

As Introduced

136th General Assembly

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H. B. No. 684

Representatives Hiner, John

Cosponsor: Representative Johnson

To amend sections 755.16, 3311.05, 3311.053, 1
3311.0510, 3313.01, 3313.376, 3313.843, 2
3313.845, 3313.846, 3313.848, 3313.849, 3317.11, 3
3319.80, 3326.45, 3513.255, and 3513.256; to 4
amend, for the purpose of adopting a new section 5
number as indicated in parentheses, section 6
3326.45 (3313.847); to enact section 3311.052; 7
and to repeal sections 3311.054, 3311.056, 8
3311.057, and 3311.059 of the Revised Code 9
regarding the territory, operation, and 10
governance of educational service centers. 11

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

Section 1. That sections 755.16, 3311.05, 3311.053, 12
3311.0510, 3313.01, 3313.376, 3313.843, 3313.845, 3313.846, 13
3313.848, 3313.849, 3317.11, 3319.80, 3326.45, 3513.255, and 14
3513.256 be amended; section 3326.45 (3313.847) be amended for 15
the purpose of adopting a new section number as indicated in 16
parentheses; and section 3311.052 of the Revised Code be enacted 17
to read as follows: 18

Sec. 755.16. (A) Any contracting subdivision, jointly with 19
one or more other contracting subdivisions, in any combination, 20

may acquire property for, construct, operate, and maintain any 21
parks, playgrounds, playfields, gymnasiums, public baths, 22
swimming pools, indoor recreation centers, educational 23
facilities, or community centers. Any school district, 24
educational service center, or state institution of higher 25
education may provide by the erection of any school, educational 26
service center, or state institution of higher education 27
building or premises, or by the enlargement of, addition to, or 28
reconstruction or improvement of any school, educational service 29
center, or state institution of higher education building or 30
premises, for the inclusion of any such parks, recreational 31
facilities, educational facilities, and community centers to be 32
jointly acquired, constructed, operated, and maintained. Any 33
contracting subdivision, jointly with one or more other 34
contracting subdivisions, in any combination, may equip, 35
operate, and maintain those parks, recreational facilities, 36
educational facilities, and community centers and may 37
appropriate money for those purposes. 38

Any contracting subdivision agreeing to jointly acquire, 39
construct, operate, or maintain parks, recreational facilities, 40
educational facilities, and community centers pursuant to this 41
section may contribute lands, money, other personal property, or 42
services to the joint venture, as may be agreed upon. Any 43
agreement shall specify the rights of the parties in any lands 44
or personal property contributed. 45

Any lands acquired by a township park district pursuant to 46
Chapter 511. of the Revised Code and established as a public 47
park or parks may be contributed to a joint venture authorized 48
by this section. Fees may be charged in connection with the use 49
of any recreational facilities, educational facilities, and 50
community centers that may be constructed on those lands. 51

(B) Any township may, jointly with a private land owner, 52
construct, operate, equip, and maintain free public playgrounds 53
and playfields. Any equipment provided by a township pursuant to 54
this division shall remain township property and shall be used 55
subject to a right of removal by the township. 56

(C) As used in this section and in sections 755.17 and 57
755.18 of the Revised Code: 58

(1) "Community centers" means facilities characterized by 59
all of the following: 60

(a) They are acquired, constructed, operated, or 61
maintained by contracting subdivisions pursuant to division (A) 62
of this section. 63

(b) They may be used for governmental, civic, or 64
educational operations or purposes, or recreational activities. 65

(c) They may be used only by the contracting subdivisions 66
that acquire, construct, operate, or maintain them or by any 67
other person upon terms and conditions determined by those 68
contracting subdivisions. 69

(2) "Educational service center" has the same meaning as 70
in ~~division (A) of~~ section 3311.05 of the Revised Code. 71

(3) "Contracting subdivision" means a municipal 72
corporation, township, joint recreation district, township park 73
district, a park district created under Chapter 1545. of the 74
Revised Code, county, school district, educational service 75
center, or state institution of higher education. 76

(4) "School district" means any of the school districts or 77
joint vocational school districts referred to in section 3311.01 78
of the Revised Code. 79

(5) "State institution of higher education" has the same 80
meaning as in section 3345.011 of the Revised Code. 81

Sec. 3311.05. (A) ~~The territory within the territorial~~ 82
~~limits of a~~ As used in this section and sections 3311.051 to 83
3311.0510 of the Revised Code, "client," "primary service 84
agreement," and "service agreement" have the same meanings as in 85
section 3313.843 of the Revised Code. 86

~~(B) There is in each county, or the territory included in~~ 87
~~a district each group of counties~~ formed under section 3311.053 88
of the Revised Code, exclusive of the territory embraced in any 89
city school district or exempted village school district, and 90
excluding the territory detached therefrom for school purposes 91
and including the territory attached thereto for school purposes 92
constitutes an educational service center. If the educational 93
service center in which the territory of a local school district 94
is located is dissolved under section 3311.0510 of the Revised 95
Code, the territory of that local school district shall not 96
constitute part of any educational service center. 97

~~(B)~~ (C) (1) During the period beginning on the effective 98
date of this amendment and ending on the next thirtieth day of 99
June of an odd-numbered year, the territory of an educational 100
service center is as it existed immediately before the effective 101
date of this amendment. 102

(2) (a) Beginning on the first day of July of an odd- 103
numbered year after the effective date of this amendment, the 104
territory of an educational service center consists of the 105
combined territory of all of the school districts that have 106
primary service agreements with the educational service center 107
under section 3313.843 of the Revised Code, regardless of 108
whether that territory is located in the county or group of 109

counties for which the educational service center was 110
established. 111

(b) The territory or service area of any client that has a 112
service agreement with an educational service center under 113
section 3313.844, 3313.845, 3313.846, or 3313.847 of the Revised 114
Code is not part of the territory of the educational service 115
center unless the territory is also part of the territory of a 116
school district that has a primary service agreement with the 117
educational service center under section 3313.843 of the Revised 118
Code. 119

(3) Not later than the first day of May of each odd- 120
numbered year, an educational service center shall send a 121
written notice to the board of elections of each county in which 122
the educational service center will have territory as of the 123
first day of July of that year. The notice shall identify each 124
school district that has a primary service agreement with the 125
educational service center under section 3313.843 of the Revised 126
Code as of the first day of July of that year. 127

(D) A county school financing district created under 128
section 3311.50 of the Revised Code is not ~~the school district~~ 129
~~described in division (A) of this section~~ an educational service 130
center or any other school district but is a taxing district. 131

Sec. 3311.052. (A) During the period beginning on the 132
effective date of this section and ending on the next thirtieth 133
day of December of an odd-numbered year after the effective date 134
of this section, the membership of the governing board of an 135
educational service center is as it existed immediately before 136
the effective date of this section, and any vacancy on the board 137
shall be filled in accordance with the law as it existed 138
immediately before the effective date of this section. 139

(B) Beginning on the first day of January of an even- 140
numbered year after the effective date of this section, subject 141
to divisions (C) and (D) of this section, all of the following 142
apply: 143

(1) The governing board of an educational service center 144
consists of members equal to the number of school districts that 145
have primary service agreements with the educational service 146
center under section 3313.843 of the Revised Code as of the 147
first day of July of the previous year, with one member elected 148
by the electors of each such school district. Each member shall 149
be an elector of the school district the member represents on 150
the governing board. 151

(2) The members of the governing board shall be elected at 152
regular municipal elections to serve two-year terms beginning on 153
the first day of January after the election and ending on the 154
last day of December of the year following the year of the 155
election. 156

(3) A vacancy in the office of member of the governing 157
board shall be filled for the remainder of the unexpired term by 158
appointment by a majority vote of the board of education of the 159
school district the member represents. Within ten days after the 160
vacancy is filled, the educational service center shall send a 161
written notice of the appointment to the board of elections of 162
each county in which the educational service center has 163
territory. 164

(4) If a school district terminates its primary service 165
agreement with the educational service center, the school 166
district remains entitled to be represented by a member of the 167
governing board for the remainder of the member's unexpired 168
term. 169

(5) When a school district that does not currently have a 170
primary service agreement with the educational service center 171
enters into such an agreement, the electors of the school 172
district are first entitled to elect a member of the governing 173
board of the educational service center for a term beginning on 174
the first day of January after the primary service agreement 175
takes effect. 176

(6) The fact that any client has a service agreement with 177
an educational service center under section 3313.844, 3313.845, 178
3313.846, or 3313.847 of the Revised Code does not entitle the 179
client to be represented on the governing board of the 180
educational service center. 181

(C) A member of the governing board of an educational 182
service center who is serving as of the effective date of this 183
section retains the member's position until the expiration of 184
the member's existing term. If the member's seat becomes vacant 185
before the expiration of the existing term, the vacancy shall be 186
filled for the remainder of the unexpired term in accordance 187
with the law as it existed immediately before the effective date 188
of this section. 189

(D) (1) If, under divisions (B) and (C) of this section, 190
the governing board of an educational service center would have 191
an even number of members, then not later than the tenth day of 192
January of an even-numbered year, the members shall, by a 193
majority vote, appoint one additional member who is an elector 194
of the territory of the educational service center to serve a 195
term of office ending on the last day of December of the 196
following year. If the members fail to appoint the additional 197
member not later than the tenth day of January, the probate 198
judge of the county in which the greatest number of pupils under 199

the supervision of the educational service center reside shall 200
appoint the additional member. 201

(2) A vacancy in the seat of the additional member shall 202
be filled for the remainder of the unexpired term in the same 203
manner as the initial appointment was required to be made under 204
division (D) (1) of this section. 205

(3) Within ten days after an appointment is made under 206
division (D) (1) or (2) of this section, the educational service 207
center shall send a written notice of the appointment to the 208
board of elections of each county in which the educational 209
service center has territory. 210

Sec. 3311.053. ~~(A) The~~ (A) (1) Beginning on the first day 211
of July of an odd-numbered year after the effective date of this 212
amendment, the boards of education of up to five adjoining 213
educational service centers may, by identical resolutions 214
adopted by a majority of the members of each governing board 215
within any sixty-day period, combine such educational service 216
centers into one educational service center for the combined 217
territory. No such combination shall occur during the period 218
beginning on the effective date of this amendment and ending on 219
the next thirtieth day of June of an odd-numbered year. 220

(2) The resolutions shall state the name of the new 221
center, which may be styled as a "joint educational service 222
center." ~~The resolutions shall also indicate whether the~~ 223
~~governing board of the new educational service center is to be~~ 224
~~formed in accordance with division (B) of this section, in~~ 225
~~accordance with division (A) of section 3311.054 of the Revised~~ 226
~~Code, or in accordance with section 3311.057 of the Revised~~ 227
~~Code.~~ 228

(3) A copy of each resolution shall be filed with the 229
state board of education and with the board of elections of each 230
county in which the new educational service center has 231
territory. ~~The~~ 232

(B) (1) Subject to division (B) (2) of this section, the new 233
educational service center shall be created and the members of 234
the governing boards of the participating educational service 235
centers shall be dissolved and a new are members of the 236
governing board established thirty days after the date on which 237
the last resolution was filed with the state board of the new 238
educational service center for the duration of their original 239
terms of office. 240

~~(B) The initial members of a new governing board~~ 241
~~established in accordance with this division shall be appointed~~ 242
~~as follows:~~ 243

~~(1) If two educational service centers combine, each~~ 244
~~center's governing board, prior to its dissolution, shall~~ 245
~~appoint two members to the new governing board and the four~~ 246
~~members so selected shall select a fifth member within ten days~~ 247
~~of the date on which the last of the four members is appointed.~~ 248

~~(2) If three educational service centers combine, each~~ 249
~~center's governing board, prior to its dissolution, shall~~ 250
~~appoint one member to the new governing board and the three~~ 251
~~members so selected shall select the remaining two members of~~ 252
~~the governing board within ten days of the date on which the~~ 253
~~last of the three members is appointed.~~ 254

~~(3) If four educational service centers combine, each~~ 255
~~center's governing board, prior to its dissolution, shall~~ 256
~~appoint one member to the new governing board and the four~~ 257

~~members so selected shall select the remaining member of the~~ 258
~~governing board within ten days of the date on which the last of~~ 259
~~the four members is appointed.~~ 260

~~(4) If five educational service centers combine, each~~ 261
~~center's governing board, prior to its dissolution, shall~~ 262
~~appoint one member to the new governing board.~~ 263

~~If the members appointed to a new governing board by the~~ 264
~~governing boards of the combining educational service centers~~ 265
~~are unable to agree on the selection of the remaining members of~~ 266
~~the new governing board within ten days, the probate judge of~~ 267
~~the county in which the greatest number of pupils under the~~ 268
~~supervision of the new educational service center reside shall~~ 269
~~appoint the remaining members.~~ 270

~~Electors of the new educational service center shall elect~~ 271
~~a new governing board at the next general election occurring in~~ 272
~~an odd-numbered year and more than ninety days after the date of~~ 273
~~the appointment of the last member to the initial governing~~ 274
~~board. Members shall serve for the duration of the term to which~~ 275
~~they are elected or until their successors are elected and~~ 276
~~qualified. At such election, two members shall be elected to~~ 277
~~terms of two years and three members shall be elected to terms~~ 278
~~of four years. Thereafter, their successors shall be elected in~~ 279
~~the same manner and for the same terms as members of governing~~ 280
~~boards of all educational service centers. Each candidate for~~ 281
~~election as a member of the educational service center governing~~ 282
~~board shall file a nominating petition in accordance with~~ 283
~~section 3513.255 of the Revised Code.~~ 284

(2) If the governing board of the new educational service 285
center has an even number of members, the members shall, by a 286
majority vote, appoint one additional member who is an elector 287

of the territory of the educational service center to serve the 288
same term of office as the elected members. If the members are 289
unable to agree on the appointment of the additional member 290
within ten days after the board forms, the probate judge of the 291
county in which the greatest number of pupils under the 292
supervision of the new educational service center reside shall 293
appoint the additional member. Within ten days after an 294
appointment is made under this division, the educational service 295
center shall send a written notice of the appointment to the 296
board of elections of each county in which the educational 297
service center has territory. 298

(C) The funds of each former educational service center 299
shall be paid over in full to the governing board of the new 300
educational service center, and the legal title to all property 301
of the former governing boards shall become vested in the new 302
governing board. 303

The governing board of an educational service center 304
created under this section shall honor all service agreements 305
and other contracts made by the former governing boards. 306

Sec. 3311.0510. (A) If all of the client school districts 307
of an educational service center have terminated their primary 308
service agreements with the service center under ~~division (D) of~~ 309
section 3313.843 of the Revised Code, upon the latest effective 310
date of the terminations, the governing board of that service 311
center shall be abolished and such service center shall be 312
dissolved by order of the director of education and workforce. 313
The director's order shall provide for the equitable division 314
and disposition of the assets, property, debts, and obligations 315
of the service center among the school districts that were 316
client school districts of the service center for the service 317

center's last fiscal year of operation. The director's order 318
shall provide that the tax duplicate of each of those school 319
districts shall be bound for and assume the district's equitable 320
share of the outstanding indebtedness of the service center. The 321
director's order is final and is not appealable. 322

Immediately upon the abolishment of the service center 323
governing board pursuant to this section, the director shall 324
appoint a qualified individual to administer the dissolution of 325
the service center and to implement the terms of the director's 326
dissolution order. 327

Prior to distributing assets to any school district under 328
this section, but after paying in full other debts and 329
obligations of the service center under this section, the 330
director may assess against the remaining assets of the service 331
center the amount of the costs incurred by the department of 332
education and workforce in performing the director's duties 333
under this division, including the fees, if any, owed to the 334
individual appointed to administer the director's dissolution 335
order. Any excess cost incurred by the department under this 336
division shall be divided equitably among the school districts 337
that were client school districts of the service center for the 338
service center's last fiscal year of operation. Each district's 339
share of that excess cost shall be bound against the tax 340
duplicate of that district. 341

(B) A final audit of the former service center shall be 342
performed in accordance with procedures established by the 343
auditor of state. 344

(C) The public records of an educational service center 345
that is dissolved under this section shall be transferred in 346
accordance with this division. Public records maintained by the 347

service center in connection with services provided by the 348
service center to local school districts ~~of which the territory~~ 349
~~of the service center is or previously was made up~~ shall be 350
transferred to each of the respective local school districts. 351
Public records maintained by the service center in connection 352
with services provided to client school districts shall be 353
transferred to each of the respective client school districts. 354
All other public records maintained by the service center at the 355
time the service center ceases operations shall be transferred 356
to the Ohio history connection for analysis and disposition by 357
the Ohio history connection in its capacity as archives 358
administrator for the state and its political subdivisions 359
pursuant to division (C) of section 149.30 and section 149.31 of 360
the Revised Code. 361

~~(D) As used in this section, "client school district"~~ 362
~~means a city, exempted village, or local school district that~~ 363
~~has entered into an agreement under section 3313.843 or 3313.845~~ 364
~~of the Revised Code to receive any services from an educational~~ 365
~~service center.~~ 366

Sec. 3313.01. In local and exempted village school 367
districts ~~an educational service centers, except as provided in~~ 368
~~section 3311.054 and 3311.056 of the Revised Code,~~ the board of 369
education ~~or governing board of an educational service center~~ 370
shall consist of five members who shall be electors residing in 371
the territory composing the respective districts and shall be 372
elected at large in their respective districts. 373

Sec. 3313.376. As used in this section, ~~"client school~~ 374
~~district"~~ means a city, exempted village, or local school 375
~~district that has entered into an agreement under "~~ has the same 376
meaning as in section 3313.843 or 3313.845 of the Revised Code- 377

~~to receive any services from an educational service center.~~ 378

For the purpose of obtaining quantity discounts in 379
purchasing textbooks; computer equipment, including computer 380
software; school buses; and natural gas, electricity, and other 381
utility services, the governing boards of two or more 382
educational service centers may enter into agreements, including 383
installment purchase and lease-purchase contracts, to jointly 384
purchase such commodities to be utilized by ~~client school~~ 385
~~districts~~ the clients of the educational service centers. 386

Sec. 3313.843. (A) ~~Notwithstanding division (D) of section~~ 387
~~3311.52 of the Revised Code, this section does not apply to any~~ 388
~~cooperative education school district. As used in this section~~ 389
~~and sections 3313.844 to 3313.849 of the Revised Code:~~ 390

(1) "Client" means any of the following that has a service 391
agreement with an educational service center: a city, local, or 392
exempted village school district, a joint vocational school 393
district, a community school established under Chapter 3314. of 394
the Revised Code, a STEM school established under Chapter 3326. 395
of the Revised Code, or a political subdivision. 396

(2) "Governing body" means the board of education of a 397
school district, the governing authority of a community school, 398
the governing body of a STEM school, or the governing body of a 399
political subdivision. 400

(3) "Political subdivision" has the same meaning as in 401
section 2744.01 of the Revised Code but does not include a 402
school district, community school, or STEM school. 403

(4) "Primary service agreement" means a service agreement 404
between a city, local, or exempted village school district and 405
an educational service center entered into under this section 406

but does not include a supplemental service agreement entered 407
into under section 3313.845 of the Revised Code. 408

(5) "Service agreement" or "agreement" means an agreement 409
between a client and an educational service center under section 410
3313.843, 3313.844, 3313.845, 3313.846, 3313.847, or former 411
section 3326.45 of the Revised Code for the educational service 412
center to provide services to the client and any subsequent 413
amendment to that agreement. 414

(B) (1) The board of education of ~~each~~ a city, exempted 415
village, or local school district ~~with an average daily student~~ 416
~~enrollment of sixteen thousand or less, reported for the~~ 417
~~district on the most recent report card issued under section~~ 418
~~3302.03 of the Revised Code, shall~~ may enter into ~~an~~ a primary 419
service agreement with the governing board of ~~an~~ any educational 420
service center, ~~under which the educational service center~~ 421
~~governing board will provide services to the district.~~ 422

~~(2) The board of education of a city, exempted village, or~~ 423
~~local school district with an average daily student enrollment~~ 424
~~of more than sixteen thousand may enter into an agreement with~~ 425
~~the governing board of an educational service center, under~~ 426
~~which the educational service center governing board will~~ 427
~~provide services to the district.~~ 428

~~(3)~~ (2) A primary service agreement under this section 429
shall be for a renewable period of two consecutive school years, 430
beginning on the first day of July of an odd-numbered year and 431
ending on the last day of June of the next odd-numbered year. 432

(3) A school district board of education and an 433
educational service center that enter into or renew a primary 434
service agreement shall execute the initial or renewed service 435

agreement not later than the first day of May of the year in 436
which the service agreement takes effect. 437

(4) If a school district board does not intend to renew 438
its primary service agreement with an educational service 439
center, it shall notify the educational service center of that 440
fact in writing not later than the first day of January of the 441
year in which the service agreement expires. If the school 442
district board fails to notify the educational service center by 443
that deadline, the service agreement is automatically renewed 444
for an additional period of two consecutive school years. 445

(C) Services provided under an a primary service agreement 446
entered into under ~~division (B) (1) or (2) of this section~~ shall 447
be specified in the agreement, and may include any of the 448
following: supervisory teachers; in-service and continuing 449
education programs for district personnel; curriculum services; 450
research and development programs; academic instruction for 451
which the governing board employs teachers pursuant to section 452
3319.02 of the Revised Code; assistance in the provision of 453
special accommodations and classes for students with 454
disabilities; or any other services the district board and 455
service center governing board agree can be better provided by 456
the service center and are not provided under an agreement 457
entered into under section 3313.845 of the Revised Code. 458
Services included in the agreement shall be provided to the 459
district in the manner specified in the agreement. The district 460
board of education shall reimburse the educational service 461
center governing board pursuant to division ~~(H)~~ (I) of this 462
section. 463

~~(C) Any agreement entered into pursuant to this section~~ 464
(D) Not later than the first day of May of each odd-numbered 465

year, an educational service center shall be filed file a copy 466
of each of its primary service agreements entered into under 467
this section that take effect in that year with the department 468
of education and workforce by the first day of July of the 469
school year for which the agreement is in effect. 470

~~(D) (1) An agreement for services from an educational~~ 471
~~service center entered into under this section may be terminated~~ 472
~~by the school district board of education, at its option, by~~ 473
~~notifying the governing board of the service center by March 1,~~ 474
~~2012, or by the first day of January of any odd-numbered year~~ 475
~~thereafter, that the district board intends to terminate the~~ 476
~~agreement in that year, and that termination shall be effective~~ 477
~~on the thirtieth day of June of that year. The failure of a~~ 478
~~district board to notify an educational service center of its~~ 479
~~intent to terminate an agreement by March 1, 2012, shall result~~ 480
~~in renewal of the existing agreement for the following school~~ 481
~~year. Thereafter, the failure of a district board to notify an~~ 482
~~educational service center of its intent to terminate an~~ 483
~~agreement by the first day of January of an odd-numbered year~~ 484
~~shall result in renewal of the existing agreement for the~~ 485
~~following two school years.~~ 486

~~(2) If the school district that terminates an agreement~~ 487
~~for services under division (D) (1) of this section is also~~ 488
~~subject to the requirement of division (B) (1) of this section,~~ 489
~~the district board shall enter into a new agreement with any~~ 490
~~educational service center so that the new agreement is~~ 491
~~effective on the first day of July of that same year.~~ 492

~~(3) (E) If all moneys owed by a school district to an~~ 493
~~educational service center under an a primary service agreement~~ 494
~~for services terminated under division (D) (1) (B) (4) of this~~ 495

section have been paid in full by the effective date of the 496
termination, the governing board of the service center shall 497
submit an affidavit to the department certifying that fact not 498
later than fifteen days after the termination's effective date. 499
Notwithstanding anything in the Revised Code to the contrary, 500
until the department receives such an affidavit, it shall not 501
make any payments to any other educational service center with 502
which the district enters into an agreement under this section 503
for services that the educational service center provides to the 504
district. 505

~~(E)~~ (F) An educational service center may apply to any 506
state or federal agency for competitive grants. It may also 507
apply to any private entity for additional funds. 508

~~(F) Not later than January 1, 2014, each~~ (G) Each 509
educational service center shall post on its web site a list of 510
all of the services that it provides and the corresponding cost 511
for each of those services. 512

~~(G) (1)~~ (H) (1) For purposes of calculating any state 513
operating subsidy to be paid to an educational service center 514
for the operation of that service center and any services 515
required under Title XXXIII of the Revised Code to be provided 516
by the service center to a school district, the service center's 517
student count shall be the sum of the total student counts of 518
all the school districts with which the educational service 519
center has entered into an agreement under this section. 520

(2) When a district enters into a new primary service 521
agreement with a new educational service center, the department 522
shall ensure that the state operating subsidy for services 523
provided to the district is paid to the new educational service 524
center and that the educational service center with which the 525

district previously had an agreement is no longer paid a state 526
operating subsidy for providing services to that district. 527

~~(H)~~ (I) Pursuant to division (B) of section 3317.023 of 528
the Revised Code, the department annually shall deduct from each 529
school district that enters into ~~an~~ a primary service agreement 530
with an educational service center under this section, and pay 531
to the service center, an amount equal to six dollars and fifty 532
cents times the school district's total student count. The 533
district board of education, or the district superintendent 534
acting on behalf of the district board, may agree to pay an 535
amount in excess of six dollars and fifty cents per student in 536
total student count. If a majority of the boards of education, 537
or superintendents acting on behalf of the boards, of the 538
districts that entered into an agreement under this section 539
approve an amount in excess of six dollars and fifty cents per 540
student in total student count, each district shall pay the 541
excess amount to the service center. 542

~~(I)(1)~~ (J) (1) An educational service center may enter into 543
a contract to purchase supplies, materials, equipment, and 544
services, which may include those specified in division ~~(B)~~ (C) 545
of this section or Chapter 3312. of the Revised Code, or the 546
delivery of such services, on behalf of a school district, 547
community school, STEM school, or political subdivision that has 548
entered into an agreement with the service center under this 549
section or section 3313.844, 3313.845, ~~or~~ 3313.846, or 3313.847 550
of the Revised Code. 551

(2) Purchases made by a school district, community school, 552
STEM school, or political subdivision that has entered into an 553
agreement with the service center as described in this division 554
are exempt from competitive bidding required by law for the 555

purchase of supplies, materials, equipment, or services. No 556
political subdivision shall make any purchase under this 557
division when the political subdivision has received bids for 558
such purchase, unless the same terms, conditions, and 559
specifications at a lower price can be made for such purchase 560
under this division. 561

~~(J)~~ (K) Any school district, community school, or STEM 562
school that has entered into an agreement with an educational 563
service center under this section or section 3313.844 ~~or,~~ 564
3313.845, or 3313.847 of the Revised Code shall be in compliance 565
with federal law and exempt from competitive bidding 566
requirements for personnel-based services pursuant to the 567
authority granted to the Ohio department of education and 568
workforce under federal law, provided the service center has met 569
the following conditions: 570

(1) It is in compliance with division ~~(F)~~ (G) of this 571
section. 572

(2) It has been designated "high performing" under rule of 573
the department. 574

(3) It has been found to be substantially in compliance 575
with audit rules and guidelines in its most recent audit by the 576
auditor of state. 577

~~(K)~~ (L) For purposes of this section, a school district's 578
"total student count" means the average daily student enrollment 579
reported on the most recent report card issued for the district 580
pursuant to section 3302.03 of the Revised Code. 581

(M) Notwithstanding division (D) of section 3311.52 of the 582
Revised Code, this section does not apply to any cooperative 583
education school district. 584

Sec. 3313.845. (A) The board of education of a ~~city,~~ 585
~~exempted village, local, or~~ joint vocational school district and 586
the governing board of an educational service center may enter 587
into an agreement under which the educational service center 588
will provide services to the school district. Services provided 589
under the agreement and the amount to be paid for such services 590
shall be mutually agreed to by the district board of education 591
and the service center governing board, and shall be specified 592
in the agreement. Payment for services specified in the 593
agreement shall be made pursuant to the terms of that agreement. 594
If specified in the agreement as the manner of payment, the 595
department of education and workforce shall pay the service 596
center the amount due to it under the agreement and shall deduct 597
that amount from the payments made to the ~~city, exempted-~~ 598
~~village, local, or~~ joint vocational school district under 599
Chapter 3317. of the Revised Code. Any agreement entered into 600
pursuant to this section shall be valid only if a copy is filed 601
with the department. 602

(B) ~~The authority granted under this section to the boards~~ 603
~~board of education of a city, exempted village, and or local~~ 604
~~school districts is in addition to the authority granted to such~~ 605
~~boards-district that has a primary service agreement with an~~ 606
~~educational service center under section 3313.843 of the Revised~~ 607
~~Code may enter into a supplemental service agreement with the~~ 608
~~governing board of another educational service center under~~ 609
~~which the educational service center will provide services to~~ 610
~~the school district. Services provided under the supplemental~~ 611
~~service agreement and the amount to be paid for such services~~ 612
~~shall be mutually agreed to by the district board of education~~ 613
~~and the service center governing board and shall be specified in~~ 614
~~the agreement. Payment for services specified in the agreement~~ 615

shall be made pursuant to the terms of that agreement. If 616
specified in the agreement as the manner of payment, the 617
department of education and workforce shall pay the service 618
center the amount due to it under the agreement and shall deduct 619
that amount from the payments made to the city, exempted 620
village, or local school district under Chapter 3317. of the 621
Revised Code. Any agreement entered into pursuant to this 622
division is valid only if a copy is filed with the department. 623

Sec. 3313.846. The governing board of an educational 624
service center may enter into a ~~contract~~ service agreement with 625
~~any a political subdivision as defined in section 2744.01 of the~~ 626
~~Revised Code, not including school districts, community schools,~~ 627
~~or STEM schools contracting for services under section 3313.843,~~ 628
~~3313.844, 3313.845, or 3326.45 of the Revised Code,~~ under which 629
the educational service center will provide services to the 630
political subdivision. Services provided under the ~~contract~~ 631
service agreement and the amount to be paid for such services 632
shall be mutually agreed to by the parties and shall be 633
specified in the ~~contract~~ agreement. The political subdivision 634
shall directly pay an educational service center for services 635
specified in the ~~contract~~ agreement. The board of the 636
educational service center shall file a copy of each ~~contract~~ 637
service agreement entered into under this section with the 638
department of education and workforce by the first day the 639
~~contract~~ agreement is in effect. 640

Sec. ~~3326.45~~ 3313.847. (A) The governing body of a 641
science, technology, engineering, and mathematics school may 642
~~contract~~ enter into a service agreement with the governing board 643
of an educational service center or contract with the board of 644
education of a joint vocational school district for the 645
provision of services to the STEM school or to any student 646

enrolled in the school. Services provided under the service 647
agreement or contract and the amount to be paid for those 648
services shall be mutually agreed to by the parties to the 649
service agreement or contract, and shall be specified in the 650
service agreement or contract. 651

(B) A ~~contract~~service agreement entered into under this 652
section may require an educational service center to provide any 653
one or a combination of the following services to a STEM school: 654

(1) Supervisory teachers; 655

(2) In-service and continuing education programs for 656
personnel of the STEM school; 657

(3) Curriculum services as provided to the client school 658
districts of the service center; 659

(4) Research and development programs; 660

(5) Academic instruction for which the service center 661
governing board employs teachers; 662

(6) Assistance in the provision of special accommodations 663
and classes for students with disabilities. 664

Services described in division (B) of this section shall 665
be provided to the STEM school in the same manner they are 666
provided to ~~client school districts~~other clients of the service 667
center, unless otherwise specified in the ~~contract~~service 668
agreement. The ~~contract~~service agreement shall specify whether 669
the service center will receive a per-pupil payment from the 670
department of education and workforce for the provision of these 671
services and, if so, the amount of the per-pupil payment. 672

(C) For each service agreement or contract entered into 673
under this section, the department shall deduct the amount owed 674

by the STEM school from the state funds due to the STEM school
under this chapter and shall pay that amount to the educational
service center or joint vocational school district that is party
to the service agreement or contract.

(D) No service agreement or contract entered into under
this section shall be valid unless a copy is filed with the
department by the first day of the school year for which the
service agreement or contract is in effect.

~~(E) As used in this section, "client school district"~~
~~means a city, exempted village, or local school district that~~
~~has entered into an agreement under section 3313.843 or 3313.845~~
~~of the Revised Code to receive any services from an educational~~
~~service center.~~

Sec. 3313.848. (A) ~~As used in this section:~~

~~(1) "Client" means a city, local, or exempted village~~
~~school district, community school established under Chapter~~
~~3314. of the Revised Code, STEM school established under Chapter~~
~~3326. of the Revised Code, or political subdivision.~~

~~(2) "Governing body" means the board of education of a~~
~~school district, governing authority of a community school,~~
~~governing body of a STEM school, or governing body of a~~
~~political subdivision.~~

~~(3) "Political subdivision" has the same meaning as used~~
~~in section 3313.846 of the Revised Code.~~

~~(4) "Service agreement" means an agreement that a client~~
~~has entered into with an educational service center under~~
~~section 3313.843, 3313.844, 3313.845, 3313.846, or 3326.45 of~~
~~the Revised Code and any subsequent amendment to that agreement.~~

~~(B)~~—If at the end of a fiscal year for which a service 703
agreement is in effect any of the funds paid directly by a 704
client to the educational service center under the agreement are 705
unexpended and unobligated, a client's governing body may elect 706
to have the service center retain the unexpended and unobligated 707
funds for the purpose of applying them toward any payment the 708
client will owe to the service center under a service agreement 709
for the next fiscal year. The treasurer or fiscal officer of the 710
client shall indicate on the client's end-of-year financial 711
report that unexpended funds have been retained by the service 712
center and the amount of those funds. 713

~~(C)~~—(B) A client shall expend its funds retained under 714
division ~~(B)~~—(A) of this section only for services specifically 715
set forth under a service agreement. The treasurer of the 716
educational service center shall keep a record of the client's 717
expenditure and the service or services for which the 718
expenditure was made. On at least an annual basis, or upon the 719
request of the client's governing body or its treasurer or 720
fiscal officer, the treasurer of the service center shall notify 721
the client's treasurer or fiscal officer of the expenditures 722
recorded under this division. The client's treasurer or fiscal 723
officer shall include that information in the financial report 724
made by the treasurer or fiscal officer at the next meeting of 725
the client's governing body that occurs following receipt of the 726
information. 727

Sec. 3313.849. The governing bodies of two or more city, 728
exempted village, local, or joint vocational school districts, 729
community schools established under Chapter 3314. of the Revised 730
Code, or STEM schools established under Chapter 3326. of the 731
Revised Code, may mutually agree to share supervisory, 732
curriculum, teaching, special education, professional 733

development, or any other services offered by an educational 734
service center and may pool their funding to pay the cost of 735
receiving those services. Each of the governing bodies of the 736
districts or schools participating in shared services pursuant 737
to this section shall specify in its service agreement with the 738
service center under section 3313.843, 3313.844, 3313.845, or 739
~~3326.45~~3313.847 of the Revised Code which services that the 740
participants have agreed to share, any other districts or 741
schools participating in the shared services, and the amount of 742
funds that the governing body will contribute toward the total 743
cost of the shared services. Each governing body's funding 744
contribution shall be paid to the service center in accordance 745
with section 3313.843, 3313.844, 3313.845, or ~~3326.45~~3313.847 of 746
the Revised Code, as applicable. 747

The authority granted under this section is in addition to 748
the authority granted to school district boards of education 749
under section 3313.841 of the Revised Code. 750

Sec. 3317.11. (A) As used in this section: 751

(1) For fiscal years 2026 and 2027, "base amount" is equal 752
to \$356,250. 753

(2) For fiscal years 2026 and 2027, "funding base" means 754
an amount calculated by the department of education and 755
workforce that is equal to the amount an educational service 756
center would have received under Section 265.360 of H.B. 166 of 757
the 133rd general assembly for fiscal year 2020 using the 758
student counts of the school districts with which the service 759
center has service agreements for the fiscal year for which 760
payments under this section are being made. 761

(3) For fiscal years 2026 and 2027, "general phase-in 762

percentage" for an educational service center means the "general 763
phase-in percentage" for school districts as defined in section 764
3317.02 of the Revised Code. 765

(4) For fiscal years 2026 and 2027, "student count" means 766
the count calculated under division ~~(G)(1)~~ (H)(1) of section 767
3313.843 of the Revised Code. 768

(B)(1) For fiscal years 2026 and 2027, the department of 769
education and workforce shall pay the governing board of each 770
educational service center an amount equal to the following: 771

The educational service center's funding base + [(the 772
amount calculated for the educational service center for that 773
fiscal year under division (C) of this section - the educational 774
service center's funding base) X the educational service 775
center's general phase-in percentage for that fiscal year] 776

(2) For fiscal year 2028 and each fiscal year thereafter, 777
the department shall pay the governing board of each educational 778
service center an amount calculated in a manner determined by 779
the general assembly. 780

(C) For fiscal years 2026 and 2027, the department shall 781
calculate an amount for each educational service center as 782
follows: 783

(1) If the educational service center has a student count 784
of 5,000 students or less, the base amount. 785

(2) If the educational service center has a student count 786
greater than 5,000 students but less than or equal to 35,000 787
students, the following sum: 788

The base amount + [(the educational service center's student 789
count - 5,000) X \$24.72] 790

(3) If the educational service center has a student count 791
greater than 35,000 students, the following sum: 792

The base amount + (30,000 X \$24.72) + [(the educational service 793
center's student count - 35,000) X \$30.90] 794

Sec. 3319.80. (A) The governing board of any educational 795
service center may engage the services of a dyslexia specialist 796
to provide training for teachers of grades kindergarten to four 797
on the indicators of dyslexia and the types of instruction that 798
children with dyslexia need to learn, read, write, and spell. If 799
a service center provides this training, it shall make the 800
training available to local school districts within the service 801
center's territory and to other school districts, community 802
schools, and STEM schools that have contracted for the training 803
from the service center under section 3313.843, 3313.844, 804
3313.845, or ~~3326.45~~ 3313.847 of the Revised Code. 805

If a governing board of any educational service center 806
does not provide the training, a group of local school districts 807
within the service center's territory may engage the services of 808
a dyslexia specialist to provide training for teachers 809
independently. 810

A school district or school may require the training 811
authorized under this section for its teachers as part of the 812
district's or school's regular in-service training programs. 813

(B) As used in this section: 814

(1) "Dyslexia" means a specific learning disorder that is 815
neurological in origin and that is characterized by unexpected 816
difficulties with accurate or fluent word recognition and by 817
poor spelling and decoding abilities not consistent with the 818
person's intelligence, motivation, and sensory capabilities, 819

which difficulties typically result from a deficit in the 820
phonological component of language. 821

(2) "Dyslexia specialist" means a person who is trained 822
and certified in a multisensory structured language program that 823
meets the level II specialist criteria set by the international 824
dyslexia association's knowledge and practice standards or 825
standards from any other nationally recognized organization that 826
specializes in issues surrounding dyslexia, or any subsequently 827
adopted standards. 828

Sec. 3513.255. ~~This section is subject to section 3513.256~~ 829
~~of the Revised Code.~~ The name of each candidate for election as 830
a member of a governing board of an educational service center 831
shall appear on the nonpartisan ballot in the school district 832
the candidate seeks to represent on the governing board. Each 833
nominating petition shall be signed by fifty qualified electors 834
who reside in ~~one of the following, as applicable:~~ 835

~~(A) The school districts over which the educational~~ 836
~~service center governing board has jurisdiction, in the case of~~ 837
~~any candidate running for a position on any educational service~~ 838
~~center governing board other than a governing board established~~ 839
~~in accordance with section 3311.054 of the Revised Code;~~ 840

~~(B) The subdistrict in which the candidate is running, in~~ 841
~~the case of a position on a governing board of an educational~~ 842
~~service center established in accordance with section 3311.054~~ 843
~~of the Revised Code~~ the school district. 844

Each nominating petition shall be filed with the board of 845
elections of the county in which the ~~central administrative~~ 846
~~offices of the educational service center governing board are~~ 847
most populous portion of the school district is located not 848

later than four p.m. of the ninetieth day before the day of the 849
general election, provided that no such petition shall be 850
accepted for filing if it appears to contain signatures 851
aggregating in number more than three times the minimum number 852
of signatures required by this section. A board of elections 853
shall not accept for filing a nominating petition of a person if 854
that person, for the same election, has already filed a 855
declaration of candidacy, a declaration of intent to be a write- 856
in candidate, or a nominating petition, or has become a 857
candidate through party nomination at a primary election or by 858
the filling of a vacancy under section 3513.30 or 3513.31 of the 859
Revised Code for any other position as a member of a governing 860
board of an educational service center or position as a member 861
of a city, local, or exempted village board of education, or for 862
a municipal or township office. When a petition of a candidate 863
has been accepted for filing by a board of elections, the 864
petition shall not be deemed invalid if, upon verification of 865
signatures contained in the petition, the board of elections 866
finds the number of signatures accepted exceeds three times the 867
minimum signatures required. A board of elections may 868
discontinue verifying petitions when the number of verified 869
signatures equals the minimum required number of qualified 870
signatures. 871

Sec. 3513.256. (A) Notwithstanding any provision of the 872
Revised Code to the contrary, for the purpose of nominating 873
candidates for a position as a member of the board of education 874
of a city, local, or exempted village school district ~~or a~~ 875
~~position as a member of a governing board of an educational~~ 876
~~service center,~~ the board may adopt, by resolution upon a three- 877
fifths majority vote of its total membership, procedures for a 878
nonpartisan primary election. Such procedures shall specify the 879

following: 880

(1) That the primary election for nominating candidates 881
for a position as a member of that board shall be held on the 882
same day as the primary election for nominating all other 883
candidates for public office in that year; 884

(2) That nominating petitions shall be filed with the 885
board of elections not later than four p.m. of the ninetieth day 886
before the day of the primary election; 887

(3) That the primary election shall take place only if the 888
number of candidates for nomination for a position on that 889
board, as verified by the board of elections, is at least one 890
more than two times the number of available positions on that 891
board at the general election; 892

(4) That the number of candidates advancing from the 893
primary election to the general election shall equal two times 894
the number of available positions on that board at the general 895
election. 896

The board shall notify the board of elections upon 897
adoption of a resolution under this division. No such resolution 898
shall apply for a particular election unless the resolution is 899
adopted at least one hundred twenty days prior to the deadline 900
specified in the resolution to become a candidate for nomination 901
at that election. Subject to division (B) of this section, the 902
resolution shall apply to all subsequent nominations for a 903
position as a member of that board. 904

(B) Not earlier than five years after the adoption of a 905
resolution under division (A) of this section, the board of 906
education of a city, local, or exempted village school district 907
~~or the governing board of an educational service center may~~ 908

rescind that resolution by subsequent resolution upon a three- 909
fifths majority vote of its total membership. 910

The board shall notify the board of elections of any 911
resolution adopted under this division. No such resolution shall 912
apply to a particular election unless the resolution is adopted 913
at least one hundred twenty days prior to the deadline to become 914
a candidate for nomination at that election under the nomination 915
procedures the resolution is rescinding. Subject to division (D) 916
of this section, the requirements of Chapter 3513. of the 917
Revised Code shall apply to all subsequent nominations for a 918
position as a member of that board. 919

(C) Any candidate nominated pursuant to a resolution 920
adopted under division (A) of this section shall appear on the 921
nonpartisan ballot at the general election as prescribed in 922
sections 3505.04, and 3513.254, ~~and 3513.255~~ of the Revised 923
Code. 924

(D) Nothing in this section prohibits or shall be 925
construed to prohibit the board of education of a city, local, 926
or exempted village school district ~~or the governing board of an~~ 927
~~educational service center~~ that has rescinded a resolution under 928
division (B) of this section from subsequently adopting the same 929
or different procedures for a nonpartisan primary election by 930
adopting a resolution under division (A) of this section. 931

Section 2. That existing sections 755.16, 3311.05, 932
3311.053, 3311.0510, 3313.01, 3313.376, 3313.843, 3313.845, 933
3313.846, 3313.848, 3313.849, 3317.11, 3319.80, 3326.45, 934
3513.255, and 3513.256 of the Revised Code are hereby repealed. 935

Section 3. That sections 3311.054, 3311.056, 3311.057, and 936
3311.059 of the Revised Code are hereby repealed. 937

Section 4. (A) As used in this section, "client" and 938
"service agreement" have the same meanings as in section 939
3313.843 of the Revised Code. 940

(B) The requirements of this act apply only to a service 941
agreement between an educational service center and a client 942
that is entered into or renewed on or after the effective date 943
of this section. 944