) Any public college that enrolls a student under 2123  
division (B) of section 3365.06 of the Revised Code may include 2124  
that student in the calculation used to determine its state 2125  
share of instruction funds appropriated to the department of 2126  
higher education by the general assembly. 2127

**Section 2.** That existing sections 3301.163, 3310.01, 2128  
3310.02, 3310.03, 3310.032, 3310.06, 3310.07, 3310.10, 3310.11, 2129  
3310.13, 3310.14, 3310.15, 3310.16, 3310.17, 3317.022, 3317.03, 2130  
and 3365.07 of the Revised Code are hereby repealed. 2131