

**As Introduced**

**134th General Assembly**

**Regular Session**

**2021-2022**

**H. B. No. 1**

**Representatives Callender, Sweeney**

**Cosponsors: Speaker Cupp, Representatives Baldrige, Blackshear, Boggs, Boyd, Brent, Brown, Carfagna, Carruthers, Crawley, Crossman, Cutrona, Denson, Galonski, Ginter, Hicks-Hudson, Hillyer, Howse, Ingram, Jarrells, Kelly, Leland, Lepore-Hagan, Lightbody, Lipps, Liston, Manning, Miller, A., Miller, J., Miranda, O'Brien, Ray, Richardson, Riedel, Robinson, Russo, Seitz, Sheehy, Skindell, Smith, K., Smith, M., SobECKi, Stewart, Sykes, Troy, Upchurch, Weinstein, West, White, Jones, Abrams, Hoops, Ghanbari, Manchester, Stein, LaRe, Fraizer, Roemer, Plummer, Swearingen, Johnson, Cross**

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**A BILL**

To amend sections 3301.0714, 3302.20, 3310.08, 1  
3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 2  
3313.979, 3313.98, 3313.981, 3314.08, 3314.084, 3  
3314.087, 3314.091, 3314.11, 3314.20, 3315.18, 4  
3317.013, 3317.014, 3317.016, 3317.02, 3317.021, 5  
3317.022, 3317.023, 3317.024, 3317.028, 6  
3317.0212, 3317.0213, 3317.0214, 3317.03, 7  
3317.051, 3317.16, 3317.20, 3317.25, 3317.26, 8  
3319.57, 3324.09, 3326.31, 3326.32, 3326.33, 9  
3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 10  
3328.34, and 3365.01; to enact new sections 11  
3314.085, 3317.017, 3317.0215, 3317.0217, and 12  
3317.0218 and sections 3314.089, 3314.0810, 13  
3317.011, 3317.012, 3317.018, 3317.019, 14  
3317.0110, 3317.071, 3317.072, 3317.11, 15  
3317.162, 3317.60, 3326.43, 3326.44, and 16  
3327.016; and to repeal sections 3310.55, 17  
3314.085, 3314.53, 3317.017, 3317.0215, 18

3317.0216, 3317.0217, 3317.0218, 3326.41, and 19  
3328.33 of the Revised Code and to amend 20  
Sections 4, 5, 6, and 7 of S.B. 310 of the 133rd 21  
General Assembly to create a new school 22  
financing system for fiscal year 2022 and each 23  
fiscal year thereafter. 24

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

**Section 1.** That sections 3301.0714, 3302.20, 3310.08, 25  
3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.979, 3313.98, 26  
3313.981, 3314.08, 3314.084, 3314.087, 3314.091, 3314.11, 27  
3314.20, 3315.18, 3317.013, 3317.014, 3317.016, 3317.02, 28  
3317.021, 3317.022, 3317.023, 3317.024, 3317.028, 3317.0212, 29  
3317.0213, 3317.0214, 3317.03, 3317.051, 3317.16, 3317.20, 30  
3317.25, 3317.26, 3319.57, 3324.09, 3326.31, 3326.32, 3326.33, 31  
3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 3328.34, and 32  
3365.01 be amended and new sections 3314.085, 3317.017, 33  
3317.0215, 3317.0217, and 3317.0218 and sections 3314.089, 34  
3314.0810, 3317.011, 3317.012, 3317.018, 3317.019, 3317.0110, 35  
3317.071, 3317.072, 3317.11, 3317.162, 3317.60, 3326.43, 36  
3326.44, and 3327.016 of the Revised Code be enacted to read as 37  
follows: 38

**Sec. 3301.0714.** (A) The state board of education shall 39  
adopt rules for a statewide education management information 40  
system. The rules shall require the state board to establish 41  
guidelines for the establishment and maintenance of the system 42  
in accordance with this section and the rules adopted under this 43  
section. The guidelines shall include: 44

(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section;	45 46 47
(2) Procedures for annually collecting and reporting the data to the state board in accordance with division (D) of this section;	48 49 50
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	51 52
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	53 54
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	55 56
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	57 58 59
(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:	60 61 62
(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific subject, a specific type of student, or both, such as regular instructional services in mathematics, remedial reading	63 64 65 66 67 68 69 70 71 72 73

instructional services, instructional services specifically for 74  
students gifted in mathematics or some other subject area, or 75  
instructional services for students with a specific type of 76  
disability. The categories of instructional services required by 77  
the guidelines under this division shall be the same as the 78  
categories of instructional services used in determining cost 79  
units pursuant to division (C) (3) of this section. 80

(b) The numbers of students receiving support or 81  
extracurricular services for each of the support services or 82  
extracurricular programs offered by the school district, such as 83  
counseling services, health services, and extracurricular sports 84  
and fine arts programs. The categories of services required by 85  
the guidelines under this division shall be the same as the 86  
categories of services used in determining cost units pursuant 87  
to division (C) (4) (a) of this section. 88

(c) Average student grades in each subject in grades nine 89  
through twelve; 90

(d) Academic achievement levels as assessed under sections 91  
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 92

(e) The number of students designated as having a 93  
disabling condition pursuant to division (C) (1) of section 94  
3301.0711 of the Revised Code; 95

(f) The numbers of students reported to the state board 96  
pursuant to division (C) (2) of section 3301.0711 of the Revised 97  
Code; 98

(g) Attendance rates and the average daily attendance for 99  
the year. For purposes of this division, a student shall be 100  
counted as present for any field trip that is approved by the 101  
school administration. 102

(h) Expulsion rates;	103
(i) Suspension rates;	104
(j) Dropout rates;	105
(k) Rates of retention in grade;	106
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with state board of education rules;	107 108 109
(m) Graduation rates, to be calculated in a manner specified by the department of education that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	110 111 112 113 114
(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the Revised Code to permit a comparison of the academic readiness of kindergarten students. However, no district shall be required to report to the department the results of any diagnostic assessment administered to a kindergarten student, except for the language and reading assessment described in division (A) (2) of section 3301.0715 of the Revised Code, if the parent of that student requests the district not to report those results.	115 116 117 118 119 120 121 122 123
(o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division (B) (4) of this section, districts and schools also shall include an identification of the person or persons, if any, at whom the student's violent behavior that resulted in discipline was directed. The person or persons shall be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, but shall not be	124 125 126 127 128 129 130 131

identified by name.	132
Division (B) (1) (o) of this section does not apply after	133
the date that is two years following the submission of the	134
report required by Section 733.13 of H.B. 49 of the 132nd	135
general assembly.	136
(p) The number of students earning each state diploma seal	137
included in the system prescribed under division (A) of section	138
3313.6114 of the Revised Code;	139
(q) The number of students demonstrating competency for	140
graduation using each option described in divisions (B) (1) (a) to	141
(c) of section 3313.618 of the Revised Code;	142
(r) The number of students completing each foundational	143
and supporting option as part of the demonstration of competency	144
for graduation pursuant to division (B) (1) (b) of section	145
3313.618 of the Revised Code.	146
(2) Personnel and classroom enrollment data for each	147
school district, including:	148
(a) The total numbers of licensed employees and	149
nonlicensed employees and the numbers of full-time equivalent	150
licensed employees and nonlicensed employees providing each	151
category of instructional service, instructional support	152
service, and administrative support service used pursuant to	153
division (C) (3) of this section. The guidelines adopted under	154
this section shall require these categories of data to be	155
maintained for the school district as a whole and, wherever	156
applicable, for each grade in the school district as a whole,	157
for each school building as a whole, and for each grade in each	158
school building.	159
(b) The total number of employees and the number of full-	160

time equivalent employees providing each category of service 161  
used pursuant to divisions (C) (4) (a) and (b) of this section, 162  
and the total numbers of licensed employees and nonlicensed 163  
employees and the numbers of full-time equivalent licensed 164  
employees and nonlicensed employees providing each category used 165  
pursuant to division (C) (4) (c) of this section. The guidelines 166  
adopted under this section shall require these categories of 167  
data to be maintained for the school district as a whole and, 168  
wherever applicable, for each grade in the school district as a 169  
whole, for each school building as a whole, and for each grade 170  
in each school building. 171

(c) The total number of regular classroom teachers 172  
teaching classes of regular education and the average number of 173  
pupils enrolled in each such class, in each of grades 174  
kindergarten through five in the district as a whole and in each 175  
school building in the school district. 176

(d) The number of lead teachers employed by each school 177  
district and each school building. 178

(3) (a) Student demographic data for each school district, 179  
including information regarding the gender ratio of the school 180  
district's pupils, the racial make-up of the school district's 181  
pupils, the number of English learners in the district, and an 182  
appropriate measure of the number of the school district's 183  
pupils who reside in economically disadvantaged households. The 184  
demographic data shall be collected in a manner to allow 185  
correlation with data collected under division (B) (1) of this 186  
section. Categories for data collected pursuant to division (B) 187  
(3) of this section shall conform, where appropriate, to 188  
standard practices of agencies of the federal government. 189

(b) With respect to each student entering kindergarten, 190

whether the student previously participated in a public 191  
preschool program, a private preschool program, or a head start 192  
program, and the number of years the student participated in 193  
each of these programs. 194

(4) The annual reports submitted by each school district 195  
under section 3317.25 of the Revised Code describing the 196  
initiative or initiatives on which the district's disadvantaged 197  
pupil impact aid were spent; 198

(5) The average number of students riding on school buses 199  
routed to community schools established under Chapter 3314. of 200  
the Revised Code in accordance with section 3327.01 of the 201  
Revised Code; 202

(6) The average number of students riding on school buses 203  
routed to STEM schools established under Chapter 3326. of the 204  
Revised Code in accordance with section 3327.01 of the Revised 205  
Code; 206

(7) The average number of students riding on school buses 207  
routed to nonpublic schools in accordance with section 3327.01 208  
of the Revised Code; 209

(8) Any data required to be collected pursuant to federal 210  
law. 211

(C) The education management information system shall 212  
include cost accounting data for each district as a whole and 213  
for each school building in each school district. The guidelines 214  
adopted under this section shall require the cost data for each 215  
school district to be maintained in a system of mutually 216  
exclusive cost units and shall require all of the costs of each 217  
school district to be divided among the cost units. The 218  
guidelines shall require the system of mutually exclusive cost 219



units to include at least the following:	220
(1) Administrative costs for the school district as a whole. The guidelines shall require the cost units under this division (C) (1) to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil in <del>formula</del> - <u>enrolled</u> ADM in the school district, as determined pursuant to section 3317.03 of the Revised Code.	221 222 223 224 225 226
(2) Administrative costs for each school building in the school district. The guidelines shall require the cost units under this division (C) (2) to be designed so that each of them may be compiled and reported in terms of average expenditure per full-time equivalent pupil receiving instructional or support services in each building.	227 228 229 230 231 232
(3) Instructional services costs for each category of instructional service provided directly to students and required by guidelines adopted pursuant to division (B) (1) (a) of this section. The guidelines shall require the cost units under division (C) (3) of this section to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil receiving the service in the school district as a whole and average expenditure per pupil receiving the service in each building in the school district and in terms of a total cost for each category of service and, as a breakdown of the total cost, a cost for each of the following components:	233 234 235 236 237 238 239 240 241 242 243
(a) The cost of each instructional services category required by guidelines adopted under division (B) (1) (a) of this section that is provided directly to students by a classroom teacher;	244 245 246 247
(b) The cost of the instructional support services, such	248

as services provided by a speech-language pathologist, classroom aide, multimedia aide, or librarian, provided directly to students in conjunction with each instructional services category;

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

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

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

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

trainer; 279

(c) The cost of the administrative services related to 280  
each services category in division (C) (4) (a) or (b) of this 281  
section, such as the cost of any licensed or nonlicensed 282  
employees that develop, supervise, coordinate, or otherwise are 283  
involved in administering or aiding the delivery of each 284  
services category. 285

(D) (1) The guidelines adopted under this section shall 286  
require school districts to collect information about individual 287  
students, staff members, or both in connection with any data 288  
required by division (B) or (C) of this section or other 289  
reporting requirements established in the Revised Code. The 290  
guidelines may also require school districts to report 291  
information about individual staff members in connection with 292  
any data required by division (B) or (C) of this section or 293  
other reporting requirements established in the Revised Code. 294  
The guidelines shall not authorize school districts to request 295  
social security numbers of individual students. The guidelines 296  
shall prohibit the reporting under this section of a student's 297  
name, address, and social security number to the state board of 298  
education or the department of education. The guidelines shall 299  
also prohibit the reporting under this section of any personally 300  
identifiable information about any student, except for the 301  
purpose of assigning the data verification code required by 302  
division (D) (2) of this section, to any other person unless such 303  
person is employed by the school district or the information 304  
technology center operated under section 3301.075 of the Revised 305  
Code and is authorized by the district or technology center to 306  
have access to such information or is employed by an entity with 307  
which the department contracts for the scoring or the 308  
development of state assessments. The guidelines may require 309

school districts to provide the social security numbers of 310  
individual staff members and the county of residence for a 311  
student. Nothing in this section prohibits the state board of 312  
education or department of education from providing a student's 313  
county of residence to the department of taxation to facilitate 314  
the distribution of tax revenue. 315

(2) (a) The guidelines shall provide for each school 316  
district or community school to assign a data verification code 317  
that is unique on a statewide basis over time to each student 318  
whose initial Ohio enrollment is in that district or school and 319  
to report all required individual student data for that student 320  
utilizing such code. The guidelines shall also provide for 321  
assigning data verification codes to all students enrolled in 322  
districts or community schools on the effective date of the 323  
guidelines established under this section. The assignment of 324  
data verification codes for other entities, as described in 325  
division (D) (2) (d) of this section, the use of those codes, and 326  
the reporting and use of associated individual student data 327  
shall be coordinated by the department in accordance with state 328  
and federal law. 329

School districts shall report individual student data to 330  
the department through the information technology centers 331  
utilizing the code. The entities described in division (D) (2) (d) 332  
of this section shall report individual student data to the 333  
department in the manner prescribed by the department. 334

(b) (i) Except as provided in sections 3301.941, 3310.11, 335  
3310.42, 3310.63, 3313.978, and 3317.20 of the Revised Code, and 336  
in division (D) (2) (b) (ii) of this section, at no time shall the 337  
state board or the department have access to information that 338  
would enable any data verification code to be matched to 339

personally identifiable student data. 340

(ii) For the purpose of making per-pupil payments to 341  
community schools under division (C) of section 3314.08 of the 342  
Revised Code, the department shall have access to information 343  
that would enable any data verification code to be matched to 344  
personally identifiable student data. 345

(c) Each school district and community school shall ensure 346  
that the data verification code is included in the student's 347  
records reported to any subsequent school district, community 348  
school, or state institution of higher education, as defined in 349  
section 3345.011 of the Revised Code, in which the student 350  
enrolls. Any such subsequent district or school shall utilize 351  
the same identifier in its reporting of data under this section. 352

(d) The director of any state agency that administers a 353  
publicly funded program providing services to children who are 354  
younger than compulsory school age, as defined in section 355  
3321.01 of the Revised Code, including the directors of health, 356  
job and family services, mental health and addiction services, 357  
and developmental disabilities, shall request and receive, 358  
pursuant to sections 3301.0723 and 5123.0423 of the Revised 359  
Code, a data verification code for a child who is receiving 360  
those services. 361

(E) The guidelines adopted under this section may require 362  
school districts to collect and report data, information, or 363  
reports other than that described in divisions (A), (B), and (C) 364  
of this section for the purpose of complying with other 365  
reporting requirements established in the Revised Code. The 366  
other data, information, or reports may be maintained in the 367  
education management information system but are not required to 368  
be compiled as part of the profile formats required under 369

division (G) of this section or the annual statewide report 370  
required under division (H) of this section. 371

(F) Beginning with the school year that begins July 1, 372  
1991, the board of education of each school district shall 373  
annually collect and report to the state board, in accordance 374  
with the guidelines established by the board, the data required 375  
pursuant to this section. A school district may collect and 376  
report these data notwithstanding section 2151.357 or 3319.321 377  
of the Revised Code. 378

(G) The state board shall, in accordance with the 379  
procedures it adopts, annually compile the data reported by each 380  
school district pursuant to division (D) of this section. The 381  
state board shall design formats for profiling each school 382  
district as a whole and each school building within each 383  
district and shall compile the data in accordance with these 384  
formats. These profile formats shall: 385

(1) Include all of the data gathered under this section in 386  
a manner that facilitates comparison among school districts and 387  
among school buildings within each school district; 388

(2) Present the data on academic achievement levels as 389  
assessed by the testing of student achievement maintained 390  
pursuant to division (B)(1)(d) of this section. 391

(H)(1) The state board shall, in accordance with the 392  
procedures it adopts, annually prepare a statewide report for 393  
all school districts and the general public that includes the 394  
profile of each of the school districts developed pursuant to 395  
division (G) of this section. Copies of the report shall be sent 396  
to each school district. 397

(2) The state board shall, in accordance with the 398

procedures it adopts, annually prepare an individual report for 399  
each school district and the general public that includes the 400  
profiles of each of the school buildings in that school district 401  
developed pursuant to division (G) of this section. Copies of 402  
the report shall be sent to the superintendent of the district 403  
and to each member of the district board of education. 404

(3) Copies of the reports received from the state board 405  
under divisions (H) (1) and (2) of this section shall be made 406  
available to the general public at each school district's 407  
offices. Each district board of education shall make copies of 408  
each report available to any person upon request and payment of 409  
a reasonable fee for the cost of reproducing the report. The 410  
board shall annually publish in a newspaper of general 411  
circulation in the school district, at least twice during the 412  
two weeks prior to the week in which the reports will first be 413  
available, a notice containing the address where the reports are 414  
available and the date on which the reports will be available. 415

(I) Any data that is collected or maintained pursuant to 416  
this section and that identifies an individual pupil is not a 417  
public record for the purposes of section 149.43 of the Revised 418  
Code. 419

(J) As used in this section: 420

(1) "School district" means any city, local, exempted 421  
village, or joint vocational school district and, in accordance 422  
with section 3314.17 of the Revised Code, any community school. 423  
As used in division (L) of this section, "school district" also 424  
includes any educational service center or other educational 425  
entity required to submit data using the system established 426  
under this section. 427

(2) "Cost" means any expenditure for operating expenses 428  
made by a school district excluding any expenditures for debt 429  
retirement except for payments made to any commercial lending 430  
institution for any loan approved pursuant to section 3313.483 431  
of the Revised Code. 432

(K) Any person who removes data from the information 433  
system established under this section for the purpose of 434  
releasing it to any person not entitled under law to have access 435  
to such information is subject to section 2913.42 of the Revised 436  
Code prohibiting tampering with data. 437

(L) (1) In accordance with division (L) (2) of this section 438  
and the rules adopted under division (L) (10) of this section, 439  
the department of education may sanction any school district 440  
that reports incomplete or inaccurate data, reports data that 441  
does not conform to data requirements and descriptions published 442  
by the department, fails to report data in a timely manner, or 443  
otherwise does not make a good faith effort to report data as 444  
required by this section. 445

(2) If the department decides to sanction a school 446  
district under this division, the department shall take the 447  
following sequential actions: 448

(a) Notify the district in writing that the department has 449  
determined that data has not been reported as required under 450  
this section and require the district to review its data 451  
submission and submit corrected data by a deadline established 452  
by the department. The department also may require the district 453  
to develop a corrective action plan, which shall include 454  
provisions for the district to provide mandatory staff training 455  
on data reporting procedures. 456



(b) Withhold up to ten per cent of the total amount of 457  
state funds due to the district for the current fiscal year and, 458  
if not previously required under division (L) (2) (a) of this 459  
section, require the district to develop a corrective action 460  
plan in accordance with that division; 461

(c) Withhold an additional amount of up to twenty per cent 462  
of the total amount of state funds due to the district for the 463  
current fiscal year; 464

(d) Direct department staff or an outside entity to 465  
investigate the district's data reporting practices and make 466  
recommendations for subsequent actions. The recommendations may 467  
include one or more of the following actions: 468

(i) Arrange for an audit of the district's data reporting 469  
practices by department staff or an outside entity; 470

(ii) Conduct a site visit and evaluation of the district; 471

(iii) Withhold an additional amount of up to thirty per 472  
cent of the total amount of state funds due to the district for 473  
the current fiscal year; 474

(iv) Continue monitoring the district's data reporting; 475

(v) Assign department staff to supervise the district's 476  
data management system; 477

(vi) Conduct an investigation to determine whether to 478  
suspend or revoke the license of any district employee in 479  
accordance with division (N) of this section; 480

(vii) If the district is issued a report card under 481  
section 3302.03 of the Revised Code, indicate on the report card 482  
that the district has been sanctioned for failing to report data 483  
as required by this section; 484

(viii) If the district is issued a report card under 485  
section 3302.03 of the Revised Code and incomplete or inaccurate 486  
data submitted by the district likely caused the district to 487  
receive a higher performance rating than it deserved under that 488  
section, issue a revised report card for the district; 489

(ix) Any other action designed to correct the district's 490  
data reporting problems. 491

(3) Any time the department takes an action against a 492  
school district under division (L)(2) of this section, the 493  
department shall make a report of the circumstances that 494  
prompted the action. The department shall send a copy of the 495  
report to the district superintendent or chief administrator and 496  
maintain a copy of the report in its files. 497

(4) If any action taken under division (L)(2) of this 498  
section resolves a school district's data reporting problems to 499  
the department's satisfaction, the department shall not take any 500  
further actions described by that division. If the department 501  
withheld funds from the district under that division, the 502  
department may release those funds to the district, except that 503  
if the department withheld funding under division (L)(2)(c) of 504  
this section, the department shall not release the funds 505  
withheld under division (L)(2)(b) of this section and, if the 506  
department withheld funding under division (L)(2)(d) of this 507  
section, the department shall not release the funds withheld 508  
under division (L)(2)(b) or (c) of this section. 509

(5) Notwithstanding anything in this section to the 510  
contrary, the department may use its own staff or an outside 511  
entity to conduct an audit of a school district's data reporting 512  
practices any time the department has reason to believe the 513  
district has not made a good faith effort to report data as 514

required by this section. If any audit conducted by an outside 515  
entity under division (L) (2) (d) (i) or (5) of this section 516  
confirms that a district has not made a good faith effort to 517  
report data as required by this section, the district shall 518  
reimburse the department for the full cost of the audit. The 519  
department may withhold state funds due to the district for this 520  
purpose. 521

(6) Prior to issuing a revised report card for a school 522  
district under division (L) (2) (d) (viii) of this section, the 523  
department may hold a hearing to provide the district with an 524  
opportunity to demonstrate that it made a good faith effort to 525  
report data as required by this section. The hearing shall be 526  
conducted by a referee appointed by the department. Based on the 527  
information provided in the hearing, the referee shall recommend 528  
whether the department should issue a revised report card for 529  
the district. If the referee affirms the department's contention 530  
that the district did not make a good faith effort to report 531  
data as required by this section, the district shall bear the 532  
full cost of conducting the hearing and of issuing any revised 533  
report card. 534

(7) If the department determines that any inaccurate data 535  
reported under this section caused a school district to receive 536  
excess state funds in any fiscal year, the district shall 537  
reimburse the department an amount equal to the excess funds, in 538  
accordance with a payment schedule determined by the department. 539  
The department may withhold state funds due to the district for 540  
this purpose. 541

(8) Any school district that has funds withheld under 542  
division (L) (2) of this section may appeal the withholding in 543  
accordance with Chapter 119. of the Revised Code. 544

(9) In all cases of a disagreement between the department 545  
and a school district regarding the appropriateness of an action 546  
taken under division (L) (2) of this section, the burden of proof 547  
shall be on the district to demonstrate that it made a good 548  
faith effort to report data as required by this section. 549

(10) The state board of education shall adopt rules under 550  
Chapter 119. of the Revised Code to implement division (L) of 551  
this section. 552

(M) No information technology center or school district 553  
shall acquire, change, or update its student administration 554  
software package to manage and report data required to be 555  
reported to the department unless it converts to a student 556  
software package that is certified by the department. 557

(N) The state board of education, in accordance with 558  
sections 3319.31 and 3319.311 of the Revised Code, may suspend 559  
or revoke a license as defined under division (A) of section 560  
3319.31 of the Revised Code that has been issued to any school 561  
district employee found to have willfully reported erroneous, 562  
inaccurate, or incomplete data to the education management 563  
information system. 564

(O) No person shall release or maintain any information 565  
about any student in violation of this section. Whoever violates 566  
this division is guilty of a misdemeanor of the fourth degree. 567

(P) The department shall disaggregate the data collected 568  
under division (B) (1) (n) of this section according to the race 569  
and socioeconomic status of the students assessed. 570

(Q) If the department cannot compile any of the 571  
information required by division (H) of section 3302.03 of the 572  
Revised Code based upon the data collected under this section, 573

the department shall develop a plan and a reasonable timeline 574  
for the collection of any data necessary to comply with that 575  
division. 576

**Sec. 3302.20.** (A) The department of education shall 577  
develop standards for determining, from the existing data 578  
reported in accordance with sections 3301.0714 and 3314.17 of 579  
the Revised Code, the amount of annual operating expenditures 580  
for classroom instructional purposes and for nonclassroom 581  
purposes for each city, exempted village, local, and joint 582  
vocational school district, each community school established 583  
under Chapter 3314. that is not an internet- or computer-based 584  
community school, each internet- or computer-based community 585  
school, and each STEM school established under Chapter 3326. of 586  
the Revised Code. The department shall present those standards 587  
to the state board of education for consideration. In developing 588  
the standards, the department shall adapt existing standards 589  
used by professional organizations, research organizations, and 590  
other state governments. The department also shall align the 591  
expenditure categories required for reporting under the 592  
standards with the categories that are required for reporting to 593  
the United States department of education under federal law. 594

The state board shall consider the proposed standards and 595  
adopt a final set of standards not later than December 31, 2012. 596  
School districts, community schools, and STEM schools shall 597  
begin reporting data in accordance with the standards on June 598  
30, 2013. 599

(B) (1) The department shall categorize all city, exempted 600  
village, and local school districts into not less than three nor 601  
more than five groups based primarily on average daily student 602  
enrollment as reported on the most recent report card issued for 603

each district under section 3302.03 of the Revised Code. 604

(2) The department shall categorize all joint vocational 605  
school districts into not less than three nor more than five 606  
groups based primarily on ~~formula-enrolled~~ ADM as that term is 607  
defined in section 3317.02 of the Revised Code rounded to the 608  
nearest whole number. 609

(3) The department shall categorize all community schools 610  
that are not internet- or computer-based community schools into 611  
not less than three nor more than five groups based primarily on 612  
average daily student enrollment as reported on the most recent 613  
report card issued for each community school under sections 614  
3302.03 and 3314.012 of the Revised Code or, in the case of a 615  
school to which section 3314.017 of the Revised Code applies, on 616  
the total number of students reported under divisions (B) (2) (a) 617  
and (b) of section 3314.08 of the Revised Code. 618

(4) The department shall categorize all internet- or 619  
computer-based community schools into a single category. 620

(5) The department shall categorize all STEM schools into 621  
a single category. 622

(C) Using the standards adopted under division (A) of this 623  
section and the data reported under sections 3301.0714 and 624  
3314.17 of the Revised Code, the department shall compute 625  
annually for each fiscal year, the following: 626

(1) The percentage of each district's, community school's, 627  
or STEM school's total operating budget spent for classroom 628  
instructional purposes; 629

(2) The statewide average percentage for all districts, 630  
community schools, and STEM schools combined spent for classroom 631  
instructional purposes; 632

(3) The average percentage for each of the categories of districts and schools established under division (B) of this section spent for classroom instructional purposes;	633 634 635
(4) The ranking of each district, community school, or STEM school within its respective category established under division (B) of this section according to the following:	636 637 638
(a) From highest to lowest percentage spent for classroom instructional purposes;	639 640
(b) From lowest to highest percentage spent for noninstructional purposes.	641 642
(5) The total operating expenditures per pupil for each district, community school, and STEM school;	643 644
(6) The total operating expenditure per equivalent pupils for each district, community school, and STEM school.	645 646
(D) In its display of rankings within each category under division (C) (4) of this section, the department shall make the following notations:	647 648 649
(1) Within each category of city, exempted village, and local school districts, the department shall denote each district that is:	650 651 652
(a) Among the twenty per cent of all city, exempted village, and local school districts statewide with the lowest total operating expenditure per equivalent pupils;	653 654 655
(b) Among the twenty per cent of all city, exempted village, and local school districts statewide with the highest performance index scores.	656 657 658
(2) Within each category of joint vocational school	659

districts, the department shall denote each district that is: 660

(a) Among the twenty per cent of all joint vocational 661  
school districts statewide with the lowest total operating 662  
expenditure per equivalent pupils; 663

(b) Among the twenty per cent of all joint vocational 664  
school districts statewide with the highest report card scores 665  
under section 3302.033 of the Revised Code. 666

(3) Within each category of community schools that are not 667  
internet- or computer-based community schools, the department 668  
shall denote each school that is: 669

(a) Among the twenty per cent of all such community 670  
schools statewide with the lowest total operating expenditure 671  
per equivalent pupils; 672

(b) Among the twenty per cent of all such community 673  
schools statewide with the highest performance index scores, 674  
excluding such community schools to which section 3314.017 of 675  
the Revised Code applies. 676

(4) Within the category of internet- or computer-based 677  
community schools, the department shall denote each school that 678  
is: 679

(a) Among the twenty per cent of all such community 680  
schools statewide with the lowest total operating expenditure 681  
per equivalent pupils; 682

(b) Among the twenty per cent of all such community 683  
schools statewide with the highest performance index scores, 684  
excluding such community schools to which section 3314.017 of 685  
the Revised Code applies. 686

(5) Within the category of STEM schools, the department 687



shall denote each school that is: 688

(a) Among the twenty per cent of all STEM schools 689  
statewide with the lowest total operating expenditure per 690  
equivalent pupils; 691

(b) Among the twenty per cent of all STEM schools 692  
statewide with the highest performance index scores. 693

For purposes of divisions (D) (3) (b) and (4) (b) of this 694  
section, the display shall note that, in accordance with section 695  
3314.017 of the Revised Code, a performance index score is not 696  
reported for some community schools that serve primarily 697  
students enrolled in dropout prevention and recovery programs. 698

(E) The department shall post in a prominent location on 699  
its web site the information prescribed by divisions (C) and (D) 700  
of this section. The department also shall include on each 701  
district's, community school's, and STEM school's annual report 702  
card issued under section 3302.03 or 3314.017 of the Revised 703  
Code the respective information computed for the district or 704  
school under divisions (C) (1) and (4) of this section, the 705  
statewide information computed under division (C) (2) of this 706  
section, and the information computed for the district's or 707  
school's category under division (C) (3) of this section. 708

(F) As used in this section: 709

(1) "Internet- or computer-based community school" has the 710  
same meaning as in section 3314.02 of the Revised Code. 711

(2) A school district's, community school's, or STEM 712  
school's performance index score rank is its performance index 713  
score rank as computed under section 3302.21 of the Revised 714  
Code. 715

(3) "Expenditure per equivalent pupils" has the same 716  
meaning as in section 3302.26 of the Revised Code. 717

**Sec. 3310.08.** (A) As used in this section, "tuition 718  
discount" means any deduction from the base tuition amount per 719  
student charged by the school, to which the student's family is 720  
entitled due to one or more of the following conditions: 721

(1) The student's family has multiple children enrolled in 722  
the same school. 723

(2) The student's family is a member of or affiliated with 724  
a religious or secular organization that provides oversight of 725  
the school or from which the school has agreed to enroll 726  
students. 727

(3) The student's parent is an employee of the school. 728

(4) Some other qualification not based on the income of 729  
the student's family or the student's athletic or academic 730  
ability and for which all students in the school may qualify. 731

(B) The amount paid for an eligible student under the 732  
educational choice scholarship pilot program and the expansion 733  
of the program under section 3310.032 of the Revised Code shall 734  
be the lesser of the following: 735

(1) The base tuition of the chartered nonpublic school in 736  
which the student is enrolled minus the total amount of any 737  
applicable tuition discounts for which the student qualifies; 738

(2) The maximum amount prescribed in section 3310.09 of 739  
the Revised Code. 740

(C) (1) The department of education shall ~~pay compute and~~ 741  
distribute state core foundation funding to the parent of each 742  
eligible student for whom a scholarship is awarded under the 743

program, or to the student if at least eighteen years of age, 744  
periodic partial payments of the scholarship. 745

(2) The department shall proportionately reduce or 746  
terminate the payments for any student who withdraws from a 747  
chartered nonpublic school prior to the end of the school year. 748

~~(D) (1) The department shall deduct from the payments made 749  
to each school district under Chapter 3317., and if necessary, 750  
sections 321.24 and 323.156 of the Revised Code, the amount paid 751  
under division (C) of this section for each eligible student who 752  
qualifies for a scholarship under section 3310.03 of the Revised 753  
Code and who is entitled under section 3313.64 or 3313.65 of the 754  
Revised Code to attend school in the district. In the case of a 755  
student entitled to attend school in a school district under 756  
division (B) (2) (a) of section 3313.64 or division (C) of section 757  
3313.65 of the Revised Code, the department shall deduct the 758  
payments from the school district in whose formula ADM the 759  
student is included, as that term is defined in section 3317.02 760  
of the Revised Code. 761~~

~~(2) If the department reduces or terminates payments to a 762  
parent or a student, as prescribed in division (C) (2) of this 763  
section, and the student enrolls in the schools of the student's 764  
resident district or in a community school, established under 765  
Chapter 3314. of the Revised Code, before the end of the school 766  
year, the department shall proportionally restore to the 767  
resident district the amount deducted for that student under 768  
division (D) (1) of this section. 769~~

**Sec. 3310.41.** (A) As used in this section: 770

(1) "Alternative public provider" means either of the 771  
following providers that agrees to enroll a child in the 772

provider's special education program to implement the child's 773  
individualized education program and to which the child's parent 774  
owes fees for the services provided to the child: 775

(a) A school district that is not the school district in 776  
which the child is entitled to attend school; 777

(b) A public entity other than a school district. 778

(2) "Entitled to attend school" means entitled to attend 779  
school in a school district under section 3313.64 or 3313.65 of 780  
the Revised Code. 781

(3) "Formula ADM" and ~~"category six special education ADM"~~ 782  
~~have~~ has the same ~~meanings~~ meaning as in section 3317.02 of the 783  
Revised Code. 784

(4) "Preschool child with a disability" and 785  
"individualized education program" have the same meanings as in 786  
section 3323.01 of the Revised Code. 787

(5) "Parent" has the same meaning as in section 3313.64 of 788  
the Revised Code, except that "parent" does not mean a parent 789  
whose custodial rights have been terminated. "Parent" also 790  
includes the custodian of a qualified special education child, 791  
when a court has granted temporary, legal, or permanent custody 792  
of the child to an individual other than either of the natural 793  
or adoptive parents of the child or to a government agency. 794

(6) ~~"Preschool scholarship ADM" means the number of~~ 795  
~~preschool children with disabilities certified under division~~ 796  
~~(B) (3) (h) of section 3317.03 of the Revised Code.~~ 797

~~(7)~~ "Qualified special education child" is a child for 798  
whom all of the following conditions apply: 799

(a) The school district in which the child is entitled to 800

attend school has identified the child as autistic. A child who 801  
has been identified as having a "pervasive developmental 802  
disorder - not otherwise specified (PPD-NOS)" shall be 803  
considered to be an autistic child for purposes of this section. 804

(b) The school district in which the child is entitled to 805  
attend school has developed an individualized education program 806  
under Chapter 3323. of the Revised Code for the child. 807

(c) The child either: 808

(i) Was enrolled in the school district in which the child 809  
is entitled to attend school in any grade from preschool through 810  
twelve in the school year prior to the year in which a 811  
scholarship under this section is first sought for the child; or 812

(ii) Is eligible to enter school in any grade preschool 813  
through twelve in the school district in which the child is 814  
entitled to attend school in the school year in which a 815  
scholarship under this section is first sought for the child. 816

~~(8)~~ (7) "Registered private provider" means a nonpublic 817  
school or other nonpublic entity that has been approved by the 818  
department of education to participate in the program 819  
established under this section. 820

~~(9)~~ (8) "Special education program" means a school or 821  
facility that provides special education and related services to 822  
children with disabilities. 823

(B) There is hereby established the autism scholarship 824  
program. Under the program, the department of education shall 825  
pay a scholarship to the parent of each qualified special 826  
education child upon application of that parent pursuant to 827  
procedures and deadlines established by rule of the state board 828  
of education. Each scholarship shall be used only to pay tuition 829

for the child on whose behalf the scholarship is awarded to 830  
attend a special education program that implements the child's 831  
individualized education program and that is operated by an 832  
alternative public provider or by a registered private provider, 833  
and to pay for other services agreed to by the provider and the 834  
parent of a qualified special education child that are not 835  
included in the individualized education program but are 836  
associated with educating the child. Upon agreement with the 837  
parent of a qualified special education child, the alternative 838  
public provider or the registered private provider may modify 839  
the services provided to the child. Each scholarship shall be in 840  
an amount not to exceed the lesser of the tuition charged for 841  
the child by the special education program or twenty-seven 842  
thousand dollars. The purpose of the scholarship is to permit 843  
the parent of a qualified special education child the choice to 844  
send the child to a special education program, instead of the 845  
one operated by or for the school district in which the child is 846  
entitled to attend school, to receive the services prescribed in 847  
the child's individualized education program once the 848  
individualized education program is finalized and any other 849  
services agreed to by the provider and the parent of a qualified 850  
special education child. The services provided under the 851  
scholarship shall include an educational component or services 852  
designed to assist the child to benefit from the child's 853  
education. 854

A scholarship under this section shall not be awarded to 855  
the parent of a child while the child's individualized education 856  
program is being developed by the school district in which the 857  
child is entitled to attend school, or while any administrative 858  
or judicial mediation or proceedings with respect to the content 859  
of the child's individualized education program are pending. A 860

scholarship under this section shall not be used for a child to 861  
attend a public special education program that operates under a 862  
contract, compact, or other bilateral agreement between the 863  
school district in which the child is entitled to attend school 864  
and another school district or other public provider, or for a 865  
child to attend a community school established under Chapter 866  
3314. of the Revised Code. However, nothing in this section or 867  
in any rule adopted by the state board shall prohibit a parent 868  
whose child attends a public special education program under a 869  
contract, compact, or other bilateral agreement, or a parent 870  
whose child attends a community school, from applying for and 871  
accepting a scholarship under this section so that the parent 872  
may withdraw the child from that program or community school and 873  
use the scholarship for the child to attend a special education 874  
program for which the parent is required to pay for services for 875  
the child. 876

Except for development of the child's individualized 877  
education program, the school district in which a qualified 878  
special education child is entitled to attend school and the 879  
child's school district of residence, as defined in section 880  
3323.01 of the Revised Code, if different, are not obligated to 881  
provide the child with a free appropriate public education under 882  
Chapter 3323. of the Revised Code for as long as the child 883  
continues to attend the special education program operated by 884  
either an alternative public provider or a registered private 885  
provider for which a scholarship is awarded under the autism 886  
scholarship program. If at any time, the eligible applicant for 887  
the child decides no longer to accept scholarship payments and 888  
enrolls the child in the special education program of the school 889  
district in which the child is entitled to attend school, that 890  
district shall provide the child with a free appropriate public 891

education under Chapter 3323. of the Revised Code. 892

A child attending a special education program with a 893  
scholarship under this section shall continue to be entitled to 894  
transportation to and from that program in the manner prescribed 895  
by law. 896

(C) (1) As prescribed in ~~divisions~~ division (A) (2) (h), ~~(B)~~ 897  
~~(3) (g), and (B) (10)~~ of section 3317.03 of the Revised Code, a 898  
child who is not a preschool child with a disability for whom a 899  
scholarship is awarded under this section shall be counted in 900  
the formula ADM ~~and the category six special education ADM~~ of 901  
the district in which the child is entitled to attend school and 902  
not in the formula ADM ~~and the category six special education~~ 903  
~~ADM~~ of any other school district. ~~As prescribed in divisions (B)~~ 904  
~~(3) (h) and (B) (10) of section 3317.03 of the Revised Code, a~~ 905  
~~child who is a preschool child with a disability for whom a~~ 906  
~~scholarship is awarded under this section shall be counted in~~ 907  
~~the preschool scholarship ADM and category six special education~~ 908  
~~ADM of the school district in which the child is entitled to~~ 909  
~~attend school and not in the preschool scholarship ADM or~~ 910  
~~category six special education ADM of any other school district.~~ 911

(2) ~~In each fiscal year, the department shall deduct from~~ 912  
~~the amounts paid to each school district under Chapter 3317. of~~ 913  
~~the Revised Code, and, if necessary, sections 321.24 and 323.156~~ 914  
~~of the Revised Code, the aggregate amount of scholarships~~ 915  
~~awarded under this section for qualified special education~~ 916  
~~children included in the formula ADM, or preschool scholarship~~ 917  
~~ADM, and in the category six special education ADM of that~~ 918  
~~school district as provided in division (C) (1) of this section.~~ 919

~~The scholarships deducted shall be considered as an~~ 920  
~~approved special education and related services expense of the~~ 921



~~school district.~~ 922

~~(3) From time to time, the department shall make a payment~~ 923  
compute and distribute state core foundation funding to the 924  
parent of each qualified special education child for whom a 925  
scholarship has been awarded under this section. The scholarship 926  
amount shall be proportionately reduced in the case of any such 927  
child who is not enrolled in the special education program for 928  
which a scholarship was awarded under this section for the 929  
entire school year. The department shall make no payments to the 930  
parent of a child while any administrative or judicial mediation 931  
or proceedings with respect to the content of the child's 932  
individualized education program are pending. 933

(D) A scholarship shall not be paid to a parent for 934  
payment of tuition owed to a nonpublic entity unless that entity 935  
is a registered private provider. The department shall approve 936  
entities that meet the standards established by rule of the 937  
state board for the program established under this section. 938

(E) The state board shall adopt rules under Chapter 119. 939  
of the Revised Code prescribing procedures necessary to 940  
implement this section, including, but not limited to, 941  
procedures and deadlines for parents to apply for scholarships, 942  
standards for registered private providers, and procedures for 943  
approval of entities as registered private providers. 944

The rules also shall specify that intervention services 945  
under the autism scholarship program may be provided by a 946  
qualified, credentialed provider, including, but not limited to, 947  
all of the following: 948

(1) A behavior analyst certified by a nationally 949  
recognized organization that certifies behavior analysts; 950

(2) A psychologist licensed to practice in this state	951
under Chapter 4732. of the Revised Code;	952
(3) A school psychologist licensed by the state board	953
under section 3319.22 of the Revised Code;	954
(4) Any person employed by a licensed psychologist or	955
licensed school psychologist, while carrying out specific tasks,	956
under the licensee's supervision, as an extension of the	957
licensee's legal and ethical authority as specified under	958
Chapter 4732. of the Revised Code who is ascribed as "psychology	959
trainee," "psychology assistant," "psychology intern," or other	960
appropriate term that clearly implies their supervised or	961
training status;	962
(5) Unlicensed persons holding a doctoral degree in	963
psychology or special education from a program approved by the	964
state board;	965
(6) Any other qualified individual as determined by the	966
state board.	967
(F) The department shall provide reasonable notice to all	968
parents of children receiving a scholarship under the autism	969
scholarship program, alternative public providers, and	970
registered private providers of any amendment to a rule	971
governing, or change in the administration of, the autism	972
scholarship program.	973
<b>Sec. 3310.51.</b> As used in sections 3310.51 to 3310.64 of	974
the Revised Code:	975
(A) "Alternative public provider" means either of the	976
following providers that agrees to enroll a child in the	977
provider's special education program to implement the child's	978
individualized education program and to which the eligible	979

applicant owes fees for the services provided to the child:	980
(1) A school district that is not the school district in which the child is entitled to attend school or the child's school district of residence, if different;	981 982 983
(2) A public entity other than a school district.	984
(B) "Child with a disability" and "individualized education program" have the same meanings as in section 3323.01 of the Revised Code.	985 986 987
(C) "Eligible applicant" means any of the following:	988
(1) Either of the natural or adoptive parents of a qualified special education child, except as otherwise specified in this division. When the marriage of the natural or adoptive parents of the student has been terminated by a divorce, dissolution of marriage, or annulment, or when the natural or adoptive parents of the student are living separate and apart under a legal separation decree, and a court has issued an order allocating the parental rights and responsibilities with respect to the child, "eligible applicant" means the residential parent as designated by the court. If the court issues a shared parenting decree, "eligible applicant" means either parent. "Eligible applicant" does not mean a parent whose custodial rights have been terminated.	989 990 991 992 993 994 995 996 997 998 999 1000 1001
(2) The custodian of a qualified special education child, when a court has granted temporary, legal, or permanent custody of the child to an individual other than either of the natural or adoptive parents of the child or to a government agency;	1002 1003 1004 1005
(3) The guardian of a qualified special education child, when a court has appointed a guardian for the child;	1006 1007

(4) The grandparent of a qualified special education child, when the grandparent is the child's attorney in fact under a power of attorney executed under sections 3109.51 to 3109.62 of the Revised Code or when the grandparent has executed a ~~caregiver~~ caretaker authorization affidavit under sections 3109.65 to 3109.73 of the Revised Code;

(5) The surrogate parent appointed for a qualified special education child pursuant to division (B) of section 3323.05 and section 3323.051 of the Revised Code;

(6) A qualified special education child, if the child does not have a custodian or guardian and the child is at least eighteen years of age.

(D) "Entitled to attend school" means entitled to attend school in a school district under sections 3313.64 and 3313.65 of the Revised Code.

(E) "Formula ADM" ~~and "formula amount" have~~ has the same ~~meanings~~ meaning as in section 3317.02 of the Revised Code.

(F) "Qualified special education child" is a child for whom all of the following conditions apply:

(1) The child is at least five years of age and less than twenty-two years of age.

(2) The school district in which the child is entitled to attend school, or the child's school district of residence if different, has identified the child as a child with a disability.

(3) The school district in which the child is entitled to attend school, or the child's school district of residence if different, has developed an individualized education program

under Chapter 3323. of the Revised Code for the child.	1036
(4) The child either:	1037
(a) Was enrolled in the schools of the school district in	1038
which the child is entitled to attend school in any grade from	1039
kindergarten through twelve in the school year prior to the	1040
school year in which a scholarship is first sought for the	1041
child;	1042
(b) Is eligible to enter school in any grade kindergarten	1043
through twelve in the school district in which the child is	1044
entitled to attend school in the school year in which a	1045
scholarship is first sought for the child.	1046
(5) The department of education has not approved a	1047
scholarship for the child under the educational choice	1048
scholarship pilot program, under sections 3310.01 to 3310.17 of	1049
the Revised Code, the autism scholarship program, under section	1050
3310.41 of the Revised Code, or the pilot project scholarship	1051
program, under sections 3313.974 to 3313.979 of the Revised Code	1052
for the same school year in which a scholarship under the Jon	1053
Peterson special needs scholarship program is sought.	1054
(6) The child and the child's parents are in compliance	1055
with the state compulsory attendance law under Chapter 3321. of	1056
the Revised Code.	1057
(G) "Registered private provider" means a nonpublic school	1058
or other nonpublic entity that has been registered by the	1059
superintendent of public instruction under section 3310.58 of	1060
the Revised Code.	1061
(H) "Scholarship" means a scholarship awarded under the	1062
Jon Peterson special needs scholarship program pursuant to	1063
sections 3310.51 to 3310.64 of the Revised Code.	1064

(I) "School district of residence" has the same meaning as 1065  
in section 3323.01 of the Revised Code. A community school 1066  
established under Chapter 3314. of the Revised Code is not a 1067  
"school district of residence" for purposes of sections 3310.51 1068  
to 3310.64 of the Revised Code. 1069

(J) "School year" has the same meaning as in section 1070  
3313.62 of the Revised Code. 1071

(K) "Special education program" means a school or facility 1072  
that provides special education and related services to children 1073  
with disabilities. 1074

**Sec. 3310.54.** A qualified special education child in any 1075  
of grades kindergarten through twelve for whom a scholarship is 1076  
awarded under the Jon Peterson special needs scholarship program 1077  
shall be counted in the formula ADM ~~and category one through six~~ 1078  
~~special education ADM, as appropriate,~~ of the school district in 1079  
which the child is entitled to attend school. A qualified 1080  
special education child shall not be counted in the formula ADM 1081  
~~or category one through six special education ADM~~ of any other 1082  
school district. 1083

**Sec. 3310.56.** (A) The amount of the scholarship ~~awarded~~ 1084  
~~and paid~~ computed and distributed using state core foundation 1085  
funding to an eligible applicant for services for a qualified 1086  
special education child under the Jon Peterson special needs 1087  
scholarship program in each school year shall be the least of 1088  
the amounts prescribed in divisions (A) (1), (2), and (3) of this 1089  
section, as follows: 1090

(1) The amount of fees charged for that school year by the 1091  
alternative public provider or registered private provider; 1092

(2) The sum of the amounts calculated under divisions (A) 1093

- (2) (a) and (b) of this section: 1094
- (a) ~~The formula amount \$6,020;~~ 1095
- (b) An amount prescribed for the child's disability as follows: 1096  
1097
- (i) For a student in category one, ~~the amount specified in division (A) of section 3317.013 of the Revised Code \$1,578;~~ 1098  
1099
- (ii) For a student in category two, ~~the amount specified in division (B) of section 3317.013 of the Revised Code \$4,005;~~ 1100  
1101
- (iii) For a student in category three, ~~the amount specified in division (C) of section 3317.013 of the Revised Code \$9,662;~~ 1102  
1103  
1104
- (iv) For a student in category four, ~~the amount specified in division (D) of section 3317.013 of the Revised Code \$12,841;~~ 1105  
1106
- (v) For a student in category five, ~~the amount specified in division (E) of section 3317.013 of the Revised Code \$17,390;~~ 1107  
1108
- (vi) For a student in category six, ~~the amount specified in division (F) of section 3317.013 of the Revised Code \$25,637.~~ 1109  
1110
- (3) Twenty-seven thousand dollars. 1111
- (B) As used in division (A) (2) (b) of this section, a child with a disability is in: 1112  
1113
- (1) "Category one" if the child is receiving special education services for a disability specified in division (A) of section 3317.013 of the Revised Code; 1114  
1115  
1116
- (2) "Category two" if the child is receiving special education services for a disability specified in division (B) of section 3317.013 of the Revised Code; 1117  
1118  
1119

(3) "Category three" if the child is receiving special 1120  
education services for a disability specified in division (C) of 1121  
section 3317.013 of the Revised Code; 1122

(4) "Category four" if the child is receiving special 1123  
education services for a disability specified in division (D) of 1124  
section 3317.013 of the Revised Code; 1125

(5) "Category five" if the child is receiving special 1126  
education services for a disability specified in division (E) of 1127  
section 3317.013 of the Revised Code; 1128

(6) "Category six" if the child is receiving special 1129  
education services for a disability specified in division (F) of 1130  
section 3317.013 of the Revised Code. 1131

**Sec. 3313.64.** (A) As used in this section and in section 1132  
3313.65 of the Revised Code: 1133

(1) (a) Except as provided in division (A) (1) (b) of this 1134  
section, "parent" means either parent, unless the parents are 1135  
separated or divorced or their marriage has been dissolved or 1136  
annulled, in which case "parent" means the parent who is the 1137  
residential parent and legal custodian of the child. When a 1138  
child is in the legal custody of a government agency or a person 1139  
other than the child's natural or adoptive parent, "parent" 1140  
means the parent with residual parental rights, privileges, and 1141  
responsibilities. When a child is in the permanent custody of a 1142  
government agency or a person other than the child's natural or 1143  
adoptive parent, "parent" means the parent who was divested of 1144  
parental rights and responsibilities for the care of the child 1145  
and the right to have the child live with the parent and be the 1146  
legal custodian of the child and all residual parental rights, 1147  
privileges, and responsibilities. 1148



(b) When a child is the subject of a power of attorney 1149  
executed under sections 3109.51 to 3109.62 of the Revised Code, 1150  
"parent" means the grandparent designated as attorney in fact 1151  
under the power of attorney. When a child is the subject of a 1152  
caretaker authorization affidavit executed under sections 1153  
3109.64 to 3109.73 of the Revised Code, "parent" means the 1154  
grandparent that executed the affidavit. 1155

(2) "Legal custody," "permanent custody," and "residual 1156  
parental rights, privileges, and responsibilities" have the same 1157  
meanings as in section 2151.011 of the Revised Code. 1158

(3) "School district" or "district" means a city, local, 1159  
or exempted village school district and excludes any school 1160  
operated in an institution maintained by the department of youth 1161  
services. 1162

(4) Except as used in division (C) (2) of this section, 1163  
"home" means a home, institution, foster home, group home, or 1164  
other residential facility in this state that receives and cares 1165  
for children, to which any of the following applies: 1166

(a) The home is licensed, certified, or approved for such 1167  
purpose by the state or is maintained by the department of youth 1168  
services. 1169

(b) The home is operated by a person who is licensed, 1170  
certified, or approved by the state to operate the home for such 1171  
purpose. 1172

(c) The home accepted the child through a placement by a 1173  
person licensed, certified, or approved to place a child in such 1174  
a home by the state. 1175

(d) The home is a children's home created under section 1176  
5153.21 or 5153.36 of the Revised Code. 1177

- (5) "Agency" means all of the following: 1178
- (a) A public children services agency; 1179
  - (b) An organization that holds a certificate issued by the 1180  
Ohio department of job and family services in accordance with 1181  
the requirements of section 5103.03 of the Revised Code and 1182  
assumes temporary or permanent custody of children through 1183  
commitment, agreement, or surrender, and places children in 1184  
family homes for the purpose of adoption; 1185
  - (c) Comparable agencies of other states or countries that 1186  
have complied with applicable requirements of section 2151.39 of 1187  
the Revised Code or as applicable, sections 5103.20 to 5103.22 1188  
or 5103.23 to 5103.237 of the Revised Code. 1189
- (6) A child is placed for adoption if either of the 1190  
following occurs: 1191
- (a) An agency to which the child has been permanently 1192  
committed or surrendered enters into an agreement with a person 1193  
pursuant to section 5103.16 of the Revised Code for the care and 1194  
adoption of the child. 1195
  - (b) The child's natural parent places the child pursuant 1196  
to section 5103.16 of the Revised Code with a person who will 1197  
care for and adopt the child. 1198
- (7) "Preschool child with a disability" has the same 1199  
meaning as in section 3323.01 of the Revised Code. 1200
- (8) "Child," unless otherwise indicated, includes 1201  
preschool children with disabilities. 1202
- (9) "Active duty" means active duty pursuant to an 1203  
executive order of the president of the United States, an act of 1204  
the congress of the United States, or section 5919.29 or 5923.21 1205

of the Revised Code. 1206

(B) Except as otherwise provided in section 3321.01 of the 1207  
Revised Code for admittance to kindergarten and first grade, a 1208  
child who is at least five but under twenty-two years of age and 1209  
any preschool child with a disability shall be admitted to 1210  
school as provided in this division. 1211

(1) A child shall be admitted to the schools of the school 1212  
district in which the child's parent resides. 1213

(2) Except as provided in division (B) of section 2151.362 1214  
and section 3317.30 of the Revised Code, a child who does not 1215  
reside in the district where the child's parent resides shall be 1216  
admitted to the schools of the district in which the child 1217  
resides if any of the following applies: 1218

(a) The child is in the legal or permanent custody of a 1219  
government agency or a person other than the child's natural or 1220  
adoptive parent. 1221

(b) The child resides in a home. 1222

(c) The child requires special education. 1223

(3) A child who is not entitled under division (B) (2) of 1224  
this section to be admitted to the schools of the district where 1225  
the child resides and who is residing with a resident of this 1226  
state with whom the child has been placed for adoption shall be 1227  
admitted to the schools of the district where the child resides 1228  
unless either of the following applies: 1229

(a) The placement for adoption has been terminated. 1230

(b) Another school district is required to admit the child 1231  
under division (B) (1) of this section. 1232

Division (B) of this section does not prohibit the board 1233  
of education of a school district from placing a child with a 1234  
disability who resides in the district in a special education 1235  
program outside of the district or its schools in compliance 1236  
with Chapter 3323. of the Revised Code. 1237

(C) A district shall not charge tuition for children 1238  
admitted under division (B) (1) or (3) of this section. If the 1239  
district admits a child under division (B) (2) of this section, 1240  
tuition shall be paid to the district that admits the child as 1241  
provided in divisions (C) (1) to (3) of this section, unless 1242  
division (C) (4) of this section applies to the child: 1243

(1) If the child receives special education in accordance 1244  
with Chapter 3323. of the Revised Code, the school district of 1245  
residence, as defined in section 3323.01 of the Revised Code, 1246  
shall pay tuition for the child in accordance with section 1247  
3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code 1248  
regardless of who has custody of the child or whether the child 1249  
resides in a home. 1250

(2) For a child that does not receive special education in 1251  
accordance with Chapter 3323. of the Revised Code, except as 1252  
otherwise provided in division (C) (2) (d) of this section, if the 1253  
child is in the permanent or legal custody of a government 1254  
agency or person other than the child's parent, tuition shall be 1255  
paid by: 1256

(a) The district in which the child's parent resided at 1257  
the time the court removed the child from home or at the time 1258  
the court vested legal or permanent custody of the child in the 1259  
person or government agency, whichever occurred first; 1260

(b) If the parent's residence at the time the court 1261

removed the child from home or placed the child in the legal or 1262  
permanent custody of the person or government agency is unknown, 1263  
tuition shall be paid by the district in which the child resided 1264  
at the time the child was removed from home or placed in legal 1265  
or permanent custody, whichever occurred first; 1266

(c) If a school district cannot be established under 1267  
division (C) (2) (a) or (b) of this section, tuition shall be paid 1268  
by the district determined as required by section 2151.362 of 1269  
the Revised Code by the court at the time it vests custody of 1270  
the child in the person or government agency; 1271

(d) If at the time the court removed the child from home 1272  
or vested legal or permanent custody of the child in the person 1273  
or government agency, whichever occurred first, one parent was 1274  
in a residential or correctional facility or a juvenile 1275  
residential placement and the other parent, if living and not in 1276  
such a facility or placement, was not known to reside in this 1277  
state, tuition shall be paid by the district determined under 1278  
division (D) of section 3313.65 of the Revised Code as the 1279  
district required to pay any tuition while the parent was in 1280  
such facility or placement; 1281

(e) If the department of education has determined, 1282  
pursuant to division (A) (2) of section 2151.362 of the Revised 1283  
Code, that a school district other than the one named in the 1284  
court's initial order, or in a prior determination of the 1285  
department, is responsible to bear the cost of educating the 1286  
child, the district so determined shall be responsible for that 1287  
cost. 1288

(3) If the child is not in the permanent or legal custody 1289  
of a government agency or person other than the child's parent 1290  
and the child resides in a home, tuition shall be paid by one of 1291

the following:	1292
(a) The school district in which the child's parent resides;	1293 1294
(b) If the child's parent is not a resident of this state, the home in which the child resides.	1295 1296
(4) Division (C) (4) of this section applies to any child who is admitted to a school district under division (B) (2) of this section, resides in a home that is not a foster home, a home maintained by the department of youth services, a detention facility established under section 2152.41 of the Revised Code, or a juvenile facility established under section 2151.65 of the Revised Code, and receives educational services at the home or facility in which the child resides pursuant to a contract between the home or facility and the school district providing those services.	1297 1298 1299 1300 1301 1302 1303 1304 1305 1306
If a child to whom division (C) (4) of this section applies is a special education student, a district may choose whether to receive a tuition payment for that child under division (C) (4) of this section or to receive a payment for that child under section 3323.14 of the Revised Code. If a district chooses to receive a payment for that child under section 3323.14 of the Revised Code, it shall not receive a tuition payment for that child under division (C) (4) of this section.	1307 1308 1309 1310 1311 1312 1313 1314
If a child to whom division (C) (4) of this section applies is not a special education student, a district shall receive a tuition payment for that child under division (C) (4) of this section.	1315 1316 1317 1318
In the case of a child to which division (C) (4) of this section applies, the total educational cost to be paid for the	1319 1320

child shall be determined by a formula approved by the 1321  
department of education, which formula shall be designed to 1322  
calculate a per diem cost for the educational services provided 1323  
to the child for each day the child is served and shall reflect 1324  
the total actual cost incurred in providing those services. The 1325  
department shall certify the total educational cost to be paid 1326  
for the child to both the school district providing the 1327  
educational services and, if different, the school district that 1328  
is responsible to pay tuition for the child. The department 1329  
shall deduct the certified amount from the state basic aid funds 1330  
payable under Chapter 3317. of the Revised Code to the district 1331  
responsible to pay tuition and shall pay that amount to the 1332  
district providing the educational services to the child. 1333

(D) Tuition required to be paid under divisions (C) (2) and 1334  
(3) (a) of this section shall be computed in accordance with 1335  
section 3317.08 of the Revised Code. Tuition required to be paid 1336  
under division (C) (3) (b) of this section shall be computed in 1337  
accordance with section 3317.081 of the Revised Code. If a home 1338  
fails to pay the tuition required by division (C) (3) (b) of this 1339  
section, the board of education providing the education may 1340  
recover in a civil action the tuition and the expenses incurred 1341  
in prosecuting the action, including court costs and reasonable 1342  
attorney's fees. If the prosecuting attorney or city director of 1343  
law represents the board in such action, costs and reasonable 1344  
attorney's fees awarded by the court, based upon the prosecuting 1345  
attorney's, director's, or one of their designee's time spent 1346  
preparing and presenting the case, shall be deposited in the 1347  
county or city general fund. 1348

(E) A board of education may enroll a child free of any 1349  
tuition obligation for a period not to exceed sixty days, on the 1350  
sworn statement of an adult resident of the district that the 1351

resident has initiated legal proceedings for custody of the 1352  
child. 1353

(F) In the case of any individual entitled to attend 1354  
school under this division, no tuition shall be charged by the 1355  
school district of attendance and no other school district shall 1356  
be required to pay tuition for the individual's attendance. 1357  
Notwithstanding division (B), (C), or (E) of this section: 1358

(1) All persons at least eighteen but under twenty-two 1359  
years of age who live apart from their parents, support 1360  
themselves by their own labor, and have not successfully 1361  
completed the high school curriculum or the individualized 1362  
education program developed for the person by the high school 1363  
pursuant to section 3323.08 of the Revised Code, are entitled to 1364  
attend school in the district in which they reside. 1365

(2) Any child under eighteen years of age who is married 1366  
is entitled to attend school in the child's district of 1367  
residence. 1368

(3) A child is entitled to attend school in the district 1369  
in which either of the child's parents is employed if the child 1370  
has a medical condition that may require emergency medical 1371  
attention. The parent of a child entitled to attend school under 1372  
division (F)(3) of this section shall submit to the board of 1373  
education of the district in which the parent is employed a 1374  
statement from the child's physician certifying that the child's 1375  
medical condition may require emergency medical attention. The 1376  
statement shall be supported by such other evidence as the board 1377  
may require. 1378

(4) Any child residing with a person other than the 1379  
child's parent is entitled, for a period not to exceed twelve 1380



months, to attend school in the district in which that person 1381  
resides if the child's parent files an affidavit with the 1382  
superintendent of the district in which the person with whom the 1383  
child is living resides stating all of the following: 1384

(a) That the parent is serving outside of the state in the 1385  
armed services of the United States; 1386

(b) That the parent intends to reside in the district upon 1387  
returning to this state; 1388

(c) The name and address of the person with whom the child 1389  
is living while the parent is outside the state. 1390

(5) Any child under the age of twenty-two years who, after 1391  
the death of a parent, resides in a school district other than 1392  
the district in which the child attended school at the time of 1393  
the parent's death is entitled to continue to attend school in 1394  
the district in which the child attended school at the time of 1395  
the parent's death for the remainder of the school year, subject 1396  
to approval of that district board. 1397

(6) A child under the age of twenty-two years who resides 1398  
with a parent who is having a new house built in a school 1399  
district outside the district where the parent is residing is 1400  
entitled to attend school for a period of time in the district 1401  
where the new house is being built. In order to be entitled to 1402  
such attendance, the parent shall provide the district 1403  
superintendent with the following: 1404

(a) A sworn statement explaining the situation, revealing 1405  
the location of the house being built, and stating the parent's 1406  
intention to reside there upon its completion; 1407

(b) A statement from the builder confirming that a new 1408  
house is being built for the parent and that the house is at the 1409

location indicated in the parent's statement. 1410

(7) A child under the age of twenty-two years residing 1411  
with a parent who has a contract to purchase a house in a school 1412  
district outside the district where the parent is residing and 1413  
who is waiting upon the date of closing of the mortgage loan for 1414  
the purchase of such house is entitled to attend school for a 1415  
period of time in the district where the house is being 1416  
purchased. In order to be entitled to such attendance, the 1417  
parent shall provide the district superintendent with the 1418  
following: 1419

(a) A sworn statement explaining the situation, revealing 1420  
the location of the house being purchased, and stating the 1421  
parent's intent to reside there; 1422

(b) A statement from a real estate broker or bank officer 1423  
confirming that the parent has a contract to purchase the house, 1424  
that the parent is waiting upon the date of closing of the 1425  
mortgage loan, and that the house is at the location indicated 1426  
in the parent's statement. 1427

The district superintendent shall establish a period of 1428  
time not to exceed ninety days during which the child entitled 1429  
to attend school under division (F) (6) or (7) of this section 1430  
may attend without tuition obligation. A student attending a 1431  
school under division (F) (6) or (7) of this section shall be 1432  
eligible to participate in interscholastic athletics under the 1433  
auspices of that school, provided the board of education of the 1434  
school district where the student's parent resides, by a formal 1435  
action, releases the student to participate in interscholastic 1436  
athletics at the school where the student is attending, and 1437  
provided the student receives any authorization required by a 1438  
public agency or private organization of which the school 1439

district is a member exercising authority over interscholastic 1440  
sports. 1441

(8) A child whose parent is a full-time employee of a 1442  
city, local, or exempted village school district, or of an 1443  
educational service center, may be admitted to the schools of 1444  
the district where the child's parent is employed, or in the 1445  
case of a child whose parent is employed by an educational 1446  
service center, in the district that serves the location where 1447  
the parent's job is primarily located, provided the district 1448  
board of education establishes such an admission policy by 1449  
resolution adopted by a majority of its members. Any such policy 1450  
shall take effect on the first day of the school year and the 1451  
effective date of any amendment or repeal may not be prior to 1452  
the first day of the subsequent school year. The policy shall be 1453  
uniformly applied to all such children and shall provide for the 1454  
admission of any such child upon request of the parent. No child 1455  
may be admitted under this policy after the first day of classes 1456  
of any school year. 1457

(9) A child who is with the child's parent under the care 1458  
of a shelter for victims of domestic violence, as defined in 1459  
section 3113.33 of the Revised Code, is entitled to attend 1460  
school free in the district in which the child is with the 1461  
child's parent, and no other school district shall be required 1462  
to pay tuition for the child's attendance in that school 1463  
district. 1464

The enrollment of a child in a school district under this 1465  
division shall not be denied due to a delay in the school 1466  
district's receipt of any records required under section 1467  
3313.672 of the Revised Code or any other records required for 1468  
enrollment. Any days of attendance and any credits earned by a 1469

child while enrolled in a school district under this division 1470  
shall be transferred to and accepted by any school district in 1471  
which the child subsequently enrolls. The state board of 1472  
education shall adopt rules to ensure compliance with this 1473  
division. 1474

(10) Any child under the age of twenty-two years whose 1475  
parent has moved out of the school district after the 1476  
commencement of classes in the child's senior year of high 1477  
school is entitled, subject to the approval of that district 1478  
board, to attend school in the district in which the child 1479  
attended school at the time of the parental move for the 1480  
remainder of the school year and for one additional semester or 1481  
equivalent term. A district board may also adopt a policy 1482  
specifying extenuating circumstances under which a student may 1483  
continue to attend school under division (F)(10) of this section 1484  
for an additional period of time in order to successfully 1485  
complete the high school curriculum for the individualized 1486  
education program developed for the student by the high school 1487  
pursuant to section 3323.08 of the Revised Code. 1488

(11) As used in this division, "grandparent" means a 1489  
parent of a parent of a child. A child under the age of twenty- 1490  
two years who is in the custody of the child's parent, resides 1491  
with a grandparent, and does not require special education is 1492  
entitled to attend the schools of the district in which the 1493  
child's grandparent resides, provided that, prior to such 1494  
attendance in any school year, the board of education of the 1495  
school district in which the child's grandparent resides and the 1496  
board of education of the school district in which the child's 1497  
parent resides enter into a written agreement specifying that 1498  
good cause exists for such attendance, describing the nature of 1499  
this good cause, and consenting to such attendance. 1500

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

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

(12) A child under the age of twenty-two years is entitled to attend school in a school district other than the district in which the child is entitled to attend school under division (B), (C), or (E) of this section provided that, prior to such attendance in any school year, both of the following occur:

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

(b) The superintendents of both districts enter into a written agreement that consents to the attendance and specifies that the purpose of such attendance is to protect the student's

physical or mental well-being or to deal with other extenuating 1531  
circumstances deemed appropriate by the superintendents. 1532

While an agreement is in effect under this division for a 1533  
student who is not receiving special education under Chapter 1534  
3323. of the Revised Code and notwithstanding Chapter 3327. of 1535  
the Revised Code, the board of education of neither school 1536  
district involved in the agreement is required to provide 1537  
transportation for the student to and from the school where the 1538  
student attends. 1539

A student attending a school of a district pursuant to 1540  
this division shall be allowed to participate in all student 1541  
activities, including interscholastic athletics, at the school 1542  
where the student is attending on the same basis as any student 1543  
who has always attended the schools of that district while of 1544  
compulsory school age. 1545

(13) All school districts shall comply with the "McKinney- 1546  
Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et seq., for 1547  
the education of homeless children. Each city, local, and 1548  
exempted village school district shall comply with the 1549  
requirements of that act governing the provision of a free, 1550  
appropriate public education, including public preschool, to 1551  
each homeless child. 1552

When a child loses permanent housing and becomes a 1553  
homeless person, as defined in 42 U.S.C.A. 11481(5), or when a 1554  
child who is such a homeless person changes temporary living 1555  
arrangements, the child's parent or guardian shall have the 1556  
option of enrolling the child in either of the following: 1557

(a) The child's school of origin, as defined in 42 1558  
U.S.C.A. 11432(g) (3) (C); 1559

(b) The school that is operated by the school district in 1560  
which the shelter where the child currently resides is located 1561  
and that serves the geographic area in which the shelter is 1562  
located. 1563

(14) A child under the age of twenty-two years who resides 1564  
with a person other than the child's parent is entitled to 1565  
attend school in the school district in which that person 1566  
resides if both of the following apply: 1567

(a) That person has been appointed, through a military 1568  
power of attorney executed under section 574(a) of the "National 1569  
Defense Authorization Act for Fiscal Year 1994," 107 Stat. 1674 1570  
(1993), 10 U.S.C. 1044b, or through a comparable document 1571  
necessary to complete a family care plan, as the parent's agent 1572  
for the care, custody, and control of the child while the parent 1573  
is on active duty as a member of the national guard or a reserve 1574  
unit of the armed forces of the United States or because the 1575  
parent is a member of the armed forces of the United States and 1576  
is on a duty assignment away from the parent's residence. 1577

(b) The military power of attorney or comparable document 1578  
includes at least the authority to enroll the child in school. 1579

The entitlement to attend school in the district in which 1580  
the parent's agent under the military power of attorney or 1581  
comparable document resides applies until the end of the school 1582  
year in which the military power of attorney or comparable 1583  
document expires. 1584

(G) A board of education, after approving admission, may 1585  
waive tuition for students who will temporarily reside in the 1586  
district and who are either of the following: 1587

(1) Residents or domiciliaries of a foreign nation who 1588

request admission as foreign exchange students; 1589

(2) Residents or domiciliaries of the United States but 1590  
not of Ohio who request admission as participants in an exchange 1591  
program operated by a student exchange organization. 1592

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 1593  
3323.04, 3327.04, and 3327.06 of the Revised Code, a child may 1594  
attend school or participate in a special education program in a 1595  
school district other than in the district where the child is 1596  
entitled to attend school under division (B) of this section. 1597

(I) (1) Notwithstanding anything to the contrary in this 1598  
section or section 3313.65 of the Revised Code, a child under 1599  
twenty-two years of age may attend school in the school district 1600  
in which the child, at the end of the first full week of October 1601  
of the school year, was entitled to attend school as otherwise 1602  
provided under this section or section 3313.65 of the Revised 1603  
Code, if at that time the child was enrolled in the schools of 1604  
the district but since that time the child or the child's parent 1605  
has relocated to a new address located outside of that school 1606  
district and within the same county as the child's or parent's 1607  
address immediately prior to the relocation. The child may 1608  
continue to attend school in the district, and at the school to 1609  
which the child was assigned at the end of the first full week 1610  
of October of the current school year, for the balance of the 1611  
school year. Division (I) (1) of this section applies only if 1612  
both of the following conditions are satisfied: 1613

(a) The board of education of the school district in which 1614  
the child was entitled to attend school at the end of the first 1615  
full week in October and of the district to which the child or 1616  
child's parent has relocated each has adopted a policy to enroll 1617  
children described in division (I) (1) of this section. 1618



(b) The child's parent provides written notification of 1619  
the relocation outside of the school district to the 1620  
superintendent of each of the two school districts. 1621

(2) At the beginning of the school year following the 1622  
school year in which the child or the child's parent relocated 1623  
outside of the school district as described in division (I) (1) 1624  
of this section, the child is not entitled to attend school in 1625  
the school district under that division. 1626

(3) Any person or entity owing tuition to the school 1627  
district on behalf of the child at the end of the first full 1628  
week in October, as provided in division (C) of this section, 1629  
shall continue to owe such tuition to the district for the 1630  
child's attendance under division (I) (1) of this section for the 1631  
lesser of the balance of the school year or the balance of the 1632  
time that the child attends school in the district under 1633  
division (I) (1) of this section. 1634

(4) A pupil who may attend school in the district under 1635  
division (I) (1) of this section shall be entitled to 1636  
transportation services pursuant to an agreement between the 1637  
district and the district in which the child or child's parent 1638  
has relocated unless the districts have not entered into such 1639  
agreement, in which case the child shall be entitled to 1640  
transportation services in the same manner as a pupil attending 1641  
school in the district under interdistrict open enrollment as 1642  
described in division ~~(H)~~ (E) of section 3313.981 of the Revised 1643  
Code, regardless of whether the district has adopted an open 1644  
enrollment policy as described in division (B) (1) (b) or (c) of 1645  
section 3313.98 of the Revised Code. 1646

(J) This division does not apply to a child receiving 1647  
special education. 1648

A school district required to pay tuition pursuant to 1649  
division (C) (2) or (3) of this section or section 3313.65 of the 1650  
Revised Code shall have an amount deducted under division (C) of 1651  
section 3317.023 of the Revised Code equal to its own tuition 1652  
rate for the same period of attendance. A school district 1653  
entitled to receive tuition pursuant to division (C) (2) or (3) 1654  
of this section or section 3313.65 of the Revised Code shall 1655  
have an amount credited under division (C) of section 3317.023 1656  
of the Revised Code equal to its own tuition rate for the same 1657  
period of attendance. If the tuition rate credited to the 1658  
district of attendance exceeds the rate deducted from the 1659  
district required to pay tuition, the department of education 1660  
shall pay the district of attendance the difference from amounts 1661  
deducted from all districts' payments under division (C) of 1662  
section 3317.023 of the Revised Code but not credited to other 1663  
school districts under such division and from appropriations 1664  
made for such purpose. The treasurer of each school district 1665  
shall, by the fifteenth day of January and July, furnish the 1666  
superintendent of public instruction a report of the names of 1667  
each child who attended the district's schools under divisions 1668  
(C) (2) and (3) of this section or section 3313.65 of the Revised 1669  
Code during the preceding six calendar months, the duration of 1670  
the attendance of those children, the school district 1671  
responsible for tuition on behalf of the child, and any other 1672  
information that the superintendent requires. 1673

Upon receipt of the report the superintendent, pursuant to 1674  
division (C) of section 3317.023 of the Revised Code, shall 1675  
deduct each district's tuition obligations under divisions (C) 1676  
(2) and (3) of this section or section 3313.65 of the Revised 1677  
Code and pay to the district of attendance that amount plus any 1678  
amount required to be paid by the state. 1679

(K) In the event of a disagreement, the superintendent of public instruction shall determine the school district in which the parent resides.

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

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

**Sec. 3313.979.** Each scholarship to be used for payments to a registered private school is payable to the parents of the student entitled to the scholarship. State core foundation funding shall be computed and distributed to pay scholarships under this section. Each scholarship to be used for payments to

a public school in an adjacent school district is payable to the school district of attendance by the superintendent of public instruction. Each grant to be used for payments to an approved tutorial assistance provider is payable to the approved tutorial assistance provider.

(A) (1) By the fifteenth day of each month of the school year that any scholarship students are enrolled in a registered private school, the chief administrator of that school shall notify the state superintendent of:

(a) The number of scholarship students who were reported to the school district as having been admitted by that private school pursuant to division (A) (2) (b) of section 3313.978 of the Revised Code and who were still enrolled in the private school as of the first day of such month;

(b) The number of scholarship students who were reported to the school district as having been admitted by another private school pursuant to division (A) (2) (b) of section 3313.978 of the Revised Code and since the date of admission have transferred to the school providing the notification under division (A) (1) of this section.

(2) From time to time, the state superintendent shall make a payment to the parent of each student entitled to a scholarship. Each payment shall include for each student reported under division (A) (1) of this section a portion of the scholarship amount specified in divisions (C) (1) and (2) of section 3313.978 of the Revised Code. This amount shall be proportionately reduced in the case of any such student who is not enrolled in a registered private school for the entire school year.

(3) The first payment under this division shall be made by 1739  
the last day of November and shall equal one-third of the 1740  
estimated total amount that will be due to the parent for the 1741  
school year pursuant to division (A) (2) of this section. 1742

(B) The state superintendent, on behalf of the parents of 1743  
a scholarship student enrolled in a public school in an adjacent 1744  
school district pursuant to section 3327.06 of the Revised Code, 1745  
shall make the tuition payments required by that section to the 1746  
school district admitting the student, except that, 1747  
notwithstanding sections 3323.13, 3323.14, and 3327.06 of the 1748  
Revised Code, the total payments in any school year shall not 1749  
exceed the scholarship amount provided in divisions (C) (1) and 1750  
(2) of section 3313.978 of the Revised Code. 1751

(C) Whenever an approved provider provides tutorial 1752  
assistance to a student, the state superintendent shall pay the 1753  
approved provider for such costs upon receipt of a statement 1754  
specifying the services provided and the costs of the services, 1755  
which statement shall be signed by the provider and verified by 1756  
the chief administrator having supervisory control over the 1757  
tutoring site. The total payments to any approved provider under 1758  
this division for all provider services to any individual 1759  
student in any school year shall not exceed the grant amount 1760  
provided in division (C) (3) of section 3313.978 of the Revised 1761  
Code. 1762

**Sec. 3313.98.** Notwithstanding division (D) of section 1763  
3311.19 and division (D) of section 3311.52 of the Revised Code, 1764  
the provisions of this section and sections 3313.981 to 3313.983 1765  
of the Revised Code that apply to a city school district do not 1766  
apply to a joint vocational or cooperative education school 1767  
district unless expressly specified. 1768

(A) As used in this section and sections 3313.981 to 3313.983 of the Revised Code:	1769 1770
(1) "Parent" means either of the natural or adoptive parents of a student, except under the following conditions:	1771 1772
(a) When the marriage of the natural or adoptive parents of the student has been terminated by a divorce, dissolution of marriage, or annulment or the natural or adoptive parents of the student are living separate and apart under a legal separation decree and the court has issued an order allocating the parental rights and responsibilities with respect to the student, "parent" means the residential parent as designated by the court except that "parent" means either parent when the court issues a shared parenting decree.	1773 1774 1775 1776 1777 1778 1779 1780 1781
(b) When a court has granted temporary or permanent custody of the student to an individual or agency other than either of the natural or adoptive parents of the student, "parent" means the legal custodian of the child.	1782 1783 1784 1785
(c) When a court has appointed a guardian for the student, "parent" means the guardian of the student.	1786 1787
(2) "Native student" means a student entitled under section 3313.64 or 3313.65 of the Revised Code to attend school in a district adopting a resolution under this section.	1788 1789 1790
(3) "Adjacent district" means a city, exempted village, or local school district having territory that abuts the territory of a district adopting a resolution under this section.	1791 1792 1793
(4) "Adjacent district student" means a student entitled under section 3313.64 or 3313.65 of the Revised Code to attend school in an adjacent district.	1794 1795 1796

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

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

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

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

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

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

~~(11)~~ (10) "Other district joint vocational student" means a student who is enrolled in any city, exempted village, or local school district and who also enrolls in a joint vocational school district that does not contain the territory of the district for which that student is a native student in

accordance with a policy adopted under section 3313.983 of the Revised Code. 1826  
1827

(B) (1) The board of education of each city, local, and exempted village school district shall adopt a resolution establishing for the school district one of the following policies: 1828  
1829  
1830  
1831

(a) A policy that entirely prohibits the enrollment of students from adjacent districts or other districts, other than students for whom tuition is paid in accordance with section 3317.08 of the Revised Code; 1832  
1833  
1834  
1835

(b) A policy that permits enrollment of students from all adjacent districts in accordance with policy statements contained in the resolution; 1836  
1837  
1838

(c) A policy that permits enrollment of students from all other districts in accordance with policy statements contained in the resolution. 1839  
1840  
1841

(2) A policy permitting enrollment of students from adjacent or from other districts, as applicable, shall provide for all of the following: 1842  
1843  
1844

(a) Application procedures, including deadlines for application and for notification of students and the superintendent of the applicable district whenever an adjacent or other district student's application is approved. 1845  
1846  
1847  
1848

(b) Procedures for admitting adjacent or other district applicants free of any tuition obligation to the district's schools, including, but not limited to: 1849  
1850  
1851

(i) The establishment of district capacity limits by grade level, school building, and education program; 1852  
1853



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

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

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

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

(2) Limitations on admitting applicants because of disability, except that a board may refuse to admit a student receiving services under Chapter 3323. of the Revised Code, if the services described in the student's IEP are not available in the district's schools;

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

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

(D) (1) Each school board permitting only enrollment of adjacent district students shall provide information about the policy adopted under this section, including the application procedures and deadlines, to the superintendent and the board of

education of each adjacent district and, upon request, to the 1883  
parent of any adjacent district student. 1884

(2) Each school board permitting enrollment of other 1885  
district students shall provide information about the policy 1886  
adopted under this section, including the application procedures 1887  
and deadlines, upon request, to the board of education of any 1888  
other school district or to the parent of any student anywhere 1889  
in the state. 1890

(E) Any school board shall accept all credits toward 1891  
graduation earned in adjacent or other district schools by an 1892  
adjacent or other district student or a native student. 1893

(F) (1) No board of education may adopt a policy 1894  
discouraging or prohibiting its native students from applying to 1895  
enroll in the schools of an adjacent or any other district that 1896  
has adopted a policy permitting such enrollment, except that: 1897

(a) A district may object to the enrollment of a native 1898  
student in an adjacent or other district in order to maintain an 1899  
appropriate racial balance. 1900

(b) The board of education of a district receiving funds 1901  
under 64 Stat. 1100 (1950), 20 U.S.C.A. 236 et seq., as amended, 1902  
may adopt a resolution objecting to the enrollment of its native 1903  
students in adjacent or other districts if at least ten per cent 1904  
of its students are included in the determination of the United 1905  
States secretary of education made under section 20 U.S.C.A. 1906  
238(a). 1907

(2) If a board objects to enrollment of native students 1908  
under this division, any adjacent or other district shall refuse 1909  
to enroll such native students unless tuition is paid for the 1910  
students in accordance with section 3317.08 of the Revised Code. 1911

An adjacent or other district enrolling such students may not 1912  
receive funding for those students in accordance with section 1913  
3313.981 of the Revised Code. 1914

(G) The state board of education shall monitor school 1915  
districts to ensure compliance with this section and the 1916  
districts' policies. The board may adopt rules requiring uniform 1917  
application procedures, deadlines for application, notification 1918  
procedures, and record-keeping requirements for all school 1919  
boards that adopt policies permitting the enrollment of adjacent 1920  
or other district students, as applicable. If the state board 1921  
adopts such rules, no school board shall adopt a policy that 1922  
conflicts with those rules. 1923

(H) A resolution adopted by a board of education under 1924  
this section that entirely prohibits the enrollment of students 1925  
from adjacent and from other school districts does not abrogate 1926  
any agreement entered into under section 3313.841 or 3313.92 of 1927  
the Revised Code or any contract entered into under section 1928  
3313.90 of the Revised Code between the board of education 1929  
adopting the resolution and the board of education of any 1930  
adjacent or other district or prohibit these boards of education 1931  
from entering into any such agreement or contract. 1932

(I) Nothing in this section shall be construed to permit 1933  
or require the board of education of a city, exempted village, 1934  
or local school district to exclude any native student of the 1935  
district from enrolling in the district. 1936

**Sec. 3313.981.** (A) The state board of education shall 1937  
adopt rules requiring all of the following: 1938

(1) The board of education of each city, exempted village, 1939  
and local school district to annually report to the department 1940

of education all of the following:	1941
(a) The number of adjacent district or other district	1942
students in grades kindergarten through twelve, as applicable,	1943
the number of adjacent district or other district students who	1944
are preschool children with disabilities, as applicable, and the	1945
number of adjacent district or other district joint vocational	1946
students, as applicable, enrolled in the district, in accordance	1947
with a policy adopted under division (B) of section 3313.98 of	1948
the Revised Code;	1949
(b) The number of native students in grades kindergarten	1950
through twelve enrolled in adjacent or other districts and the	1951
number of native students who are preschool children with	1952
disabilities enrolled in adjacent or other districts, in	1953
accordance with a policy adopted under division (B) of section	1954
3313.98 of the Revised Code;	1955
(c) Each adjacent district or other district student's or	1956
adjacent district or other district joint vocational student's	1957
date of enrollment in the district;	1958
(d) The full-time equivalent number of adjacent district	1959
or other district students enrolled in each of the categories of	1960
career-technical education programs or classes described in	1961
section 3317.014 of the Revised Code;	1962
(e) Each native student's date of enrollment in an	1963
adjacent or other district.	1964
(2) The board of education of each joint vocational school	1965
district to annually report to the department all of the	1966
following:	1967
(a) The number of adjacent district or other district	1968
joint vocational students, as applicable, enrolled in the	1969

district; 1970

(b) The full-time equivalent number of adjacent district 1971  
or other district joint vocational students enrolled in each 1972  
category of career-technical education programs or classes 1973  
described in section 3317.014 of the Revised Code; 1974

(c) For each adjacent district or other district joint 1975  
vocational student, the city, exempted village, or local school 1976  
district in which the student is also enrolled. 1977

(3) Prior to the end of each reporting period specified in 1978  
section 3317.03 of the Revised Code, the superintendent of each 1979  
city, local, or exempted village school district that admits 1980  
adjacent district or other district students who are in grades 1981  
kindergarten through twelve, adjacent district or other district 1982  
students who are preschool children with disabilities, or 1983  
adjacent district or other district joint vocational students in 1984  
accordance with a policy adopted under division (B) of section 1985  
3313.98 of the Revised Code to report to the department of 1986  
education each adjacent or other district's students and where 1987  
those students who are enrolled in the superintendent's district 1988  
under the policy are entitled to attend school under section 1989  
3313.64 or 3313.65 of the Revised Code. 1990

The rules shall provide for the method of counting 1991  
students who are enrolled for part of a school year in an 1992  
adjacent or other district or as an adjacent district or other 1993  
district joint vocational student. 1994

(B) From the payments made to a city, exempted village, or 1995  
local school district under Chapter 3317. of the Revised Code 1996  
and, if necessary, from the payments made to the district under 1997  
sections 321.24 and 323.156 of the Revised Code, the department 1998

of education shall annually subtract ~~all of the following:~~ 1999

~~(1) An amount equal to the number of the district's native students in grades kindergarten through twelve reported under division (A) (1) of this section who are enrolled in adjacent or other school districts pursuant to policies adopted by such districts under division (B) of section 3313.98 of the Revised Code multiplied by the formula amount;~~ 2000  
2001  
2002  
2003  
2004  
2005

~~(2) The excess costs computed in accordance with division (E) of this section for any such native students in grades kindergarten through twelve receiving special education and related services in adjacent or other school districts or as an adjacent district or other district joint vocational student;~~ 2006  
2007  
2008  
2009  
2010

~~(3) For each of the district's native students reported under division (A) (1) (d) or (2) (b) of this section as enrolled in career technical education programs or classes described in section 3317.014 of the Revised Code, the per pupil amount prescribed by that section for the student's respective career technical category, on a full-time equivalency basis;~~ 2011  
2012  
2013  
2014  
2015  
2016

~~(4) For, for each native student who is a preschool child with a disability reported under division (A) (1) of this section who is enrolled in an adjacent or other district pursuant to policies adopted by such a district under division (B) of section 3313.98 of the Revised Code, \$4,000.~~ 2017  
2018  
2019  
2020  
2021

(C) To the payments made to a city, exempted village, or local school district under Chapter 3317. of the Revised Code, the department of education shall annually add ~~all of the following:~~ 2022  
2023  
2024  
2025

~~(1) An amount equal to the formula amount multiplied by the remainder obtained by subtracting the number of adjacent~~ 2026  
2027

~~district or other district joint vocational students from the~~ 2028  
~~number of adjacent district or other district students in grades~~ 2029  
~~kindergarten through twelve enrolled in the district, as~~ 2030  
~~reported under division (A) (1) of this section;~~ 2031

~~(2) The excess costs computed in accordance with division~~ 2032  
~~(E) of this section for any adjacent district or other district~~ 2033  
~~students in grades kindergarten through twelve, except for any~~ 2034  
~~adjacent or other district joint vocational students, receiving~~ 2035  
~~special education and related services in the district;~~ 2036

~~(3) For each of the adjacent or other district students~~ 2037  
~~who are not adjacent district or other district joint vocational~~ 2038  
~~students and are reported under division (A) (1) (d) of this~~ 2039  
~~section as enrolled in career technical education programs or~~ 2040  
~~classes described in section 3317.014 of the Revised Code, the~~ 2041  
~~per pupil amount prescribed by that section for the student's~~ 2042  
~~respective career technical category, on a full time equivalency~~ 2043  
~~basis;~~ 2044

~~(4) An amount equal to the number of adjacent district or~~ 2045  
~~other district joint vocational students reported under division~~ 2046  
~~(A) (1) of this section multiplied by an amount equal to twenty~~ 2047  
~~per cent of the formula amount;~~ 2048

~~(5) For, for each adjacent district or other district~~ 2049  
~~student who is a preschool child with a disability reported~~ 2050  
~~under division (A) (1) of this section who is enrolled in the~~ 2051  
~~district, \$4,000.~~ 2052

~~(D) To the payments made to a joint vocational school~~ 2053  
~~district under Chapter 3317. of the Revised Code, the department~~ 2054  
~~of education shall add, for each adjacent district or other~~ 2055  
~~district joint vocational student reported under division (A) (2)~~ 2056

~~of this section, both of the following:~~ 2057

~~(1) The formula amount;~~ 2058

~~(2) The per pupil amount for each of the students reported pursuant to division (A) (2) (b) of this section prescribed by section 3317.014 of the Revised Code for the student's respective career technical category, on a full time equivalency basis.~~ 2059  
2060  
2061  
2062  
2063

~~(E) (1) A city, exempted village, or local school board providing special education and related services to an adjacent or other district student in grades kindergarten through twelve in accordance with an IEP shall, pursuant to rules of the state board, compute the excess costs to educate such student as follows:~~ 2064  
2065  
2066  
2067  
2068  
2069

~~(a) Subtract the formula amount from the actual costs to educate the student;~~ 2070  
2071

~~(b) From the amount computed under division (E) (1) (a) of this section subtract the amount of any funds received by the district under Chapter 3317. of the Revised Code to provide special education and related services to the student.~~ 2072  
2073  
2074  
2075

~~(2) The board shall report the excess costs computed under this division to the department of education.~~ 2076  
2077

~~(3) If any student for whom excess costs are computed under division (E) (1) of this section is an adjacent or other district joint vocational student, the department of education shall add the amount of such excess costs to the payments made under Chapter 3317. of the Revised Code to the joint vocational school district enrolling the student.~~ 2078  
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~~(F) As provided in division (D) (1) (b) of section 3317.03~~ 2084



~~of the Revised Code, no joint vocational school district shall~~ 2085  
~~count any adjacent or other district joint vocational student~~ 2086  
~~enrolled in the district in its enrollment certified under~~ 2087  
~~section 3317.03 of the Revised Code.~~ 2088

~~(G)~~ No city, exempted village, or local school district 2089  
shall receive a payment under division (C) of this section for a 2090  
student, ~~and no joint vocational school district shall receive a~~ 2091  
~~payment under division (D) of this section for a student,~~ if for 2092  
the same school year that student is counted in the district's 2093  
enrollment certified under section 3317.03 of the Revised Code. 2094

~~(H)~~ (E) Upon request of a parent, and provided the board 2095  
offers transportation to native students of the same grade level 2096  
and distance from school under section 3327.01 of the Revised 2097  
Code, a city, exempted village, or local school board enrolling 2098  
an adjacent or other district student shall provide 2099  
transportation for the student within the boundaries of the 2100  
board's district, except that the board shall be required to 2101  
pick up and drop off a nonhandicapped student only at a regular 2102  
school bus stop designated in accordance with the board's 2103  
transportation policy. Pursuant to rules of the state board of 2104  
education, such board may reimburse the parent from funds 2105  
received for pupil transportation under section 3317.0212 of the 2106  
Revised Code, or other provisions of law, for the reasonable 2107  
cost of transportation from the student's home to the designated 2108  
school bus stop if the student's family has an income below the 2109  
federal poverty line. 2110

**Sec. 3314.08.** (A) As used in this section and sections 2111  
3314.085 and 3314.089 of the Revised Code: 2112

(1) (a) "Category one career-technical education student" 2113  
means a student who is receiving the career-technical education 2114

services described in division (A) (1) of section 3317.014 of the Revised Code. 2115  
2116

(b) "Category two career-technical student" means a student who is receiving the career-technical education services described in division ~~(B)~~ (A) (2) of section 3317.014 of the Revised Code. 2117  
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(c) "Category three career-technical student" means a student who is receiving the career-technical education services described in division ~~(C)~~ (A) (3) of section 3317.014 of the Revised Code. 2121  
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(d) "Category four career-technical student" means a student who is receiving the career-technical education services described in division ~~(D)~~ (A) (4) of section 3317.014 of the Revised Code. 2125  
2126  
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(e) "Category five career-technical education student" means a student who is receiving the career-technical education services described in division ~~(E)~~ (A) (5) of section 3317.014 of the Revised Code. 2129  
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(2) (a) "Category one English learner" means an English learner described in division (A) of section 3317.016 of the Revised Code. 2133  
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(b) "Category two English learner" means an English learner described in division (B) of section 3317.016 of the Revised Code. 2136  
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(c) "Category three English learner" means an English learner described in division (C) of section 3317.016 of the Revised Code. 2139  
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(3) (a) "Category one special education student" means a 2142

student who is receiving special education services for a 2143  
disability specified in division (A) of section 3317.013 of the 2144  
Revised Code. 2145

(b) "Category two special education student" means a 2146  
student who is receiving special education services for a 2147  
disability specified in division (B) of section 3317.013 of the 2148  
Revised Code. 2149

(c) "Category three special education student" means a 2150  
student who is receiving special education services for a 2151  
disability specified in division (C) of section 3317.013 of the 2152  
Revised Code. 2153

(d) "Category four special education student" means a 2154  
student who is receiving special education services for a 2155  
disability specified in division (D) of section 3317.013 of the 2156  
Revised Code. 2157

(e) "Category five special education student" means a 2158  
student who is receiving special education services for a 2159  
disability specified in division (E) of section 3317.013 of the 2160  
Revised Code. 2161

(f) "Category six special education student" means a 2162  
student who is receiving special education services for a 2163  
disability specified in division (F) of section 3317.013 of the 2164  
Revised Code. 2165

(4) ~~"Formula amount" has the same meaning as in section~~ 2166  
~~3317.02 of the Revised Code~~"Economically disadvantaged index for 2167  
a community school" means the square of the quotient of the 2168  
percentage of students enrolled in the school who are identified 2169  
as economically disadvantaged as defined by the department of 2170  
education, divided by the percentage of students in the 2171

statewide ADM identified as economically disadvantaged. For 2172  
purposes of this calculation, the "statewide ADM" equals the 2173  
"statewide ADM" for city, local, and exempted village school 2174  
districts described in division (F) (1) of section 3317.02 of the 2175  
Revised Code. 2176

(5) "Funding base" means the following: 2177

(a) For a community school that was in operation for the 2178  
entirety of fiscal year 2020, the amount paid to the school for 2179  
that fiscal year under divisions (C) (1) (a), (b), (c), (d), (f), 2180  
and (g) of this section as those divisions existed prior to the 2181  
effective date of this amendment in accordance with division (A) 2182  
of Section 265.230 of H.B. 166 of the 133rd general assembly and 2183  
the amount, if any, paid to the school for that fiscal year 2184  
under section 3314.085 of the Revised Code in accordance with 2185  
division (B) of Section 265.230 of H.B. 166 of the 133rd general 2186  
assembly; 2187

(b) For a community school that was in operation for part 2188  
of fiscal year 2020, the amount that would have been paid to the 2189  
school for that fiscal year under divisions (C) (1) (a), (b), (c), 2190  
(d), (f), and (g) of this section as those divisions existed 2191  
prior to the effective date of this amendment in accordance with 2192  
division (A) of Section 265.230 of H.B. 166 of the 133rd general 2193  
assembly if the school had been in operation for the entirety of 2194  
that fiscal year, as calculated by the department, and the 2195  
amount that would have been paid to the school for that fiscal 2196  
year under section 3314.085 of the Revised Code in accordance 2197  
with division (B) of Section 265.230 of H.B. 166 of the 133rd 2198  
general assembly, if any, if the school had been in operation 2199  
for the entirety of that fiscal year, as calculated by the 2200  
department; 2201

(c) For a community school that was not in operation for 2202  
fiscal year 2020, the amount that would have been paid to the 2203  
school if it was in operation for that school year under 2204  
divisions (C) (1) (a), (b), (c), (d), (f), and (g) of this section 2205  
as those divisions existed prior to the effective date of this 2206  
amendment in accordance with division (A) of Section 265.230 of 2207  
H.B. 166 of the 133rd general assembly if the school had been in 2208  
operation for the entirety of that fiscal year, as calculated by 2209  
the department, and the amount that would have been paid to the 2210  
school for that fiscal year under section 3314.085 of the 2211  
Revised Code in accordance with division (B) of Section 265.230 2212  
of H.B. 166 of the 133rd general assembly, if any, if the school 2213  
had been in operation for the entirety of that fiscal year, as 2214  
calculated by the department. 2215

(6) "IEP" has the same meaning as in section 3323.01 of 2216  
the Revised Code. 2217

~~(6) "Resident district" means the school district in which~~ 2218  
~~a student is entitled to attend school under section 3313.64 or~~ 2219  
~~3313.65 of the Revised Code.~~ 2220

~~(7) "State education aid" has the same meaning as in~~ 2221  
~~section 5751.20 of the Revised Code~~A community school's "phase- 2222  
in percentage" for a fiscal year is equal to the phase-in 2223  
percentage for that fiscal year for city, local, exempted 2224  
village, and joint vocational school districts as defined in 2225  
section 3317.02 of the Revised Code. 2226

(8) "Statewide average base cost per pupil" and "statewide 2227  
average career-technical base cost per pupil" have the same 2228  
meanings as in section 3317.02 of the Revised Code. 2229

(B) The state board of education shall adopt rules 2230

requiring both of the following:	2231
(1) The board of education of each city, exempted village, and local school district to annually report the number of students entitled to attend school in the district who are enrolled in each grade kindergarten through twelve in a community school established under this chapter, and for each child, the community school in which the child is enrolled.	2232 2233 2234 2235 2236 2237
(2) The governing authority of each community school established under this chapter to annually report all of the following:	2238 2239 2240
(a) The number of students enrolled in grades one through twelve and the full-time equivalent number of students enrolled in kindergarten in the school who are not receiving special education and related services pursuant to an IEP;	2241 2242 2243 2244
(b) The number of enrolled students in grades one through twelve and the full-time equivalent number of enrolled students in kindergarten, who are receiving special education and related services pursuant to an IEP;	2245 2246 2247 2248
(c) The number of students reported under division (B) (2) (b) of this section receiving special education and related services pursuant to an IEP for a disability described in each of divisions (A) to (F) of section 3317.013 of the Revised Code;	2249 2250 2251 2252
(d) The full-time equivalent number of students reported under divisions (B) (2) (a) and (b) of this section who are enrolled in career-technical education programs or classes described in each of divisions (A) <u>(1)</u> to <del>(E)</del> <u>(5)</u> of section 3317.014 of the Revised Code that are provided by the community school;	2253 2254 2255 2256 2257 2258
(e) The number of students reported under divisions (B) (2)	2259

(a) and (b) of this section who are not reported under division	2260
(B) (2) (d) of this section but who are enrolled in career-	2261
technical education programs or classes described in each of	2262
divisions (A) <u>(1)</u> to <del>(E)</del> <u>(5)</u> of section 3317.014 of the Revised	2263
Code at a joint vocational school district or another district	2264
in the career-technical planning district to which the school is	2265
assigned;	2266
(f) The number of students reported under divisions (B) (2)	2267
(a) and (b) of this section who are category one to three	2268
English learners described in each of divisions (A) to (C) of	2269
section 3317.016 of the Revised Code;	2270
(g) The number of students reported under divisions (B) (2)	2271
(a) and (b) of this section who are economically disadvantaged,	2272
as defined by the department. A student shall not be	2273
categorically excluded from the number reported under division	2274
(B) (2) (g) of this section based on anything other than family	2275
income.	2276
(h) For each student, the city, exempted village, or local	2277
school district in which the student is entitled to attend	2278
school under section 3313.64 or 3313.65 of the Revised Code.	2279
(i) The number of students enrolled in a preschool program	2280
operated by the school that is licensed by the department of	2281
education under sections 3301.52 to 3301.59 of the Revised Code	2282
who are not receiving special education and related services	2283
pursuant to an IEP.	2284
A school district board and a community school governing	2285
authority shall include in their respective reports under	2286
division (B) of this section any child admitted in accordance	2287
with division (A) (2) of section 3321.01 of the Revised Code.	2288

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

~~(C) (1)~~ (C) For each fiscal year, the department of  
education shall compute and distribute state core foundation  
funding to each community school established under this chapter  
in an amount calculated in accordance with section 3314.0810 of  
the Revised Code.

(1) Except as provided in division (C) (2) of this section,  
and subject to divisions (C) (3), and (4), ~~(5), (6), and (7)~~ of  
this section, on a full-time equivalency basis, for each student  
enrolled in a community school established under this chapter,  
the department of education annually shall ~~deduct from the state  
education aid of a student's resident district and, if  
necessary, from the payment made to the district under sections  
321.24 and 323.156 of the Revised Code and pay to the community  
school the sum~~ calculate all of the following:

~~(a) An opportunity grant in an amount equal to the formula  
amount;~~ The school's base cost per pupil for that fiscal year,  
calculated as follows:

The aggregate base cost calculated for the school for that  
fiscal year under section 3314.085 of the Revised Code/ the  
number of students enrolled in the school for that fiscal year

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

~~(c)~~ Additional state aid for special education and related



services provided under Chapter 3323. of the Revised Code as 2318  
follows: 2319

(i) If the student is a category one special education 2320  
student, the ~~amount-multiple~~ specified in division (A) of 2321  
section 3317.013 of the Revised Code X the statewide average 2322  
base cost per pupil for that fiscal year; 2323

(ii) If the student is a category two special education 2324  
student, the ~~amount-multiple~~ specified in division (B) of 2325  
section 3317.013 of the Revised Code X the statewide average 2326  
base cost per pupil for that fiscal year; 2327

(iii) If the student is a category three special education 2328  
student, the ~~amount-multiple~~ specified in division (C) of 2329  
section 3317.013 of the Revised Code X the statewide average 2330  
base cost per pupil for that fiscal year; 2331

(iv) If the student is a category four special education 2332  
student, the ~~amount-multiple~~ specified in division (D) of 2333  
section 3317.013 of the Revised Code X the statewide average 2334  
base cost per pupil for that fiscal year; 2335

(v) If the student is a category five special education 2336  
student, the ~~amount-multiple~~ specified in division (E) of 2337  
section 3317.013 of the Revised Code X the statewide average 2338  
base cost per pupil for that fiscal year; 2339

(vi) If the student is a category six special education 2340  
student, the ~~amount-multiple~~ specified in division (F) of 2341  
section 3317.013 of the Revised Code X the statewide average 2342  
base cost per pupil for that fiscal year. 2343

~~(d) If the student is in kindergarten through third grade,~~ 2344  
~~an additional amount of \$320;~~ 2345

~~(e)-(c)~~ If the student is economically disadvantaged, an additional amount of disadvantaged pupil impact aid equal to the following:

~~§272-§422~~ X the ~~resident district's~~ school's economically disadvantaged index

~~(f)-(d)~~ English learner funds as follows:

(i) If the student is a category one English learner, the amount multiple specified in division (A) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year;

(ii) If the student is a category two English learner, the amount multiple specified in division (B) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year;

(iii) If the student is a category three English learner, the amount multiple specified in division (C) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year.

~~(g) If the student is reported under division (B) (2) (d) of this section, career technical education funds as follows:-~~

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

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

~~(iii) If the student is a category three career technical education student, the amount specified in division (C) of-~~

~~section 3317.014 of the Revised Code;~~ 2374

~~(iv) If the student is a category four career technical education student, the amount specified in division (D) of section 3317.014 of the Revised Code;~~ 2375  
2376  
2377

~~(v) If the student is a category five career technical education student, the amount specified in division (E) of section 3317.014 of the Revised Code.~~ 2378  
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~~Deduction and payment of funds under division (C) (1) (g) of this section is subject to approval by the lead district of a career technical planning district or the department of education under section 3317.161 of the Revised Code.~~ 2381  
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~~(2) When deducting from the state education aid of a student's resident district for students enrolled in In the case of an internet- or computer-based community school and making payments to such school under this section, the department shall make the ~~deductions and~~ payments described in only divisions (C) (1) (a), ~~(e)~~, and ~~(g)~~ (b) of this section.~~ 2385  
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~~No ~~deductions or~~ payments shall be made for a student enrolled in such school under division ~~(C) (1) (b)~~, (C) (1) (c) or (d), ~~(e)~~, or ~~(f)~~ of this section.~~ 2391  
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~~(3) (a) If a community school's costs for a fiscal year for a student receiving special education and related services pursuant to an IEP for a disability described in divisions (B) to (F) of section 3317.013 of the Revised Code exceed the threshold catastrophic cost for serving the student as specified in division (B) of section 3317.0214 of the Revised Code, the school may submit to the superintendent of public instruction documentation, as prescribed by the superintendent, of all its costs for that student. Upon submission of documentation for a~~ 2394  
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student of the type and in the manner prescribed, the department 2403  
shall pay to the community school an amount equal to the 2404  
school's costs for the student in excess of the threshold 2405  
catastrophic costs. 2406

(b) The community school shall report under division (C) 2407  
(3) (a) of this section, and the department shall pay for, only 2408  
the costs of educational expenses and the related services 2409  
provided to the student in accordance with the student's 2410  
individualized education program. Any legal fees, court costs, 2411  
or other costs associated with any cause of action relating to 2412  
the student may not be included in the amount. 2413

~~(4) In any fiscal year, a community school receiving funds 2414  
under division (C) (1) (g) of this section shall spend those funds 2415  
only for the purposes that the department designates as approved 2416  
for career technical education expenses. Career technical 2417  
education expenses approved by the department shall include only 2418  
expenses connected to the delivery of career technical 2419  
programming to career technical students. The department shall 2420  
require the school to report data annually so that the 2421  
department may monitor the school's compliance with the 2422  
requirements regarding the manner in which funding received 2423  
under division (C) (1) (g) of this section may be spent. 2424~~

~~(5) Notwithstanding anything to the contrary in section 2425  
3313.90 of the Revised Code, except as provided in division (C) 2426  
(9) of this section, all funds received under division (C) (1) (g) 2427  
of this section shall be spent in the following manner: 2428~~

~~(a) At least seventy five per cent of the funds shall be 2429  
spent on curriculum development, purchase, and implementation; 2430  
instructional resources and supplies; industry based program 2431  
certification; student assessment, credentialing, and placement; 2432~~

~~curriculum specific equipment purchases and leases; career- 2433  
technical student organization fees and expenses; home and- 2434  
agency linkages; work-based learning experiences; professional- 2435  
development; and other costs directly associated with career- 2436  
technical education programs including development of new- 2437  
programs.— 2438~~

~~(b) Not more than twenty five per cent of the funds shall- 2439  
be used for personnel expenditures.— 2440~~

~~(6) A community school shall spend the funds it receives 2441  
under division (C) (1) (e) — (C) (1) (c) of this section in accordance 2442  
with section 3317.25 of the Revised Code. 2443~~

(5) In any fiscal year, a community school shall spend the 2444  
funds it receives under division (C) (1) (d) of this section only 2445  
for services for English learners. 2446

~~(7) If the sum of the payments computed under divisions- 2447  
(C) (1) and (8) (a) of this section for the students entitled to- 2448  
attend school in a particular school district under sections- 2449  
3313.64 and 3313.65 of the Revised Code exceeds the sum of that- 2450  
district's state education aid and its payment under sections- 2451  
321.24 and 323.156 of the Revised Code, the department shall- 2452  
calculate and apply a proration factor to the payments to all- 2453  
community schools under that division for the students entitled- 2454  
to attend school in that district.— 2455~~

~~(8) (a) Subject to division (C) (7) of this section, the 2456  
department annually shall pay to each community school, 2457  
including each internet or computer based community school, an 2458  
amount equal to the following:— 2459~~

~~(The number of students reported by the community school- 2460  
under division (B) (2) (e) of this section X the formula amount— 2461~~

~~X .20)~~ 2462

~~(b) For each payment made to a community school under  
division (C) (8) (a) of this section, the department shall deduct  
from the state education aid of each city, local, and exempted  
village school district and, if necessary, from the payment made  
to the district under sections 321.24 and 323.156 of the Revised  
Code an amount equal to the following:~~ 2463  
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2465  
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~~(The number of the district's students reported by the  
community school under division (B) (2) (e) of this section X the  
formula amount X .20)~~ 2469  
2470  
2471

~~(9) The department may waive the requirement in division  
(C) (5) of this section for any community school that exclusively  
provides one or more career technical workforce development  
programs in arts and communications that are not equipment-  
intensive, as determined by the department.~~ 2472  
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(D) A board of education sponsoring a community school may 2477  
utilize local funds to make enhancement grants to the school or 2478  
may agree, either as part of the contract or separately, to 2479  
provide any specific services to the community school at no cost 2480  
to the school. 2481

(E) A community school may not levy taxes or issue bonds 2482  
secured by tax revenues. 2483

(F) No community school shall charge tuition for the 2484  
enrollment of any student who is a resident of this state. A 2485  
community school may charge tuition for the enrollment of any 2486  
student who is not a resident of this state. 2487

(G) (1) (a) A community school may borrow money to pay any 2488  
necessary and actual expenses of the school in anticipation of 2489  
the receipt of any portion of the payments to be received by the 2490

school pursuant to division (C) of this section and section 2491  
3314.089 of the Revised Code. The school may issue notes to 2492  
evidence such borrowing. The proceeds of the notes shall be used 2493  
only for the purposes for which the anticipated receipts may be 2494  
lawfully expended by the school. 2495

(b) A school may also borrow money for a term not to 2496  
exceed fifteen years for the purpose of acquiring facilities. 2497

(2) Except for any amount guaranteed under section 3318.50 2498  
of the Revised Code, the state is not liable for debt incurred 2499  
by the governing authority of a community school. 2500

(H) The department of education shall adjust the amounts 2501  
~~subtracted and paid~~ under division (C) of this section and 2502  
section 3314.089 of the Revised Code to reflect any enrollment 2503  
of students in community schools for less than the equivalent of 2504  
a full school year. The state board of education within ninety 2505  
days after April 8, 2003, shall adopt in accordance with Chapter 2506  
119. of the Revised Code rules governing the payments to 2507  
community schools under this section including initial payments 2508  
in a school year and adjustments and reductions made in 2509  
subsequent periodic payments to community schools ~~and~~ 2510  
~~corresponding deductions from school district accounts as~~ 2511  
provided under division (C) of this section and section 3314.089 2512  
of the Revised Code. For purposes of this section: 2513

(1) A student shall be considered enrolled in the 2514  
community school for any portion of the school year the student 2515  
is participating at a college under Chapter 3365. of the Revised 2516  
Code. 2517

(2) A student shall be considered to be enrolled in a 2518  
community school for the period of time beginning on the later 2519

of the date on which the school both has received documentation 2520  
of the student's enrollment from a parent and the student has 2521  
commenced participation in learning opportunities as defined in 2522  
the contract with the sponsor, or thirty days prior to the date 2523  
on which the student is entered into the education management 2524  
information system established under section 3301.0714 of the 2525  
Revised Code. For purposes of applying this division and 2526  
divisions (H) (3) and (4) of this section to a community school 2527  
student, "learning opportunities" shall be defined in the 2528  
contract, which shall describe both classroom-based and non- 2529  
classroom-based learning opportunities and shall be in 2530  
compliance with criteria and documentation requirements for 2531  
student participation which shall be established by the 2532  
department. Any student's instruction time in non-classroom- 2533  
based learning opportunities shall be certified by an employee 2534  
of the community school. A student's enrollment shall be 2535  
considered to cease on the date on which any of the following 2536  
occur: 2537

(a) The community school receives documentation from a 2538  
parent terminating enrollment of the student. 2539

(b) The community school is provided documentation of a 2540  
student's enrollment in another public or private school. 2541

(c) The community school ceases to offer learning 2542  
opportunities to the student pursuant to the terms of the 2543  
contract with the sponsor or the operation of any provision of 2544  
this chapter. 2545

Except as otherwise specified in this paragraph, beginning 2546  
in the 2011-2012 school year, any student who completed the 2547  
prior school year in an internet- or computer-based community 2548  
school shall be considered to be enrolled in the same school in 2549



the subsequent school year until the student's enrollment has 2550  
ceased as specified in division (H) (2) of this section. The 2551  
department shall continue ~~subtracting and~~ paying amounts for the 2552  
student under division (C) of this section and section 3314.089 2553  
of the Revised Code without interruption at the start of the 2554  
subsequent school year. However, if the student without a 2555  
legitimate excuse fails to participate in the first seventy-two 2556  
consecutive hours of learning opportunities offered to the 2557  
student in that subsequent school year, the student shall be 2558  
considered not to have re-enrolled in the school for that school 2559  
year and the department shall recalculate the payments to the 2560  
school for that school year to account for the fact that the 2561  
student is not enrolled. 2562

(3) The department shall determine each community school 2563  
student's percentage of full-time equivalency based on the 2564  
percentage of learning opportunities offered by the community 2565  
school to that student, reported either as number of hours or 2566  
number of days, is of the total learning opportunities offered 2567  
by the community school to a student who attends for the 2568  
school's entire school year. However, no internet- or computer- 2569  
based community school shall be credited for any time a student 2570  
spends participating in learning opportunities beyond ten hours 2571  
within any period of twenty-four consecutive hours. Whether it 2572  
reports hours or days of learning opportunities, each community 2573  
school shall offer not less than nine hundred twenty hours of 2574  
learning opportunities during the school year. 2575

(4) With respect to the calculation of full-time 2576  
equivalency under division (H) (3) of this section, the 2577  
department shall waive the number of hours or days of learning 2578  
opportunities not offered to a student because the community 2579  
school was closed during the school year due to disease 2580

epidemic, hazardous weather conditions, law enforcement 2581  
emergencies, inoperability of school buses or other equipment 2582  
necessary to the school's operation, damage to a school 2583  
building, or other temporary circumstances due to utility 2584  
failure rendering the school building unfit for school use, so 2585  
long as the school was actually open for instruction with 2586  
students in attendance during that school year for not less than 2587  
the minimum number of hours required by this chapter. The 2588  
department shall treat the school as if it were open for 2589  
instruction with students in attendance during the hours or days 2590  
waived under this division. 2591

(I) The department of education shall reduce the amounts 2592  
paid under this section and section 3314.089 of the Revised Code 2593  
to reflect payments made to colleges under section 3365.07 of 2594  
the Revised Code. 2595

(J) (1) No student shall be considered enrolled in any 2596  
internet- or computer-based community school or, if applicable 2597  
to the student, in any community school that is required to 2598  
provide the student with a computer pursuant to division (C) of 2599  
section 3314.22 of the Revised Code, unless both of the 2600  
following conditions are satisfied: 2601

(a) The student possesses or has been provided with all 2602  
required hardware and software materials and all such materials 2603  
are operational so that the student is capable of fully 2604  
participating in the learning opportunities specified in the 2605  
contract between the school and the school's sponsor as required 2606  
by division (A) (23) of section 3314.03 of the Revised Code; 2607

(b) The school is in compliance with division (A) of 2608  
section 3314.22 of the Revised Code, relative to such student. 2609

(2) In accordance with policies adopted by the 2610  
superintendent of public instruction, in consultation with the 2611  
auditor of state, the department shall reduce the amounts 2612  
otherwise payable under division (C) of this section and section 2613  
3314.089 of the Revised Code to any community school that 2614  
includes in its program the provision of computer hardware and 2615  
software materials to any student, if such hardware and software 2616  
materials have not been delivered, installed, and activated for 2617  
each such student in a timely manner or other educational 2618  
materials or services have not been provided according to the 2619  
contract between the individual community school and its 2620  
sponsor. 2621

The superintendent of public instruction and the auditor 2622  
of state shall jointly establish a method for auditing any 2623  
community school to which this division pertains to ensure 2624  
compliance with this section. 2625

The superintendent, auditor of state, and the governor 2626  
shall jointly make recommendations to the general assembly for 2627  
legislative changes that may be required to assure fiscal and 2628  
academic accountability for such schools. 2629

(K) (1) If the department determines that a review of a 2630  
community school's enrollment is necessary, such review shall be 2631  
completed and written notice of the findings shall be provided 2632  
to the governing authority of the community school and its 2633  
sponsor within ninety days of the end of the community school's 2634  
fiscal year, unless extended for a period not to exceed thirty 2635  
additional days for one of the following reasons: 2636

(a) The department and the community school mutually agree 2637  
to the extension. 2638

(b) Delays in data submission caused by either a community school or its sponsor. 2639  
2640

(2) If the review results in a finding that additional funding is owed to the school, such payment shall be made within thirty days of the written notice. If the review results in a finding that the community school owes moneys to the state, the following procedure shall apply: 2641  
2642  
2643  
2644  
2645

(a) Within ten business days of the receipt of the notice of findings, the community school may appeal the department's determination to the state board of education or its designee. 2646  
2647  
2648

(b) The board or its designee shall conduct an informal hearing on the matter within thirty days of receipt of such an appeal and shall issue a decision within fifteen days of the conclusion of the hearing. 2649  
2650  
2651  
2652

(c) If the board has enlisted a designee to conduct the hearing, the designee shall certify its decision to the board. The board may accept the decision of the designee or may reject the decision of the designee and issue its own decision on the matter. 2653  
2654  
2655  
2656  
2657

(d) Any decision made by the board under this division is final. 2658  
2659

(3) If it is decided that the community school owes moneys to the state, the department shall deduct such amount from the school's future payments in accordance with guidelines issued by the superintendent of public instruction. 2660  
2661  
2662  
2663

(L) The department shall not ~~subtract from a school district's state aid account and shall not pay~~ to a community school under division (C) of this section and section 3314.089 of the Revised Code any amount for any of the following: 2664  
2665  
2666  
2667

(1) Any student who has graduated from the twelfth grade 2668  
of a public or nonpublic high school; 2669

(2) Any student who is not a resident of the state; 2670

(3) Any student who was enrolled in the community school 2671  
during the previous school year when assessments were 2672  
administered under section 3301.0711 of the Revised Code but did 2673  
not take one or more of the assessments required by that section 2674  
and was not excused pursuant to division (C)(1) or (3) of that 2675  
section, unless the superintendent of public instruction grants 2676  
the student a waiver from the requirement to take the assessment 2677  
and a parent is not paying tuition for the student pursuant to 2678  
section 3314.26 of the Revised Code. The superintendent may 2679  
grant a waiver only for good cause in accordance with rules 2680  
adopted by the state board of education. 2681

(4) Any student who has attained the age of twenty-two 2682  
years, except for veterans of the armed services whose 2683  
attendance was interrupted before completing the recognized 2684  
twelve-year course of the public schools by reason of induction 2685  
or enlistment in the armed forces and who apply for enrollment 2686  
in a community school not later than four years after 2687  
termination of war or their honorable discharge. If, however, 2688  
any such veteran elects to enroll in special courses organized 2689  
for veterans for whom tuition is paid under federal law, or 2690  
otherwise, the department shall not ~~subtract from a school-~~ 2691  
~~district's state aid account and shall not pay to a community~~ 2692  
school under division (C) of this section and section 3314.089 2693  
of the Revised Code any amount for that veteran. 2694

**Sec. 3314.084.** (A) As used in this section: 2695

(1) "Formula ADM" has the same meaning as in section 2696

3317.03 of the Revised Code.	2697
(2) "Home" has the same meaning as in section 3313.64 of the Revised Code.	2698 2699
(3) "School district of residence" has the same meaning as in section 3323.01 of the Revised Code; however, a community school established under this chapter is not a "school district of residence" for purposes of this section.	2700 2701 2702 2703
(B) Notwithstanding anything to the contrary in section 3314.08 or 3317.03 of the Revised Code, all of the following apply in the case of a child who is enrolled in a community school and is also living in a home:	2704 2705 2706 2707
(1) For purposes of the report required under division (B) (1) of section 3314.08 of the Revised Code, the child's school district of residence, and not the school district in which the home that the child is living in is located, shall be considered to be the school district in which the child is entitled to attend school. That school district of residence, therefore, shall make the report required under division (B) (1) of section 3314.08 of the Revised Code with respect to the child.	2708 2709 2710 2711 2712 2713 2714 2715
(2) For purposes of the report required under division (B) (2) of section 3314.08 of the Revised Code, the community school shall report the name of the child's school district of residence.	2716 2717 2718 2719
(3) The child's school district of residence shall count the child in that district's formula ADM.	2720 2721
(4) The school district in which the home that the child is living in is located shall not count the child in that district's formula ADM.	2722 2723 2724

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

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

**Sec. 3314.085.** (A) As used in this section:

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

(2) "Base cost enrolled ADM" has the same meaning as in section 3317.02 of the Revised Code.

(B) When calculating a community school's aggregate base cost under this section, the department shall use data from fiscal year 2018 for the average teacher cost.

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

The school's teacher base cost for that fiscal year computed under division (D) of this section + the school's student support base cost for that fiscal year computed under division (E) of this section + the school's leadership and accountability base cost for that fiscal year computed under division (F) of this section + the school's building leadership and operations base cost for that fiscal year computed under division (G) of this section

(D) The department of education shall compute a community

<u>school's teacher base cost for a fiscal year as follows:</u>	2753
<u>(1) Calculate the school's classroom teacher cost for that</u>	2754
<u>fiscal year as follows:</u>	2755
<u>(a) Determine the full-time equivalency of students</u>	2756
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2757
<u>kindergarten and divide that number by 20;</u>	2758
<u>(b) Determine the full-time equivalency of students</u>	2759
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2760
<u>grades one through three and divide that number by 23;</u>	2761
<u>(c) Determine the full-time equivalency of students</u>	2762
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2763
<u>grades four through eight but are not enrolled in a career-</u>	2764
<u>technical education program or class described under section</u>	2765
<u>3317.014 of the Revised Code and divide that number by 25;</u>	2766
<u>(d) Determine the full-time equivalency of students</u>	2767
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2768
<u>grades nine through twelve but are not enrolled in a career-</u>	2769
<u>technical education program or class described under section</u>	2770
<u>3317.014 of the Revised Code and divide that number by 27;</u>	2771
<u>(e) Determine the full-time equivalency of students</u>	2772
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2773
<u>a career-technical education program or class, as reported under</u>	2774
<u>division (B) (2) (d) of section 3314.08 of the Revised Code, and</u>	2775
<u>divide that number by 18;</u>	2776
<u>(f) Compute the sum of the quotients obtained under</u>	2777
<u>divisions (D) (1) (a), (b), (c), (d), and (e) of this section;</u>	2778
<u>(g) Compute the classroom teacher cost by multiplying the</u>	2779
<u>average teacher cost for that fiscal year by the sum computed</u>	2780



<u>under division (D) (1) (f) of this section.</u>	2781
<u>(2) Calculate the school's special teacher cost for that</u>	2782
<u>fiscal year as follows:</u>	2783
<u>(a) Divide the number of students enrolled in the school</u>	2784
<u>for that fiscal year by 150;</u>	2785
<u>(b) Compute the special teacher cost by multiplying the</u>	2786
<u>quotient obtained under division (D) (2) (a) of this section by</u>	2787
<u>the average teacher cost for that fiscal year.</u>	2788
<u>(3) Calculate the school's substitute teacher cost for</u>	2789
<u>that fiscal year in accordance with the following formula:</u>	2790
<u>(a) Compute the substitute teacher daily rate with</u>	2791
<u>benefits by multiplying the substitute teacher daily rate of \$90</u>	2792
<u>by 1.16;</u>	2793
<u>(b) Compute the substitute teacher cost in accordance with</u>	2794
<u>the following formula:</u>	2795
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	2796
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	2797
<u>the amount computed under division (D) (3) (a) of this section X 5</u>	2798
<u>(4) Calculate the school's professional development cost</u>	2799
<u>for that fiscal year in accordance with the following formula:</u>	2800
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	2801
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	2802
<u>[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of</u>	2803
<u>the Revised Code for that fiscal year)/180] X 4</u>	2804
<u>(5) Calculate the school's teacher base cost for that</u>	2805
<u>fiscal year, which equals the sum of divisions (D) (1), (2), (3),</u>	2806
<u>and (4) of this section.</u>	2807

(E) The department shall compute a community school's 2808  
student support base cost for a fiscal year as follows: 2809

The number of students enrolled in the school for that fiscal 2810  
year X 0.90 X [(the sum of the student support base cost 2811  
calculated for all city, local, and exempted village school 2812  
districts in the state for that fiscal year under division (E) 2813  
of section 3317.011 of the Revised Code - the sum of the 2814  
athletic co-curricular activities cost calculated for all city, 2815  
local, and exempted village school districts in the state for 2816  
that fiscal year under division (E) (5) of section 3317.011 of 2817  
the Revised Code)/ the sum of the base cost enrolled ADMs of all 2818  
of the city, local, and exempted village school districts in the 2819  
state for that fiscal year] 2820

(F) The department shall compute a community school's 2821  
leadership and accountability base cost for a fiscal year as 2822  
follows: 2823

The number of students enrolled in the school for that fiscal 2824  
year X 0.90 X (the sum of the leadership and accountability base 2825  
cost calculated for all city, local, and exempted village school 2826  
districts in the state for that fiscal year under division (F) 2827  
of section 3317.011 of the Revised Code/ the sum of the base 2828  
cost enrolled ADMs of all of the city, local, and exempted 2829  
village school districts in the state for that fiscal year) 2830

(G) The department shall compute a community school's 2831  
building leadership and operations base cost for a fiscal year 2832  
as follows: 2833

The number of students enrolled in the school for that fiscal 2834  
year X 0.90 X (the sum of the building leadership and 2835  
accountability base cost calculated for all city, local, and 2836

exempted village school districts in the state for that fiscal 2837  
year under division (G) of section 3317.011 of the Revised Code/ 2838  
the sum of the base cost enrolled ADMs of all of the city, 2839  
local, and exempted village school districts in the state for 2840  
that fiscal year) 2841

**Sec. 3314.087.** (A) As used in this section: 2842

(1) "Career-technical program" means career-technical 2843  
programs or classes described in division (A) (1), ~~(B) (2)~~, ~~(C)~~ 2844  
~~(3)~~, ~~(D) (4)~~, or ~~(E) (5)~~ of section 3317.014 of the Revised Code 2845  
in which a student is enrolled. 2846

(2) "~~Formula ADM,~~" "category Category one through five 2847  
career-technical education ADM," and "FTE basis" have the same 2848  
meanings as in section 3317.02 of the Revised Code. 2849

(3) "Resident school district" means the city, exempted 2850  
village, or local school district in which a student is entitled 2851  
to attend school under section 3313.64 or 3313.65 of the Revised 2852  
Code. 2853

(B) Notwithstanding anything to the contrary in this 2854  
chapter or Chapter 3317. of the Revised Code, a student enrolled 2855  
in a community school may simultaneously enroll in the career- 2856  
technical program operated by the career-technical planning 2857  
district to which the student's resident district belongs. On an 2858  
FTE basis, the student's resident school district shall count 2859  
the student in the category one through five career-technical 2860  
education ADM for the proportion of the time the student is 2861  
enrolled in a career-technical program of the career-technical 2862  
planning district to which the student's resident district 2863  
belongs and, accordingly, the department of education shall 2864  
calculate funds under Chapter 3317. for the resident district 2865

attributable to the student for the proportion of time the 2866  
student attends the career-technical program. The community 2867  
school shall count the student in its enrollment report under 2868  
section 3314.08 of the Revised Code and shall report to the 2869  
department the proportion of time that the student attends 2870  
classes at the community school. The department shall pay the 2871  
community school ~~and deduct from the student's resident school-~~ 2872  
~~district~~ the amount computed for the student under section 2873  
3314.08 of the Revised Code in proportion to the fraction of the 2874  
time on an FTE basis that the student attends classes at the 2875  
community school. "Full-time equivalency" for a community school 2876  
student, as defined in division (H) of section 3314.08 of the 2877  
Revised Code, does not apply to the student. 2878

Sec. 3314.089. (A) For each student enrolled in a 2879  
community school established under this chapter, including an 2880  
internet- or computer-based community school, and reported under 2881  
division (B) (2) of section 3314.08 of the Revised Code, on a 2882  
full-time equivalency basis, the department of education shall 2883  
calculate career-technical education funds as follows: 2884

(1) If the student is a category one career-technical 2885  
education student, the multiple specified in division (A) (1) of 2886  
section 3317.014 of the Revised Code X the statewide average 2887  
career-technical base cost per pupil for that fiscal year; 2888

(2) If the student is a category two career-technical 2889  
education student, the multiple specified in division (A) (2) of 2890  
section 3317.014 of the Revised Code X the statewide average 2891  
career-technical base cost per pupil for that fiscal year; 2892

(3) If the student is a category three career-technical 2893  
education student, the multiple specified in division (A) (3) of 2894  
section 3317.014 of the Revised Code X the statewide average 2895

career-technical base cost per pupil for that fiscal year; 2896

(4) If the student is a category four career-technical 2897  
education student, the multiple specified in division (A) (4) of 2898  
section 3317.014 of the Revised Code X the statewide average 2899  
career-technical base cost per pupil for that fiscal year; 2900

(5) If the student is a category five career-technical 2901  
education student, the multiple specified in division (A) (5) of 2902  
section 3317.014 of the Revised Code X the statewide average 2903  
career-technical base cost per pupil for that fiscal year. 2904

Payment of funds calculated under division (A) of this 2905  
section is subject to approval by the lead district of a career- 2906  
technical planning district or the department of education under 2907  
section 3317.161 of the Revised Code. 2908

(B) Subject to division (I) of section 3317.023 of the 2909  
Revised Code, the department of education shall calculate 2910  
career-technical associated services funds for each community 2911  
school as follows: 2912

The multiple for career-technical education associated services 2913  
specified under division (B) of section 3317.014 of the Revised 2914  
Code X the statewide average career-technical base cost per 2915  
pupil for that fiscal year X the number of the school's students 2916  
enrolled in career-technical education 2917

(C) Subject to division (I) of section 3317.023 of the 2918  
Revised Code, the department shall pay career awareness and 2919  
exploration funds to each community school as follows: 2920

The number of students enrolled in the community school X \$2.50, 2921  
for fiscal year 2022, \$5, for fiscal year 2023, \$7.50, for 2922  
fiscal year 2024, or \$10, for fiscal year 2025 and each fiscal 2923  
year thereafter 2924

(D) The department shall annually calculate for each 2925  
community school, including each internet- or computer-based 2926  
community school, an amount equal to the following: 2927

(The number of students reported by the community school under 2928  
division (B) (2) (e) of section 3314.08 of the Revised Code X the 2929  
school's base cost per pupil as specified under division (C) (1) 2930  
(a) of section 3314.08 of the Revised Code X .20) 2931

(E) In any fiscal year, a community school receiving funds 2932  
calculated under division (A) of this section shall spend those 2933  
funds only for the purposes that the department designates as 2934  
approved for career-technical education expenses. Career- 2935  
technical education expenses approved by the department shall 2936  
include only expenses connected to the delivery of career- 2937  
technical programming to career-technical students. The 2938  
department shall require the school to report data annually so 2939  
that the department may monitor the school's compliance with the 2940  
requirements regarding the manner in which funding received 2941  
under division (A) of this section may be spent. 2942

(F) Notwithstanding anything to the contrary in section 2943  
3313.90 of the Revised Code, except as provided in division (G) 2944  
of this section, all funds received under division (A) of this 2945  
section shall be spent in the following manner: 2946

(1) At least seventy-five per cent of the funds shall be 2947  
spent on curriculum development, purchase, and implementation; 2948  
instructional resources and supplies; industry-based program 2949  
certification; student assessment, credentialing, and placement; 2950  
curriculum specific equipment purchases and leases; career- 2951  
technical student organization fees and expenses; home and 2952  
agency linkages; work-based learning experiences; professional 2953  
development; and other costs directly associated with career- 2954

technical education programs including development of new 2955  
programs. 2956

(2) Not more than twenty-five per cent of the funds shall 2957  
be used for personnel expenditures. 2958

(G) The department may waive the requirements in division 2959  
(F) of this section for any community school that exclusively 2960  
provides one or more career-technical workforce development 2961  
programs in arts and communications that are not equipment- 2962  
intensive, as determined by the department. 2963

(H) In any fiscal year, a community school receiving funds 2964  
under division (H) of section 3317.014 of the Revised Code shall 2965  
spend those funds only on the following purposes: 2966

(1) Delivery of career awareness programs to students 2967  
enrolled in grades kindergarten through twelve; 2968

(2) Provision of a common, consistent curriculum to 2969  
students throughout their primary and secondary education; 2970

(3) Assistance to teachers in providing a career 2971  
development curriculum to students; 2972

(4) Development of a career development plan for each 2973  
student that stays with that student for the duration of the 2974  
student's primary and secondary education; 2975

(5) Provision of opportunities for students to engage in 2976  
activities, such as career fairs, hands-on experiences, and job 2977  
shadowing, across all career pathways at each grade level. 2978

The department may deny payment under division (C) of this 2979  
section to any school that the department determines is using 2980  
funds paid under division (H) of section 3317.014 of the Revised 2981  
Code for other purposes. 2982

Sec. 3314.0810. For each fiscal year, the department of 2983  
education shall calculate for each community school established 2984  
under this chapter an amount equal to the lesser of the 2985  
following: 2986

(A) The following sum: 2987

The school's funding base + {[the sum of the per pupil amounts 2988  
calculated for the school for that fiscal year under divisions 2989  
(C) (1) (a), (b), and (d) of section 3314.08 of the Revised Code + 2990  
the sum of the per pupil amounts calculated for the school for 2991  
that fiscal year under division (A) of section 3314.089 of the 2992  
Revised Code + the amount calculated for the school for that 2993  
fiscal year under divisions (B) and (D) of section 3314.089 of 2994  
the Revised Code) - the school's funding base] X the school's 2995  
phase-in percentage for that fiscal year} + the sum of the per 2996  
pupil amounts of disadvantaged pupil impact aid calculated for 2997  
that fiscal year under division (C) (1) (c) of section 3314.08 of 2998  
the Revised Code 2999

(B) The following sum: 3000

The sum of the per pupil amounts calculated for the school for 3001  
that fiscal year under division (C) (1) of section 3314.08 of the 3002  
Revised Code + the sum of the per pupil amounts calculated for 3003  
the school for that fiscal year under division (A) of section 3004  
3314.089 of the Revised Code + the amount calculated for the 3005  
school for that fiscal year under divisions (B) and (D) of 3006  
section 3314.089 of the Revised Code 3007

**Sec. 3314.091.** (A) A school district is not required to 3008  
provide transportation for any native student enrolled in a 3009  
community school if the district board of education has entered 3010  
into an agreement with the community school's governing 3011



authority that designates the community school as responsible 3012  
for providing or arranging for the transportation of the 3013  
district's native students to and from the community school. For 3014  
any such agreement to be effective, it must be certified by the 3015  
superintendent of public instruction as having met all of the 3016  
following requirements: 3017

(1) It is submitted to the department of education by a 3018  
deadline which shall be established by the department. 3019

(2) In accordance with divisions (C) (1) and (2) of this 3020  
section, it specifies qualifications, such as residing a minimum 3021  
distance from the school, for students to have their 3022  
transportation provided or arranged. 3023

(3) The transportation provided by the community school is 3024  
subject to all provisions of the Revised Code and all rules 3025  
adopted under the Revised Code pertaining to pupil 3026  
transportation. 3027

(4) The sponsor of the community school also has signed 3028  
the agreement. 3029

(B) (1) For the school year that begins on July 1, 2007, a 3030  
school district is not required to provide transportation for 3031  
any native student enrolled in a community school, if the 3032  
community school during the previous school year transported the 3033  
students enrolled in the school or arranged for the students' 3034  
transportation, even if that arrangement consisted of having 3035  
parents transport their children to and from the school, but did 3036  
not enter into an agreement to transport or arrange for 3037  
transportation for those students under division (A) of this 3038  
section, and if the governing authority of the community school 3039  
by July 15, 2007, submits written notification to the district 3040

board of education stating that the governing authority is 3041  
accepting responsibility for providing or arranging for the 3042  
transportation of the district's native students to and from the 3043  
community school. 3044

(2) Except as provided in division (B)(4) of this section, 3045  
for any school year subsequent to the school year that begins on 3046  
July 1, 2007, a school district is not required to provide 3047  
transportation for any native student enrolled in a community 3048  
school if the governing authority of the community school, by 3049  
the thirty-first day of January of the previous school year, 3050  
submits written notification to the district board of education 3051  
stating that the governing authority is accepting responsibility 3052  
for providing or arranging for the transportation of the 3053  
district's native students to and from the community school. If 3054  
the governing authority of the community school has previously 3055  
accepted responsibility for providing or arranging for the 3056  
transportation of a district's native students to and from the 3057  
community school, under division (B)(1) or (2) of this section, 3058  
and has since relinquished that responsibility under division 3059  
(B)(3) of this section, the governing authority shall not accept 3060  
that responsibility again unless the district board consents to 3061  
the governing authority's acceptance of that responsibility. 3062

(3) A governing authority's acceptance of responsibility 3063  
under division (B)(1) or (2) of this section shall cover an 3064  
entire school year, and shall remain in effect for subsequent 3065  
school years unless the governing authority submits written 3066  
notification to the district board that the governing authority 3067  
is relinquishing the responsibility. However, a governing 3068  
authority shall not relinquish responsibility for transportation 3069  
before the end of a school year, and shall submit the notice 3070  
relinquishing responsibility by the thirty-first day of January, 3071

in order to allow the school district reasonable time to prepare 3072  
transportation for its native students enrolled in the school. 3073

(4) (a) For any school year that begins on or after July 1, 3074  
2014, a school district is not required to provide 3075  
transportation for any native student enrolled in a community 3076  
school scheduled to open for operation in the current school 3077  
year, if the governing authority of the community school, by the 3078  
fifteenth day of April of the previous school year, submits 3079  
written notification to the district board of education stating 3080  
that the governing authority is accepting responsibility for 3081  
providing or arranging for the transportation of the district's 3082  
native students to and from the community school. 3083

(b) The governing authority of a community school that 3084  
accepts responsibility for transporting its students under 3085  
division (B) (4) (a) of this section shall comply with divisions 3086  
(B) (2) and (3) of this section to renew or relinquish that 3087  
authority for subsequent school years. 3088

(C) (1) A community school governing authority that enters 3089  
into an agreement under division (A) of this section, or that 3090  
accepts responsibility under division (B) of this section, shall 3091  
provide or arrange transportation free of any charge for each of 3092  
its enrolled students who is required to be transported under 3093  
section 3327.01 of the Revised Code. The governing authority 3094  
shall report to the department of education the number of 3095  
students transported or for whom transportation is arranged 3096  
under this section in accordance with rules adopted by the state 3097  
board of education. 3098

(2) The governing authority may provide or arrange 3099  
transportation for any other enrolled student who is not 3100  
eligible for transportation in accordance with division (C) (1) 3101

of this section and may charge a fee for such service up to the 3102  
actual cost of the service. 3103

(3) Notwithstanding anything to the contrary in division 3104  
(C) (1) or (2) of this section, a community school governing 3105  
authority shall provide or arrange transportation free of any 3106  
charge for any disabled student enrolled in the school for whom 3107  
the student's individualized education program developed under 3108  
Chapter 3323. of the Revised Code specifies transportation. 3109

(D) (1) If a school district board and a community school 3110  
governing authority elect to enter into an agreement under 3111  
division (A) of this section, the department of education shall 3112  
make payments to the community school according to the terms of 3113  
the agreement for each student actually transported under 3114  
division (C) (1) of this section. 3115

If a community school governing authority accepts 3116  
transportation responsibility under division (B) of this 3117  
section, the department shall make payments to the community 3118  
school for each student actually transported or for whom 3119  
transportation is arranged by the community school under 3120  
division (C) (1) of this section, calculated as follows: 3121

(a) For any fiscal year which the general assembly has 3122  
specified that transportation payments to school districts be 3123  
based on an across-the-board percentage of the district's 3124  
payment for the previous school year, the per pupil payment to 3125  
the community school shall be the following quotient: 3126

(i) The total amount calculated for the school district in 3127  
which the child is entitled to attend school for student 3128  
transportation other than transportation of children with 3129  
disabilities; divided by 3130

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

(b) For any fiscal year which the general assembly has specified that the transportation payments to school districts be calculated in accordance with section 3317.0212 of the Revised Code and any rules of the state board of education implementing that section, the payment to the community school shall be ~~the amount so calculated on a per rider basis that otherwise would be paid to the school district in which the student is entitled to attend school by the method of transportation the district would have used~~ either of the following:

(i) If the school district in which the student is entitled to attend school would have used a method of transportation for the student for which payments are computed and paid under division (E) of section 3317.0212 of the Revised Code, 1.0 times the statewide transportation cost per student, as calculated in division (C) of section 3317.0212 of the Revised Code;

(ii) If the school district in which the student is entitled to attend school would have used a method of transportation for the student for which payments are computed and paid in a manner not described in division (D) (1) (b) (i) of this section, the amount that would otherwise be computed for and paid to the district. ~~The~~

The community school, however, is not required to use the

same method to transport that student. 3161

~~(c) Divisions (D) (1) (a) and (b) of this section do not 3162  
apply to fiscal years 2012 and 2013. Rather, for each of those 3163  
fiscal years, the per pupil payment to a community school for 3164  
transporting a student shall be the total amount paid under 3165  
former section 3306.12 of the Revised Code for fiscal year 2011- 3166  
to the school district in which the child is entitled to attend 3167  
school divided by that district's "qualifying ridership," as 3168  
defined in that section for fiscal year 2011. 3169~~

As used in this division "entitled to attend school" means 3170  
entitled to attend school under section 3313.64 or 3313.65 of 3171  
the Revised Code. 3172

~~(2) The department shall deduct the payment under division 3173  
(D) (1) of this section from the state education aid, as defined 3174  
in section 3314.08 of the Revised Code, and, if necessary, the 3175  
payment under sections 321.14 and 323.156 of the Revised Code, 3176  
that is otherwise paid to the school district in which the 3177  
student enrolled in the community school is entitled to attend 3178  
school. The department shall include the number of the 3179  
district's native students for whom payment is made to a 3180  
community school under division (D) (1) of this section in the 3181  
calculation of the district's transportation payment under 3182  
section 3317.0212 of the Revised Code and the operating 3183  
appropriations act. 3184~~

~~(3) A community school shall be paid under division (D) (1) 3185  
of this section only for students who are eligible as specified 3186  
in section 3327.01 of the Revised Code and division (C) (1) of 3187  
this section, and whose transportation to and from school is 3188  
actually provided, who actually utilized transportation 3189  
arranged, or for whom a payment in lieu of transportation is 3190~~

made by the community school's governing authority. To qualify 3191  
for the payments, the community school shall report to the 3192  
department, in the form and manner required by the department, 3193  
data on the number of students transported or whose 3194  
transportation is arranged, the number of miles traveled, cost 3195  
to transport, and any other information requested by the 3196  
department. 3197

~~(4)~~ (3) A community school shall use payments received 3198  
under this section solely to pay the costs of providing or 3199  
arranging for the transportation of students who are eligible as 3200  
specified in section 3327.01 of the Revised Code and division 3201  
(C) (1) of this section, which may include payments to a parent, 3202  
guardian, or other person in charge of a child in lieu of 3203  
transportation. 3204

(E) Except when arranged through payment to a parent, 3205  
guardian, or person in charge of a child, transportation 3206  
provided or arranged for by a community school pursuant to an 3207  
agreement under this section is subject to all provisions of the 3208  
Revised Code, and all rules adopted under the Revised Code, 3209  
pertaining to the construction, design, equipment, and operation 3210  
of school buses and other vehicles transporting students to and 3211  
from school. The drivers and mechanics of the vehicles are 3212  
subject to all provisions of the Revised Code, and all rules 3213  
adopted under the Revised Code, pertaining to drivers and 3214  
mechanics of such vehicles. The community school also shall 3215  
comply with sections 3313.201, 3327.09, and 3327.10 of the 3216  
Revised Code, division (B) of section 3327.16 of the Revised 3217  
Code and, subject to division (C) (1) of this section, sections 3218  
3327.01 and 3327.02 of the Revised Code, as if it were a school 3219  
district. 3220

**Sec. 3314.11.** (A) The governing authority of each 3221  
community school established under this chapter monthly shall 3222  
review the residency records of students enrolled in that 3223  
community school. Upon the enrollment of each student and on an 3224  
annual basis, the governing authority shall verify to the 3225  
department of education the school district in which the student 3226  
is entitled to attend school under section 3313.64 or 3313.65 of 3227  
the Revised Code. 3228

The school district may review the determination made by 3229  
the community school under division (A) of this section. 3230

(B) (1) For purposes of its initial reporting of the school 3231  
districts in which its students are entitled to attend school, 3232  
the governing authority of a community school shall adopt a 3233  
policy that prescribes the number of documents listed in 3234  
division (E) of this section required to verify a student's 3235  
residency. This policy shall supersede any policy concerning the 3236  
number of documents for initial residency verification adopted 3237  
by the district the student is entitled to attend. 3238

(2) For purposes of the annual reporting of the school 3239  
districts in which its students are entitled to attend school, 3240  
the governing authority of a community school shall adopt a 3241  
policy that prescribes the information required to verify a 3242  
student's residency. This information may be obtained through 3243  
any type of document, including any of the documents listed in 3244  
division (E) of this section, or any type of communication with 3245  
a government official authorized to provide such information. 3246

(C) For purposes of making the determinations required 3247  
under this section, the school district in which a parent or 3248  
child resides is the location the parent or student has 3249  
established as the primary residence and where substantial 3250



family activity takes place.	3251
(D) If a community school's determination under division	3252
(A) of this section of the school district a student is entitled	3253
to attend under section 3313.64 or 3313.65 of the Revised Code	3254
differs from a district's determination, the community school	3255
that made the determination under division (A) of this section	3256
shall provide the school district with documentation of the	3257
student's residency and shall make a good faith effort to	3258
accurately identify the correct residence of the student.	3259
(E) For purposes of this section, the following documents	3260
may serve as evidence of primary residence:	3261
(1) A deed, mortgage, lease, current home owner's or	3262
renter's insurance declaration page, or current real property	3263
tax bill;	3264
(2) A utility bill or receipt of utility installation	3265
issued within ninety days of enrollment;	3266
(3) A paycheck or paystub issued to the parent or student	3267
within ninety days of the date of enrollment that includes the	3268
address of the parent's or student's primary residence;	3269
(4) The most current available bank statement issued to	3270
the parent or student that includes the address of the parent's	3271
or student's primary residence;	3272
(5) Any other official document issued to the parent or	3273
student that includes the address of the parent's or student's	3274
primary residence. The superintendent of public instruction	3275
shall develop guidelines for determining what qualifies as an	3276
"official document" under this division.	3277
(F) When a student loses permanent housing and becomes a	3278

homeless child or youth, as defined in 42 U.S.C. 11434a, or when 3279  
a child who is such a homeless child or youth changes temporary 3280  
living arrangements, the district in which the student is 3281  
entitled to attend school shall be determined in accordance with 3282  
division (F) (13) of section 3313.64 of the Revised Code and the 3283  
"McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et 3284  
seq. 3285

(G) In the event of a disagreement as to which school 3286  
district a student is entitled to attend, the community school, 3287  
after complying with division (D) of this section, but not more 3288  
than sixty days after the monthly deadline established by the 3289  
department of education for reporting of community school 3290  
enrollment, may present the matter to the superintendent of 3291  
public instruction. Not later than thirty days after the 3292  
community school presents the matter, the state superintendent, 3293  
or the state superintendent's designee, shall determine which 3294  
district the student is entitled to attend and shall direct any 3295  
necessary adjustments to payments ~~and deductions~~ under section 3296  
3314.08 of the Revised Code based on that determination. 3297

**Sec. 3314.20.** (A) As used in this section: 3298

(1) "Base enrollment" for an internet- or computer-based 3299  
community school means either of the following: 3300

(a) If the school was open for instruction on the 3301  
effective date of this section, the number of students enrolled 3302  
in the school at the end of the 2012-2013 school year; 3303

(b) If the school opens for instruction after the 3304  
effective date of this section, one thousand students. 3305

(2) "Enrollment limit" for an internet- or computer-based 3306  
community school means the following: 3307

(a) For the 2014-2015 school year, the base enrollment 3308  
increased by the prescribed annual rate of growth, as calculated 3309  
by the department of education. 3310

(b) For the 2015-2016 school year and each school year 3311  
thereafter, the previous school year's enrollment limit 3312  
increased by the prescribed annual rate of growth, as calculated 3313  
by the department. 3314

(3) "Prescribed annual rate of growth" for an internet- or 3315  
computer-based community school means either of the following: 3316

(a) For a school with an enrollment limit equal to or 3317  
greater than three thousand students, fifteen per cent. 3318

(b) For a school with an enrollment limit of less than 3319  
three thousand students, twenty-five per cent. 3320

(B) Beginning in the 2014-2015 school year, no internet- 3321  
or computer-based community school shall enroll more students 3322  
than the number permitted by its enrollment limit. 3323

(C) If, in any school year, an internet- or computer-based 3324  
community school enrolls more students than permitted under the 3325  
enrollment limit, the department shall deduct from the community 3326  
school the amount of state funds credited to the community 3327  
school attributable to each student enrolled in excess of the 3328  
enrollment limit, as determined by the department. ~~The~~ 3329  
~~department shall distribute the deducted amounts to the school~~ 3330  
~~districts to which the students enrolled in the community school~~ 3331  
~~are entitled to attend school under section 3313.64 or 3313.65~~ 3332  
~~of the Revised Code. Such amounts shall be distributed on a pro~~ 3333  
~~rata basis according to each district's share of the total~~ 3334  
~~enrollment in the community school.~~ 3335

**Sec. 3315.18.** (A) The board of education of each city, 3336

exempted village, local, and joint vocational school district 3337  
shall establish a capital and maintenance fund. Each board 3338  
annually shall deposit into that fund an amount derived from 3339  
revenues received by the district that would otherwise have been 3340  
deposited in the general fund that is equal to three per cent of 3341  
the ~~formula amount~~ statewide average base cost per pupil for the 3342  
preceding fiscal year, as defined in section 3317.02 of the 3343  
Revised Code, or another percentage if established by the 3344  
auditor of state under division (B) of this section, multiplied 3345  
by the district's student population for the preceding fiscal 3346  
year, except that money received from a permanent improvement 3347  
levy authorized by section 5705.21 of the Revised Code may 3348  
replace general revenue moneys in meeting the requirements of 3349  
this section. Money in the fund shall be used solely for 3350  
acquisition, replacement, enhancement, maintenance, or repair of 3351  
permanent improvements, as that term is defined in section 3352  
5705.01 of the Revised Code. Any money in the fund that is not 3353  
used in any fiscal year shall carry forward to the next fiscal 3354  
year. 3355

(B) The state superintendent of public instruction and the 3356  
auditor of state jointly shall adopt rules in accordance with 3357  
Chapter 119. of the Revised Code defining what constitutes 3358  
expenditures permitted by division (A) of this section. The 3359  
auditor of state may designate a percentage, other than three 3360  
per cent, of the ~~formula amount~~ statewide average base cost per 3361  
pupil multiplied by the district's student population that must 3362  
be deposited into the fund. 3363

(C) Within its capital and maintenance fund, a school 3364  
district board of education may establish a separate account 3365  
solely for the purpose of depositing funds transferred from the 3366  
district's reserve balance account established under former 3367

division (H) of section 5705.29 of the Revised Code. After April 3368  
10, 2001, a board may deposit all or part of the funds formerly 3369  
included in such reserve balance account in the separate account 3370  
established under this section. Funds deposited in this separate 3371  
account and interest on such funds shall be utilized solely for 3372  
the purpose of providing the district's portion of the basic 3373  
project costs of any project undertaken in accordance with 3374  
Chapter 3318. of the Revised Code. 3375

(D) (1) Notwithstanding division (A) of this section, in 3376  
any year a district is in fiscal emergency status as declared 3377  
pursuant to section 3316.03 of the Revised Code, the district 3378  
may deposit an amount less than required by division (A) of this 3379  
section, or make no deposit, into the district capital and 3380  
maintenance fund for that year. 3381

(2) Notwithstanding division (A) of this section, in any 3382  
fiscal year that a school district is either in fiscal watch 3383  
status, as declared pursuant to section 3316.03 of the Revised 3384  
Code, or in fiscal caution status, as declared pursuant to 3385  
section 3316.031 of the Revised Code, the district may apply to 3386  
the superintendent of public instruction for a waiver from the 3387  
requirements of division (A) of this section, under which the 3388  
district may be permitted to deposit an amount less than 3389  
required by that division or permitted to make no deposit into 3390  
the district capital and maintenance fund for that year. The 3391  
superintendent may grant a waiver under division (D) (2) of this 3392  
section if the district demonstrates to the satisfaction of the 3393  
superintendent that compliance with division (A) of this section 3394  
that year will create an undue financial hardship on the 3395  
district. 3396

(3) Notwithstanding division (A) of this section, not more 3397

often than one fiscal year in every three consecutive fiscal 3398  
years, any school district that does not satisfy the conditions 3399  
for the exemption described in division (D) (1) of this section 3400  
or the conditions to apply for the waiver described in division 3401  
(D) (2) of this section may apply to the superintendent of public 3402  
instruction for a waiver from the requirements of division (A) 3403  
of this section, under which the district may be permitted to 3404  
deposit an amount less than required by that division or 3405  
permitted to make no deposit into the district capital and 3406  
maintenance fund for that year. The superintendent may grant a 3407  
waiver under division (D) (3) of this section if the district 3408  
demonstrates to the satisfaction of the superintendent that 3409  
compliance with division (A) of this section that year will 3410  
necessitate the reduction or elimination of a program currently 3411  
offered by the district that is critical to the academic success 3412  
of students of the district and that no reasonable alternatives 3413  
exist for spending reductions in other areas of operation within 3414  
the district that negate the necessity of the reduction or 3415  
elimination of that program. 3416

(E) Notwithstanding any provision to the contrary in 3417  
Chapter 4117. of the Revised Code, the requirements of this 3418  
section prevail over any conflicting provisions of agreements 3419  
between employee organizations and public employers entered into 3420  
after November 21, 1997. 3421

(F) As used in this section, "student population" means 3422  
the average, daily, full-time equivalent number of students in 3423  
kindergarten through twelfth grade receiving any educational 3424  
services from the school district during the first full school 3425  
week in October, excluding students enrolled in adult education 3426  
classes, but including all of the following: 3427

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

(2) 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;

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

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

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

(1) "Average administrative assistant salary" means the average salary of administrative assistants employed by city, local, and exempted village school districts in this state with salaries greater than \$20,000 but less than \$65,000 for the most recent fiscal year for which data is available, as determined by the department of education.

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

(3) "Average clerical staff salary" means the average salary of clerical staff employed by city, local, and exempted village school districts in this state with salaries greater than \$15,000 but less than \$50,000 for the most recent fiscal

year for which data is available, as determined by the 3457  
department. 3458

(4) "Average counselor salary" means the average salary of 3459  
counselors employed by city, local, and exempted village school 3460  
districts in this state with salaries greater than \$30,000 but 3461  
less than \$95,000 for the most recent fiscal year for which data 3462  
is available, as determined by the department. 3463

(5) "Average education management information system 3464  
support employee salary" means the average salary of accounting 3465  
employees employed by city, local, and exempted village school 3466  
districts in this state with salaries greater than \$30,000 but 3467  
less than \$90,000 for the most recent fiscal year for which data 3468  
is available, as determined by the department. 3469

(6) "Average librarian and media staff salary" means the 3470  
average salary of librarians and media staff employed by city, 3471  
local, and exempted village school districts in this state with 3472  
salaries greater than \$30,000 but less than \$95,000 for the most 3473  
recent fiscal year for which data is available, as determined by 3474  
the department. 3475

(7) "Average other district administrator salary" means 3476  
the average salary of all assistant superintendents and 3477  
directors employed by city, local, and exempted village school 3478  
districts in this state with salaries greater than \$50,000 but 3479  
less than \$135,000 for the most recent fiscal year for which 3480  
data is available, as determined by the department. 3481

(8) "Average principal salary" means the average salary of 3482  
all principals employed by city, local, and exempted village 3483  
school districts in this state with salaries greater than 3484  
\$50,000 but less than \$120,000 for the most recent fiscal year 3485



for which data is available, as determined by the department. 3486

(9) "Average superintendent salary" means the average 3487  
salary of all superintendents employed by city, local, and 3488  
exempted village school districts in this state with salaries 3489  
greater than \$60,000 but less than \$180,000 for the most recent 3490  
fiscal year for which data is available, as determined by the 3491  
department. 3492

(10) "Average teacher cost" for a fiscal year is equal to 3493  
the sum of the following: 3494

(a) The average salary of teachers employed by city, 3495  
local, and exempted village school districts in this state with 3496  
salaries greater than \$30,000 but less than \$95,000 for the most 3497  
recent fiscal year for which data is available, as determined by 3498  
the department; 3499

(b) An amount for teacher benefits equal to 0.16 times the 3500  
average salary calculated under division (A) (10) (a) of this 3501  
section; 3502

(c) An amount for district-paid insurance costs equal to 3503  
the following product: 3504

The statewide weighted average employer-paid monthly premium 3505  
based on data reported by city, local, and exempted village 3506  
school districts to the state employment relations board for the 3507  
health insurance survey conducted in accordance with divisions 3508  
(K) (5) and (6) of section 4117.02 of the Revised Code for the 3509  
most recent fiscal year for which data is available X 12 3510

(B) When calculating a district's aggregate base cost 3511  
under this section, the department shall use data from fiscal 3512  
year 2018 for all of the following: 3513

<u>(1) The average salaries determined under divisions (A)</u>	3514
<u>(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of this</u>	3515
<u>section;</u>	3516
<u>(2) The amount for teacher benefits determined under</u>	3517
<u>division (A) (10) (b) of this section;</u>	3518
<u>(3) The district-paid insurance costs determined under</u>	3519
<u>division (A) (10) (c) of this section;</u>	3520
<u>(4) The spending determined under divisions (E) (4) (a), (E)</u>	3521
<u>(5) (a), (E) (6) (a), and (E) (7) (a) of this section and the</u>	3522
<u>corresponding student counts determined under divisions (E) (4)</u>	3523
<u>(b), (E) (5) (b), (E) (6) (b), and (E) (7) (b) of this section;</u>	3524
<u>(5) The information determined under division (G) (3) of</u>	3525
<u>this section.</u>	3526
<u>(C) A city, local, or exempted village school district's</u>	3527
<u>aggregate base cost for a fiscal year shall be equal to the</u>	3528
<u>following sum:</u>	3529
<u>The district's teacher base cost for that fiscal year computed</u>	3530
<u>under division (D) of this section + the district's student</u>	3531
<u>support base cost for that fiscal year computed under division</u>	3532
<u>(E) of this section + the district's leadership and</u>	3533
<u>accountability base cost for that fiscal year computed under</u>	3534
<u>division (F) of this section + the district's building</u>	3535
<u>leadership and operations base cost for that fiscal year</u>	3536
<u>computed under division (G) of this section</u>	3537
<u>(D) The department of education shall compute a district's</u>	3538
<u>teacher base cost for a fiscal year as follows:</u>	3539
<u>(1) Calculate the district's classroom teacher cost for</u>	3540
<u>that fiscal year as follows:</u>	3541

(a) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in kindergarten and divide that number by 20; 3542  
3543  
3544

(b) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in grades one through three and divide that number by 23; 3545  
3546  
3547  
3548

(c) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in grades four through eight but are not enrolled in a career-technical education program or class described under section 3317.014 of the Revised Code and divide that number by 25; 3549  
3550  
3551  
3552  
3553  
3554

(d) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in grades nine through twelve but are not enrolled in a career-technical education program or class described under section 3317.014 of the Revised Code and divide that number by 27; 3555  
3556  
3557  
3558  
3559  
3560

(e) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in a career-technical education program or class, as certified under divisions (B) (11), (12), (13), (14), and (15) of section 3317.03 of the Revised Code, and divide that number by 18; 3561  
3562  
3563  
3564  
3565  
3566

(f) Compute the sum of the quotients obtained under divisions (D) (1) (a), (b), (c), (d), and (e) of this section; 3567  
3568

(g) Compute the classroom teacher cost by multiplying the average teacher cost for that fiscal year by the sum computed 3569  
3570

<u>under division (D) (1) (f) of this section.</u>	3571
<u>(2) Calculate the district's special teacher cost for that</u>	3572
<u>fiscal year as follows:</u>	3573
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3574
<u>fiscal year by 150;</u>	3575
<u>(b) If the quotient obtained under division (D) (2) (a) of</u>	3576
<u>this section is greater than 6, the special teacher cost shall</u>	3577
<u>be equal to that quotient multiplied by the average teacher cost</u>	3578
<u>for that fiscal year.</u>	3579
<u>(c) If the quotient obtained under division (D) (2) (a) of</u>	3580
<u>this section is less than or equal to 6, the special teacher</u>	3581
<u>cost shall be equal to 6 multiplied by the average teacher cost</u>	3582
<u>for that fiscal year.</u>	3583
<u>(3) Calculate the district's substitute teacher cost for</u>	3584
<u>that fiscal year in accordance with the following formula:</u>	3585
<u>(a) Compute the substitute teacher daily rate with</u>	3586
<u>benefits by multiplying the substitute teacher daily rate of \$90</u>	3587
<u>by 1.16;</u>	3588
<u>(b) Compute the substitute teacher cost in accordance with</u>	3589
<u>the following formula:</u>	3590
<u>[The sum computed under division (D) (1) (f) of this section +</u>	3591
<u>(the greater of the quotient obtained under division (D) (2) (a)</u>	3592
<u>of this section and 6)] X the amount computed under division (D)</u>	3593
<u>(3) (a) of this section X 5</u>	3594
<u>(4) Calculate the district's professional development cost</u>	3595
<u>for that fiscal year in accordance with the following formula:</u>	3596
<u>[The sum computed under division (D) (1) (f) of this section +</u>	3597

(the greater of the quotient obtained under division (D) (2) (a) 3598  
of this section and 6)] X [(the sum of divisions (A) (10) (a) and 3599  
(b) of this section for that fiscal year)/180] X 4 3600

(5) Calculate the district's teacher base cost for that 3601  
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 3602  
and (4) of this section. 3603

(E) The department shall compute a district's student 3604  
support base cost for a fiscal year as follows: 3605

(1) Calculate the district's guidance counselor cost for 3606  
that fiscal year as follows: 3607

(a) Determine the number of students in the district's 3608  
base cost enrolled ADM for that fiscal year that are enrolled in 3609  
grades nine through twelve and divide that number by 360; 3610

(b) Compute the counselor cost in accordance with the 3611  
following formula: 3612

(The greater of the quotient obtained under division (E) (1) (a) 3613  
of this section and 1) X [(the average counselor salary for that 3614  
fiscal year X 1.16) + the amount specified under division (A) 3615  
(10) (c) of this section for that fiscal year] 3616

(2) Calculate the district's librarian and media staff 3617  
cost for that fiscal year as follows: 3618

(a) Divide the district's base cost enrolled ADM for that 3619  
fiscal year by 1,000; 3620

(b) Compute the librarian and media staff cost in 3621  
accordance with the following formula: 3622

The quotient obtained under division (E) (2) (a) of this section X 3623  
[(the average librarian and media staff salary for that fiscal 3624

year X 1.16) + the amount specified under division (A) (10) (c) of 3625  
this section for that fiscal year] 3626

(3) Calculate the district's staffing cost for student 3627  
social, emotional, and security support for that fiscal year as 3628  
follows: 3629

(a) Divide the district's base cost enrolled ADM for that 3630  
fiscal year by 250; 3631

(b) Compute the staffing cost for student social, 3632  
emotional, and security support in accordance with the following 3633  
formula: 3634

(The greater of the quotient obtained under division (E) (3) (a) 3635  
of this section and 5) X [(the average counselor salary for that 3636  
fiscal year X 1.16) + the amount specified under division (A) 3637  
(10) (c) of this section for that fiscal year] 3638

(4) Calculate the district's academic co-curricular 3639  
activities cost for that fiscal year as follows: 3640

(a) Determine the total amount of spending for academic 3641  
co-curricular activities reported by city, local, and exempted 3642  
village school districts to the department for the most recent 3643  
fiscal year for which data is available; 3644

(b) Determine the sum of the enrolled ADM of every school 3645  
district in the state for the most recent fiscal year for which 3646  
the data specified under division (E) (4) (a) of this section is 3647  
available; 3648

(c) Compute the academic co-curricular activities cost in 3649  
accordance with the following formula: 3650

(The amount determined under division (E) (4) (a) of this section/ 3651  
the sum determined under division (E) (4) (b) of this section) X 3652

<u>the district's base cost enrolled ADM for the fiscal year for</u>	3653
<u>which the academic co-curricular activities cost is computed</u>	3654
<u>(5) Calculate the district's athletic co-curricular</u>	3655
<u>activities cost for that fiscal year as follows:</u>	3656
<u>(a) Determine the total amount of spending for athletic</u>	3657
<u>co-curricular activities reported by city, local, and exempted</u>	3658
<u>village school districts to the department for the most recent</u>	3659
<u>fiscal year for which data is available;</u>	3660
<u>(b) Determine the sum of the enrolled ADM of every school</u>	3661
<u>district in the state for the most recent fiscal year for which</u>	3662
<u>the data specified under division (E) (5) (a) of this section is</u>	3663
<u>available;</u>	3664
<u>(c) Compute the athletic co-curricular activities cost in</u>	3665
<u>accordance with the following formula:</u>	3666
<u>(The amount determined under division (E) (5) (a) of this section/</u>	3667
<u>the sum determined under division (E) (5) (b) of this section) X</u>	3668
<u>the district's base cost enrolled ADM for the fiscal year for</u>	3669
<u>which the athletic co-curricular activities cost is computed</u>	3670
<u>(6) Calculate the district's building safety and security</u>	3671
<u>cost for that fiscal year as follows:</u>	3672
<u>(a) Determine the total amount of spending for building</u>	3673
<u>safety and security reported by city, local, and exempted</u>	3674
<u>village school districts to the department for the most recent</u>	3675
<u>fiscal year for which data is available;</u>	3676
<u>(b) Determine the sum of the enrolled ADM of every school</u>	3677
<u>district in the state that reported the data specified under</u>	3678
<u>division (E) (6) (a) of this section for the most recent fiscal</u>	3679
<u>year for which the data is available;</u>	3680

<u>(c) Compute the building safety and security cost in</u>	3681
<u>accordance with the following formula:</u>	3682
<u>(The amount determined under division (E) (6) (a) of this section/</u>	3683
<u>the sum determined under division (E) (6) (b) of this section) X</u>	3684
<u>the district's base cost enrolled ADM for the fiscal year for</u>	3685
<u>which the building safety and security cost is computed</u>	3686
<u>(7) Calculate the district's supplies and academic content</u>	3687
<u>cost for that fiscal year as follows:</u>	3688
<u>(a) Determine the total amount of spending for supplies</u>	3689
<u>and academic content, excluding supplies for transportation and</u>	3690
<u>maintenance, reported by city, local, and exempted village</u>	3691
<u>school districts to the department for the most recent fiscal</u>	3692
<u>year for which data is available;</u>	3693
<u>(b) Determine the sum of the enrolled ADM of every school</u>	3694
<u>district in the state for the most recent fiscal year for which</u>	3695
<u>the data specified under division (E) (7) (a) of this section is</u>	3696
<u>available;</u>	3697
<u>(c) Compute the supplies and academic content cost in</u>	3698
<u>accordance with the following formula:</u>	3699
<u>(The amount determined under division (E) (7) (a) of this section/</u>	3700
<u>the sum determined under division (E) (7) (b) of this section) X</u>	3701
<u>the district's base cost enrolled ADM for the fiscal year for</u>	3702
<u>which the supplies and academic content cost is computed</u>	3703
<u>(8) Calculate the district's technology cost for that</u>	3704
<u>fiscal year in accordance with the following formula:</u>	3705
<u>\$37.50 X the district's base cost enrolled ADM for that fiscal</u>	3706
<u>year</u>	3707
<u>(9) Calculate the district's student support base cost for</u>	3708



that fiscal year, which equals the sum of divisions (E) (1), (2), (3), (4), (5), (6), (7), and (8) of this section. 3709  
3710

(F) The department shall compute a district's leadership and accountability base cost for a fiscal year as follows: 3711  
3712

(1) Calculate the district's superintendent cost for that fiscal year as follows: 3713  
3714

(a) If the district's base cost enrolled ADM for that fiscal year is greater than 4,000, then the district's superintendent cost shall be equal to [(\$160,000 X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year]. 3715  
3716  
3717  
3718  
3719

(b) If the district's base cost enrolled ADM for that fiscal year is less than or equal to 4,000 but greater than or equal to 500, the district's superintendent cost shall be equal to the sum of the following: 3720  
3721  
3722  
3723

(i) (The district's base cost enrolled ADM for that fiscal year - 500) X {[((\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500}; 3724  
3725

(ii) (\$80,000 X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year. 3726  
3727

(c) If the district's base cost enrolled ADM is less than 500, then the district's superintendent cost shall be equal to [(\$80,000 X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year]. 3728  
3729  
3730  
3731

(2) Calculate the district's treasurer cost for that fiscal year as follows: 3732  
3733

(a) If the district's base cost enrolled ADM for that fiscal year is greater than 4,000, then the district's treasurer cost shall be equal to [(\$130,000 X 1.16) + the amount specified 3734  
3735  
3736

under division (A) (10) (c) of this section for that fiscal year]. 3737

(b) If the district's base cost enrolled ADM for that 3738  
fiscal year is less than or equal to 4,000 but greater than or 3739  
equal to 500, the district's treasurer cost shall be equal to 3740  
the sum of the following: 3741

(i) (The district's base cost enrolled ADM for that fiscal 3742  
year - 500) X {[((\$130,000 X 1.16) - (\$60,000 X 1.16)]/3500}; 3743

(ii) (\$60,000 X 1.16) + the amount specified under 3744  
division (A) (10) (c) of this section for that fiscal year. 3745

(c) If the district's base cost enrolled ADM is less than 3746  
500, then the district's treasurer cost shall be equal to 3747  
[((\$60,000 X 1.16) + the amount specified under division (A) (10) 3748  
(c) of this section for that fiscal year]. 3749

(3) Calculate the district's other district administrator 3750  
cost for that fiscal year as follows: 3751

(a) Divide the average other district administrator salary 3752  
for that fiscal year by the average superintendent salary for 3753  
that fiscal year; 3754

(b) Divide the district's base cost enrolled ADM for that 3755  
fiscal year by 750; 3756

(c) Compute the other district administrator cost in 3757  
accordance with the following formula: 3758

{[(The district's superintendent cost for that fiscal year 3759  
calculated under division (F) (1) of this section - the amount 3760  
specified under division (A) (10) (c) of this section for that 3761  
fiscal year) X the quotient obtained under division (F) (3) (a) of 3762  
this section] + the amount specified under division (A) (10) (c) 3763  
of this section} X (the greater of the quotient obtained under 3764

<u>division (F) (3) (b) of this section and 2)</u>	3765
<u>(4) Calculate the district's fiscal support cost for that fiscal year as follows:</u>	3766
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 850;</u>	3768
<u>(b) Determine the lesser of the following:</u>	3770
<u>(i) The maximum of the quotient obtained under division (F) (4) (a) of this section and 2;</u>	3771
<u>(ii) 35.</u>	3772
<u>(c) Compute the fiscal support cost in accordance with the following formula:</u>	3774
<u>The number obtained under division (F) (4) (b) of this section X [(the average bookkeeping and accounting employee salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year]</u>	3775
<u>(5) Calculate the district's education management information system support cost for that fiscal year as follows:</u>	3776
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 5,000;</u>	3777
<u>(b) Compute the education management information system support cost in accordance with the following formula:</u>	3778
<u>(The greater of the quotient obtained under division (F) (5) (a) of this section and 1) X [(the average education management information system support employee salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year]</u>	3779
<u>(6) Calculate the district's leadership support cost for</u>	3780
	3781
	3782
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	3786
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	3791

that fiscal year as follows: 3792

(a) Determine the greater of the quotient obtained under 3793  
division (F) (3) (b) of this section and 2, and add 1 to that 3794  
number; 3795

(b) Divide the number obtained under division (F) (6) (a) of 3796  
this section by 3; 3797

(c) Compute the leadership support cost in accordance with 3798  
the following formula: 3799

(The greater of the quotient obtained under division (F) (6) (b) 3800  
of this section and 1) X [(the average administrative assistant 3801  
salary for that fiscal year X 1.16) + the amount specified under 3802  
division (A) (10) (c) of this section for that fiscal year] 3803

(7) Calculate the district's information technology center 3804  
support cost for that fiscal year in accordance with the 3805  
following formula: 3806

\$31 X the district's base cost enrolled ADM for that fiscal year 3807

(8) Calculate the district's district leadership and 3808  
accountability base cost for that fiscal year, which equals the 3809  
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 3810  
this section. 3811

(G) The department shall compute a district's building 3812  
leadership and operations base cost for a fiscal year as 3813  
follows: 3814

(1) Calculate the district's building leadership cost for 3815  
that fiscal year as follows: 3816

(a) Divide the average principal salary for that fiscal 3817  
year by the average superintendent salary for that fiscal year; 3818

(b) Divide the district's base cost enrolled ADM for that fiscal year by 450; 3819  
3820

(c) Compute the building leadership cost in accordance with the following formula: 3821  
3822

{[(The district's superintendent cost for that fiscal year calculated under division (F) (1) of this section - the amount specified under division (A) (10) (c) of this section for that fiscal year) X the quotient obtained under division (G) (1) (a) of this section] + the amount specified under division (A) (10) (c) of this section for that fiscal year} X the quotient obtained under division (G) (1) (b) of this section 3823  
3824  
3825  
3826  
3827  
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3829

(2) Calculate the district's building leadership support cost for that fiscal year as follows: 3830  
3831

(a) Divide the district's base cost enrolled ADM for that fiscal year by 400; 3832  
3833

(b) Determine the number of school buildings in the district for that fiscal year; 3834  
3835

(c) Compute the building leadership support cost in accordance with the following formula: 3836  
3837

(i) If the quotient obtained under division (G) (2) (a) of this section is less than the number obtained under division (G) (2) (b) of this section, then the district's building leadership support cost shall be equal to {the number obtained under division (G) (2) (b) of this section for that fiscal year X [(the average clerical staff salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year]}. 3838  
3839  
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(ii) If the quotient obtained under division (G) (2) (a) of 3846

this section is greater than or equal to the number obtained 3847  
under division (G) (2) (b) of this section, then the district's 3848  
building leadership support cost shall be equal to {[the lesser 3849  
of (the number obtained under division (G) (2) (b) of this section 3850  
X 3) and the quotient obtained under division (G) (2) (a) of this 3851  
section] X [(the average clerical staff salary for that fiscal 3852  
year X 1.16) + the amount specified under division (A) (10) (c) of 3853  
this section for that fiscal year]}. 3854

(3) Calculate the district's building operations cost for 3855  
that fiscal year as follows: 3856

(a) Using data for the six most recent fiscal years for 3857  
which data is available, determine both of the following: 3858

(i) The six-year average of the average building square 3859  
feet per pupil for all city, local, and exempted village school 3860  
district buildings in the state; 3861

(ii) The six-year average cost per square foot for all 3862  
city, local, and exempted village school district buildings in 3863  
the state. 3864

(b) Compute the building operations cost in accordance 3865  
with the following formula: 3866

The district's base cost enrolled ADM for that fiscal year X 3867  
[(the number determined under division (G) (3) (a) (i) of this 3868  
section X the number determined under division (G) (3) (a) (ii) of 3869  
this section) - (the amount determined under division (E) (6) (a) 3870  
of this section for that fiscal year/ the sum determined under 3871  
division (E) (6) (b) of this section for that fiscal year)] 3872

(4) Calculate the district's building leadership and 3873  
operations base cost for that fiscal year, which equals the sum 3874  
of divisions (G) (1), (2), and (3) of this section. 3875

<u>Sec. 3317.012. (A) As used in this section, "average</u>	3876
<u>administrative assistant salary," "average bookkeeping and</u>	3877
<u>accounting employee salary," "average clerical staff salary,"</u>	3878
<u>"average counselor salary," "average education management</u>	3879
<u>information system support employee salary," "average librarian</u>	3880
<u>and media staff salary," "average other district administrator</u>	3881
<u>salary," "average principal salary," "average superintendent</u>	3882
<u>salary," and "average teacher cost" have the same meanings as in</u>	3883
<u>section 3317.011 of the Revised Code.</u>	3884
<u>(B) When calculating a district's aggregate base cost</u>	3885
<u>under this section, the department shall use data from fiscal</u>	3886
<u>year 2018 for all of the following:</u>	3887
<u>(1) The average salaries determined under divisions (A)</u>	3888
<u>(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of</u>	3889
<u>section 3317.011 of the Revised Code;</u>	3890
<u>(2) The amount for teacher benefits determined under</u>	3891
<u>division (A) (10) (b) of section 3317.011 of the Revised Code;</u>	3892
<u>(3) The district-paid insurance costs determined under</u>	3893
<u>division (A) (10) (c) of section 3317.011 of the Revised Code;</u>	3894
<u>(4) The spending determined under division (E) (4) of this</u>	3895
<u>section;</u>	3896
<u>(5) The spending determined under divisions (E) (5) (a) and</u>	3897
<u>(6) (a) of this section and the corresponding student counts</u>	3898
<u>determined under divisions (E) (5) (b) and (6) (b) of section</u>	3899
<u>3317.011 of the Revised Code;</u>	3900
<u>(6) The information determined under division (G) (3) of</u>	3901
<u>this section.</u>	3902
<u>(C) A joint vocational school district's aggregate base</u>	3903

cost for a fiscal year shall be equal to the following sum: 3904

The district's teacher base cost for that fiscal year computed 3905  
under division (D) of this section + the district's student 3906  
support base cost for that fiscal year computed under division 3907  
(E) of this section + the district's leadership and 3908  
accountability base cost for that fiscal year computed under 3909  
division (F) of this section + the district's building 3910  
leadership and operations base cost for that fiscal year 3911  
computed under division (G) of this section 3912

(D) The department of education shall compute a district's 3913  
teacher base cost for a fiscal year as follows: 3914

(1) Calculate the district's classroom teacher cost for 3915  
that fiscal year as follows: 3916

(a) Determine the full-time equivalency of students in the 3917  
district's base cost enrolled ADM for that fiscal year that are 3918  
enrolled in a career-technical education program or class, as 3919  
certified under divisions (D) (2) (h), (i), (j), (k), and (l) of 3920  
section 3317.03 of the Revised Code, and divide that number by 3921  
18; 3922

(b) Determine the full-time equivalency of students in the 3923  
district's base cost enrolled ADM for that fiscal year that are 3924  
enrolled in grades six through eight but are not enrolled in a 3925  
career-technical education program or class described under 3926  
section 3317.014 of the Revised Code and divide that number by 3927  
25; 3928

(c) Determine the full-time equivalency of students in the 3929  
district's base cost enrolled ADM for that fiscal year that are 3930  
enrolled in grades nine through twelve but are not enrolled in a 3931  
career-technical education program or class described under 3932



<u>section 3317.014 of the Revised Code and divide that number by</u>	3933
<u>27;</u>	3934
<u>(d) Compute the sum of the quotients obtained under</u>	3935
<u>divisions (D)(1)(a), (b), and (c) of this section;</u>	3936
<u>(e) Compute the classroom teacher base cost by multiplying</u>	3937
<u>the average teacher cost for that fiscal year by the sum</u>	3938
<u>computed under division (D)(1)(d) of this section.</u>	3939
<u>(2) Calculate the district's cost for that fiscal year for</u>	3940
<u>teachers providing health and physical education, instruction</u>	3941
<u>regarding employability and soft skills, development and</u>	3942
<u>coordination of internships and job placements, career-technical</u>	3943
<u>student organization activities, pre-apprenticeship and</u>	3944
<u>apprenticeship coordination, and any assessment related to</u>	3945
<u>career-technical education, including any nationally recognized</u>	3946
<u>job skills or end-of-course assessment, as follows:</u>	3947
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3948
<u>fiscal year by 150;</u>	3949
<u>(b) If the quotient obtained under division (D)(2)(a) of</u>	3950
<u>this section is greater than 6, the teacher cost shall be equal</u>	3951
<u>to that quotient multiplied by the average teacher cost for that</u>	3952
<u>fiscal year.</u>	3953
<u>(c) If the quotient obtained under division (D)(2)(a) of</u>	3954
<u>this section is less than or equal to 6, the teacher cost shall</u>	3955
<u>be equal to 6 multiplied by the average teacher cost for that</u>	3956
<u>fiscal year.</u>	3957
<u>(3) Calculate the district's substitute teacher cost for</u>	3958
<u>that fiscal year in accordance with the following formula:</u>	3959
<u>(a) Compute the substitute teacher daily rate with</u>	3960

benefits by multiplying the substitute teacher daily rate of \$90 3961  
by 1.16; 3962

(b) Compute the substitute teacher cost in accordance with 3963  
the following formula: 3964

[The sum computed under division (D) (1) (d) of this section + 3965  
(the greater of the quotient obtained under division (D) (2) (a) 3966  
of this section and 6)] X the amount computed under division (D) 3967  
(3) (a) of this section X 5 3968

(4) Calculate the district's professional development cost 3969  
for that fiscal year in accordance with the following formula: 3970

[The sum computed under division (D) (1) (d) of this section + 3971  
(the greater of the quotient obtained under division (D) (2) (a) 3972  
of this section and 6)] X [(the sum of divisions (A) (10) (a) and 3973  
(b) of section 3317.011 of the Revised Code for that fiscal 3974  
year)/180] X 4 3975

(5) Calculate the district's teacher base cost for that 3976  
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 3977  
and (4) of this section. 3978

(E) The department shall compute a district's student 3979  
support base cost for a fiscal year as follows: 3980

(1) Calculate the district's guidance counselor cost for 3981  
that fiscal year as follows: 3982

(a) Determine the number of students in the district's 3983  
base cost enrolled ADM for that fiscal year that are enrolled in 3984  
grades nine through twelve and divide that number by 360; 3985

(b) Compute the counselor cost in accordance with the 3986  
following formula: 3987

(The greater of the quotient obtained under division (E) (1) (a) 3988  
of this section and 1) X [(the average counselor salary for that 3989  
fiscal year X 1.16) + the amount specified under division (A) 3990  
(10) (c) of section 3317.011 of the Revised Code for that fiscal 3991  
year] 3992

(2) Calculate the district's librarian and media staff 3993  
cost for that fiscal year as follows: 3994

(a) Divide the district's base cost enrolled ADM for that 3995  
fiscal year by 1,000; 3996

(b) Compute the librarian and media staff cost in 3997  
accordance with the following formula: 3998

The quotient obtained under division (E) (2) (a) of this section X 3999  
[(the average librarian and media staff salary for that fiscal 4000  
year X 1.16) + the amount specified under division (A) (10) (c) of 4001  
section 3317.011 of the Revised Code for that fiscal year] 4002

(3) Calculate the district's staffing cost for student 4003  
social, emotional, and security support for that fiscal year as 4004  
follows: 4005

(a) Divide the district's base cost enrolled ADM for that 4006  
fiscal year by 250; 4007

(b) Compute the staffing cost for student social, 4008  
emotional, and security support in accordance with the following 4009  
formula: 4010

The quotient obtained under division (E) (3) (a) of this section X 4011  
[(the average counselor salary for that fiscal year X 1.16) + 4012  
the amount specified under division (A) (10) (c) of section 4013  
3317.011 of the Revised Code for that fiscal year] 4014

(4) Calculate the district's cost for that fiscal year for 4015

career-technical curriculum specialists and coordinators, career 4016  
assessment and program placement, recruitment and orientation, 4017  
student success coordination, analysis of test results, 4018  
development of intervention and remediation plans and monitoring 4019  
of those plans, and satellite program coordination in accordance 4020  
with the following formula: 4021

[(The amount determined under division (E) (4) (a) of section 4022  
3317.011 of the Revised Code for that fiscal year/ the sum 4023  
determined under division (E) (4) (b) of section 3317.011 of the 4024  
Revised Code) + (the amount determined under division (E) (5) (a) 4025  
of section 3317.011 of the Revised Code for that fiscal year/ 4026  
the sum determined under division (E) (5) (b) of section 3317.011 4027  
of the Revised Code)] X the district's base cost enrolled ADM 4028  
for the fiscal year for which the district's cost under this 4029  
division is computed 4030

(5) Compute the district's building safety and security 4031  
cost for that fiscal year in accordance with the following 4032  
formula: 4033

(The amount determined under division (E) (6) (a) of section 4034  
3317.011 of the Revised Code for that fiscal year/ the sum 4035  
determined under division (E) (6) (b) of section 3317.011 of the 4036  
Revised Code) X the district's base cost enrolled ADM for the 4037  
fiscal year for which the building safety and security cost is 4038  
computed 4039

(6) Compute the district's supplies and academic content 4040  
cost for that fiscal year in accordance with the following 4041  
formula: 4042

(The amount determined under division (E) (7) (a) of section 4043  
3317.011 of the Revised Code for that fiscal year/ the sum 4044

determined under division (E) (7) (b) of section 3317.011 of the 4045  
Revised Code) X the district's base cost enrolled ADM for the 4046  
fiscal year for which the supplies and academic content cost is 4047  
computed 4048

(7) Calculate the district's technology cost for that 4049  
fiscal year in accordance with the following formula: 4050

\$37.50 X the district's base cost enrolled ADM for that fiscal 4051  
year 4052

(8) Calculate the district's student support base cost for 4053  
that fiscal year, which equals the sum of divisions (E) (1), (2), 4054  
(3), (4), (5), (6), and (7) of this section. 4055

(F) The department shall compute a district's leadership 4056  
and accountability base cost for a fiscal year as follows: 4057

(1) Calculate the district's superintendent cost for that 4058  
fiscal year as follows: 4059

(a) If the district's base cost enrolled ADM for that 4060  
fiscal year is greater than 4,000, then the district's 4061  
superintendent cost shall be equal to [(\$160,000 X 1.16) + the 4062  
amount specified under division (A) (10) (c) of section 3317.011 4063  
of the Revised Code for that fiscal year]. 4064

(b) If the district's base cost enrolled ADM for that 4065  
fiscal year is less than or equal to 4,000 but greater than or 4066  
equal to 500, the district's superintendent cost shall be equal 4067  
to the sum of the following: 4068

(i) (The district's base cost enrolled ADM for that fiscal 4069  
year - 500) X {[((\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500}; 4070

(ii) (\$80,000 X 1.16) + the amount specified under 4071  
division (A) (10) (c) of section 3317.011 of the Revised Code for 4072

that fiscal year. 4073

(c) If the district's base cost enrolled ADM is less than 4074  
500, then the district's superintendent cost shall be equal to 4075  
[( $\$80,000 \times 1.16$ ) + the amount specified under division (A) (10) 4076  
(c) of section 3317.011 of the Revised Code for that fiscal 4077  
year]. 4078

(2) Calculate the district's treasurer cost for that 4079  
fiscal year as follows: 4080

(a) If the district's base cost enrolled ADM for that 4081  
fiscal year is greater than 4,000, then the district's treasurer 4082  
cost shall be equal to [( $\$130,000 \times 1.16$ ) + the amount specified 4083  
under division (A) (10) (c) of section 3317.011 of the Revised 4084  
Code for that fiscal year]. 4085

(b) If the district's base cost enrolled ADM for that 4086  
fiscal year is less than or equal to 4,000 but greater than or 4087  
equal to 500, the district's treasurer cost shall be equal to 4088  
the sum of the following: 4089

(i) (The district's base cost enrolled ADM for that fiscal 4090  
year - 500) X {[( $\$130,000 \times 1.16$ ) - ( $\$60,000 \times 1.16$ )]/3500}; 4091

(ii) ( $\$60,000 \times 1.16$ ) + the amount specified under 4092  
division (A) (10) (c) of section 3317.011 of the Revised Code for 4093  
that fiscal year. 4094

(c) If the district's base cost enrolled ADM is less than 4095  
500, then the district's treasurer cost shall be equal to 4096  
[( $\$60,000 \times 1.16$ ) + the amount specified under division (A) (10) 4097  
(c) of section 3317.011 of the Revised Code for that fiscal 4098  
year]. 4099

(3) Calculate the district's other district administrator 4100

cost for that fiscal year as follows: 4101

(a) Divide the average other district administrator salary 4102  
for that fiscal year by the average superintendent salary for 4103  
that fiscal year; 4104

(b) Divide the district's base cost enrolled ADM for that 4105  
fiscal year by 750; 4106

(c) Compute the other district administrator cost in 4107  
accordance with the following formula: 4108

{[(The district's superintendent cost for that fiscal year 4109  
calculated under division (F) (1) of this section - the amount 4110  
specified under division (A) (10) (c) of section 3317.011 of the 4111  
Revised Code for that fiscal year) X the quotient obtained under 4112  
division (F) (3) (a) of this section] + the amount specified under 4113  
division (A) (10) (c) of section 3317.011 of the Revised Code} X 4114  
(the greater of the quotient obtained under division (F) (3) (b) 4115  
of this section and 2). 4116

(4) Calculate the district's fiscal support cost for that 4117  
fiscal year as follows: 4118

(a) Divide the district's base cost enrolled ADM for that 4119  
fiscal year by 850; 4120

(b) Determine the lesser of the following: 4121

(i) The maximum of the quotient obtained under division 4122  
(F) (4) (a) of this section and 2; 4123

(ii) 35. 4124

(c) Compute the fiscal support cost in accordance with the 4125  
following formula: 4126

The number obtained under division (F) (4) (b) of this section X 4127

[(the average bookkeeping and accounting employee salary for 4128  
that fiscal year X 1.16) + the amount specified under division 4129  
(A) (10) (c) of section 3317.011 of the Revised Code for that 4130  
fiscal year] 4131

(5) Calculate the district's education management 4132  
information system support cost for that fiscal year as follows: 4133

(a) Divide the district's base cost enrolled ADM for that 4134  
fiscal year by 5,000; 4135

(b) Compute the education management information system 4136  
support cost in accordance with the following formula: 4137

(The greater of the quotient obtained under division (F) (5) (a) 4138  
of this section and 1) X [(the average education management 4139  
information system support employee salary for that fiscal year 4140  
X 1.16) + the amount specified under division (A) (10) (c) of 4141  
section 3317.011 of the Revised Code for that fiscal year] 4142

(6) Calculate the district's leadership support cost for 4143  
that fiscal year as follows: 4144

(a) Determine the greater of the quotient obtained under 4145  
division (F) (3) (b) of this section and 2 and add 1 to that 4146  
number; 4147

(b) Divide the number obtained under division (F) (6) (a) of 4148  
this section by 3; 4149

(c) Compute the leadership support cost in accordance with 4150  
the following formula: 4151

(The greater of the quotient obtained under division (F) (6) (b) 4152  
of this section and 1) X [(the average administrative assistant 4153  
salary for that fiscal year X 1.16) + the amount specified under 4154  
division (A) (10) (c) of section 3317.011 of the Revised Code for 4155



that fiscal year] 4156

(7) Calculate the district's information technology center 4157  
support cost for that fiscal year in accordance with the 4158  
following formula: 4159

\$31 X the district's base cost enrolled ADM for that fiscal year 4160

(8) Calculate the district's district leadership and 4161  
accountability base cost for that fiscal year, which equals the 4162  
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 4163  
this section; 4164

(G) The department shall compute a district's building 4165  
leadership and operations base cost for a fiscal year as 4166  
follows: 4167

(1) Calculate the district's building leadership cost for 4168  
that fiscal year as follows: 4169

(a) Divide the average principal salary for that fiscal 4170  
year by the average superintendent salary for that fiscal year; 4171

(b) Divide the district's base cost enrolled ADM for that 4172  
fiscal year by 450; 4173

(c) Compute the building leadership cost in accordance 4174  
with the following formula: 4175

{[(The district's superintendent cost for that fiscal year 4176  
calculated under division (F) (1) of this section - the amount 4177  
specified under division (A) (10) (c) of section 3317.011 of the 4178  
Revised Code for that fiscal year) X the quotient obtained under 4179  
division (G) (1) (a) of this section] + the amount specified under 4180  
division (A) (10) (c) of section 3317.011 of the Revised Code for 4181  
that fiscal year} X the quotient obtained under division (G) (1) 4182  
(b) of this section 4183

(2) Calculate the district's building leadership support 4184  
cost for that fiscal year as follows: 4185

(a) Divide the district's base cost enrolled ADM for that 4186  
fiscal year by 400; 4187

(b) Determine the number of school buildings in the 4188  
district for that fiscal year; 4189

(c) Compute the building leadership support cost in 4190  
accordance with the following formula: 4191

(i) If the quotient obtained under division (G) (2) (a) of 4192  
this section is less than the number obtained under division (G) 4193  
(2) (b) of this section, then the district's building leadership 4194  
support cost shall be equal to {the number obtained under 4195  
division (G) (2) (b) of this section X [(the average clerical 4196  
staff salary X 1.16) + the amount specified under division (A) 4197  
(10) (c) of section 3317.011 of the Revised Code for that fiscal 4198  
year]}. 4199

(ii) If the quotient obtained under division (G) (2) (a) of 4200  
this section is greater than or equal to the number obtained 4201  
under division (G) (2) (b) of this section, then the district's 4202  
building leadership support cost shall be equal to {[the lesser 4203  
of (the number obtained under division (G) (2) (b) of this section 4204  
X 3) and the quotient obtained under division (G) (2) (a) of this 4205  
section] X [(the average clerical staff salary for that fiscal 4206  
year X 1.16) + the amount specified under division (A) (10) (c) of 4207  
section 3317.011 of the Revised Code for that fiscal year]}. 4208

(3) Compute the district's building operations cost for 4209  
that fiscal year in accordance with the following formula: 4210

The district's base cost enrolled ADM for that fiscal year X 4211  
[(the number determined under division (G) (3) (a) (i) of section 4212

3317.011 of the Revised Code X the number determined under 4213  
division (G) (3) (a) (ii) of section 3317.011 of the Revised Code) 4214  
- (the amount determined under division (E) (6) (a) of section 4215  
3317.011 of the Revised Code for that fiscal year/ the sum 4216  
determined under division (E) (6) (b) of section 3317.011 of the 4217  
Revised Code for that fiscal year)] 4218

(4) Calculate the district's building leadership and 4219  
operations base cost for that fiscal year, which equals the sum 4220  
of divisions (G) (1), (2), and (3) of this section. 4221

**Sec. 3317.013.** The ~~amounts~~ multiples for the following 4222  
categories of special education programs, as these programs are 4223  
defined for purposes of Chapter 3323. of the Revised Code, are 4224  
as follows: 4225

(A) ~~An amount of \$1,578~~ A multiple of 0.2434 for each 4226  
~~student~~ students whose primary or only identified disability is 4227  
a speech and language disability, as this term is defined 4228  
pursuant to Chapter 3323. of the Revised Code; 4229

(B) ~~An amount of \$4,005~~ A multiple of 0.6178 for each 4230  
~~student~~ students identified as specific learning disabled or 4231  
developmentally disabled, as these terms are defined pursuant to 4232  
Chapter 3323. of the Revised Code, identified as having an other 4233  
health impairment-minor, or identified as a preschool child who 4234  
is developmentally delayed; 4235

(C) ~~An amount of \$9,622~~ A multiple of 1.4843 for each 4236  
~~student~~ students identified as hearing disabled or severe 4237  
behavior disabled, as these terms are defined pursuant to 4238  
Chapter 3323. of the Revised Code; 4239

(D) ~~An amount of \$12,841~~ A multiple of 1.9809 for each 4240  
~~student~~ students identified as vision impaired, as this term is 4241

defined pursuant to Chapter 3323. of the Revised Code, or as 4242  
having an other health impairment-major; 4243

(E) ~~An amount of \$17,390~~ A multiple of 2.6826 for each 4244  
~~student~~ students identified as orthopedically disabled or as 4245  
having multiple disabilities, as these terms are defined 4246  
pursuant to Chapter 3323. of the Revised Code; 4247

(F) ~~An amount of \$25,637~~ A multiple of 3.9548 for each 4248  
~~student~~ students identified as autistic, having traumatic brain 4249  
injuries, or as both visually and hearing impaired, as these 4250  
terms are defined pursuant to Chapter 3323. of the Revised Code. 4251

**Sec. 3317.014.** (A) ~~The career-technical education-~~ 4252  
~~additional amount per pupil for each student enrolled in-~~ 4253  
multiples for the following categories of career-technical 4254  
education programs approved by the department of education under 4255  
section 3317.161 of the Revised Code shall be as follows: 4256

~~(A) An amount of \$5,192~~ (1) A multiple of 0.6231 for each 4257  
~~student~~ students enrolled in career-technical education 4258  
workforce development programs in agricultural and environmental 4259  
systems, construction technologies, engineering and science 4260  
technologies, finance, health science, information technology, 4261  
and manufacturing technologies, each of which shall be defined 4262  
by the department in consultation with the governor's office of 4263  
workforce transformation; 4264

~~(B) An amount of \$4,921~~ (2) A multiple of 0.5906 for each 4265  
~~student~~ students enrolled in workforce development programs in 4266  
business and administration, hospitality and tourism, human 4267  
services, law and public safety, transportation systems, and 4268  
arts and communications, each of which shall be defined by the 4269  
department in consultation with the governor's office of 4270

workforce transformation; 4271

~~(C) An amount of \$1,795 (3) A multiple of 0.2154 for~~ 4272  
students enrolled in career-based intervention programs, which 4273  
shall be defined by the department in consultation with the 4274  
governor's office of workforce transformation; 4275

~~(D) An amount of \$1,525 (4) A multiple of 0.1830 for~~ 4276  
students enrolled in workforce development programs in education 4277  
and training, marketing, workforce development academics, public 4278  
administration, and career development, each of which shall be 4279  
defined by the department of education in consultation with the 4280  
governor's office of workforce transformation; 4281

~~(E) An amount of \$1,308 (5) A multiple of 0.1570 for~~ 4282  
students enrolled in family and consumer science programs, which 4283  
shall be defined by the department of education in consultation 4284  
with the governor's office of workforce transformation. 4285

(B) The amount multiple for career-technical education 4286  
associated services, as defined by the department, shall be 4287  
\$~~2450.0294~~. 4288

(C) The department of education shall calculate career- 4289  
technical education funds for each city, local, exempted 4290  
village, and joint vocational school district as the sum of the 4291  
following: 4292

(1) The district's category one career-technical education 4293  
ADM X the multiple specified in division (A) (1) of this section 4294  
X the statewide average career-technical base cost per pupil for 4295  
that fiscal year X the district's state share percentage; 4296

(2) The district's category two career-technical education 4297  
ADM X the multiple specified in division (A) (2) of this section 4298  
X the statewide average career-technical base cost per pupil for 4299

that fiscal year X the district's state share percentage; 4300

(3) The district's category three career-technical 4301  
education ADM X the multiple specified in division (A) (3) of 4302  
this section X the statewide average career-technical base cost 4303  
per pupil for that fiscal year X the district's state share 4304  
percentage; 4305

(4) The district's category four career-technical 4306  
education ADM X the multiple specified in division (A) (4) of 4307  
this section X the statewide average career-technical base cost 4308  
per pupil for that fiscal year X the district's state share 4309  
percentage; 4310

(5) The district's category five career-technical 4311  
education ADM X the multiple specified in division (A) (5) of 4312  
this section X the statewide average career-technical base cost 4313  
per pupil for that fiscal year X the district's state share 4314  
percentage. 4315

Payment of funds calculated under division (C) of this 4316  
section is subject to approval under section 3317.161 of the 4317  
Revised Code. 4318

(D) The department shall calculate career-technical 4319  
associated services funds for each city, local, exempted 4320  
village, and joint vocational school district as follows: 4321

The district's state share percentage X the multiple for career- 4322  
technical education associated services specified under division 4323

(B) of this section X the statewide average career-technical 4324  
base cost per pupil for that fiscal year X the sum of the 4325  
district's categories one through five career-technical 4326  
education ADM 4327

(E) The department shall pay career awareness and 4328

exploration funds to city, local, exempted village, and joint 4329  
vocational school districts calculated as follows: 4330

The district's enrolled ADM X \$2.50, for fiscal year 2022, \$5, 4331  
for fiscal year 2023, \$7.50, for fiscal year 2024, or \$10, for 4332  
fiscal year 2025 and each fiscal year thereafter 4333

(F) (1) In any fiscal year, a school district receiving 4334  
funds calculated under division (C) of this section shall spend 4335  
those funds only for the purposes that the department designates 4336  
as approved for career-technical education expenses. Career- 4337  
technical education expenses approved by the department shall 4338  
include only expenses connected to the delivery of career- 4339  
technical programming to career-technical students. The 4340  
department shall require the school district to report data 4341  
annually so that the department may monitor the district's 4342  
compliance with the requirements regarding the manner in which 4343  
funding calculated under division (C) of this section may be 4344  
spent. 4345

(2) All funds received under division (C) of this section 4346  
shall be spent in the following manner: 4347

(a) At least seventy-five per cent of the funds shall be 4348  
spent on curriculum development, purchase, and implementation; 4349  
instructional resources and supplies; industry-based program 4350  
certification; student assessment, credentialing, and placement; 4351  
curriculum specific equipment purchases and leases; career- 4352  
technical student organization fees and expenses; home and 4353  
agency linkages; work-based learning experiences; professional 4354  
development; and other costs directly associated with career- 4355  
technical education programs including development of new 4356  
programs. 4357

(b) Not more than twenty-five per cent of the funds shall 4358  
be used for personnel expenditures. 4359

(G) In any fiscal year, a school district receiving funds 4360  
calculated under division (D) of this section, or through a 4361  
transfer of funds pursuant to division (I) of section 3317.023 4362  
of the Revised Code, shall spend those funds only for the 4363  
purposes that the department designates as approved for career- 4364  
technical education associated services expenses, which may 4365  
include such purposes as apprenticeship coordinators, 4366  
coordinators for other career-technical education services, 4367  
career-technical evaluation, and other purposes designated by 4368  
the department. The department may deny payment of funds 4369  
calculated under division (D) of this section to any district 4370  
that the department determines is not operating those services 4371  
or is using funds calculated under division (D) of this section, 4372  
or through a transfer of funds pursuant to division (I) of 4373  
section 3317.023 of the Revised Code, for other purposes. 4374

(H) In any fiscal year, a lead district of a career- 4375  
technical planning district receiving funds under division (E) 4376  
of this section, or through a transfer of funds pursuant to 4377  
division (I) of section 3317.023 of the Revised Code, shall 4378  
disperse those funds to school districts, community schools, and 4379  
STEM schools receiving services from that district that provide 4380  
plans for the use of those funds that are consistent with the 4381  
career-technical planning district's plan that is on file with 4382  
the department of education. A district or school that receives 4383  
funds under this division shall spend those funds only for the 4384  
following purposes: 4385

(1) Delivery of career awareness programs to students 4386  
enrolled in grades kindergarten through twelve; 4387



<u>(2) Provision of a common, consistent curriculum to</u>	4388
<u>students throughout their primary and secondary education;</u>	4389
<u>(3) Assistance to teachers in providing a career</u>	4390
<u>development curriculum to students;</u>	4391
<u>(4) Development of a career development plan for each</u>	4392
<u>student that stays with that student for the duration of the</u>	4393
<u>student's primary and secondary education;</u>	4394
<u>(5) Provision of opportunities for students to engage in</u>	4395
<u>activities, such as career fairs, hands-on experiences, and job</u>	4396
<u>shadowing, across all career pathways at each grade level.</u>	4397
<u>The department may deny payment under this division to any</u>	4398
<u>district or school that the department determines is using funds</u>	4399
<u>paid under this division for other purposes.</u>	4400
<b>Sec. 3317.016.</b> <del>The amounts</del> <u>multiplies</u> for English learners	4401
shall be as follows:	4402
(A) <del>An amount of \$1,515</del> <u>A multiple of 0.2103</u> for each	4403
student who has been enrolled in schools in the United States	4404
for 180 school days or less and was not previously exempted from	4405
taking the spring administration of either of the state's	4406
English language arts assessments prescribed by section	4407
3301.0710 of the Revised Code (reading or writing).	4408
(B) <del>An amount of \$1,136</del> <u>A multiple of 0.1577</u> for each	4409
student who has been enrolled in schools in the United States	4410
for more than 180 school days <del>or was previously exempted from</del>	4411
<del>taking until the student achieves a score on the spring</del>	4412
administration of either of the state's English language arts	4413
assessments prescribed by section 3301.0710 of the Revised Code	4414
(reading or writing) <u>that falls within the levels of achievement</u>	4415
<u>specified in divisions (A) (2) (a) to (c) of that section.</u>	4416

(C) ~~An amount of \$758~~ A multiple of 0.1052 for each 4417  
student who ~~does not qualify for inclusion under division (A) or~~ 4418  
~~(B) of this section and is in a trial mainstream period, as~~ 4419  
~~defined by the department~~ achieves a score on the spring 4420  
administration of either of the state's English language arts 4421  
assessments prescribed by section 3301.0710 of the Revised Code 4422  
(reading or writing) that falls within the levels of achievement 4423  
specified in divisions (A) (2) (a) to (c) of that section, for the 4424  
two school years following the school year in which the student 4425  
achieved that level of achievement. 4426

**Sec. 3317.017.** (A) The department of education shall 4427  
compute a city, local, or exempted village school district's 4428  
per-pupil local capacity amount for a fiscal year as follows: 4429

(1) Calculate the district's valuation per pupil for that 4430  
fiscal year as follows: 4431

(a) Determine the minimum of the district's three-year 4432  
average valuation for the fiscal year for which the calculation 4433  
is made and the district's taxable value for the most recent tax 4434  
year for which data is available; 4435

(b) Divide the amount determined under division (A) (1) (a) 4436  
of this section by the district's base cost enrolled ADM for the 4437  
fiscal year for which the calculation is made. 4438

(2) Calculate the district's local share federal adjusted 4439  
gross income per pupil for that fiscal year as follows: 4440

(a) Determine the minimum of the following: 4441

(i) The average of the total federal adjusted gross income 4442  
of the district's residents for the three most recent tax years 4443  
for which data is available, as certified under section 3317.021 4444  
of the Revised Code; 4445

(ii) The total federal adjusted gross income of the 4446  
district's residents for the most recent tax year for which data 4447  
is available, as certified under section 3317.021 of the Revised 4448  
Code. 4449

(b) Divide the amount determined under division (A) (2) (a) 4450  
of this section by the district's base cost enrolled ADM for the 4451  
fiscal year for which the calculation is made. 4452

(3) Calculate the district's adjusted local share federal 4453  
adjusted gross income per pupil for that fiscal year as follows: 4454

(a) Determine both of the following: 4455

(i) The median federal adjusted gross income of the 4456  
district's residents for the most recent tax year for which data 4457  
is available, as certified under section 3317.021 of the Revised 4458  
Code; 4459

(ii) The number of state tax returns filed by taxpayers 4460  
residing in the district for the most recent tax year for which 4461  
data is available, as certified under section 3317.021 of the 4462  
Revised Code. 4463

(b) Compute the product of divisions (A) (3) (a) (i) and (ii) 4464  
of this section; 4465

(c) Divide the amount determined under division (A) (3) (b) 4466  
of this section by the district's base cost enrolled ADM for the 4467  
fiscal year for which the calculation is made. 4468

(4) Calculate the district's per-pupil local capacity 4469  
percentage as follows: 4470

(a) Determine the median of the median federal adjusted 4471  
gross incomes determined for all districts statewide under 4472  
division (A) (3) (a) (i) of this section for that fiscal year; 4473

(b) Divide the district's median federal adjusted gross 4474  
income for that fiscal year determined under division (A) (3) (a) 4475  
(i) of this section by the median federal adjusted gross income 4476  
for all districts statewide determined under division (A) (4) (a) 4477  
of this section; 4478

(c) Rank all school districts in order of the ratios 4479  
calculated under division (A) (4) (b) of this section, from the 4480  
district with the highest ratio calculated under division (A) (4) 4481  
(b) of this section to the district with the lowest ratio 4482  
calculated under division (A) (4) (b) of this section; 4483

(d) Determine the district's per-pupil local capacity 4484  
percentage as follows: 4485

(i) If the ratio calculated for the district under 4486  
division (A) (4) (b) of this section is greater than or equal to 4487  
the ratio calculated under division (A) (4) (b) of this section 4488  
for the district with the fortieth highest ratio as determined 4489  
under division (A) (4) (c) of this section, the district's per- 4490  
pupil local capacity percentage shall be equal to 0.025. 4491

(ii) If the ratio calculated for the district under 4492  
division (A) (4) (b) of this section is less than the ratio 4493  
calculated under division (A) (4) (b) of this section for the 4494  
district with the fortieth highest ratio as determined under 4495  
division (A) (4) (c) of this section but greater than 1.0, the 4496  
district's per-pupil local capacity percentage shall be equal to 4497  
an amount calculated as follows: 4498

{[(The ratio calculated for the district under division (A) (4) 4499  
(b) of this section - 1) X 0.0025]/ (the ratio calculated under 4500  
division (A) (4) (b) of this section for the district with the 4501  
fortieth highest ratio as determined under division (A) (4) (c) of 4502

this section - 1) } + 0.0225 4503

(iii) If the ratio calculated for the district under 4504  
division (A) (4) (b) of this section is less than or equal to 1.0, 4505  
the district's per-pupil local capacity percentage shall be 4506  
equal to the amount calculated under division (A) (4) (b) of this 4507  
section times 0.0225. 4508

(5) Calculate the district's per-pupil local capacity 4509  
amount for that fiscal year as follows: 4510

(The district's valuation per pupil calculated under division 4511  
(A) (1) of this section for that fiscal year X the district's 4512  
per-pupil local capacity percentage calculated under division 4513  
(A) (4) of this section X 0.60) + (the district's local share 4514  
adjusted federal gross income per pupil calculated under 4515  
division (A) (2) of this section for that fiscal year X the 4516  
district's per-pupil local capacity percentage calculated under 4517  
division (A) (4) of this section X 0.20) + (the district's 4518  
adjusted local share federal adjusted gross income per pupil 4519  
calculated under division (A) (3) of this section for that fiscal 4520  
year X the district's per-pupil local capacity percentage 4521  
calculated under division (A) (4) of this section X 0.20) 4522

(B) The department shall compute a city, local, or 4523  
exempted village school district's state share for a fiscal year 4524  
as follows: 4525

(1) If the district's per-pupil local capacity amount for 4526  
that fiscal year divided by the district's base cost per pupil 4527  
for that fiscal year is greater than 0.95, then the district's 4528  
state share shall be equal to (the district's base cost per 4529  
pupil for that fiscal year X 0.05 X the district's enrolled ADM 4530  
for that fiscal year). 4531

(2) If the district's per-pupil local capacity amount for 4532  
that fiscal year divided by the district's base cost per pupil 4533  
for that fiscal year is less than or equal to 0.95, then the 4534  
district's state share for that fiscal year shall be equal to 4535  
[(the district's base cost per pupil for that fiscal year - the 4536  
district's per-pupil local capacity amount for that fiscal year) 4537  
X the district's enrolled ADM for that fiscal year]. 4538

(C) The department shall compute a city, local, or 4539  
exempted village school district's state share percentage for a 4540  
fiscal year as follows: 4541

The district's state share calculated under division (B) of this 4542  
section for that fiscal year/ the aggregate base cost calculated 4543  
for the district for that fiscal year under section 3317.011 of 4544  
the Revised Code 4545

**Sec. 3317.018.** (A) The statewide average base cost per 4546  
pupil shall be determined as follows: 4547

(1) For fiscal year 2022, the statewide average base cost 4548  
per pupil shall be equal to the sum of the aggregate base cost 4549  
calculated for all city, local, and exempted village school 4550  
districts in the state for that fiscal year under section 4551  
3317.011 of the Revised Code divided by the sum of the base cost 4552  
enrolled ADMs of all of the city, local, and exempted village 4553  
school districts in the state for that fiscal year. 4554

(2) For fiscal years 2023, 2024, 2025, 2026, and 2027, the 4555  
statewide average base cost per pupil shall be equal to the 4556  
amount calculated under division (A)(1) of this section. 4557

(3) For fiscal year 2028 and for each fiscal year 4558  
thereafter, the statewide average base cost per pupil shall be 4559  
equal to the sum of the aggregate base cost calculated for all 4560

city, local, and exempted village school districts in the state 4561  
under section 3317.011 of the Revised Code for that fiscal year 4562  
divided by the sum of the base cost enrolled ADMs of all of the 4563  
city, local, and exempted village school districts in the state 4564  
for that fiscal year. 4565

(B) The statewide average career-technical base cost per 4566  
pupil shall be determined as follows: 4567

(1) For fiscal year 2022, the statewide average career- 4568  
technical base cost per pupil shall be equal to the sum of the 4569  
aggregate base cost calculated for all joint vocational school 4570  
districts in the state for that fiscal year under section 4571  
3317.012 of the Revised Code divided by the sum of the base cost 4572  
enrolled ADMs of all of the joint vocational school districts in 4573  
the state for that fiscal year. 4574

(2) For fiscal years 2023, 2024, 2025, 2026, and 2027, the 4575  
statewide average career-technical base cost per pupil shall be 4576  
equal to the amount calculated under division (B)(1) of this 4577  
section. 4578

(3) For fiscal year 2028 and for each fiscal year 4579  
thereafter, the statewide average career-technical base cost per 4580  
pupil shall be equal to the sum of the aggregate base cost 4581  
calculated for all joint vocational school districts in the 4582  
state under section 3317.012 of the Revised Code for that fiscal 4583  
year divided by the sum of the base cost enrolled ADMs of all of 4584  
the joint vocational school districts in the state for that 4585  
fiscal year. 4586

**Sec. 3317.019.** (A)(1) Subject to division (D) of this 4587  
section, for fiscal years 2022 and 2023, the department of 4588  
education shall pay temporary transitional aid to each city, 4589

local, and exempted village school district according to the 4590  
following formula: 4591

(The district's funding base, as that term is defined in section 4592  
3317.02 of the Revised Code) + [(the amount paid to the district 4593  
under division (A)(5) of section 3317.022 of the Revised Code, 4594  
as that division existed prior to the effective date of this 4595  
amendment, for fiscal year 2019) - (the amounts deducted from 4596  
the district and paid to a community school under division (C) 4597  
(1) (e) of section 3314.08 of the Revised Code or a science, 4598  
technology, engineering, and mathematics school under division 4599  
(E) of section 3326.33 of the Revised Code as those divisions 4600  
existed prior to the effective date of this amendment for fiscal 4601  
year 2020 in accordance with division (A) of Section 265.235 of 4602  
H.B. 166 of the 133rd general assembly)] - (the district's 4603  
payment under section 3317.022 of the Revised Code for the 4604  
fiscal year for which the payment is computed) 4605

If the computation made under division (A)(1) of this 4606  
section results in a negative number, the district's funding 4607  
under division (A)(1) of this section shall be zero. 4608

(2) For fiscal years 2022 and 2023, the department shall 4609  
pay temporary transitional transportation aid to that district 4610  
according to the following formula: 4611

(The amount calculated for the district for fiscal year 2020 4612  
under division (A)(2) of Section 265.220 of H.B. 166 of the 4613  
133rd general assembly, prior to any funding reductions 4614  
authorized by Executive Order 2020-19D, "Implementing Additional 4615  
Spending Controls to Balance the State Budget" issued on May 7, 4616  
2020) - (the district's payment for fiscal year 2019 under 4617  
division (D)(2) of section 3314.091 of the Revised Code as that 4618  
division existed prior to the effective date of this amendment) 4619



- (the district's payment under section 3317.0212 of the Revised Code for the fiscal year for which the payment is computed) 4620  
4621

If the computation made under division (A)(2) of this section results in a negative number, the district's funding under division (A)(2) of this section shall be zero. 4622  
4623  
4624

(B) Subject to division (D) of this section, for fiscal year 2024 and for each fiscal year thereafter, the department shall pay temporary transitional aid to each city, local, and exempted village school district according to the following formula: 4625  
4626  
4627  
4628  
4629

(The district's guaranteed funding for the third preceding fiscal year/ the average of the district's enrolled ADM for the third, fourth, and fifth preceding fiscal years) - (the district's payment under section 3317.022 of the Revised Code for the fiscal year for which the payment is calculated/ the district's enrolled ADM for the fiscal year for which the payment is calculated) X the district's enrolled ADM for the fiscal year for which the payment is calculated 4630  
4631  
4632  
4633  
4634  
4635  
4636  
4637

If the computation made under this division results in a negative number, the district's funding under this division shall be zero. 4638  
4639  
4640

For purposes of this computation, a district's "guaranteed funding" means the following: 4641  
4642

(1) For fiscal year 2021, the sum of the following: 4643

(a) The district's funding base, as that term is defined in section 3317.02 of the Revised Code; 4644  
4645

(b) The following difference: 4646

(The amount paid to the district under division (A)(5) of 4647

section 3317.022 of the Revised Code, as that division existed 4648  
prior to the effective date of this amendment, for fiscal year 4649  
2019) - (the amounts deducted from the district and paid to a 4650  
community school under division (C) (1) (e) of section 3314.08 of 4651  
the Revised Code or a science, technology, engineering, and 4652  
mathematics school under division (E) of section 3326.33 of the 4653  
Revised Code as those divisions existed prior to the effective 4654  
date of this amendment in accordance with division (A) of 4655  
Section 265.235 of H.B. 166 of the 133rd general assembly) 4656

(2) For fiscal years 2022 and 2023, the district's payment 4657  
for that fiscal year under section 3317.022 of the Revised Code 4658  
plus the district's payment for that fiscal year under division 4659  
(A) (1) of this section; 4660

(3) For fiscal year 2024 and for each fiscal year 4661  
thereafter, the district's payment for that fiscal year under 4662  
section 3317.022 of the Revised Code plus the district's payment 4663  
for that fiscal year under division (B) of this section. 4664

(C) If a local school district participates in the 4665  
establishment of a joint vocational school district that begins 4666  
receiving payments under section 3317.16 of the Revised Code for 4667  
fiscal year 2022 or for any fiscal year thereafter, but does not 4668  
receive payments for the fiscal year immediately preceding that 4669  
fiscal year, the department shall adjust, as necessary, the 4670  
following according to the amounts received by the district in 4671  
the immediately preceding fiscal year for career-technical 4672  
education students who attend the newly established joint 4673  
vocational school district: 4674

(1) For purposes of division (A) (1) of this section: 4675

(a) The district's funding base, as that term is defined 4676

in section 3317.02 of the Revised Code; 4677

(b) The following difference: 4678

[(The amount paid to the district under division (A) (5) of 4679  
section 3317.022 of the Revised Code, as that division existed 4680  
prior to the effective date of this amendment, for fiscal year 4681  
2019) - (the amounts deducted from the district and paid to a 4682  
community school under division (C) (1) (e) of section 3314.08 of 4683  
the Revised Code or a science, technology, engineering, and 4684  
mathematics school under division (E) of section 3326.33 of the 4685  
Revised Code as those divisions existed prior to the effective 4686  
date of this amendment for fiscal year 2020 in accordance with 4687  
division (A) of Section 265.235 of H.B. 166 of the 133rd general 4688  
assembly)] 4689

(2) For purposes of division (B) of this section, the 4690  
district's guaranteed funding. 4691

(D) (1) For purposes of division (D) of this section, a 4692  
district's "decrease threshold" for a fiscal year is the greater 4693  
of the following: 4694

(a) Twenty; 4695

(b) Ten per cent of the number of the district's students 4696  
counted under division (A) (1) (b) of section 3317.03 of the 4697  
Revised Code for the previous fiscal year. 4698

(2) For any fiscal year for which the phase-in percentage 4699  
is less than one hundred per cent, if a district has fewer 4700  
students counted under division (A) (1) (b) of section 3317.03 of 4701  
the Revised Code for that fiscal year than for the previous 4702  
fiscal year and the positive difference between those two 4703  
student counts is greater than or equal to the district's 4704  
decrease threshold for that fiscal year, the amount paid to the 4705

district under division (A) or (B) of this section shall be 4706  
reduced by the following amount: 4707

The statewide average base cost per pupil X [(the positive 4708  
difference between the number of the district's students counted 4709  
under division (A) (1) (b) of section 3317.03 of the Revised Code 4710  
for that fiscal year and the number of the district's students 4711  
counted under that division for the previous fiscal year) - the 4712  
district's decrease threshold for that fiscal year] 4713

At no time, however, shall the amount paid to a district 4714  
under division (A) or (B) of this section be less than zero. 4715

**Sec. 3317.0110.** (A) Notwithstanding any provision to the 4716  
contrary in sections 3301.0714, 3302.20, 3310.08, 3310.41, 4717  
3310.51, 3310.54, 3310.56, 3313.64, 3313.98, 3313.981, 3315.18, 4718  
3319.57, 3324.09, 3327.01, 3327.016, and 3365.01 and Chapters 4719  
3314., 3317., 3326., and 3328. of the Revised Code, city, local, 4720  
exempted village, and joint vocational school districts, 4721  
community schools, science, technology, engineering, and 4722  
mathematics schools, and educational service centers shall be 4723  
funded as follows: 4724

(1) On July 1, 2022, and on the first day of July of each 4725  
of the succeeding five years thereafter, the director of budget 4726  
and management shall transfer the unexpended, unencumbered 4727  
balances in the general revenue fund at the end of the previous 4728  
fiscal year to appropriation item 200550, foundation funding, 4729  
and the department of education shall use that amount 4730  
exclusively to fund disadvantaged pupil impact aid under 4731  
sections 3314.08, 3317.022, 3317.16, and 3326.33 of the Revised 4732  
Code. 4733

(2) After disadvantaged pupil impact aid is fully funded 4734

in accordance with division (A)(1) of this section, on July 1, 4735  
2022, and on the first day of July of each of the succeeding 4736  
five years thereafter, the director of budget and management 4737  
shall transfer the unexpended, unencumbered balances in the 4738  
general revenue fund at the end of the previous fiscal year to 4739  
appropriation item 200550, foundation funding, and the 4740  
department shall use that amount exclusively to fund educational 4741  
service centers under section 3317.11 of the Revised Code. 4742

(3) After disadvantaged pupil impact aid and educational 4743  
service centers are fully funded in accordance with divisions 4744  
(A)(1) and (2) of this section, the remainder of the payments to 4745  
school districts, community schools, and science, technology, 4746  
engineering, and mathematics schools under Chapters 3314., 4747  
3317., and 3326. of the Revised Code, the educational choice 4748  
scholarship pilot program established under sections 3310.01 to 4749  
3310.17 of the Revised Code, the autism scholarship program 4750  
established under section 3310.41 of the Revised Code, the Jon 4751  
Peterson special needs scholarship program established under 4752  
sections 3310.51 to 3310.64 of the Revised Code, and the pilot 4753  
project scholarship program established under sections 3313.974 4754  
to 3313.979 of the Revised Code shall be funded using the 4755  
general revenue fund and nongeneral revenue fund appropriation 4756  
items in the department's budget. For this purpose, nongeneral 4757  
revenue fund appropriation items shall include both federal and 4758  
state nongeneral revenue fund appropriation items, provided the 4759  
money disbursed from those appropriation items is not restricted 4760  
to certain purposes. If the amount available is insufficient, 4761  
the department shall prorate the payments so that the amount 4762  
allocated in this division is not exceeded. 4763

(B) It is the intent of the general assembly that an 4764  
amount equal to the estimated increase in revenues in the 4765

general revenue fund that is determined as part of the 4766  
development of the main operating budget for fiscal years 2022 4767  
and 2023 first be used to fund disadvantaged pupil impact aid 4768  
under sections 3314.08, 3317.022, 3317.16, and 3326.33 of the 4769  
Revised Code. 4770

**Sec. 3317.02.** As used in this chapter: 4771

(A) ~~(1)~~ A district's "base cost enrolled ADM" for a fiscal 4772  
year means the greater of the following: 4773

(1) The district's enrolled ADM for the previous fiscal 4774  
year; 4775

(2) The average of the district's enrolled ADM for the 4776  
previous three fiscal years. 4777

(B) (1) "Base cost per pupil" for a fiscal year means, for 4778  
a city, local, or exempted village school district, the 4779  
aggregate base cost calculated for that district for that fiscal 4780  
year under section 3317.011 of the Revised Code divided by the 4781  
district's base cost enrolled ADM for that fiscal year. 4782

(2) "Base cost per pupil" for a fiscal year means, for a 4783  
joint vocational school district, the aggregate base cost 4784  
calculated for that district for that fiscal year under section 4785  
3317.012 of the Revised Code divided by the district's base cost 4786  
enrolled ADM for that fiscal year. 4787

(C) (1) "Category one career-technical education ADM" means 4788  
the enrollment of students during the school year on a full-time 4789  
equivalency basis in career-technical education programs 4790  
described in division (A) (1) of section 3317.014 of the Revised 4791  
Code and certified under division (B) (11) or (D) (2) (h) of 4792  
section 3317.03 of the Revised Code. 4793

(2) "Category two career-technical education ADM" means 4794  
the enrollment of students during the school year on a full-time 4795  
equivalency basis in career-technical education programs 4796  
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 4797  
Revised Code and certified under division (B) (12) or (D) (2) (i) 4798  
of section 3317.03 of the Revised Code. 4799

(3) "Category three career-technical education ADM" means 4800  
the enrollment of students during the school year on a full-time 4801  
equivalency basis in career-technical education programs 4802  
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 4803  
Revised Code and certified under division (B) (13) or (D) (2) (j) 4804  
of section 3317.03 of the Revised Code. 4805

(4) "Category four career-technical education ADM" means 4806  
the enrollment of students during the school year on a full-time 4807  
equivalency basis in career-technical education programs 4808  
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 4809  
Revised Code and certified under division (B) (14) or (D) (2) (k) 4810  
of section 3317.03 of the Revised Code. 4811

(5) "Category five career-technical education ADM" means 4812  
the enrollment of students during the school year on a full-time 4813  
equivalency basis in career-technical education programs 4814  
described in division ~~(E)~~ (A) (5) of section 3317.014 of the 4815  
Revised Code and certified under division (B) (15) or (D) (2) (l) 4816  
of section 3317.03 of the Revised Code. 4817

~~(B) (1)~~ (D) (1) "Category one English learner ADM" means the 4818  
full-time equivalent number of English learners described in 4819  
division (A) of section 3317.016 of the Revised Code and 4820  
certified under division (B) (16) or (D) (2) (m) of section 3317.03 4821  
of the Revised Code. 4822

(2) "Category two English learner ADM" means the full-time  
equivalent number of English learners described in division (B)  
of section 3317.016 of the Revised Code and certified under  
division (B) (17) or (D) (2) (n) of section 3317.03 of the Revised  
Code.

(3) "Category three English learner ADM" means the full-  
time equivalent number of English learners described in division  
(C) of section 3317.016 of the Revised Code and certified under  
division (B) (18) or (D) (2) (o) of section 3317.03 of the Revised  
Code.

~~(C) (1)~~ (E) (1) "Category one special education ADM" means  
the full-time equivalent number of children with disabilities  
receiving special education services for the disability  
specified in division (A) of section 3317.013 of the Revised  
Code and certified under division (B) (5) or (D) (2) (b) of section  
3317.03 of the Revised Code.

(2) "Category two special education ADM" means the full-  
time equivalent number of children with disabilities receiving  
special education services for those disabilities specified in  
division (B) of section 3317.013 of the Revised Code and  
certified under division (B) (6) or (D) (2) (c) of section 3317.03  
of the Revised Code.

(3) "Category three special education ADM" means the full-  
time equivalent number of students receiving special education  
services for those disabilities specified in division (C) of  
section 3317.013 of the Revised Code, and certified under  
division (B) (7) or (D) (2) (d) of section 3317.03 of the Revised  
Code.

(4) "Category four special education ADM" means the full-



time equivalent number of students receiving special education 4852  
services for those disabilities specified in division (D) of 4853  
section 3317.013 of the Revised Code and certified under 4854  
division (B) (8) or (D) (2) (e) of section 3317.03 of the Revised 4855  
Code. 4856

(5) "Category five special education ADM" means the full- 4857  
time equivalent number of students receiving special education 4858  
services for the disabilities specified in division (E) of 4859  
section 3317.013 of the Revised Code and certified under 4860  
division (B) (9) or (D) (2) (f) of section 3317.03 of the Revised 4861  
Code. 4862

(6) "Category six special education ADM" means the full- 4863  
time equivalent number of students receiving special education 4864  
services for the disabilities specified in division (F) of 4865  
section 3317.013 of the Revised Code and certified under 4866  
division (B) (10) or (D) (2) (g) of section 3317.03 of the Revised 4867  
Code. 4868

~~(D)~~ (F) "Economically disadvantaged index for a school 4869  
district" means the square of the quotient of that district's 4870  
percentage of students in its ~~total~~ enrolled ADM who are 4871  
identified as economically disadvantaged as defined by the 4872  
department of education, divided by the percentage of students 4873  
in the statewide ~~total~~ ADM identified as economically 4874  
disadvantaged. For purposes of this calculation: 4875

(1) For a city, local, or exempted village school 4876  
district, the "statewide ~~total~~ ADM" equals the sum of the ~~total~~ 4877  
following: 4878

(a) The enrolled ADM for all city, local, and exempted 4879  
village school districts combined; 4880

(b) The statewide enrollment of students in community schools established under Chapter 3314. of the Revised Code; 4881  
4882

(c) The statewide enrollment of students in science, technology, engineering, and mathematics schools established under Chapter 3326. of the Revised Code. 4883  
4884  
4885

(2) For a joint vocational school district, the "statewide ~~total~~-ADM" equals the sum of the ~~formula~~-enrolled ADM for all joint vocational school districts combined. 4886  
4887  
4888

~~(E)(1)~~-(G)(1) "Enrolled ADM" means, for a city, local, or exempted village school district, the enrollment reported under division (A) of section 3317.03 of the Revised Code, as verified by the superintendent of public instruction and adjusted if so ordered under division (K) of that section, and as further adjusted by the department of education, as follows: 4889  
4890  
4891  
4892  
4893  
4894

(a) Add the students described in division (A)(1)(b) of section 3317.03 of the Revised Code; 4895  
4896

(b) Subtract the students counted under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of section 3317.03 of the Revised Code; 4897  
4898  
4899

(c) Count only twenty per cent of the number of joint vocational school district students counted under division (A)(3) of section 3317.03 of the Revised Code; 4900  
4901  
4902

(d) Add twenty per cent of the number of students who are entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code and are enrolled in another school district under a career-technical education compact. 4903  
4904  
4905  
4906

(2) "Enrolled ADM" means, for a joint vocational school district, the final number verified by the superintendent of 4907  
4908

public instruction, based on the enrollment reported and 4909  
certified under division (D) of section 3317.03 of the Revised 4910  
Code, as adjusted, if so ordered, under division (K) of that 4911  
section, and as further adjusted by the department of education 4912  
by adding the students described in division (D)(1)(b) of 4913  
section 3317.03 of the Revised Code. 4914

(H) (1) "Formula ADM" means, for a city, local, or exempted 4915  
village school district, the enrollment reported under division 4916  
(A) of section 3317.03 of the Revised Code, as verified by the 4917  
superintendent of public instruction and adjusted if so ordered 4918  
under division (K) of that section, and as further adjusted by 4919  
the department of education, as follows: 4920

(a) Count only twenty per cent of the number of joint 4921  
vocational school district students counted under division (A) 4922  
(3) of section 3317.03 of the Revised Code; 4923

(b) Add twenty per cent of the number of students who are 4924  
entitled to attend school in the district under section 3313.64 4925  
or 3313.65 of the Revised Code and are enrolled in another 4926  
school district under a career-technical education compact. 4927

(2) "Formula ADM" means, for a joint vocational school 4928  
district, the final number verified by the superintendent of 4929  
public instruction, based on the enrollment reported and 4930  
certified under division (D) of section 3317.03 of the Revised 4931  
Code, as adjusted, if so ordered, under division (K) of that 4932  
section. 4933

~~(F) "Formula amount" means \$6,010, for fiscal year 2018,~~ 4934  
~~and \$6,020, for fiscal year 2019.~~ 4935

~~(G)~~ (I) "FTE basis" means a count of students based on 4936  
full-time equivalency, in accordance with rules adopted by the 4937

department of education pursuant to section 3317.03 of the Revised Code. In adopting its rules under this division, the department shall provide for counting any student in category one, two, three, four, five, or six special education ADM or in category one, two, three, four, or five career-technical education ADM in the same proportion the student is counted in ~~formula-enrolled~~ ADM.

~~(H)-(J)~~ "Funding base" means, for a city, local, or exempted village school district, the amount calculated by the department as follows:

(1) Compute the sum of the following:

(a) The amount calculated for the district for fiscal year 2020 under division (A) (1) of Section 265.220 of H.B. 166 of the 133rd general assembly after any adjustments required under Section 265.227 of H.B. 166 of the 133rd general assembly and prior to any funding reductions authorized by Executive Order 2020-19D, "Implementing Additional Spending Controls to Balance the State Budget" issued on May 7, 2020;

(b) The district's payments for fiscal year 2020 under divisions (C) (1), (2), (3), and (4) of section 3313.981 of the Revised Code as those divisions existed prior to the effective date of this amendment.

(2) Subtract from the amount calculated in division (J) (1) of this section the sum of the following:

(a) The following difference:

(The amount paid to the district under division (A) (5) of section 3317.022 of the Revised Code, as that division existed prior to the effective date of this amendment, for fiscal year 2019) - (the amounts deducted from the district and paid to a

community school under division (C) (1) (e) of section 3314.08 of 4967  
the Revised Code or a science, technology, engineering, and 4968  
mathematics school under division (E) of section 3326.33 of the 4969  
Revised Code as those divisions existed prior to the effective 4970  
date of this amendment for fiscal year 2020 in accordance with 4971  
division (A) of Section 265.235 of H.B. 166 of the 133rd general 4972  
assembly) 4973

(b) The payments deducted from the district and paid to a 4974  
community school for fiscal year 2020 under divisions (C) (1) (a), 4975  
(b), (c), (d), (e), (f), and (g) of section 3314.08 of the 4976  
Revised Code as those divisions existed prior to the effective 4977  
date of this amendment in accordance with division (A) of 4978  
Section 265.230 of H.B. 166 of the 133rd general assembly; 4979

(c) The payments deducted from the district and paid to a 4980  
science, technology, engineering, and mathematics school for 4981  
fiscal year 2020 under divisions (A), (B), (C), (D), (E), (F), 4982  
and (G) of section 3326.33 of the Revised Code as those 4983  
divisions existed prior to the effective date of this amendment 4984  
in accordance with division (A) of Section 265.235 of H.B. 166 4985  
of the 133rd general assembly; 4986

(d) The payments deducted from the district under division 4987  
(C) of section 3310.08 of the Revised Code as that division 4988  
existed prior to the effective date of this amendment, division 4989  
(C) (2) of section 3310.41 of the Revised Code as that division 4990  
existed prior to the effective date of this amendment, and 4991  
former section 3310.55 of the Revised Code for fiscal year 2020 4992  
and, in the case of a pilot project school district as defined 4993  
in section 3313.975 of the Revised Code, the funds deducted from 4994  
the district under Section 265.210 of H.B. 166 of the 133rd 4995  
general assembly to operate the pilot project scholarship 4996

program for fiscal year 2020 under sections 3313.974 to 3313.979 4997  
of the Revised Code; 4998

(e) The payments subtracted from the district for fiscal 4999  
year 2020 under divisions (B) (1), (2), and (3) of section 5000  
3313.981 of the Revised Code as those divisions existed prior to 5001  
the effective date of this amendment. 5002

(K) "Funding base" means, for a joint vocational school 5003  
district, the amount calculated by the department as follows: 5004

(1) Compute the sum of the following: 5005

(a) The district's payments for fiscal year 2020 under 5006  
Section 265.225 of H.B. 166 of the 133rd general assembly after 5007  
any adjustments required under Section 265.227 of H.B. 166 of 5008  
the 133rd general assembly; 5009

(b) The district's payments for fiscal year 2019 under 5010  
divisions (D) (1), (2), and (E) (3) of section 3313.981 of the 5011  
Revised Code as those divisions existed prior to the effective 5012  
date of this amendment. 5013

(2) Subtract from the amount calculated in division (K) (1) 5014  
of this section the amount paid to the district under division 5015  
(A) (3) of section 3317.16 of the Revised Code, as that division 5016  
existed prior to the effective date of this amendment, for 5017  
fiscal year 2019. 5018

(L) "Internet- or computer-based community school" has the 5019  
same meaning as in section 3314.02 of the Revised Code. 5020

~~(I)~~ (M) "Medically fragile child" means a child to whom 5021  
all of the following apply: 5022

(1) The child requires the services of a doctor of 5023  
medicine or osteopathic medicine at least once a week due to the 5024

instability of the child's medical condition. 5025

(2) The child requires the services of a registered nurse 5026  
on a daily basis. 5027

(3) The child is at risk of institutionalization in a 5028  
hospital, skilled nursing facility, or intermediate care 5029  
facility for individuals with intellectual disabilities. 5030

~~(J)(1)~~ (N)(1) A child may be identified as having an 5031  
"other health impairment-major" if the child's condition meets 5032  
the definition of "other health impaired" established in rules 5033  
previously adopted by the state board of education and if either 5034  
of the following apply: 5035

(a) The child is identified as having a medical condition 5036  
that is among those listed by the superintendent of public 5037  
instruction as conditions where a substantial majority of cases 5038  
fall within the definition of "medically fragile child." 5039

(b) The child is determined by the superintendent of 5040  
public instruction to be a medically fragile child. A school 5041  
district superintendent may petition the superintendent of 5042  
public instruction for a determination that a child is a 5043  
medically fragile child. 5044

(2) A child may be identified as having an "other health 5045  
impairment-minor" if the child's condition meets the definition 5046  
of "other health impaired" established in rules previously 5047  
adopted by the state board of education but the child's 5048  
condition does not meet either of the conditions specified in 5049  
division ~~(J)(1)(a)~~ (N)(1)(a) or (b) of this section. 5050

~~(K)~~ (O) A city, local, exempted village, or joint 5051  
vocational school district's "phase-in percentage" is equal to 5052  
the percentage for that fiscal year that is determined by the 5053

general assembly. It is the intent of the general assembly that 5054  
this percentage shall increase to one hundred per cent over the 5055  
course of not more than six fiscal years, beginning with fiscal 5056  
year 2022. 5057

(P) "Preschool child with a disability" means a child with 5058  
a disability, as defined in section 3323.01 of the Revised Code, 5059  
who is at least age three but is not of compulsory school age, 5060  
as defined in section 3321.01 of the Revised Code, and who is 5061  
not currently enrolled in kindergarten. 5062

~~(I)~~(Q) "Preschool scholarship ADM" means the number of 5063  
preschool children with disabilities certified under division 5064  
(B) (3) (h) of section 3317.03 of the Revised Code. 5065

~~(M)~~(R) "Related services" includes: 5066

(1) Child study, special education supervisors and 5067  
coordinators, speech and hearing services, adaptive physical 5068  
development services, occupational or physical therapy, teacher 5069  
assistants for children with disabilities whose disabilities are 5070  
described in division (B) of section 3317.013 or division (B) (3) 5071  
of this section, behavioral intervention, interpreter services, 5072  
work study, nursing services, and specialized integrative 5073  
services as those terms are defined by the department; 5074

(2) Speech and language services provided to any student 5075  
with a disability, including any student whose primary or only 5076  
disability is a speech and language disability; 5077

(3) Any related service not specifically covered by other 5078  
state funds but specified in federal law, including but not 5079  
limited to, audiology and school psychological services; 5080

(4) Any service included in units funded under former 5081  
division (O) (1) of section 3317.024 of the Revised Code; 5082



(5) Any other related service needed by children with disabilities in accordance with their individualized education programs. 5083  
5084  
5085

~~(N)~~ (S) "School district," unless otherwise specified, means city, local, and exempted village school districts. 5086  
5087

~~(O)~~ (T) "State education aid" has the same meaning as in section 5751.20 of the Revised Code. 5088  
5089

~~(P)~~ (U) (1) "State share ~~index~~percentage" means, for a city, local, or exempted village school district, the state share ~~index~~percentage calculated for a district under section 3317.017 of the Revised Code. 5090  
5091  
5092  
5093

~~(Q)~~ (2) "State share percentage" means, for a joint vocational school district, the percentage calculated in accordance with the following formula: 5094  
5095  
5096

The amount computed for the district under division (A) (1) of section 3317.16 of the Revised Code for that fiscal year/ the aggregate base cost calculated for the district for that fiscal year under section 3317.012 of the Revised Code 5097  
5098  
5099  
5100

(V) "Statewide average base cost per pupil" for a fiscal year means the statewide average base cost per pupil calculated under division (A) of section 3317.018 of the Revised Code. 5101  
5102  
5103

(W) "Statewide average career-technical base cost per pupil" for a fiscal year means the statewide average career-technical base cost per pupil calculated under division (B) of section 3317.018 of the Revised Code. 5104  
5105  
5106  
5107

(X) "Taxes charged and payable" means the taxes charged and payable against real and public utility property after making the reduction required by section 319.301 of the Revised 5108  
5109  
5110

Code, plus the taxes levied against tangible personal property. 5111

~~(R)(1)~~ (Y) For purposes of ~~section~~ sections 3317.017 and 5112  
3317.16 of the Revised Code, "three-year average valuation" for 5113  
a fiscal year means the average of total taxable value for ~~tax-~~ 5114  
~~years 2014, 2015, and 2016~~ the three most recent tax years for 5115  
which data is available, as certified under section 3317.021 of 5116  
the Revised Code. 5117

~~(2)~~ For purposes of ~~sections 3317.0217, 3317.0218, and~~ 5118  
~~3317.16~~ of the Revised Code, "three year average valuation"~~-~~ 5119  
means the following:~~-~~ 5120

~~(a)~~ For ~~fiscal year 2018,~~ the average of total taxable 5121  
value for ~~tax years 2014, 2015, and 2016;~~ 5122

~~(b)~~ For ~~fiscal year 2019,~~ the average of total taxable 5123  
value for ~~tax years 2015, 2016, and 2017.~~ 5124

~~(S)~~ (Z) "Total ADM" means, for a city, local, or exempted 5125  
village school district, the enrollment reported under division 5126  
(A) of section 3317.03 of the Revised Code, as verified by the 5127  
superintendent of public instruction and adjusted if so ordered 5128  
under division (K) of that section. 5129

~~(T)~~ (AA) "Total special education ADM" means the sum of 5130  
categories one through six special education ADM. 5131

~~(U)~~ (BB) "Total taxable value" means the sum of the 5132  
amounts certified for a city, local, exempted village, or joint 5133  
vocational school district under divisions (A)(1) and (2) of 5134  
section 3317.021 of the Revised Code. 5135

**Sec. 3317.021.** (A) On or before the first day of June of 5136  
each year, the tax commissioner shall certify to the department 5137  
of education and the office of budget and management the 5138

information described in divisions (A) (1) to (5) of this section 5139  
for each city, exempted village, and local school district, and 5140  
the information required by divisions (A) (1) and (2) of this 5141  
section for each joint vocational school district, and it shall 5142  
be used, along with the information certified under division (B) 5143  
of this section, in making the computations for the district 5144  
under this chapter. 5145

(1) The taxable value of real and public utility real 5146  
property in the school district subject to taxation in the 5147  
preceding tax year, by class and by county of location. 5148

(2) The taxable value of tangible personal property, 5149  
including public utility personal property, subject to taxation 5150  
by the district for the preceding tax year. 5151

(3) (a) The total property tax rate and total taxes charged 5152  
and payable for the current expenses for the preceding tax year 5153  
and the total property tax rate and the total taxes charged and 5154  
payable to a joint vocational district for the preceding tax 5155  
year that are limited to or to the extent apportioned to current 5156  
expenses. 5157

(b) The portion of the amount of taxes charged and payable 5158  
reported for each city, local, and exempted village school 5159  
district under division (A) (3) (a) of this section attributable 5160  
to a joint vocational school district. 5161

(4) The value of all real and public utility real property 5162  
in the school district exempted from taxation minus both of the 5163  
following: 5164

(a) The value of real and public utility real property in 5165  
the district owned by the United States government and used 5166  
exclusively for a public purpose; 5167

(b) The value of real and public utility real property in 5168  
the district exempted from taxation under Chapter 725. or 1728. 5169  
or section 3735.67, 5709.40, 5709.41, 5709.45, 5709.57, 5709.62, 5170  
5709.63, 5709.632, 5709.73, or 5709.78 of the Revised Code. 5171

(5) The total federal adjusted gross income of the 5172  
residents of the school district, based on tax returns filed by 5173  
the residents of the district, for the most recent year for 5174  
which this information is available, and the median Ohio 5175  
adjusted gross income of the residents of the school district 5176  
determined on the basis of tax returns filed for the second 5177  
preceding tax year by the residents of the district. 5178

(6) The number of state tax returns filed by the residents 5179  
of the district for the most recent year for which this 5180  
information is available. 5181

(B) On or before the first day of May each year, the tax 5182  
commissioner shall certify to the department of education and 5183  
the office of budget and management the total taxable real 5184  
property value of railroads and, separately, the total taxable 5185  
tangible personal property value of all public utilities for the 5186  
preceding tax year, by school district and by county of 5187  
location. 5188

(C) If on the basis of the information certified under 5189  
division (A) of this section, the department determines that any 5190  
district fails in any year to meet the qualification requirement 5191  
specified in division (A) of section 3317.01 of the Revised 5192  
Code, the department shall immediately request the tax 5193  
commissioner to determine the extent to which any school 5194  
district income tax levied by the district under Chapter 5748. 5195  
of the Revised Code shall be included in meeting that 5196  
requirement. Within five days of receiving such a request from 5197

the department, the tax commissioner shall make the 5198  
determination required by this division and report the quotient 5199  
obtained under division (C) (3) of this section to the department 5200  
and the office of budget and management. This quotient 5201  
represents the number of mills that the department shall include 5202  
in determining whether the district meets the qualification 5203  
requirement of division (A) of section 3317.01 of the Revised 5204  
Code. 5205

The tax commissioner shall make the determination required 5206  
by this division as follows: 5207

(1) Multiply one mill times the total taxable value of the 5208  
district as determined in divisions (A) (1) and (2) of this 5209  
section; 5210

(2) Estimate the total amount of tax liability for the 5211  
current tax year under taxes levied by Chapter 5748. of the 5212  
Revised Code that are apportioned to current operating expenses 5213  
of the district, excluding any income tax receipts allocated for 5214  
the project cost, debt service, or maintenance set-aside 5215  
associated with a state-assisted classroom facilities project as 5216  
authorized by section 3318.052 of the Revised Code; 5217

(3) Divide the amount estimated under division (C) (2) of 5218  
this section by the product obtained under division (C) (1) of 5219  
this section. 5220

**Sec. 3317.022.** ~~(A)~~—The department of education shall 5221  
compute and distribute state core foundation funding to each 5222  
eligible school district for the fiscal year, using the 5223  
information obtained under section 3317.021 of the Revised Code 5224  
in the calendar year in which the fiscal year begins, ~~as~~ 5225  
~~prescribed in the following divisions~~ in accordance with the 5226

following formula: 5227

The district's funding base + [(the district's state core 5228  
foundation funding components for that fiscal year calculated 5229  
under divisions (A) (1), (2), (3), (5), (6), (7), and (8) of this 5230  
section - the district's funding base) X the district's phase-in 5231  
percentage for that fiscal year] + the district's disadvantaged 5232  
pupil impact aid for that fiscal year calculated under division 5233  
(A) (4) of this section 5234

(A) A district's state core foundation funding components 5235  
shall be all of the following: 5236

(1) ~~An opportunity grant~~ The district's state share 5237  
calculated according to the following formula:- 5238

The formula amount X (formula ADM + preschool scholarship 5239  
ADM) X the district's state share index under division (B) of 5240  
section 3317.017 of the Revised Code; 5241

(2) Targeted assistance funds calculated under ~~divisions~~ 5242  
~~(A) and (B) of section 3317.0217 of the Revised Code;~~ 5243

(3) Additional state aid for special education and related 5244  
services provided under Chapter 3323. of the Revised Code 5245  
calculated as the sum of the following: 5246

(a) The district's category one special education ADM X 5247  
the ~~amount multiple~~ specified in division (A) of section 5248  
3317.013 of the Revised Code X the statewide average base cost 5249  
per pupil for that fiscal year X the district's state share 5250  
index percentage; 5251

(b) The district's category two special education ADM X 5252  
the ~~amount multiple~~ specified in division (B) of section 5253  
3317.013 of the Revised Code X the statewide average base cost 5254

per pupil for that fiscal year X the district's state share 5255  
indexpercentage; 5256

(c) The district's category three special education ADM X 5257  
the ~~amount~~ multiple specified in division (C) of section 5258  
3317.013 of the Revised Code X the statewide average base cost 5259  
per pupil for that fiscal year X the district's state share 5260  
indexpercentage; 5261

(d) The district's category four special education ADM X 5262  
the ~~amount~~ multiple specified in division (D) of section 5263  
3317.013 of the Revised Code X the statewide average base cost 5264  
per pupil for that fiscal year X the district's state share 5265  
indexpercentage; 5266

(e) The district's category five special education ADM X 5267  
the ~~amount~~ multiple specified in division (E) of section 5268  
3317.013 of the Revised Code X the statewide average base cost 5269  
per pupil for that fiscal year X the district's state share 5270  
indexpercentage; 5271

(f) The district's category six special education ADM X 5272  
the ~~amount~~ multiple specified in division (F) of section 5273  
3317.013 of the Revised Code X the statewide average base cost 5274  
per pupil for that fiscal year X the district's state share 5275  
indexpercentage. 5276

~~(4) Kindergarten through third grade literacy funds~~ 5277  
~~calculated according to the following formula:-~~ 5278

~~(\$193 X formula ADM for grades kindergarten through three~~ 5279  
~~X the district's state share index) + (\$127 X formula ADM for~~ 5280  
~~grades kindergarten through three)-~~ 5281

~~For purposes of this calculation, the department shall~~ 5282  
~~subtract from a district's formula ADM for grades kindergarten~~ 5283

<del>through three the number of students reported under division (B)</del>	5284
<del>(3) (e) of section 3317.03 of the Revised Code as enrolled in an</del>	5285
<del>internet or computer-based community school who are in grades</del>	5286
<del>kindergarten through three.</del>	5287
<del>(5) Economically disadvantaged funds</del> <u>Disadvantaged pupil</u>	5288
<u>impact aid</u> calculated according to the following formula:	5289
<del>\$272</del> <u>\$422</u> X (the district's economically disadvantaged	5290
index) X the number of students who are economically	5291
disadvantaged as certified under division (B) (21) of section	5292
3317.03 of the Revised Code	5293
<del>(6)</del> <u>(5)</u> English learner funds calculated as the sum of the	5294
following:	5295
(a) The district's category one English learner ADM X the	5296
<del>amount multiple</del> specified in division (A) of section 3317.016 of	5297
the Revised Code X <u>the statewide average base cost per pupil for</u>	5298
<u>that fiscal year</u> X the district's state share <del>index</del> <u>percentage</u> ;	5299
(b) The district's category two English learner ADM X the	5300
<del>amount multiple</del> specified in division (B) of section 3317.016 of	5301
the Revised Code X <u>the statewide average base cost per pupil for</u>	5302
<u>that fiscal year</u> X the district's state share <del>index</del> <u>percentage</u> ;	5303
(c) The district's category three English learner ADM X	5304
the <del>amount multiple</del> specified in division (C) of section	5305
3317.016 of the Revised Code X the district's state share	5306
<del>index</del> <u>percentage</u> .	5307
<del>(7) (a)</del> <u>(6) (a)</u> Gifted identification funds calculated	5308
according to the following formula:	5309
<del>\$5.05</del> <u>\$24</u> X the district's <del>formula</del> <u>enrolled ADM for grades</u>	5310
<u>kindergarten through six</u> X the district's state share <u>percentage</u>	5311



(b) Gifted referral funds calculated according to the 5312  
following formula: 5313  
\$2.50 X the district's enrolled ADM X the district's state 5314  
share percentage 5315

(c) Gifted professional development funds calculated 5316  
according to the following formula: 5317

(The greater of the number of gifted students enrolled in the 5318  
district as certified under division (B) (22) of section 3317.03 5319  
of the Revised Code and ten per cent of the district's enrolled 5320  
ADM) X the district's state share percentage X \$7, for fiscal 5321  
year 2022, \$14, for fiscal year 2023, \$21, for fiscal year 2024, 5322  
or \$28, for fiscal year 2025 5323

The department shall make no payments under division (A) 5324  
(6) (c) of this section for fiscal year 2026 or for each fiscal 5325  
year thereafter. 5326

(d) Gifted unit funding calculated under section 3317.051 5327  
of the Revised Code. 5328

~~(8)-(7) Career-technical education funds calculated as the~~ 5329  
~~sum of the following:-~~ 5330

~~(a) The district's category one career-technical education~~ 5331  
~~ADM X the amount specified in division (A) of section 3317.014~~ 5332  
~~of the Revised Code X the district's state share index;-~~ 5333

~~(b) The district's category two career-technical education~~ 5334  
~~ADM X the amount specified in division (B) of section 3317.014~~ 5335  
~~of the Revised Code X the district's state share index;-~~ 5336

~~(c) The district's category three career-technical~~ 5337  
~~education ADM X the amount specified in division (C) of section~~ 5338  
~~3317.014 of the Revised Code X the district's state share index;-~~ 5339

~~(d) The district's category four career technical education ADM X the amount specified in division (D) of section 3317.014 of the Revised Code X the district's state share index;~~ 5340  
5341  
5342

~~(e) The district's category five career technical education ADM X the amount specified in division (E) of section 3317.014 of the Revised Code X the district's state share index.~~ 5343  
5344  
5345

~~Payment of funds under division (A) (8) of this section is subject to approval under section 3317.161 of the Revised Code.~~ 5346  
5347

~~(9) under division (C) of section 3317.014 of the Revised Code.~~ 5348  
5349

~~(8) Career-technical education associated services funds calculated according to the following formula:~~ 5350  
5351

~~The district's state share index X the amount for career-technical education associated services specified in section 3317.014 of the Revised Code X the sum of categories one through five career technical education ADM~~ 5352  
5353  
5354  
5355

~~(10) Capacity aid funds calculated under section 3317.0218 of the Revised Code;~~ 5356  
5357

~~(11) A graduation bonus calculated under section 3317.0215 of the Revised Code;~~ 5358  
5359

~~(12) A third grade reading bonus calculated under section 3317.0216 of the Revised Code under division (D) of section 3317.014 of the Revised Code.~~ 5360  
5361  
5362

(B) In any fiscal year, a school district shall spend for purposes that the department designates as approved for special education and related services expenses at least the amount calculated as follows: 5363  
5364  
5365  
5366

(The ~~formula amount base cost per pupil calculated for the~~ 5367  
district for that fiscal year X the total special education ADM) 5368  
+ (the district's category one special education ADM X the 5369  
~~amount multiple~~ specified in division (A) of section 3317.013 of 5370  
the Revised Code X the statewide average base cost per pupil for 5371  
that fiscal year) + (the district's category two special 5372  
education ADM X the ~~amount multiple~~ specified in division (B) of 5373  
section 3317.013 of the Revised Code X the statewide average 5374  
base cost per pupil for that fiscal year) + (the district's 5375  
category three special education ADM X the ~~amount multiple~~ 5376  
specified in division (C) of section 3317.013 of the Revised 5377  
Code X the statewide average base cost per pupil for that fiscal 5378  
year) + (the district's category four special education ADM X 5379  
the ~~amount multiple~~ specified in division (D) of section 5380  
3317.013 of the Revised Code X the statewide average base cost 5381  
per pupil for that fiscal year) + (the district's category five 5382  
special education ADM X the ~~amount multiple~~ specified in 5383  
division (E) of section 3317.013 of the Revised Code X the 5384  
statewide average base cost per pupil for that fiscal year) + 5385  
(the district's category six special education ADM X the ~~amount~~ 5386  
~~multiple~~ specified in division (F) of section 3317.013 of the 5387  
Revised Code X the statewide average base cost per pupil for 5388  
that fiscal year) 5389

The purposes approved by the department for special 5390  
education expenses shall include, but shall not be limited to, 5391  
identification of children with disabilities, compliance with 5392  
state rules governing the education of children with 5393  
disabilities and prescribing the continuum of program options 5394  
for children with disabilities, provision of speech language 5395  
pathology services, and the portion of the school district's 5396  
overall administrative and overhead costs that are attributable 5397

to the district's special education student population. 5398

~~The scholarships deducted from the school district's 5399  
account under sections 3310.41 and 3310.55 of the Revised Code 5400  
shall be considered to be an approved special education and 5401  
related services expense for the purpose of the school 5402  
district's compliance with this division. 5403~~

~~(C) In any fiscal year, a school district receiving funds 5404  
under division (A) (8) of this section shall spend those funds 5405  
only for the purposes that the department designates as approved 5406  
for career technical education expenses. Career technical 5407  
education expenses approved by the department shall include only 5408  
expenses connected to the delivery of career technical 5409  
programming to career technical students. The department shall 5410  
require the school district to report data annually so that the 5411  
department may monitor the district's compliance with the 5412  
requirements regarding the manner in which funding received 5413  
under division (A) (8) of this section may be spent. 5414~~

~~(D) In any fiscal year, a school district receiving funds 5415  
under division (A) (9) of this section, or through a transfer of 5416  
funds pursuant to division (I) of section 3317.023 of the 5417  
Revised Code, shall spend those funds only for the purposes that 5418  
the department designates as approved for career technical 5419  
education associated services expenses, which may include such 5420  
purposes as apprenticeship coordinators, coordinators for other 5421  
career technical education services, career technical 5422  
evaluation, and other purposes designated by the department. The 5423  
department may deny payment under division (A) (9) of this 5424  
section to any district that the department determines is not 5425  
operating those services or is using funds paid under division 5426  
(A) (9) of this section, or through a transfer of funds pursuant 5427~~

~~to division (I) of section 3317.023 of the Revised Code, for  
other purposes.~~ 5428  
5429

~~(E) All funds received under division (A)(8) of this  
section shall be spent in the following manner:~~ 5430  
5431

~~(1) At least seventy five per cent of the funds shall be  
spent on curriculum development, purchase, and implementation;  
instructional resources and supplies; industry based program  
certification; student assessment, credentialing, and placement;  
curriculum specific equipment purchases and leases; career  
technical student organization fees and expenses; home and  
agency linkages; work based learning experiences; professional  
development; and other costs directly associated with career  
technical education programs including development of new  
programs.~~ 5432  
5433  
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5441

~~(2) Not more than twenty five per cent of the funds shall  
be used for personnel expenditures.~~ 5442  
5443

~~(F) A school district shall spend the funds it receives  
under division (A)(5) (A)(4) of this section in accordance with  
section 3317.25 of the Revised Code.~~ 5444  
5445  
5446

(D) In any fiscal year, a school district shall spend the  
funds it receives under division (A)(5) of this section only for  
services for English learners. 5447  
5448  
5449

(E) In any fiscal year, a school district shall spend the  
funds it receives under division (A)(6) of this section only for  
gifted education and related services. 5450  
5451  
5452

**Sec. 3317.023.** (A) The amounts required to be paid to a 5453  
district under this chapter shall be adjusted by the amount of 5454  
the computations made under divisions (B) to (K) of this 5455  
section. 5456

As used in this section: 5457

(1) "Career-technical planning district" or "CTPD" means a 5458  
school district or group of school districts designated by the 5459  
department of education as being responsible for the planning 5460  
for and provision of career-technical education services to 5461  
students within the district or group. A community school 5462  
established under Chapter 3314. of the Revised Code or a STEM 5463  
school established under Chapter 3326. of the Revised Code that 5464  
is serving students in any of grades seven through twelve shall 5465  
be assigned to a career-technical planning district by the 5466  
department. 5467

(2) "Lead district" means a school district, including a 5468  
joint vocational school district, designated by the department 5469  
as a CTPD, or designated to provide primary career-technical 5470  
education leadership within a CTPD composed of a group of 5471  
districts, community schools assigned to the CTPD, and STEM 5472  
schools assigned to the CTPD. 5473

(B) If a local, city, or exempted village school district 5474  
to which a governing board of an educational service center 5475  
provides services pursuant to an agreement entered into under 5476  
section 3313.843 of the Revised Code, deduct the amount of the 5477  
payment required for the reimbursement of the governing board 5478  
under that section. 5479

(C) (1) If the district is required to pay to or entitled 5480  
to receive tuition from another school district under division 5481  
(C) (2) or (3) of section 3313.64 or section 3313.65 of the 5482  
Revised Code, or if the superintendent of public instruction is 5483  
required to determine the correct amount of tuition and make a 5484  
deduction or credit under section 3317.08 of the Revised Code, 5485  
deduct and credit such amounts as provided in division (J) of 5486

section 3313.64 or section 3317.08 of the Revised Code. 5487

(2) For each child for whom the district is responsible 5488  
for tuition or payment under division (A)(1) of section 3317.082 5489  
or section 3323.091 of the Revised Code, deduct the amount of 5490  
tuition or payment for which the district is responsible. 5491

(D) If the district has been certified by the 5492  
superintendent of public instruction under section 3313.90 of 5493  
the Revised Code as not in compliance with the requirements of 5494  
that section, deduct an amount equal to ten per cent of the 5495  
amount computed for the district under this chapter. 5496

(E) If the district has received a loan from a commercial 5497  
lending institution for which payments are made by the 5498  
superintendent of public instruction pursuant to division (E)(3) 5499  
of section 3313.483 of the Revised Code, deduct an amount equal 5500  
to such payments. 5501

(F)(1) If the district is a party to an agreement entered 5502  
into under division (D), (E), or (F) of section 3311.06 or 5503  
division (B) of section 3311.24 of the Revised Code and is 5504  
obligated to make payments to another district under such an 5505  
agreement, deduct an amount equal to such payments if the 5506  
district school board notifies the department in writing that it 5507  
wishes to have such payments deducted. 5508

(2) If the district is entitled to receive payments from 5509  
another district that has notified the department to deduct such 5510  
payments under division (F)(1) of this section, add the amount 5511  
of such payments. 5512

(G) If the district is required to pay an amount of funds 5513  
to a cooperative education district pursuant to a provision 5514  
described by division (B)(4) of section 3311.52 or division (B) 5515

(8) of section 3311.521 of the Revised Code, deduct such amounts 5516  
as provided under that provision and credit those amounts to the 5517  
cooperative education district for payment to the district under 5518  
division (B) (1) of section 3317.19 of the Revised Code. 5519

(H) (1) If a district is educating a student entitled to 5520  
attend school in another district pursuant to a shared education 5521  
contract, compact, or cooperative education agreement other than 5522  
an agreement entered into pursuant to section 3313.842 of the 5523  
Revised Code, credit to that educating district on an FTE basis 5524  
both of the following: 5525

(a) An amount equal to the ~~formula amount~~statewide average 5526  
base cost per pupil. 5527

(b) Any amount applicable to the student pursuant to 5528  
section 3317.013 or 3317.014 of the Revised Code. 5529

(2) Deduct any amount credited pursuant to division (H) (1) 5530  
of this section from amounts paid to the school district in 5531  
which the student is entitled to attend school pursuant to 5532  
section 3313.64 or 3313.65 of the Revised Code. 5533

(3) If the district is required by a shared education 5534  
contract, compact, or cooperative education agreement to make 5535  
payments to an educational service center, deduct the amounts 5536  
from payments to the district and add them to the amounts paid 5537  
to the service center. 5538

(I) (1) If a district, including a joint vocational school 5539  
district, is a lead district of a CTPD, credit to that district 5540  
the amount calculated for each school district within that CTPD 5541  
under ~~division (A) (9) divisions (D) and (E) of section 3317.022~~ 5542  
3317.014 of the Revised Code ~~or division (A) (6) of section~~ 5543  
3317.16 of the Revised Code, as applicableand for each community 5544



school and STEM school assigned to the CTPD under divisions (B) and (C) of section 3314.088 and division (B) and (C) of section 3326.39 of the Revised Code. 5545  
5546  
5547

(2) Deduct from each appropriate district that is not a lead district, or from the appropriate community school or STEM school, the amount attributable to that district or school that is credited to a lead district under division (I)(1) of this section. 5548  
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(J) If the department pays a joint vocational school district under division (C)(3) of section 3317.16 of the Revised Code for excess costs of providing special education and related services to a student with a disability, as calculated under division (C)(1) of that section, the department shall deduct the amount of that payment from the city, local, or exempted village school district that is responsible as specified in that section for the excess costs. 5553  
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(K)(1) If the district reports an amount of excess cost for special education services for a child under division (C) of section 3323.14 of the Revised Code, the department shall pay that amount to the district. 5561  
5562  
5563  
5564

(2) If the district reports an amount of excess cost for special education services for a child under division (C) of section 3323.14 of the Revised Code, the department shall deduct that amount from the district of residence of that child. 5565  
5566  
5567  
5568

**Sec. 3317.024.** The following shall be distributed monthly, quarterly, or annually as may be determined by the state board of education: 5569  
5570  
5571

(A) An amount for each island school district and each joint state school district for the operation of each high 5572  
5573

school and each elementary school maintained within such 5574  
district and for capital improvements for such schools. Such 5575  
amounts shall be determined on the basis of standards adopted by 5576  
the state board of education. However, for fiscal years 2012 and 5577  
2013, an island district shall receive the lesser of its actual 5578  
cost of operation, as certified to the department of education, 5579  
or ninety-three per cent of the amount the district received in 5580  
state operating funding for fiscal year 2011. If an island 5581  
district received no funding for fiscal year 2011, it shall 5582  
receive no funding for either of fiscal year 2012 or 2013. 5583

(B) An amount for each school district required to pay 5584  
tuition for a child in an institution maintained by the 5585  
department of youth services pursuant to section 3317.082 of the 5586  
Revised Code, provided the child was not included in the 5587  
calculation of the district's formula ADM, as that term is 5588  
defined in section 3317.02 of the Revised Code, for the 5589  
preceding school year. 5590

(C) An amount for the approved cost of transporting 5591  
eligible pupils with disabilities attending a special education 5592  
program approved by the department of education whom it is 5593  
impossible or impractical to transport by regular school bus in 5594  
the course of regular route transportation provided by the 5595  
school district or educational service center. In the case of a 5596  
school district, this amount shall be equal to the actual costs 5597  
incurred by the district when transporting those students, as 5598  
reported to the department, times the percentage determined for 5599  
the district for that fiscal year under divisions (E) (3) (a) to 5600  
(f) of section 3317.0212 of the Revised Code. No district or 5601  
service center is eligible to receive a payment under this 5602  
division for the cost of transporting any pupil whom it 5603  
transports by regular school bus and who is included in the 5604

district's transportation ADM. The state board of education 5605  
shall establish standards and guidelines for use by the 5606  
department of education in determining the approved cost of such 5607  
transportation for each ~~district or~~ service center. The state 5608  
board shall also establish the deadline for each district to 5609  
report its actual costs for transporting these students. Costs 5610  
reported by each district under this division shall be subject 5611  
to periodic, random audits by the department. 5612

(D) An amount to each school district, including each 5613  
cooperative education school district, pursuant to section 5614  
3313.81 of the Revised Code to assist in providing free lunches 5615  
to needy children. The amounts shall be determined on the basis 5616  
of rules adopted by the state board of education. 5617

(E) (1) An amount for auxiliary services to each school 5618  
district, for each pupil attending a chartered nonpublic 5619  
elementary or high school within the district that is either of 5620  
the following: 5621

(a) A school affiliated with a religious order, sect, 5622  
church, or denomination or has a curriculum or mission that 5623  
contains religious content, religious courses, devotional 5624  
exercises, religious training, or any other religious activity; 5625

(b) A school not described in division (E) (1) (a) of this 5626  
section that has not elected to receive funds under division (E) 5627  
(2) of this section. 5628

(2) An amount for auxiliary services paid directly to each 5629  
chartered nonpublic school that has elected to receive funds 5630  
under division (E) (2) of this section for each pupil attending 5631  
the school. To elect to receive funds under division (E) (2) of 5632  
this section, a school, by the first day of April of each odd- 5633

numbered year, shall notify the department and the school 5634  
district in which the school is located of the election and 5635  
shall submit to the department an affidavit certifying that the 5636  
school is not affiliated with a religious order, sect, church, 5637  
or denomination and does not have a curriculum or mission that 5638  
contains religious content, religious courses, devotional 5639  
exercises, religious training, or any other religious activity. 5640  
The election shall take effect the following first day of July, 5641  
unless the department determines that the school meets the 5642  
criteria in division (E) (1) (a) of this section. The school 5643  
subsequently may rescind its election, but it may do so only in 5644  
an odd-numbered year by notifying the department and the school 5645  
district in which the school is located of the rescission not 5646  
later than the first day of April of that year. Beginning the 5647  
following first day of July after the rescission, the school 5648  
shall receive funds under division (E) (1) of this section. 5649

The amount paid under divisions (E) (1) and (2) of this 5650  
section shall equal the total amount appropriated for the 5651  
implementation of sections 3317.06 and 3317.062 of the Revised 5652  
Code divided by the average daily membership in grades 5653  
kindergarten through twelve in chartered nonpublic elementary 5654  
and high schools within the state as determined as of the last 5655  
day of October of each school year. 5656

(F) An amount for each county board of developmental 5657  
disabilities, distributed on the basis of standards adopted by 5658  
the state board of education, for the approved cost of 5659  
transportation required for children attending special education 5660  
programs operated by the county board under section 3323.09 of 5661  
the Revised Code; 5662

(G) An amount to each institution defined under section 5663

3317.082 of the Revised Code providing elementary or secondary 5664  
education to children other than children receiving special 5665  
education under section 3323.091 of the Revised Code. This 5666  
amount for any institution in any fiscal year shall equal the 5667  
total of all tuition amounts required to be paid to the 5668  
institution under division (A) (1) of section 3317.082 of the 5669  
Revised Code. 5670

The state board of education or any other board of 5671  
education or governing board may provide for any resident of a 5672  
district or educational service center territory any educational 5673  
service for which funds are made available to the board by the 5674  
United States under the authority of public law, whether such 5675  
funds come directly or indirectly from the United States or any 5676  
agency or department thereof or through the state or any agency, 5677  
department, or political subdivision thereof. 5678

**Sec. 3317.028.** (A) On or before May 15, 2007, and the 5679  
fifteenth day of May in each calendar year thereafter, the tax 5680  
commissioner shall determine for each school district whether 5681  
the taxable value of all utility tangible personal property 5682  
subject to taxation by the district in the preceding tax year 5683  
was less than the taxable value of such property during the 5684  
second preceding tax year. If any decrease exceeds ten per cent 5685  
of the district's tangible personal property taxable value 5686  
included in the total taxable value used in the district's state 5687  
aid computation for the fiscal year that ends in the current 5688  
calendar year, the tax commissioner shall certify all of the 5689  
following to the department of education and the office of 5690  
budget and management: 5691

(1) The district's total taxable value for the preceding 5692  
tax year; 5693

(2) The change in taxes charged and payable on the 5694  
district's total taxable value for the preceding tax year and 5695  
the second preceding tax year; 5696

(3) The taxable value of the utility tangible personal 5697  
property decrease, which shall be considered a change in 5698  
valuation; 5699

(4) The change in taxes charged and payable on such change 5700  
in taxable value calculated in the same manner as in division 5701  
(A) (3) of section 3317.021 of the Revised Code. 5702

(B) Upon receipt of a certification specified in this 5703  
section, the department of education shall replace the three- 5704  
year average valuations that were used in computing the 5705  
district's state education aid for the fiscal year that ends in 5706  
the current calendar year with the taxable value certified under 5707  
division (A) (1) of this section and shall recompute the state 5708  
education aid for such fiscal year ~~without applying any funding~~ 5709  
~~limitations enacted by the general assembly to the computation.~~ 5710  
The department shall pay to the district an amount equal to the 5711  
lesser of the following: 5712

(1) The positive difference between the district's state 5713  
education aid prior to the recomputation under this section and 5714  
the district's recomputed state education aid; 5715

(2) The absolute value of the amount certified under 5716  
division (A) (2) of this section. 5717

The payment date shall be determined by the director of 5718  
budget and management. The director shall select a payment date 5719  
that is not earlier than the first day of June of the current 5720  
fiscal year and not later than the thirty-first day of July of 5721  
the following fiscal year. The department of education shall not 5722

pay the district under this section prior to approval by the 5723  
director of budget and management to make that payment. 5724

(C) If a school district received a grant from the 5725  
catastrophic expenditures account pursuant to division (C) of 5726  
section 3316.20 of the Revised Code on the basis of the same 5727  
circumstances for which a recomputation is made under this 5728  
section, the amount of the recomputation shall be reduced and 5729  
transferred in accordance with division (C) of section 3316.20 5730  
of the Revised Code. 5731

**Sec. 3317.0212.** (A) As used in this section: 5732

(1) "Assigned bus" means a school bus used to transport 5733  
qualifying riders. 5734

(2) "Density" means the total riders per square mile of a 5735  
school district. 5736

(3) "Nontraditional ridership" means the average number of 5737  
qualifying riders who are enrolled in a community school 5738  
established under Chapter 3314. of the Revised Code, in a STEM 5739  
school established under Chapter 3326. of the Revised Code, or 5740  
in a nonpublic school and are provided school bus service by a 5741  
school district during the first full week of October. 5742

(4) "Qualifying riders" means resident students enrolled 5743  
in regular education in preschool and grades kindergarten to 5744  
twelve who are provided school bus service by a school district 5745  
and who live more than one mile from the school they attend, 5746  
including students with dual enrollment in a joint vocational 5747  
school district or a cooperative education school district, and 5748  
students enrolled in a community school, STEM school, or 5749  
nonpublic school. 5750

~~(2)~~ (5) "Qualifying ridership" means the greater of the 5751

average number of qualifying riders counted in the morning or 5752  
counted in the afternoon who are provided school bus service by 5753  
a school district during the first full week of October. 5754

~~(3)-(6)~~ "Rider density" means the ~~total ADM per square~~ 5755  
~~mile of a school district.~~following quotient: 5756

A school district's total number of qualifying riders/ the 5757  
number of square miles in the district 5758

~~(4)-(7)~~ "Riders" means students enrolled in regular and 5759  
special education in grades kindergarten through twelve who are 5760  
provided school bus service by a school district, including 5761  
students with dual enrollment in a joint vocational school 5762  
district or a cooperative education school district, and 5763  
students enrolled in a community school, STEM school, or 5764  
nonpublic school. 5765

(8) "School bus service" means a school district's 5766  
transportation of qualifying riders in any of the following 5767  
types of vehicles: 5768

(a) School buses owned or leased by the district; 5769

(b) School buses operated by a private contractor hired by 5770  
the district; 5771

(c) School buses operated by another school district or 5772  
entity with which the district has contracted, either as part of 5773  
a consortium for the provision of transportation or otherwise. 5774

(B) Not later than the ~~fifteenth day of October~~ first day 5775  
of November each year, each city, local, and exempted village 5776  
school district shall report to the department of education its 5777  
qualifying ridership and any other information requested by the 5778  
department. Subsequent adjustments to the reported numbers shall 5779



be made only in accordance with rules adopted by the department. 5780

(C) The department shall calculate the statewide 5781  
transportation cost per student as follows: 5782

(1) Determine each city, local, and exempted village 5783  
school district's transportation cost per student by dividing 5784  
the district's total costs for school bus service in the 5785  
previous fiscal year by its qualifying ridership in the previous 5786  
fiscal year. 5787

(2) After excluding districts that do not provide school 5788  
bus service and the ten districts with the highest 5789  
transportation costs per student and the ten districts with the 5790  
lowest transportation costs per student, divide the aggregate 5791  
cost for school bus service for the remaining districts in the 5792  
previous fiscal year by the aggregate qualifying ridership of 5793  
those districts in the previous fiscal year. 5794

(D) The department shall calculate the statewide 5795  
transportation cost per mile as follows: 5796

(1) Determine each city, local, and exempted village 5797  
school district's transportation cost per mile by dividing the 5798  
district's total costs for school bus service in the previous 5799  
fiscal year by its total number of miles driven for school bus 5800  
service in the previous fiscal year. 5801

(2) After excluding districts that do not provide school 5802  
bus service and the ten districts with the highest 5803  
transportation costs per mile and the ten districts with the 5804  
lowest transportation costs per mile, divide the aggregate cost 5805  
for school bus service for the remaining districts in the 5806  
previous fiscal year by the aggregate miles driven for school 5807  
bus service in those districts in the previous fiscal year. 5808

(E) The department shall calculate each city, local, and 5809  
exempted village school district's transportation base payment 5810  
as follows: 5811

(1) ~~Multiply~~ Calculate the sum of the following: 5812

(a) The product of the statewide transportation cost per 5813  
student ~~by~~ and the number of students counted in the district's 5814  
qualifying ridership for the current fiscal year who are 5815  
enrolled in the district; 5816

(b) 1.5 times the statewide transportation cost per 5817  
student times the number of students counted in the district's 5818  
qualifying ridership for the current fiscal year who are 5819  
enrolled in community schools established under Chapter 3314. of 5820  
the Revised Code or STEM schools established under Chapter 3326. 5821  
of the Revised Code; 5822

(c) 2.0 times the statewide transportation cost per 5823  
student times the number of students counted in the district's 5824  
qualifying ridership for the current fiscal year who are 5825  
enrolled in nonpublic schools. 5826

(2) Multiply the statewide transportation cost per mile by 5827  
the district's total number of miles driven for school bus 5828  
service in the current fiscal year. 5829

(3) Multiply the greater of the amounts calculated under 5830  
divisions (E) (1) and (2) of this section by the following: 5831

(a) For fiscal year ~~2018~~2022, the greater of ~~thirty-seven-~~ 5832  
~~and one-half~~ twenty-nine and one-sixth per cent or the 5833  
district's state share ~~index~~ percentage, as defined in section 5834  
3317.02 of the Revised Code; 5835

(b) For fiscal year ~~2019~~2023, the greater of ~~twenty-five-~~ 5836

thirty-three and one-third per cent or the district's state 5837  
share ~~index~~percentage; 5838

(c) For fiscal year 2024, the greater of thirty-seven and 5839  
one-half per cent or the district's state share percentage; 5840

(d) For fiscal year 2025, the greater of forty-one and 5841  
two-thirds per cent or the district's state share percentage; 5842

(e) For fiscal year 2026, the greater of forty-five and 5843  
five-sixths per cent or the district's state share percentage; 5844

(f) For fiscal year 2027 and for each fiscal year 5845  
thereafter, the greater of fifty per cent or the district's 5846  
state share percentage. 5847

(F)(1) The department annually shall establish a target 5848  
number of qualifying riders per assigned bus for each city, 5849  
local, and exempted village school district. The department 5850  
shall use the most recently available data in establishing the 5851  
target number. The target number shall be based on the statewide 5852  
median number of riders per assigned bus as adjusted to reflect 5853  
the district's density in comparison to the density of all other 5854  
districts. The department shall post on the department's web 5855  
site each district's target number of riders per assigned bus 5856  
and a description of how the target number was determined. 5857

(2) The department shall determine each school district's 5858  
efficiency index by dividing the district's number of riders per 5859  
assigned bus by its target number of riders per assigned bus. 5860

(3) The department shall determine each city, local, and 5861  
exempted village school district's efficiency adjustment payment 5862  
as follows: 5863

(a) If the district's efficiency index is equal to or 5864

greater than 1.5, the efficiency adjustment payment shall be 5865  
calculated according to the following formula: 5866

0.15 X the district's transportation base payment calculated 5867  
under division (E) of this section 5868

(b) If the district's efficiency index is less than 1.5 5869  
but greater than or equal to 1.0, the efficiency adjustment 5870  
payment shall be calculated according to the following formula: 5871

{[(The district's efficiency index - 1) X 0.15]/0.5} X the 5872  
district's transportation base payment calculated under division 5873  
(E) of this section 5874

(c) If the district's efficiency index is less than 1.0, 5875  
the efficiency adjustment payment shall be zero. 5876

(G) In addition to funds paid under ~~division (E)~~ divisions 5877  
(E), (F), and (H) of this section, each city, local, and 5878  
exempted village district shall receive in accordance with rules 5879  
adopted by the state board of education a payment for students 5880  
transported by means other than school bus service and whose 5881  
transportation is not funded under division (C) of section 5882  
3317.024 of the Revised Code. The rules shall include provisions 5883  
for school district reporting of such students. 5884

~~(G) (1)~~ (H) (1) For purposes of division ~~(G)~~ (H) of this 5885  
section, a school district's "transportation supplement 5886  
percentage" means the following quotient: 5887

(~~50~~28 - the district's rider density)/ 100 5888

If the result of the calculation for a district under 5889  
division ~~(G) (1)~~ (H) (1) of this section is less than zero, the 5890  
district's transportation supplement percentage shall be zero. 5891

(2) The department shall pay each district a 5892

transportation supplement calculated according to the following 5893  
formula: 5894

The district's transportation supplement percentage X the amount 5895  
calculated for the district under division (E) (2) of this 5896  
section X 0.55 5897

**Sec. 3317.0213.** (A) The department of education shall 5898  
compute and pay in accordance with this section additional state 5899  
aid for preschool children with disabilities to each city, 5900  
local, and exempted village school district and to each 5901  
institution, as defined in section 3323.091 of the Revised Code. 5902  
Funding shall be provided for children who are not enrolled in 5903  
kindergarten and who are under age six on the thirtieth day of 5904  
September of the academic year, or on the first day of August of 5905  
the academic year if the school district in which the child is 5906  
enrolled has adopted a resolution under division (A) (3) of 5907  
section 3321.01 of the Revised Code, but not less than age three 5908  
on the first day of December of the academic year. 5909

The additional state aid shall be calculated under the 5910  
following formula: 5911

(\$4,000 X the number of students who are preschool 5912  
children with disabilities) + the sum of the following: 5913

(1) The district's or institution's category one special 5914  
education students who are preschool children with disabilities 5915  
X the ~~amount~~ multiple specified in division (A) of section 5916  
3317.013 of the Revised Code X the statewide average base cost 5917  
per pupil for that fiscal year X the district's state share 5918  
~~index~~ percentage X 0.50; 5919

(2) The district's or institution's category two special 5920  
education students who are preschool children with disabilities 5921

X the ~~amount~~multiple specified in division (B) of section 5922  
3317.013 of the Revised Code X the statewide average base cost 5923  
per pupil for that fiscal year X the district's state share 5924  
~~index~~percentage X 0.50; 5925

(3) The district's or institution's category three special 5926  
education students who are preschool children with disabilities 5927  
X the ~~amount~~multiple specified in division (C) of section 5928  
3317.013 of the Revised Code X the statewide average base cost 5929  
per pupil for that fiscal year X the district's state share 5930  
~~index~~percentage X 0.50; 5931

(4) The district's or institution's category four special 5932  
education students who are preschool children with disabilities 5933  
X the ~~amount~~multiple specified in division (D) of section 5934  
3317.013 of the Revised Code X the statewide average base cost 5935  
per pupil for that fiscal year X the district's state share 5936  
~~index~~percentage X 0.50; 5937

(5) The district's or institution's category five special 5938  
education students who are preschool children with disabilities 5939  
X the ~~amount~~multiple specified in division (E) of section 5940  
3317.013 of the Revised Code X the statewide average base cost 5941  
per pupil for that fiscal year X the district's state share 5942  
~~index~~percentage X 0.50; 5943

(6) The district's or institution's category six special 5944  
education students who are preschool children with disabilities 5945  
X the ~~amount~~multiple specified in division (F) of section 5946  
3317.013 of the Revised Code X the statewide average base cost 5947  
per pupil for that fiscal year X the district's state share 5948  
~~index~~percentage X 0.50. 5949

The special education disability categories for preschool 5950

children used in this section are the same categories prescribed 5951  
in section 3317.013 of the Revised Code. 5952

As used in division (A) of this section, the state share 5953  
~~index percentage~~ of a student enrolled in an institution is the 5954  
state share ~~index percentage~~ of the school district in which the 5955  
student is entitled to attend school under section 3313.64 or 5956  
3313.65 of the Revised Code. 5957

(B) If an educational service center is providing services 5958  
to students who are preschool children with disabilities under 5959  
agreement with the city, local, or exempted village school 5960  
district in which the students are entitled to attend school, 5961  
that district may authorize the department to transfer funds 5962  
computed under this section to the service center providing 5963  
those services. 5964

(C) If a county DD board is providing services to students 5965  
who are preschool children with disabilities under agreement 5966  
with the city, local, or exempted village school district in 5967  
which the students are entitled to attend school, the department 5968  
shall deduct from the district's payment computed under division 5969  
(A) of this section the total amount of those funds that are 5970  
attributable to the students served by the county DD board and 5971  
pay that amount to that board. 5972

**Sec. 3317.0214.** (A) The department shall compute and pay 5973  
in accordance with this section additional state aid to school 5974  
districts for students in categories two through six special 5975  
education ADM. If a district's costs for the fiscal year for a 5976  
student in its categories two through six special education ADM 5977  
exceed the threshold catastrophic cost for serving the student, 5978  
the district may submit to the superintendent of public 5979  
instruction documentation, as prescribed by the superintendent, 5980

of all its costs for that student. Upon submission of 5981  
documentation for a student of the type and in the manner 5982  
prescribed, the department shall pay to the district an amount 5983  
equal to the sum of the following: 5984

(1) One-half of the district's costs for the student in 5985  
excess of the threshold catastrophic cost; 5986

(2) The product of one-half of the district's costs for 5987  
the student in excess of the threshold catastrophic cost 5988  
multiplied by the district's state share ~~index~~percentage. 5989

(B) For purposes of division (A) of this section, the 5990  
threshold catastrophic cost for serving a student equals: 5991

(1) For a student in the school district's category two, 5992  
three, four, or five special education ADM, twenty-seven 5993  
thousand three hundred seventy-five dollars; 5994

(2) For a student in the district's category six special 5995  
education ADM, thirty-two thousand eight hundred fifty dollars. 5996

(C) The district shall report under division (A) of this 5997  
section, and the department shall pay for, only the costs of 5998  
educational expenses and the related services provided to the 5999  
student in accordance with the student's individualized 6000  
education program. Any legal fees, court costs, or other costs 6001  
associated with any cause of action relating to the student may 6002  
not be included in the amount. 6003

Sec. 3317.0215. (A) The department of education shall 6004  
withhold from the aggregate amount paid for a fiscal year to 6005  
each city, local, exempted village, and joint vocational school 6006  
district, community school established under Chapter 3314. of 6007  
the Revised Code, and science, technology, engineering, and 6008  
mathematics school established under Chapter 3326. of the 6009



Revised Code an amount equal to the following: 6010

(1) In the case of a city, local, exempted village, or 6011  
joint vocational school district, an amount calculated as 6012  
follows: 6013

0.10 X [(the district's category one special education ADM X the 6014  
multiple specified in division (A) of section 3317.013 of the 6015  
Revised Code X the statewide average base cost per pupil for 6016  
that fiscal year X the district's state share percentage) + (the 6017  
district's category two special education ADM X the multiple 6018  
specified in division (B) of section 3317.013 of the Revised 6019  
Code X the statewide average base cost per pupil for that fiscal 6020  
year X the district's state share percentage) + (the district's 6021  
category three special education ADM X the multiple specified in 6022  
division (C) of section 3317.013 of the Revised Code X the 6023  
statewide average base cost per pupil for that fiscal year X the 6024  
district's state share percentage) + (the district's category 6025  
four special education ADM X the multiple specified in division 6026  
(D) of section 3317.013 of the Revised Code X the statewide 6027  
average base cost per pupil for that fiscal year X the 6028  
district's state share percentage) + (the district's category 6029  
five special education ADM X the multiple specified in division 6030  
(E) of section 3317.013 of the Revised Code X the statewide 6031  
average base cost per pupil for that fiscal year X the 6032  
district's state share percentage) + (the district's category 6033  
six special education ADM X the multiple specified in division 6034  
(F) of section 3317.013 of the Revised Code X the statewide 6035  
average base cost per pupil for that fiscal year X the 6036  
district's state share percentage)] 6037

(2) In the case of a community school, the aggregate 6038  
amount of special education funding paid to the school under 6039

section 3314.08 of the Revised Code times 0.10. 6040

(3) In the case of a science, technology, engineering, or 6041  
mathematics school, the aggregate amount of special education 6042  
funding paid to the school under section 3326.33 of the Revised 6043  
Code times 0.10. 6044

(B) The department shall use the amount of funds withheld 6045  
under division (A) of this section for purposes of division (C) 6046  
(3) of section 3314.08 of the Revised Code, section 3317.0214 of 6047  
the Revised Code, division (B) of section 3317.16 of the Revised 6048  
Code, and section 3326.34 of the Revised Code. 6049

**Sec. 3317.0217.** Payment of the amount calculated for a 6050  
school district under this section shall be made under division 6051  
(A) of section 3317.022 of the Revised Code. 6052

(A) For each fiscal year, the department of education 6053  
shall compute targeted assistance funds for city, local, and 6054  
exempted village school districts, in accordance with the 6055  
following formula: 6056

A district's capacity amount for that fiscal year calculated 6057  
under division (B) of this section + a district's wealth amount 6058  
for that fiscal year calculated under division (C) of this 6059  
section 6060

(B) The department shall calculate each district's 6061  
capacity amount for a fiscal year as follows: 6062

(1) Calculate each district's weighted wealth for that 6063  
fiscal year, which equals the following sum: 6064

(The amount determined for the district for that fiscal year 6065  
under division (A)(1)(a) of section 3317.017 of the Revised Code 6066  
X 0.6) + (the amount determined for the district for that fiscal 6067

year under division (A) (2) (a) of section 3317.017 of the Revised 6068  
Code X 0.4) 6069

(2) Determine the median weighted wealth of all school 6070  
districts in this state for that fiscal year; 6071

(3) Compute each district's capacity index for that fiscal 6072  
year by dividing the median weighted wealth of all school 6073  
districts in this state for that fiscal year by the district's 6074  
weighted wealth for that fiscal year; 6075

(4) Compute each district's capacity amount for that 6076  
fiscal year as follows: 6077

(a) The district's capacity amount shall be zero if the 6078  
district satisfies either of the following criteria for that 6079  
fiscal year: 6080

(i) The district's capacity index is less than 1. 6081

(ii) The district's enrolled ADM is less than 200. 6082

(b) If the district does not satisfy either of the 6083  
criteria specified in division (B) (4) (a) of this section for 6084  
that fiscal year, the district's capacity amount for that fiscal 6085  
year shall be calculated as follows: 6086

(i) Compute the following amount for the district: 6087

(The median weighted wealth of all school districts in this 6088  
state for that fiscal year X 0.008) - (the district's weighted 6089  
wealth for that fiscal year X 0.008) 6090

(ii) If the district's enrolled ADM for that fiscal year 6091  
is greater than or equal to 200 but less than or equal to 400, 6092  
the district's capacity amount for that fiscal year shall be 6093  
equal to 0.05 X the amount computed under division (B) (4) (b) (i) 6094

of this section. 6095

(iii) If the district's enrolled ADM for that fiscal year 6096  
is greater than 400 and less than 600, the district's capacity 6097  
amount for that fiscal year shall be calculated in accordance 6098  
with the following formula: 6099

{[0.95 X (the district's enrolled ADM for that fiscal year - 6100  
400)/200] + 0.05} X the amount computed under division (B) (4) (b) 6101  
(i) of this section 6102

(iv) If the district's enrolled ADM for that fiscal year 6103  
is greater than or equal to 600, the district's capacity amount 6104  
for that fiscal year shall be equal to the amount computed under 6105  
division (B) (4) (b) (i) of this section. 6106

(C) The department shall calculate each district's wealth 6107  
amount for a fiscal year as follows: 6108

(1) Calculate each district's weighted wealth per pupil 6109  
for that fiscal year, which equals the following quotient: 6110

The district's weighted wealth for that fiscal year calculated 6111  
under division (B) (1) of this section/ (the district's enrolled 6112  
ADM for that fiscal year - the students described in division 6113  
(A) (1) (b) of section 3317.03 of the Revised Code + the students 6114  
described in division (A) (2) (d) of section 3317.03 of the 6115  
Revised Code) 6116

(2) Determine the median weighted wealth per pupil of all 6117  
school districts in this state for that fiscal year; 6118

(3) Compute each district's wealth index for that fiscal 6119  
year by dividing the median weighted wealth per pupil of all 6120  
school districts in this state for that fiscal year by the 6121  
district's weighted wealth per pupil for that fiscal year; 6122

(4) Compute each district's wealth amount for that fiscal year, as follows: 6123  
6124

(a) If the district's wealth index computed under division (C) (3) of this section for that fiscal year is less than 0.8, the district's wealth amount for that fiscal year shall be zero. 6125  
6126  
6127

(b) If the district's wealth index computed under division (C) (3) of this section for that fiscal year is greater than or equal to 0.8, the district's wealth amount for that fiscal year shall be calculated in accordance with the following formula: 6128  
6129  
6130  
6131

[(The median weighted wealth per pupil of all school districts in this state for that fiscal year X 0.014) - (the district's weighted wealth per pupil for that fiscal year X 0.0112)] X the district's enrolled ADM for that fiscal year 6132  
6133  
6134  
6135

**Sec. 3317.0218.** For each fiscal year, the department of education shall compute and pay supplemental targeted assistance to each city, local, and exempted village school district as follows: 6136  
6137  
6138  
6139

(A) Determine if the district satisfies both of the following criteria: 6140  
6141

(1) The wealth index calculated for the district for fiscal year 2019 under division (A) (4) of former section 3317.0217 of the Revised Code as it existed prior to the effective date of this section is greater than 1.6; 6142  
6143  
6144  
6145

(2) The district's enrolled ADM for fiscal year 2019 is less than eighty-eight per cent of the district's total ADM for fiscal year 2019. 6146  
6147  
6148

(B) Determine the maximum of the wealth indices calculated under division (A) (4) of former section 3317.0217 of the Revised 6149  
6150

Code as it existed prior to the effective date of this section 6151  
for all districts that satisfy both of the criteria specified 6152  
under division (A) of this section; 6153

(C) If the district satisfies both of the criteria 6154  
specified under division (A) of this section, compute the 6155  
district's supplemental amount as the product of the following: 6156

(1) {[ (The number specified under division (A) (1) of this 6157  
section - 1.6) / (the number determined under division (B) of 6158  
this section - 1.6) ] X 675} + 75; 6159

(2) The district's enrolled ADM. 6160

(D) If the district does not satisfy both of the criteria 6161  
specified under division (A) of this section, the district's 6162  
supplemental amount shall be equal to zero. 6163

**Sec. 3317.03.** (A) The superintendent of each city, local, 6164  
and exempted village school district shall report to the state 6165  
board of education as of the last day of October, March, and 6166  
June of each year the enrollment of students receiving services 6167  
from schools under the superintendent's supervision, and the 6168  
numbers of other students entitled to attend school in the 6169  
district under section 3313.64 or 3313.65 of the Revised Code 6170  
the superintendent is required to report under this section, so 6171  
that the department of education can calculate the district's 6172  
enrolled ADM, formula ADM, total ADM, category one through five 6173  
career-technical education ADM, category one through three 6174  
English learner ADM, category one through six special education 6175  
ADM, preschool scholarship ADM, transportation ADM, and, for 6176  
purposes of provisions of law outside of Chapter 3317. of the 6177  
Revised Code, average daily membership. 6178

(1) The enrollment reported by the superintendent during 6179

the reporting period shall consist of the number of students in 6180  
grades kindergarten through twelve receiving any educational 6181  
services from the district, except that the following categories 6182  
of students shall not be included in the determination: 6183

(a) Students enrolled in adult education classes; 6184

(b) Adjacent or other district students enrolled in the 6185  
district under an open enrollment policy pursuant to section 6186  
3313.98 of the Revised Code; 6187

(c) Students receiving services in the district pursuant 6188  
to a compact, cooperative education agreement, or a contract, 6189  
but who are entitled to attend school in another district 6190  
pursuant to section 3313.64 or 3313.65 of the Revised Code; 6191

(d) Students for whom tuition is payable pursuant to 6192  
sections 3317.081 and 3323.141 of the Revised Code; 6193

(e) Students receiving services in the district through a 6194  
scholarship awarded under either section 3310.41 or sections 6195  
3310.51 to 3310.64 of the Revised Code. 6196

When reporting students under division (A)(1) of this 6197  
section, the superintendent also shall report the district where 6198  
each student is entitled to attend school pursuant to sections 6199  
3313.64 and 3313.65 of the Revised Code. 6200

(2) The department of education shall compile a list of 6201  
all students reported to be enrolled in a district under 6202  
division (A)(1) of this section and of the students entitled to 6203  
attend school in the district pursuant to section 3313.64 or 6204  
3313.65 of the Revised Code on an FTE basis but receiving 6205  
educational services in grades kindergarten through twelve from 6206  
one or more of the following entities: 6207

- (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;
- (b) An alternative school pursuant to sections 3313.974 to 3313.979 of the Revised Code ~~as described in division (I)(2)(a) or (b) of this section;~~
- (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;
- (d) An adjacent or other school district under an open enrollment policy adopted pursuant to section 3313.98 of the Revised Code;
- (e) An educational service center or cooperative education district;
- (f) Another school district under a cooperative education agreement, compact, or contract;
- (g) A chartered nonpublic school with a scholarship paid under section 3310.08 of the Revised Code, if the students qualified for the scholarship under section 3310.03 of the Revised Code;
- (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.



As used in this section, "alternative public provider" and 6236  
"registered private provider" have the same meanings as in 6237  
section 3310.41 or 3310.51 of the Revised Code, as applicable. 6238

(i) A science, technology, engineering, and mathematics 6239  
school established under Chapter 3326. of the Revised Code, 6240  
including any participation in a college pursuant to Chapter 6241  
3365. of the Revised Code while enrolled in the school; 6242

(j) A college-preparatory boarding school established 6243  
under Chapter 3328. of the Revised Code, including any 6244  
participation in a college pursuant to Chapter 3365. of the 6245  
Revised Code while enrolled in the school. 6246

(3) The department also shall compile a list of the 6247  
students entitled to attend school in the district under section 6248  
3313.64 or 3313.65 of the Revised Code who are enrolled in a 6249  
joint vocational school district or under a career-technical 6250  
education compact, excluding any students so entitled to attend 6251  
school in the district who are enrolled in another school 6252  
district through an open enrollment policy as reported under 6253  
division (A)(2)(d) of this section and then enroll in a joint 6254  
vocational school district or under a career-technical education 6255  
compact. 6256

The department shall provide each city, local, and 6257  
exempted village school district with an opportunity to review 6258  
the list of students compiled under divisions (A)(2) and (3) of 6259  
this section to ensure that the students reported accurately 6260  
reflect the enrollment of students in the district. 6261

(B) To enable the department of education to obtain the 6262  
data needed to complete the calculation of payments pursuant to 6263  
this chapter, each superintendent shall certify from the reports 6264

provided by the department under division (A) of this section	6265
all of the following:	6266
(1) The total student enrollment in regular learning day	6267
classes included in the report under division (A) (1) or (2) of	6268
this section for each of the individual grades kindergarten	6269
through twelve in schools under the superintendent's	6270
supervision;	6271
(2) The unduplicated count of the number of preschool	6272
children with disabilities enrolled in the district for whom the	6273
district is eligible to receive funding under section 3317.0213	6274
of the Revised Code adjusted for the portion of the year each	6275
child is so enrolled, in accordance with the disability	6276
categories prescribed in section 3317.013 of the Revised Code;	6277
(3) The number of children entitled to attend school in	6278
the district pursuant to section 3313.64 or 3313.65 of the	6279
Revised Code who are:	6280
(a) Participating in a pilot project scholarship program	6281
established under sections 3313.974 to 3313.979 of the Revised	6282
Code as described in division (I) (2) (a) or (b) of this section;	6283
(b) Enrolled in a college under Chapter 3365. of the	6284
Revised Code, except when the student is enrolled in the college	6285
while also enrolled in a community school pursuant to Chapter	6286
3314. of the Revised Code, a science, technology, engineering,	6287
and mathematics school established under Chapter 3326., or a	6288
college-preparatory boarding school established under Chapter	6289
3328. of the Revised Code;	6290
(c) Enrolled in an adjacent or other school district under	6291
section 3313.98 of the Revised Code;	6292
(d) Enrolled in a community school established under	6293

Chapter 3314. of the Revised Code that is not an internet- or	6294
computer-based community school as defined in section 3314.02 of	6295
the Revised Code, including any participation in a college	6296
pursuant to Chapter 3365. of the Revised Code while enrolled in	6297
such community school;	6298
(e) Enrolled in an internet- or computer-based community	6299
school, as defined in section 3314.02 of the Revised Code,	6300
including any participation in a college pursuant to Chapter	6301
3365. of the Revised Code while enrolled in the school;	6302
(f) Enrolled in a chartered nonpublic school with a	6303
scholarship paid under section 3310.08 of the Revised Code and	6304
who qualified for the scholarship under section 3310.03 of the	6305
Revised Code;	6306
(g) Enrolled in kindergarten through grade twelve in an	6307
alternative public provider or a registered private provider	6308
with a scholarship awarded under section 3310.41 of the Revised	6309
Code;	6310
(h) Enrolled as a preschool child with a disability in an	6311
alternative public provider or a registered private provider	6312
with a scholarship awarded under section 3310.41 of the Revised	6313
Code;	6314
(i) Participating in a program operated by a county board	6315
of developmental disabilities or a state institution;	6316
(j) Enrolled in a science, technology, engineering, and	6317
mathematics school established under Chapter 3326. of the	6318
Revised Code, including any participation in a college pursuant	6319
to Chapter 3365. of the Revised Code while enrolled in the	6320
school;	6321
(k) Enrolled in a college-preparatory boarding school	6322

established under Chapter 3328. of the Revised Code, including 6323  
any participation in a college pursuant to Chapter 3365. of the 6324  
Revised Code while enrolled in the school; 6325

(1) Enrolled in an alternative public provider or a 6326  
registered private provider with a scholarship awarded under 6327  
sections 3310.51 to 3310.64 of the Revised Code. 6328

(4) The total enrollment of pupils in joint vocational 6329  
schools; 6330

(5) The combined enrollment of children with disabilities 6331  
reported under division (A) (1) or (2) of this section, including 6332  
any student described in division (A) (1) (b) of this section and 6333  
excluding any student reported under divisions (A) (2) (a), (b), 6334  
(d), (g), (h), (i), and (j) of this section, receiving special 6335  
education services for the category one disability described in 6336  
division (A) of section 3317.013 of the Revised Code, including 6337  
children attending a special education program operated by an 6338  
alternative public provider or a registered private provider 6339  
with a scholarship awarded under sections 3310.51 to 3310.64 of 6340  
the Revised Code; 6341

(6) The combined enrollment of children with disabilities 6342  
reported under division (A) (1) or (2) of this section, including 6343  
any student described in division (A) (1) (b) of this section and 6344  
excluding any student reported under divisions (A) (2) (a), (b), 6345  
(d), (g), (h), (i), and (j) of this section, receiving special 6346  
education services for category two disabilities described in 6347  
division (B) of section 3317.013 of the Revised Code, including 6348  
children attending a special education program operated by an 6349  
alternative public provider or a registered private provider 6350  
with a scholarship awarded under sections 3310.51 to 3310.64 of 6351  
the Revised Code; 6352

(7) The combined enrollment of children with disabilities 6353  
reported under division (A)(1) or (2) of this section, including 6354  
any student described in division (A)(1)(b) of this section and 6355  
excluding any student reported under divisions (A)(2)(a), (b), 6356  
(d), (g), (h), (i), and (j) of this section, receiving special 6357  
education services for category three disabilities described in 6358  
division (C) of section 3317.013 of the Revised Code, including 6359  
children attending a special education program operated by an 6360  
alternative public provider or a registered private provider 6361  
with a scholarship awarded under sections 3310.51 to 3310.64 of 6362  
the Revised Code; 6363

(8) The combined enrollment of children with disabilities 6364  
reported under division (A)(1) or (2) of this section, including 6365  
any student described in division (A)(1)(b) of this section and 6366  
excluding any student reported under divisions (A)(2)(a), (b), 6367  
(d), (g), (h), (i), and (j) of this section, receiving special 6368  
education services for category four disabilities described in 6369  
division (D) of section 3317.013 of the Revised Code, including 6370  
children attending a special education program operated by an 6371  
alternative public provider or a registered private provider 6372  
with a scholarship awarded under sections 3310.51 to 3310.64 of 6373  
the Revised Code; 6374

(9) The combined enrollment of children with disabilities 6375  
reported under division (A)(1) or (2) of this section, including 6376  
any student described in division (A)(1)(b) of this section and 6377  
excluding any student reported under divisions (A)(2)(a), (b), 6378  
(d), (g), (h), (i), and (j) of this section, receiving special 6379  
education services for the category five disabilities described 6380  
in division (E) of section 3317.013 of the Revised Code, 6381  
including children attending a special education program 6382  
operated by an alternative public provider or a registered 6383

private provider with a scholarship awarded under sections 6384  
3310.51 to 3310.64 of the Revised Code; 6385

(10) The combined enrollment of children with disabilities 6386  
reported under division (A)(1) or (2) and under division (B)(3) 6387  
(h) of this section, including any student described in division 6388  
(A)(1)(b) of this section and excluding any student reported 6389  
under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of 6390  
this section, receiving special education services for category 6391  
six disabilities described in division (F) of section 3317.013 6392  
of the Revised Code, including children attending a special 6393  
education program operated by an alternative public provider or 6394  
a registered private provider with a scholarship awarded under 6395  
either section 3310.41 or sections 3310.51 to 3310.64 of the 6396  
Revised Code; 6397

(11) The enrollment of pupils reported under division (A) 6398  
(1) or (2) of this section on a full-time equivalency basis, 6399  
including any student described in division (A)(1)(b) of this 6400  
section and excluding any student reported under divisions (A) 6401  
(2)(a), (b), (d), (g), (h), (i), and (j) of this section, in 6402  
category one career-technical education programs or classes, 6403  
described in division (A)(1) of section 3317.014 of the Revised 6404  
Code, operated by the school district or by another district 6405  
that is a member of the district's career-technical planning 6406  
district, other than a joint vocational school district, or by 6407  
an educational service center, notwithstanding division ~~(G)~~(I) 6408  
of section 3317.02 of the Revised Code and division (C)(3) of 6409  
this section; 6410

(12) The enrollment of pupils reported under division (A) 6411  
(1) or (2) of this section on a full-time equivalency basis, 6412  
including any student described in division (A)(1)(b) of this 6413

section and excluding any student reported under divisions (A) 6414  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6415  
category two career-technical education programs or services, 6416  
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 6417  
Revised Code, operated by the school district or another school 6418  
district that is a member of the district's career-technical 6419  
planning district, other than a joint vocational school 6420  
district, or by an educational service center, notwithstanding 6421  
division ~~(G)~~ (I) of section 3317.02 of the Revised Code and 6422  
division (C) (3) of this section; 6423

(13) The enrollment of pupils reported under division (A) 6424  
(1) or (2) of this section on a full-time equivalency basis, 6425  
including any student described in division (A) (1) (b) of this 6426  
section and excluding any student reported under divisions (A) 6427  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6428  
category three career-technical education programs or services, 6429  
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 6430  
Revised Code, operated by the school district or another school 6431  
district that is a member of the district's career-technical 6432  
planning district, other than a joint vocational school 6433  
district, or by an educational service center, notwithstanding 6434  
division ~~(G)~~ (I) of section 3317.02 of the Revised Code and 6435  
division (C) (3) of this section; 6436

(14) The enrollment of pupils reported under division (A) 6437  
(1) or (2) of this section on a full-time equivalency basis, 6438  
including any student described in division (A) (1) (b) of this 6439  
section and excluding any student reported under divisions (A) 6440  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6441  
category four career-technical education programs or services, 6442  
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 6443  
Revised Code, operated by the school district or another school 6444

district that is a member of the district's career-technical 6445  
planning district, other than a joint vocational school 6446  
district, or by an educational service center, notwithstanding 6447  
division ~~(C)~~(I) of section 3317.02 of the Revised Code and 6448  
division (C) (3) of this section; 6449

(15) The enrollment of pupils reported under division (A) 6450  
(1) or (2) of this section on a full-time equivalency basis, 6451  
including any student described in division (A) (1) (b) of this 6452  
section and excluding any student reported under divisions (A) 6453  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6454  
category five career-technical education programs or services, 6455  
described in division ~~(E)~~(A) (5) of section 3317.014 of the 6456  
Revised Code, operated by the school district or another school 6457  
district that is a member of the district's career-technical 6458  
planning district, other than a joint vocational school 6459  
district, or by an educational service center, notwithstanding 6460  
division ~~(C)~~(I) of section 3317.02 of the Revised Code and 6461  
division (C) (3) of this section; 6462

(16) The enrollment of pupils reported under division (A) 6463  
(1) or (2) of this section who are English learners described in 6464  
division (A) of section 3317.016 of the Revised Code, including 6465  
any student described in division (A) (1) (b) of this section and 6466  
excluding any student reported under ~~division (B) (3) (e)~~ 6467  
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6468  
~~section as enrolled in an internet or computer-based community~~ 6469  
~~school;~~ 6470

(17) The enrollment of pupils reported under division (A) 6471  
(1) or (2) of this section who are English learners described in 6472  
division (B) of section 3317.016 of the Revised Code, including 6473  
any student described in division (A) (1) (b) of this section and 6474



excluding any student reported under ~~division (B) (3) (e)~~ 6475  
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6476  
~~section as enrolled in an internet or computer based community~~ 6477  
~~school;~~ 6478

(18) The enrollment of pupils reported under division (A) 6479  
(1) or (2) of this section who are English learners described in 6480  
division (C) of section 3317.016 of the Revised Code, including 6481  
any student described in division (A) (1) (b) of this section and 6482  
~~excluding any student reported under division (B) (3) (e)~~ 6483  
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6484  
~~section as enrolled in an internet or computer based community~~ 6485  
~~school;~~ 6486

(19) The average number of children transported during the 6487  
reporting period by the school district on board-owned or 6488  
contractor-owned and -operated buses, reported in accordance 6489  
with rules adopted by the department of education; 6490

(20) (a) The number of children, other than preschool 6491  
children with disabilities, the district placed with a county 6492  
board of developmental disabilities in fiscal year 1998. 6493  
Division (B) (20) (a) of this section does not apply after fiscal 6494  
year 2013. 6495

(b) The number of children with disabilities, other than 6496  
preschool children with disabilities, placed with a county board 6497  
of developmental disabilities in the current fiscal year to 6498  
receive special education services for the category one 6499  
disability described in division (A) of section 3317.013 of the 6500  
Revised Code; 6501

(c) The number of children with disabilities, other than 6502  
preschool children with disabilities, placed with a county board 6503

of developmental disabilities in the current fiscal year to 6504  
receive special education services for category two disabilities 6505  
described in division (B) of section 3317.013 of the Revised 6506  
Code; 6507

(d) The number of children with disabilities, other than 6508  
preschool children with disabilities, placed with a county board 6509  
of developmental disabilities in the current fiscal year to 6510  
receive special education services for category three 6511  
disabilities described in division (C) of section 3317.013 of 6512  
the Revised Code; 6513

(e) The number of children with disabilities, other than 6514  
preschool children with disabilities, placed with a county board 6515  
of developmental disabilities in the current fiscal year to 6516  
receive special education services for category four 6517  
disabilities described in division (D) of section 3317.013 of 6518  
the Revised Code; 6519

(f) The number of children with disabilities, other than 6520  
preschool children with disabilities, placed with a county board 6521  
of developmental disabilities in the current fiscal year to 6522  
receive special education services for the category five 6523  
disabilities described in division (E) of section 3317.013 of 6524  
the Revised Code; 6525

(g) The number of children with disabilities, other than 6526  
preschool children with disabilities, placed with a county board 6527  
of developmental disabilities in the current fiscal year to 6528  
receive special education services for category six disabilities 6529  
described in division (F) of section 3317.013 of the Revised 6530  
Code. 6531

(21) The enrollment of students who are economically 6532

disadvantaged, as defined by the department, including any 6533  
student described in divisions (A) (1) (b) of this section and 6534  
excluding any student reported under ~~division (B) (3) (e)~~ 6535  
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6536  
~~section as enrolled in an internet or computer based community~~ 6537  
~~school.~~ A student shall not be categorically excluded from the 6538  
number reported under division (B) (21) of this section based on 6539  
anything other than family income. 6540

(22) The enrollment of students identified as gifted under 6541  
division (A), (B), (C), or (D) of section 3324.03 of the Revised 6542  
Code. 6543

(C) (1) The state board of education shall adopt rules 6544  
necessary for implementing divisions (A), (B), and (D) of this 6545  
section. 6546

(2) A student enrolled in a community school established 6547  
under Chapter 3314., a science, technology, engineering, and 6548  
mathematics school established under Chapter 3326., or a 6549  
college-preparatory boarding school established under Chapter 6550  
3328. of the Revised Code shall be counted in the formula ADM 6551  
~~and, if applicable, the category one, two, three, four, five, or~~ 6552  
~~six special education ADM~~ of the school district in which the 6553  
student is entitled to attend school under section 3313.64 or 6554  
3313.65 of the Revised Code for the same proportion of the 6555  
school year that the student is counted in the enrollment of the 6556  
community school, the science, technology, engineering, and 6557  
mathematics school, or the college-preparatory boarding school 6558  
for purposes of section 3314.08, 3326.33, or 3328.24 of the 6559  
Revised Code. Notwithstanding the enrollment of students 6560  
certified pursuant to division (B) (3) (d), (e), (j), or (k) of 6561  
this section, the department may adjust the formula ADM of a 6562

school district to account for students entitled to attend 6563  
school in the district under section 3313.64 or 3313.65 of the 6564  
Revised Code who are enrolled in a community school, a science, 6565  
technology, engineering, and mathematics school, or a college- 6566  
preparatory boarding school for only a portion of the school 6567  
year. 6568

(3) No child shall be counted as more than a total of one 6569  
child in the sum of the enrollment of students of a school 6570  
district under division (A), divisions (B) (1) to (22), or 6571  
division (D) of this section, except as follows: 6572

(a) (i) A child with a disability described in section 6573  
3317.013 of the Revised Code may be counted both in formula ADM 6574  
and in category one, two, three, four, five, or six special 6575  
education ADM and, if applicable, in category one, two, three, 6576  
four, or five career-technical education ADM. As provided in 6577  
division ~~(C)~~ (I) of section 3317.02 of the Revised Code, such a 6578  
child shall be counted in category one, two, three, four, five, 6579  
or six special education ADM in the same proportion that the 6580  
child is counted in formula ADM. 6581

(ii) A child with a disability described in section 6582  
3317.03 of the Revised Code may be counted both in enrolled ADM 6583  
and in category one, two, three, four, five, or six special 6584  
education ADM and, if applicable, in category one, two, three, 6585  
four, or five career-technical education ADM. As provided in 6586  
division (I) of section 3317.02 of the Revised Code, such a 6587  
child shall be counted in category one, two, three, four, five, 6588  
or six special education ADM in the same proportion that the 6589  
child is counted in enrolled ADM. 6590

(b) (i) A child enrolled in career-technical education 6591  
programs or classes described in section 3317.014 of the Revised 6592

Code may be counted both in formula ADM and category one, two, 6593  
three, four, or five career-technical education ADM and, if 6594  
applicable, in category one, two, three, four, five, or six 6595  
special education ADM. Such a child shall be counted in category 6596  
one, two, three, four, or five career-technical education ADM in 6597  
the same proportion as the percentage of time that the child 6598  
spends in the career-technical education programs or classes. 6599

(ii) A child enrolled in career-technical education 6600  
programs or classes described in section 3317.014 of the Revised 6601  
Code may be counted both in enrolled ADM and category one, two, 6602  
three, four, or five career-technical education ADM and, if 6603  
applicable, in category one, two, three, four, five, or six 6604  
special education ADM. Such a child shall be counted in category 6605  
one, two, three, four, or five career-technical education ADM in 6606  
the same proportion as the percentage of time that the child 6607  
spends in the career-technical education programs or classes. 6608

(4) Based on the information reported under this section, 6609  
the department of education shall determine the total student 6610  
count, as defined in section 3301.011 of the Revised Code, for 6611  
each school district. 6612

(D) (1) The superintendent of each joint vocational school 6613  
district shall report and certify to the superintendent of 6614  
public instruction as of the last day of October, March, and 6615  
June of each year the enrollment of students receiving services 6616  
from schools under the superintendent's supervision so that the 6617  
department can calculate the district's enrolled ADM, formula 6618  
ADM, total ADM, category one through five career-technical 6619  
education ADM, category one through three English learner ADM, 6620  
category one through six special education ADM, and for purposes 6621  
of provisions of law outside of Chapter 3317. of the Revised 6622

Code, average daily membership. 6623

The enrollment reported and certified by the 6624  
superintendent, except as otherwise provided in this division, 6625  
shall consist of the number of students in grades six through 6626  
twelve receiving any educational services from the district, 6627  
except that the following categories of students shall not be 6628  
included in the determination: 6629

(a) Students enrolled in adult education classes; 6630

(b) Adjacent or other district joint vocational students 6631  
enrolled in the district under an open enrollment policy 6632  
pursuant to section 3313.98 of the Revised Code; 6633

(c) Students receiving services in the district pursuant 6634  
to a compact, cooperative education agreement, or a contract, 6635  
but who are entitled to attend school in a city, local, or 6636  
exempted village school district whose territory is not part of 6637  
the territory of the joint vocational district; 6638

(d) Students for whom tuition is payable pursuant to 6639  
sections 3317.081 and 3323.141 of the Revised Code. 6640

(2) To enable the department of education to obtain the 6641  
data needed to complete the calculation of payments pursuant to 6642  
this chapter, each superintendent shall certify from the report 6643  
provided under division (D)(1) of this section the enrollment 6644  
for each of the following categories of students: 6645

(a) Students enrolled in each individual grade included in 6646  
the joint vocational district schools, including any student 6647  
described in division (D)(1)(b) of this section; 6648

(b) Children with disabilities receiving special education 6649  
services for the category one disability described in division 6650

(A) of section 3317.013 of the Revised Code, including any student described in division (D) (1) (b) of this section; 6651  
6652

(c) Children with disabilities receiving special education services for the category two disabilities described in division (B) of section 3317.013 of the Revised Code, including any student described in division (D) (1) (b) of this section; 6653  
6654  
6655  
6656

(d) Children with disabilities receiving special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code, including any student described in division (D) (1) (b) of this section; 6657  
6658  
6659  
6660

(e) Children with disabilities receiving special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code, including any student described in division (D) (1) (b) of this section; 6661  
6662  
6663  
6664

(f) Children with disabilities receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, including any student described in division (D) (1) (b) of this section; 6665  
6666  
6667  
6668

(g) Children with disabilities receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, including any student described in division (D) (1) (b) of this section; 6669  
6670  
6671  
6672

(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; 6673  
6674  
6675  
6676

(i) Students receiving category two career-technical education services, described in division ~~(B)~~ (A) (2) of section 3317.014 of the Revised Code, including any student described in 6677  
6678  
6679

<u>division (D) (1) (b) of this section;</u>	6680
(j) Students receiving category three career-technical education services, described in division <del>(C)</del> <u>(A) (3)</u> of section 3317.014 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6681 6682 6683 6684
(k) Students receiving category four career-technical education services, described in division <del>(D)</del> <u>(A) (4)</u> of section 3317.014 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6685 6686 6687 6688
(l) Students receiving category five career-technical education services, described in division <del>(E)</del> <u>(A) (5)</u> of section 3317.014 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6689 6690 6691 6692
(m) English learners described in division (A) of section 3317.016 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6693 6694 6695
(n) English learners described in division (B) of section 3317.016 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6696 6697 6698
(o) English learners described in division (C) of section 3317.016 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6699 6700 6701
(p) Students who are economically disadvantaged, as defined by the department, <u>including any student described in division (D) (1) (b) of this section.</u> A student shall not be categorically excluded from the number reported under division (D) (2) (p) of this section based on anything other than family income.	6702 6703 6704 6705 6706 6707



The superintendent of each joint vocational school 6708  
district shall also indicate the city, local, or exempted 6709  
village school district in which each joint vocational district 6710  
pupil is entitled to attend school pursuant to section 3313.64 6711  
or 3313.65 of the Revised Code. 6712

(E) In each school of each city, local, exempted village, 6713  
joint vocational, and cooperative education school district 6714  
there shall be maintained a record of school enrollment, which 6715  
record shall accurately show, for each day the school is in 6716  
session, the actual enrollment in regular day classes. For the 6717  
purpose of determining the enrollment of students, the 6718  
enrollment figure of any school shall not include any pupils 6719  
except those pupils described by division (A) or (D) of this 6720  
section. The record of enrollment for each school shall be 6721  
maintained in such manner that no pupil shall be counted as 6722  
enrolled prior to the actual date of entry in the school and 6723  
also in such manner that where for any cause a pupil permanently 6724  
withdraws from the school that pupil shall not be counted as 6725  
enrolled from and after the date of such withdrawal. There shall 6726  
not be included in the enrollment of any school any of the 6727  
following: 6728

(1) Any pupil who has graduated from the twelfth grade of 6729  
a public or nonpublic high school; 6730

(2) Any pupil who is not a resident of the state; 6731

(3) Any pupil who was enrolled in the schools of the 6732  
district during the previous school year when assessments were 6733  
administered under section 3301.0711 of the Revised Code but did 6734  
not take one or more of the assessments required by that section 6735  
and was not excused pursuant to division (C) (1) or (3) of that 6736  
section; 6737

(4) Any pupil who has attained the age of twenty-two 6738  
years, except for veterans of the armed services whose 6739  
attendance was interrupted before completing the recognized 6740  
twelve-year course of the public schools by reason of induction 6741  
or enlistment in the armed forces and who apply for reenrollment 6742  
in the public school system of their residence not later than 6743  
four years after termination of war or their honorable 6744  
discharge; 6745

(5) Any pupil who has a certificate of high school 6746  
equivalence as defined in section 5107.40 of the Revised Code. 6747

If, however, any veteran described by division (E) (4) of 6748  
this section elects to enroll in special courses organized for 6749  
veterans for whom tuition is paid under the provisions of 6750  
federal laws, or otherwise, that veteran shall not be included 6751  
in the enrollment of students determined under this section. 6752

Notwithstanding division (E) (3) of this section, the 6753  
enrollment of any school may include a pupil who did not take an 6754  
assessment required by section 3301.0711 of the Revised Code if 6755  
the superintendent of public instruction grants a waiver from 6756  
the requirement to take the assessment to the specific pupil and 6757  
a parent is not paying tuition for the pupil pursuant to section 6758  
3313.6410 of the Revised Code. The superintendent may grant such 6759  
a waiver only for good cause in accordance with rules adopted by 6760  
the state board of education. 6761

The enrolled ADM, formula ADM, total ADM, category one 6762  
through five career-technical education ADM, category one 6763  
through three English learner ADM, category one through six 6764  
special education ADM, preschool scholarship ADM, transportation 6765  
ADM, and, for purposes of provisions of law outside of Chapter 6766  
3317. of the Revised Code, average daily membership of any 6767

school district shall be determined in accordance with rules 6768  
adopted by the state board of education. 6769

(F) (1) If a student attending a community school under 6770  
Chapter 3314., a science, technology, engineering, and 6771  
mathematics school established under Chapter 3326., or a 6772  
college-preparatory boarding school established under Chapter 6773  
3328. of the Revised Code is not included in the formula ADM 6774  
calculated for the school district in which the student is 6775  
entitled to attend school under section 3313.64 or 3313.65 of 6776  
the Revised Code, the department of education shall adjust the 6777  
formula ADM of that school district to include the student in 6778  
accordance with division (C) (2) of this section, ~~and shall~~ 6779  
~~recalculate the school district's payments under this chapter~~ 6780  
~~for the entire fiscal year on the basis of that adjusted formula~~ 6781  
~~ADM.~~ 6782

(2) If a student awarded an educational choice scholarship 6783  
is not included in the formula ADM of the school district ~~from~~ 6784  
~~in~~ which the department deducts funds for the scholarship under 6785  
~~section 3310.08 of the Revised Code~~ student resides, the 6786  
department shall adjust the formula ADM of that school district 6787  
to include the student ~~to the extent necessary to account for~~ 6788  
~~the deduction, and shall recalculate the school district's~~ 6789  
~~payments under this chapter for the entire fiscal year on the~~ 6790  
~~basis of that adjusted formula ADM.~~ 6791

(3) If a student awarded a scholarship under the Jon 6792  
Peterson special needs scholarship program is not included in 6793  
the formula ADM of the school district ~~from~~ in which the 6794  
~~department deducts funds for the scholarship under section~~ 6795  
~~3310.55 of the Revised Code~~ student resides, the department shall 6796  
adjust the formula ADM of that school district to include the 6797

~~student to the extent necessary to account for the deduction, 6798  
and shall recalculate the school district's payments under this 6799  
chapter for the entire fiscal year on the basis of that adjusted 6800  
formula ADM. 6801~~

(G) (1) (a) The superintendent of an institution operating a 6802  
special education program pursuant to section 3323.091 of the 6803  
Revised Code shall, for the programs under such superintendent's 6804  
supervision, certify to the state board of education, in the 6805  
manner prescribed by the superintendent of public instruction, 6806  
both of the following: 6807

(i) The unduplicated count of the number of all children 6808  
with disabilities other than preschool children with 6809  
disabilities receiving services at the institution for each 6810  
category of disability described in divisions (A) to (F) of 6811  
section 3317.013 of the Revised Code adjusted for the portion of 6812  
the year each child is so enrolled; 6813

(ii) The unduplicated count of the number of all preschool 6814  
children with disabilities in classes or programs for whom the 6815  
district is eligible to receive funding under section 3317.0213 6816  
of the Revised Code adjusted for the portion of the year each 6817  
child is so enrolled, reported according to the categories 6818  
prescribed in section 3317.013 of the Revised Code. 6819

(b) The superintendent of an institution with career- 6820  
technical education units approved under section 3317.05 of the 6821  
Revised Code shall, for the units under the superintendent's 6822  
supervision, certify to the state board of education the 6823  
enrollment in those units, in the manner prescribed by the 6824  
superintendent of public instruction. 6825

(2) The superintendent of each county board of 6826

developmental disabilities that maintains special education 6827  
classes under section 3317.20 of the Revised Code or provides 6828  
services to preschool children with disabilities pursuant to an 6829  
agreement between the county board and the appropriate school 6830  
district shall do both of the following: 6831

(a) Certify to the state board, in the manner prescribed 6832  
by the board, the enrollment in classes under section 3317.20 of 6833  
the Revised Code for each school district that has placed 6834  
children in the classes; 6835

(b) Certify to the state board, in the manner prescribed 6836  
by the board, the unduplicated count of the number of all 6837  
preschool children with disabilities enrolled in classes for 6838  
which the board is eligible to receive funding under section 6839  
3317.0213 of the Revised Code adjusted for the portion of the 6840  
year each child is so enrolled, reported according to the 6841  
categories prescribed in section 3317.013 of the Revised Code, 6842  
and the number of those classes. 6843

(H) Except as provided in division (I) of this section, 6844  
when any city, local, or exempted village school district 6845  
provides instruction for a nonresident pupil whose attendance is 6846  
unauthorized attendance as defined in section 3327.06 of the 6847  
Revised Code, that pupil's enrollment shall not be included in 6848  
that district's enrollment figure used in calculating the 6849  
district's payments under this chapter. The reporting official 6850  
shall report separately the enrollment of all pupils whose 6851  
attendance in the district is unauthorized attendance, and the 6852  
enrollment of each such pupil shall be credited to the school 6853  
district in which the pupil is entitled to attend school under 6854  
division (B) of section 3313.64 or section 3313.65 of the 6855  
Revised Code as determined by the department of education. 6856

(I) ~~(1)~~ This division shall not apply on or after the effective date of this amendment. 6857  
6858

(1) A city, local, exempted village, or joint vocational school district admitting a scholarship student of a pilot project district pursuant to division (C) of section 3313.976 of the Revised Code may count such student in its enrollment. 6859  
6860  
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(2) In any year for which funds are appropriated for pilot project scholarship programs, a school district implementing a state-sponsored pilot project scholarship program that year pursuant to sections 3313.974 to 3313.979 of the Revised Code may count in its enrollment: 6863  
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6865  
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6867

(a) All children residing in the district and utilizing a scholarship to attend kindergarten in any alternative school, as defined in section 3313.974 of the Revised Code; 6868  
6869  
6870

(b) All children who were enrolled in the district in the preceding year who are utilizing a scholarship to attend an alternative school. 6871  
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6873

(J) The superintendent of each cooperative education school district shall certify to the superintendent of public instruction, in a manner prescribed by the state board of education, the applicable enrollments for all students in the cooperative education district, also indicating the city, local, or exempted village district where each pupil is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. 6874  
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(K) If the superintendent of public instruction determines that a component of the enrollment certified or reported by a district superintendent, or other reporting entity, is not correct, the superintendent of public instruction may order that 6882  
6883  
6884  
6885

the ~~formula ADM used for the purposes of payments under any~~ 6886  
~~section of Title XXXIII of the Revised Code~~ district's enrolled 6887  
ADM, formula ADM, or both be adjusted in the amount of the 6888  
error. 6889

**Sec. 3317.051.** (A) ~~As used in this section, "gifted unit-~~ 6890  
~~ADM" means a school district's formula ADM minus the number of~~ 6891  
~~students reported by a district under divisions (A) (2) (a) and~~ 6892  
~~(i) of section 3317.03 of the Revised Code.~~ 6893

~~(B)~~ The department of education shall compute and pay to a 6894  
school district funds based on units for services to students 6895  
identified as gifted under Chapter 3324. of the Revised Code as 6896  
prescribed by this section. 6897

~~(C)~~ (B) The department shall allocate gifted units for a 6898  
school district as follows: 6899

(1) One gifted coordinator unit shall be allocated for 6900  
every 3,300 students in a district's ~~gifted unit~~ enrolled ADM, 6901  
with a minimum of 0.5 units and a maximum of 8 units allocated 6902  
for the district. 6903

(2) One kindergarten through eighth grade gifted 6904  
intervention specialist unit shall be allocated for every ~~1,100-~~ 6905  
140 gifted students in a district's gifted unit ADM enrolled in 6906  
grades kindergarten through eight in the district, as certified 6907  
under division (B) (22) of section 3317.03 of the Revised Code, 6908  
with a minimum of 0.3 units allocated for the district. 6909

~~(D)~~ (3) One ninth through twelfth grade gifted 6910  
intervention specialist unit shall be allocated for every 140 6911  
gifted students enrolled in grades nine through twelve in the 6912  
district, as certified under division (B) (22) of section 3317.03 6913  
of the Revised Code, with a minimum of 0.3 units allocated for 6914

the district.

6915

(C) The department shall pay the following amount to a school district for gifted units:

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6917

~~\$37,370 multiplied by~~ ~~(\$85,776 X the number of units allocated~~  
to a school district under division ~~(C)~~ (B) (1) of this section X  
the district's state share percentage) + (\$89,378 X the number  
of units allocated to a school district under division (B) (2) of  
this section X the district's state share percentage) + (\$80,974  
X the number of units allocated to a school district under  
division (B) (3) of this section X the district's state share  
percentage)

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~~(E)~~ (D) A school district may assign gifted unit funding that it receives under division ~~(D)~~ (C) of this section to another school district, an educational service center, a community school, or a STEM school as part of an arrangement to provide services to the district.

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**Sec. 3317.071.** For fiscal year 2021 and for each fiscal year thereafter, the department of education shall implement a program to distribute bus purchasing grants of not less than \$45,000 to city, local, and exempted village school districts for the purpose of replacing the oldest and highest mileage buses in the state assigned to routes. The department shall annually collect age, mileage, and vehicle condition data from districts through its transportation data collection system.

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**Sec. 3317.072.** (A) The transportation collaboration fund is hereby created in the state treasury. The fund shall consist of money appropriated for this purpose by the general assembly. The department of education shall use money in the fund for grants awarded under this section.

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(B) (1) The department shall award transportation collaboration grants each fiscal year to city, local, and exempted village school districts for efforts that lead to shared resource management, routing consolidation, regional collaboration, or other activities that have the potential to reduce transportation operating costs. 6944  
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(2) The department shall determine the amount of each grant awarded, but no grant shall exceed \$10,000 for any fiscal year. 6950  
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(3) The department shall adopt rules regarding all of the following: 6953  
6954

(a) The process for city, local, and exempted village school districts to submit applications for grants awarded under this section, including the deadline for those applications to be submitted; 6955  
6956  
6957  
6958

(b) The application form for grants awarded under this section; 6959  
6960

(c) The requirements and process for grant recipients to be eligible to renew their grants in future fiscal years; 6961  
6962

(d) Any other rules necessary to implement the provisions of this section. 6963  
6964

**Sec. 3317.11. (A) As used in this section:** 6965

(1) "Base amount" is equal to \$356,250. 6966

(2) "Student count" means the count calculated under division (G) (1) of section 3313.843 of the Revised Code. 6967  
6968

(B) For each fiscal year, the department of education shall pay the governing board of each educational service center 6969  
6970

an amount equal to the following: 6971

(1) If the educational service center has a student count of 5,000 students or less, the base amount. 6972  
6973

(2) If the educational service center has a student count greater than 5,000 students but less than or equal to 35,000 students, the following sum: 6974  
6975  
6976

The base amount + [(the educational service center's student count - 5,000) X \$24.72] 6977  
6978

(3) If the educational service center has a student count greater than 35,000 students, the following sum: 6979  
6980

The base amount + (30,000 X \$24.72) + [(the educational service center's student count - 35,000) X \$30.90] 6981  
6982

**Sec. 3317.16.** ~~(A)~~The department of education shall 6983  
compute and distribute state core foundation funding to each 6984  
joint vocational school district for the fiscal year ~~as~~ 6985  
~~prescribed in the following divisions~~in accordance with the 6986  
following formula: 6987

The district's funding base + [(the district's state core foundation funding components for that fiscal year calculated under divisions (A) (1), (2), (4), (5), and (6) of this section - the district's funding base) X the district's phase-in percentage for that fiscal year] + the district's disadvantaged pupil impact aid for that fiscal year calculated under division (A) (3) of this section 6988  
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(A) A district's state core foundation funding components shall be all of the following: 6995  
6996

(1) ~~An opportunity grant~~The district's state share of the base cost calculated according to the following formula: 6997  
6998

(The ~~formula amount X formula ADM~~district's base cost calculated 6999  
under section 3317.012 of the Revised Code) - (0.0005 X the 7000  
lesser of the district's three-year average valuation or the 7001  
district's most recent valuation) 7002

However, no district shall receive an ~~opportunity grant~~ 7003  
amount under division (A) (1) of this section that is less than 7004  
0.05 times the ~~formula amount times formula ADM~~base cost 7005  
calculated for the district under section 3317.012 of the 7006  
Revised Code. 7007

(2) Additional state aid for special education and related 7008  
services provided under Chapter 3323. of the Revised Code 7009  
calculated as the sum of the following: 7010

(a) The district's category one special education ADM X 7011  
the ~~amount multiple~~ specified in division (A) of section 7012  
3317.013 of the Revised Code X the statewide average base cost 7013  
per pupil for that fiscal year X the district's state share 7014  
percentage; 7015

(b) The district's category two special education ADM X 7016  
the ~~amount multiple~~ specified in division (B) of section 7017  
3317.013 of the Revised Code X the statewide average base cost 7018  
per pupil for that fiscal year X the district's state share 7019  
percentage; 7020

(c) The district's category three special education ADM X 7021  
the ~~amount multiple~~ specified in division (C) of section 7022  
3317.013 of the Revised Code X the statewide average base cost 7023  
per pupil for that fiscal year X the district's state share 7024  
percentage; 7025

(d) The district's category four special education ADM X 7026  
the ~~amount multiple~~ specified in division (D) of section 7027

3317.013 of the Revised Code X the statewide average base cost 7028  
per pupil for that fiscal year X the district's state share 7029  
percentage; 7030

(e) The district's category five special education ADM X 7031  
the ~~amount~~ multiple specified in division (E) of section 7032  
3317.013 of the Revised Code X the statewide average base cost 7033  
per pupil for that fiscal year X the district's state share 7034  
percentage; 7035

(f) The district's category six special education ADM X 7036  
the ~~amount~~ multiple specified in division (F) of section 7037  
3317.013 of the Revised Code X the statewide average base cost 7038  
per pupil for that fiscal year X the district's state share 7039  
percentage. 7040

(3) ~~Economically disadvantaged funds~~ Disadvantaged pupil 7041  
impact aid calculated according to the following formula: 7042

~~\$272-\$422~~ X the district's economically disadvantaged index X 7043  
the number of students who are economically disadvantaged as 7044  
certified under division (D) (2) (p) of section 3317.03 of the 7045  
Revised Code 7046

(4) English learner funds calculated as the sum of the 7047  
following: 7048

(a) The district's category one English learner ADM X the 7049  
~~amount~~ multiple specified in division (A) of section 3317.016 of 7050  
the Revised Code X the statewide average base cost per pupil for 7051  
that fiscal year X the district's state share percentage; 7052

(b) The district's category two English learner ADM X the 7053  
~~amount~~ multiple specified in division (B) of section 3317.016 of 7054  
the Revised Code X the statewide average base cost per pupil for 7055  
that fiscal year X the district's state share percentage; 7056

(c) The district's category three English learner ADM X 7057  
the ~~amount multiple~~ specified in division (C) of section 7058  
3317.016 of the Revised Code X the statewide average base cost 7059  
per pupil for that fiscal year X the district's state share 7060  
percentage; ~~—~~. 7061

(5) Career-technical education funds calculated ~~as the sum~~ 7062  
~~of the following:—~~ 7063

~~(a) The district's category one career technical education~~ 7064  
~~ADM X the amount specified in division (A) of section 3317.014~~ 7065  
~~of the Revised Code X the district's state share percentage;—~~ 7066

~~(b) The district's category two career technical education~~ 7067  
~~ADM X the amount specified in division (B) of section 3317.014~~ 7068  
~~of the Revised Code X the district's state share percentage;—~~ 7069

~~(c) The district's category three career technical~~ 7070  
~~education ADM X the amount specified in division (C) of section~~ 7071  
~~3317.014 of the Revised Code X the district's state share~~ 7072  
~~percentage;—~~ 7073

~~(d) The district's category four career technical~~ 7074  
~~education ADM X the amount specified in division (D) of section~~ 7075  
~~3317.014 of the Revised Code X the district's state share~~ 7076  
~~percentage;—~~ 7077

~~(e) The district's category five career technical~~ 7078  
~~education ADM X the amount specified in division (E) of section~~ 7079  
~~3317.014 of the Revised Code X the district's state share~~ 7080  
~~percentage.—~~ 7081

~~Payment of funds under division (A) (5) of this section is~~ 7082  
~~subject to approval under section 3317.161 of the Revised~~ 7083  
~~Code~~under division (C) of section 3317.014 of the Revised Code. 7084

(6) Career-technical education associated services funds 7085  
calculated under ~~the following formula:~~ 7086

~~The district's state share percentage X the amount for career-~~ 7087  
~~technical education associated services specified in section~~ 7088  
~~3317.014 of the Revised Code X the sum of categories one through~~ 7089  
~~five career technical education ADM~~ 7090

~~(7) A graduation bonus calculated according to the~~ 7091  
~~following formula:~~ 7092

~~The district's graduation rate as reported on its most recent~~ 7093  
~~report card issued by the department under section 3302.033 of~~ 7094  
~~the Revised Code X 0.075 X the formula amount X the number of~~ 7095  
~~the district's students who received high school or honors high~~ 7096  
~~school diplomas as reported by the district to the department,~~ 7097  
~~in accordance with the guidelines adopted under section~~ 7098  
~~3301.0714 of the Revised Code, for the same school year for~~ 7099  
~~which the most recent report card was issued X the district's~~ 7100  
~~state share percentage division (D) of section 3317.014 of the~~ 7101  
~~Revised Code.~~ 7102

(B) (1) If a joint vocational school district's costs for a 7103  
fiscal year for a student in its categories two through six 7104  
special education ADM exceed the threshold catastrophic cost for 7105  
serving the student, as specified in division (B) of section 7106  
3317.0214 of the Revised Code, the district may submit to the 7107  
superintendent of public instruction documentation, as 7108  
prescribed by the superintendent, of all of its costs for that 7109  
student. Upon submission of documentation for a student of the 7110  
type and in the manner prescribed, the department shall pay to 7111  
the district an amount equal to the sum of the following: 7112

(a) One-half of the district's costs for the student in 7113

excess of the threshold catastrophic cost; 7114

(b) The product of one-half of the district's costs for 7115  
the student in excess of the threshold catastrophic cost 7116  
multiplied by the district's state share percentage. 7117

(2) The district shall report under division (B) (1) of 7118  
this section, and the department shall pay for, only the costs 7119  
of educational expenses and the related services provided to the 7120  
student in accordance with the student's individualized 7121  
education program. Any legal fees, court costs, or other costs 7122  
associated with any cause of action relating to the student may 7123  
not be included in the amount. 7124

(C) (1) For each student with a disability receiving 7125  
special education and related services under an individualized 7126  
education program, as defined in section 3323.01 of the Revised 7127  
Code, at a joint vocational school district, the resident 7128  
district or, if the student is enrolled in a community school, 7129  
the community school shall be responsible for the amount of any 7130  
costs of providing those special education and related services 7131  
to that student that exceed the sum of the amount calculated for 7132  
those services attributable to that student under division (A) 7133  
of this section. 7134

Those excess costs shall be calculated using a formula 7135  
approved by the department. 7136

(2) The board of education of the joint vocational school 7137  
district may report the excess costs calculated under division 7138  
(C) (1) of this section to the department of education. 7139

(3) If the board of education of the joint vocational 7140  
school district reports excess costs under division (C) (2) of 7141  
this section, the department shall pay the amount of excess cost 7142

calculated under division (C) (2) of this section to the joint 7143  
vocational school district and shall deduct that amount as 7144  
provided in division (C) (3) (a) or (b) of this section, as 7145  
applicable: 7146

(a) If the student is not enrolled in a community school, 7147  
the department shall deduct the amount from the account of the 7148  
student's resident district pursuant to division (J) of section 7149  
3317.023 of the Revised Code. 7150

(b) If the student is enrolled in a community school, the 7151  
department shall deduct the amount from the account of the 7152  
community school pursuant to section 3314.083 of the Revised 7153  
Code. 7154

~~(D) (1) In any fiscal year, a school district receiving 7155  
funds under division (A) (5) of this section shall spend those 7156  
funds only for the purposes that the department designates as 7157  
approved for career technical education expenses. Career 7158  
technical education expenses approved by the department shall 7159  
include only expenses connected to the delivery of career 7160  
technical programming to career technical students. The 7161  
department shall require the school district to report data 7162  
annually so that the department may monitor the district's 7163  
compliance with the requirements regarding the manner in which 7164  
funding received under division (A) (5) of this section may be 7165  
spent. 7166~~

~~(2) All funds received under division (A) (5) of this 7167  
section shall be spent in the following manner: 7168~~

~~(a) At least seventy-five per cent of the funds shall be 7169  
spent on curriculum development, purchase, and implementation; 7170  
instructional resources and supplies; industry based program 7171~~



~~certification; student assessment, credentialing, and placement; 7172  
curriculum specific equipment purchases and leases; career 7173  
technical student organization fees and expenses; home and 7174  
agency linkages; work based learning experiences; professional 7175  
development; and other costs directly associated with career 7176  
technical education programs including development of new 7177  
programs. 7178~~

~~(b) Not more than twenty five per cent of the funds shall 7179  
be used for personnel expenditures. 7180~~

~~(E) In any fiscal year, a school district receiving funds 7181  
under division (A) (6) of this section, or through a transfer of 7182  
funds pursuant to division (I) of section 3317.023 of the 7183  
Revised Code, shall spend those funds only for the purposes that 7184  
the department designates as approved for career technical 7185  
education associated services expenses, which may include such 7186  
purposes as apprenticeship coordinators, coordinators for other 7187  
career technical education services, career technical 7188  
evaluation, and other purposes designated by the department. The 7189  
department may deny payment under division (A) (6) of this 7190  
section to any district that the department determines is not 7191  
operating those services or is using funds paid under division 7192  
(A) (6) of this section, or through a transfer of funds pursuant 7193  
to division (I) of section 3317.023 of the Revised Code, for 7194  
other purposes. 7195~~

~~(F) A joint vocational school district shall spend the 7196  
funds it receives under division (A) (3) of this section in 7197  
accordance with section 3317.25 of the Revised Code. 7198~~

~~(G) (E) In any fiscal year, a school district shall spend 7199  
the funds it receives under division (A) (4) of this section only 7200  
for services for English learners. 7201~~

(F) As used in this section: 7202

(1) "Community school" means a community school 7203  
established under Chapter 3314. of the Revised Code. 7204

(2) "Resident district" means the city, local, or exempted 7205  
village school district in which a student is entitled to attend 7206  
school under section 3313.64 or 3313.65 of the Revised Code. 7207

~~(3) "State share percentage" is equal to the following:~~ 7208

~~The amount computed under division (A) (1) of this section/ (the~~ 7209  
~~formula amount X formula ADM)~~ 7210

**Sec. 3317.162.** (A) For fiscal years 2022 and 2023, the 7211  
department of education shall pay temporary transitional aid to 7212  
each joint vocational school district according to the following 7213  
formula: 7214

(The district's funding base, as that term is defined in section 7215  
3317.02 of the Revised Code + the amount paid to the district 7216  
under division (A) (3) of section 3317.16 of the Revised Code, as 7217  
that division existed prior to the effective date of this 7218  
amendment, for fiscal year 2019) - (the district's payment under 7219  
section 3317.16 of the Revised Code for the fiscal year for 7220  
which the payment is computed) 7221

If the computation made under division (A) of this section 7222  
results in a negative number, the district's funding under 7223  
division (A) of this section shall be zero. 7224

(B) For fiscal year 2024 and for each fiscal year 7225  
thereafter, the department shall pay temporary transitional aid 7226  
to each joint vocational school district according to the 7227  
following formula: 7228

(The district's guaranteed funding for the third preceding 7229

fiscal year/ the average of the district's enrolled ADM for the 7230  
third, fourth, and fifth preceding fiscal years) - (the 7231  
district's payment under section 3317.16 of the Revised Code for 7232  
the fiscal year for which the payment is calculated/ the 7233  
district's enrolled ADM for the fiscal year for which the 7234  
payment is calculated) X the district's enrolled ADM for the 7235  
fiscal year for which the payment is calculated 7236

If the computation made under this division results in a 7237  
negative number, the district's funding under this division 7238  
shall be zero. 7239

For purposes of this computation, a district's "guaranteed 7240  
funding" means the following: 7241

(1) For fiscal year 2021, the sum of the district's 7242  
funding base, as that term is defined in section 3317.02 of the 7243  
Revised Code, and the amount paid to the district under division 7244  
(A) (3) of section 3317.16 of the Revised Code, as that division 7245  
existed prior to the effective date of this amendment, for 7246  
fiscal year 2019; 7247

(2) For fiscal years 2022 and 2023, the district's payment 7248  
for that fiscal year under section 3317.16 of the Revised Code 7249  
plus the district's payment for that fiscal year under division 7250  
(A) of this section; 7251

(3) For fiscal year 2024 and for each fiscal year 7252  
thereafter, the district's payment for that fiscal year under 7253  
section 3317.16 of the Revised Code plus the district's payment 7254  
for that fiscal year under division (B) of this section. 7255

(C) If a joint vocational school district begins receiving 7256  
payments under section 3317.16 of the Revised Code for fiscal 7257  
year 2022 or for any fiscal year thereafter but does not receive 7258

payments for the fiscal year immediately preceding that fiscal 7259  
year, the department shall establish the following as an amount 7260  
equal to the absolute value of the sum of the associated 7261  
adjustments of any local school district's funding base under 7262  
division (C) of section 3317.019 of the Revised Code: 7263

(1) For purposes of division (A) of this section: 7264

(a) The district's funding base, as that term is defined 7265  
in section 3317.02 of the Revised Code; 7266

(b) The amount paid to the district under division (A) (3) 7267  
of section 3317.16 of the Revised Code, as that division existed 7268  
prior to the effective date of this amendment, for fiscal year 7269  
2019. 7270

(2) For purposes of division (B) of this section, the 7271  
district's guaranteed funding. 7272

**Sec. 3317.20.** This section does not apply to preschool 7273  
children with disabilities. 7274

(A) As used in this section: 7275

(1) "Applicable special education amount" means the amount 7276  
specified in section 3317.013 of the Revised Code for a 7277  
disability described in that section. 7278

(2) "Child's school district" means the school district in 7279  
which a child is entitled to attend school pursuant to section 7280  
3313.64 or 3313.65 of the Revised Code. 7281

(3) "State share ~~index~~percentage" means the state share 7282  
~~index~~percentage of the child's school district. 7283

(B) The department shall annually pay each county board of 7284  
developmental disabilities for each child with a disability, 7285

other than a preschool child with a disability, for whom the 7286  
county board provides special education and related services an 7287  
amount equal to the ~~formula amount~~ statewide average base cost 7288  
per pupil + (state share ~~index~~ percentage X the applicable 7289  
special education ~~amount~~ weight X the statewide average base cost 7290  
per pupil).

(C) Each county board of developmental disabilities shall 7292  
report to the department, in the manner specified by the 7293  
department, the name of each child for whom the county board of 7294  
developmental disabilities provides special education and 7295  
related services and the child's school district. 7296

(D) (1) For the purpose of verifying the accuracy of the 7297  
payments under this section, the department may request from 7298  
either of the following entities the data verification code 7299  
assigned under division (D) (2) of section 3301.0714 of the 7300  
Revised Code to any child who is placed with a county board of 7301  
developmental disabilities: 7302

(a) The child's school district; 7303

(b) The independent contractor engaged to create and 7304  
maintain data verification codes. 7305

(2) Upon a request by the department under division (D) (1) 7306  
of this section for the data verification code of a child, the 7307  
child's school district shall submit that code to the department 7308  
in the manner specified by the department. If the child has not 7309  
been assigned a code, the district shall assign a code to that 7310  
child and submit the code to the department by a date specified 7311  
by the department. If the district does not assign a code to the 7312  
child by the specified date, the department shall assign a code 7313  
to the child. 7314

The department annually shall submit to each school 7315  
district the name and data verification code of each child 7316  
residing in the district for whom the department has assigned a 7317  
code under this division. 7318

(3) The department shall not release any data verification 7319  
code that it receives under division (D) of this section to any 7320  
person except as provided by law. 7321

(E) Any document relative to special education and related 7322  
services provided by a county board of developmental 7323  
disabilities that the department holds in its files that 7324  
contains both a student's name or other personally identifiable 7325  
information and the student's data verification code shall not 7326  
be a public record under section 149.43 of the Revised Code. 7327

**Sec. 3317.25.** (A) As used in this section, "~~economically~~ 7328  
~~disadvantaged funds~~disadvantaged pupil impact aid" means the 7329  
following: 7330

(1) For a city, local, or exempted village school 7331  
district, the funds received under division ~~(A) (5)~~ (A) (4) of 7332  
section 3317.022 of the Revised Code; 7333

(2) For a joint vocational school district, the funds 7334  
received under division (A) (3) of section 3317.16 of the Revised 7335  
Code; 7336

(3) For a community school established under Chapter 3314. 7337  
of the Revised Code, the funds received under division ~~(C) (1) (e)~~ 7338  
(C) (1) (c) of section 3314.08 of the Revised Code; 7339

(4) For a STEM school established under Chapter 3326. of 7340  
the Revised Code, the funds received under division ~~(E)~~ (B) (3) 7341  
of section 3326.33 of the Revised Code. 7342

(B) In any fiscal year, a city, local, exempted village,	7343
or joint vocational school district, community school, or STEM	7344
school shall spend the <del>economically disadvantaged funds</del>	7345
<u>disadvantaged pupil impact aid</u> it receives for any of the	7346
following initiatives or a combination of any of the following	7347
initiatives:	7348
(1) Extended school day and school year;	7349
(2) Reading improvement and intervention;	7350
(3) Instructional technology or blended learning;	7351
(4) Professional development in reading instruction for	7352
teachers of students in kindergarten through third grade;	7353
(5) Dropout prevention;	7354
(6) School safety and security measures;	7355
(7) Community learning centers that address barriers to	7356
learning;	7357
(8) Academic interventions for students in any of grades	7358
six through twelve;	7359
(9) Employment of an individual who has successfully	7360
completed the bright new leaders for Ohio schools program as a	7361
principal or an assistant principal under section 3319.272 of	7362
the Revised Code;	7363
<u>(10) Reduced class size;</u>	7364
<u>(11) One year of quality preschool for every child who is</u>	7365
<u>four years of age and identified as economically disadvantaged;</u>	7366
<u>(12) Student mentoring programs;</u>	7367
<u>(13) Family engagement pertinent to enhanced student</u>	7368

<u>educational success;</u>	7369
<u>(14) District-wide professional development to provide</u>	7370
<u>greater insight into the needs, culture, and perspective of</u>	7371
<u>disadvantaged populations and enhanced ability to recognize and</u>	7372
<u>address those needs;</u>	7373
<u>(15) Mental health services;</u>	7374
<u>(16) Services for homeless youth;</u>	7375
<u>(17) Services for child welfare involving youth;</u>	7376
<u>(18) Community liaisons;</u>	7377
<u>(19) Physical health care services;</u>	7378
<u>(20) Mentoring programs;</u>	7379
<u>(21) Family engagement and support services;</u>	7380
<u>(22) City connects programming;</u>	7381
<u>(23) Professional development regarding the provision of</u>	7382
<u>trauma informed care;</u>	7383
<u>(24) Professional development regarding cultural</u>	7384
<u>competence;</u>	7385
<u>(25) Student services provided prior to or after the</u>	7386
<u>regularly scheduled school day or any time school is not in</u>	7387
<u>session.</u>	7388
(C) At the end of each fiscal year, each city, local,	7389
exempted village, or joint vocational school district, community	7390
school, and STEM school shall submit a report to the department	7391
of education <del>describing through the education management</del>	7392
<u>information system established under section 3301.0714 of the</u>	7393
<u>Revised Code that describes the initiative or initiatives on</u>	7394



which the district's or school's ~~economically disadvantaged~~ 7395  
~~funds disadvantaged pupil impact aid~~ were spent during that 7396  
fiscal year and the amount of money that was spent on each 7397  
initiative. 7398

(D) Starting in 2015, the department shall submit a report 7399  
of the information it receives under division (C) of this 7400  
section to the General Assembly not later than the first day of 7401  
December of each odd-numbered year in accordance with section 7402  
101.68 of the Revised Code. 7403

**Sec. 3317.26.** (A) As used in this section, "student 7404  
wellness and success funds" means the following: 7405

(1) For a city, local, or exempted village school 7406  
district, the funds received under section 3317.0219 of the 7407  
Revised Code; 7408

(2) For a joint vocational school district, the funds 7409  
received under section 3317.163 of the Revised Code. 7410

(3) For a community school established under Chapter 3314. 7411  
of the Revised Code, the funds received under section 3314.088 7412  
of the Revised Code. 7413

(4) For a STEM school established under Chapter 3326. of 7414  
the Revised Code, the funds received under section 3326.42 of 7415  
the Revised Code. 7416

(B) In any fiscal year, a city, local, exempted village, 7417  
or joint vocational school district, community school, or STEM 7418  
school shall spend the student wellness and success funds it 7419  
receives for any of the following initiatives or a combination 7420  
of any of the following initiatives: 7421

(1) Mental health services; 7422

(2) Services for homeless youth;	7423
(3) Services for child welfare involved youth;	7424
(4) Community liaisons;	7425
(5) Physical health care services;	7426
(6) Mentoring programs;	7427
(7) Family engagement and support services;	7428
(8) City connects programming;	7429
(9) Professional development regarding the provision of trauma informed care;	7430 7431
(10) Professional development regarding cultural competence;	7432 7433
(11) Student services provided prior to or after the regularly scheduled school day or any time school is not in session.	7434 7435 7436
(C) Each city, local, exempted village, and joint vocational school district, community school, and STEM school that is subject to the requirements of this section shall develop a plan for utilizing the student wellness and success funds it receives in coordination with at least one of the following community partners:	7437 7438 7439 7440 7441 7442
(1) A board of alcohol, drug, and mental health services established under Chapter 340. of the Revised Code;	7443 7444
(2) An educational service center;	7445
(3) A county board of developmental disabilities;	7446
(4) A community-based mental health treatment provider;	7447

(5) A board of health of a city or general health district;	7448 7449
(6) A county department of job and family services;	7450
(7) A nonprofit organization with experience serving children;	7451 7452
(8) A public hospital agency.	7453
(D) After the end of each fiscal year, each city, local, exempted village, or joint vocational school district, community school, and STEM school shall submit a report to the department of education, in a manner prescribed by the department, describing the initiative or initiatives on which the district's or school's student wellness and success funds were spent during that fiscal year <u>and the amount of money that was spent on each initiative.</u>	7454 7455 7456 7457 7458 7459 7460 7461
<u>Sec. 3317.60. (A) The school funding oversight commission</u> is hereby created. The commission shall do all of the following:	7462 7463
<u>(1) Evaluate and analyze the manner in which the funding requirements of H.B. 305 of the 133rd general assembly are being implemented and make recommendations to the general assembly to ensure that, if at all possible, the funding priorities specified in H.B. 305 of the 133rd general assembly are implemented as directed and that all other provisions are funded as equitably and evenly as possible as additional funding becomes available;</u>	7464 7465 7466 7467 7468 7469 7470 7471
<u>(2) Analyze and make recommendations to the general assembly regarding any appropriate adjustments to the provisions of H.B. 305 of the 133rd general assembly for inflation, technology developments, changes in instructional methodology, or the use of databases;</u>	7472 7473 7474 7475 7476

(3) Review and analyze the findings or implications of any 7477  
of the studies authorized in Sections 4, 5, 6, and 7 of S.B. 310 7478  
of the 133rd general assembly as amended by this act, as those 7479  
studies become available, or any other school funding studies 7480  
authorized in related legislation and make appropriate 7481  
recommendations to the general assembly; 7482

(4) Upon the implementation of the provisions of H.B. 305 7483  
of the 133rd general assembly, assess the impact of its 7484  
calculations and other basic concepts and make recommendations 7485  
to the general assembly regarding appropriate modifications to 7486  
those calculations and other basic concepts; 7487

(5) Generally monitor the implementation of the provisions 7488  
of H.B. 305 of the 133rd general assembly to ensure that they 7489  
are implemented in a timely and effective manner that is 7490  
consistent with the intent of the general assembly at the time 7491  
those provisions were enacted and make recommendations to the 7492  
general assembly regarding its implementation. 7493

(B) (1) The school funding oversight commission shall 7494  
consist of the following members: 7495

(a) Two members of the house of representatives, appointed 7496  
by the speaker of the house of representatives, and two members 7497  
of the senate, appointed by the president of the senate. Of the 7498  
members appointed by the speaker of the house of 7499  
representatives, one shall be a member of the majority party, 7500  
and one shall be a member of the minority party that has the 7501  
most members. Of the members appointed by the president of the 7502  
senate, one shall be a member of the majority party, and one 7503  
shall be a member of the minority party that has the most 7504  
members. 7505

(b) Three school district superintendents, appointed by 7506  
the superintendent of public instruction with advice from those 7507  
statewide organizations that represent school district 7508  
superintendents, and three school district treasurers, appointed 7509  
by the superintendent of public instruction with advice from 7510  
those statewide organizations that represent school district 7511  
treasurers. The superintendent of public instruction shall 7512  
attempt to ensure that the school district superintendents and 7513  
treasurers appointed under division (B) (1) (b) of this section 7514  
represent a combination of urban, suburban, and rural school 7515  
districts and a combination of school districts with different 7516  
per-pupil local capacity amounts calculated under section 7517  
3317.017 of the Revised Code. 7518

(c) Three parents, not more than two of whom shall be of 7519  
the same gender, appointed by the governor. In making 7520  
appointments under division (B) (1) (c) of this section, the 7521  
governor shall attempt to ensure that the parents appointed are 7522  
a combination of parents of students who are enrolled in, will 7523  
enroll in, or were enrolled in public schools. 7524

(d) Three teachers appointed by the superintendent of 7525  
public instruction. The superintendent of public instruction 7526  
shall attempt to ensure that the teachers appointed under 7527  
division (B) (1) (d) of this section represent a combination of 7528  
urban, suburban, and rural school districts and a combination of 7529  
school districts with different per-pupil local capacity amounts 7530  
calculated under section 3317.017 of the Revised Code. 7531

(e) Three school board members appointed by the 7532  
superintendent of public instruction. The superintendent of 7533  
public instruction shall attempt to ensure that the school board 7534  
members appointed under division (B) (1) (e) of this section 7535

represent a combination of urban, suburban, and rural school 7536  
districts and a combination of school districts with different 7537  
per-pupil local capacity amounts calculated under section 7538  
3317.017 of the Revised Code. 7539

(2) Not more than one of the members appointed under 7540  
divisions (B) (1) (b), (c), (d), and (e) of this section shall 7541  
represent the same school district. 7542

(C) All members of the commission shall be appointed prior 7543  
to the commission's first meeting as prescribed in division (D) 7544  
of this section. Half of the members appointed under each of 7545  
divisions (B) (1) (a), (b), (c), (d), and (e) of this section 7546  
shall be appointed for two-year terms, and half of the members 7547  
appointed under each of divisions (B) (1) (a), (b), (c), (d), and 7548  
(e) of this section shall be appointed for four-year terms. 7549  
Thereafter, all members shall be appointed for four-year terms. 7550  
No member shall be eligible for reappointment except for those 7551  
members appointed for initial two-year terms. 7552

(D) Not later than one year after the effective date of 7553  
this section, the superintendent of public instruction shall 7554  
call the first meeting of the school funding oversight 7555  
commission. At that meeting, the members of the commission shall 7556  
select a chair and vice-chair of the commission. Thereafter, the 7557  
commission shall meet at least once every six months at the call 7558  
of the chair. 7559

**Sec. 3319.57.** (A) A grant program is hereby established 7560  
under which the department of education shall award grants to 7561  
assist certain schools in a city, exempted village, local, or 7562  
joint vocational school district in implementing one of the 7563  
following innovations: 7564

- (1) The use of instructional specialists to mentor and support classroom teachers; 7565  
7566
- (2) The use of building managers to supervise the administrative functions of school operation so that a school principal can focus on supporting instruction, providing instructional leadership, and engaging teachers as part of the instructional leadership team; 7567  
7568  
7569  
7570  
7571
- (3) The reconfiguration of school leadership structure in a manner that allows teachers to serve in leadership roles so that teachers may share the responsibility for making and implementing school decisions; 7572  
7573  
7574  
7575
- (4) The adoption of new models for restructuring the school day or school year, such as including teacher planning and collaboration time as part of the school day; 7576  
7577  
7578
- (5) The creation of smaller schools or smaller units within larger schools for the purpose of facilitating teacher collaboration to improve and advance the professional practice of teaching; 7579  
7580  
7581  
7582
- (6) The implementation of "grow your own" recruitment strategies that are designed to assist individuals who show a commitment to education become licensed teachers, to assist experienced teachers obtain licensure in subject areas for which there is need, and to assist teachers in becoming principals; 7583  
7584  
7585  
7586  
7587
- (7) The provision of better conditions for new teachers, such as reduced teaching load and reduced class size; 7588  
7589
- (8) The provision of incentives to attract qualified mathematics, science, or special education teachers; 7590  
7591
- (9) The development and implementation of a partnership 7592

with teacher preparation programs at colleges and universities 7593  
to help attract teachers qualified to teach in shortage areas; 7594

(10) The implementation of a program to increase the 7595  
cultural competency of both new and veteran teachers; 7596

(11) The implementation of a program to increase the 7597  
subject matter competency of veteran teachers. 7598

(B) To qualify for a grant to implement one of the 7599  
innovations described in division (A) of this section, a school 7600  
must meet both of the following criteria: 7601

(1) Be hard to staff, as defined by the department. 7602

(2) Use existing school district funds for the 7603  
implementation of the innovation in an amount equal to the grant 7604  
amount multiplied by (1 - the district's state share ~~index-~~ 7605  
percentage for the fiscal year in which the grant is awarded). 7606

For purposes of division (B) (2) of this section, "state 7607  
share ~~index~~percentage" has the same meaning as in section 7608  
3317.02 of the Revised Code. 7609

(C) The amount and number of grants awarded under this 7610  
section shall be determined by the department based on any 7611  
appropriations made by the general assembly for grants under 7612  
this section. 7613

(D) The state board of education shall adopt rules for the 7614  
administration of this grant program. 7615

**Sec. 3324.09.** Not later than the thirtieth day of October 7616  
of each year, the department of education shall publish on its 7617  
web site each school district's expenditures for the previous 7618  
fiscal year of funds received under division ~~(A) (7)~~ (A) (6) of 7619  
section 3317.022 of the Revised Code for the identification of 7620



and services provided to the district's gifted students. 7621

**Sec. 3326.31.** As used in sections 3326.31 to 3326.50 of 7622  
the Revised Code: 7623

(A) (1) "Category one career-technical education student" 7624  
means a student who is receiving the career-technical education 7625  
services described in division (A) (1) of section 3317.014 of the 7626  
Revised Code. 7627

(2) "Category two career-technical student" means a 7628  
student who is receiving the career-technical education services 7629  
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 7630  
Revised Code. 7631

(3) "Category three career-technical student" means a 7632  
student who is receiving the career-technical education services 7633  
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 7634  
Revised Code. 7635

(4) "Category four career-technical student" means a 7636  
student who is receiving the career-technical education services 7637  
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 7638  
Revised Code. 7639

(5) "Category five career-technical education student" 7640  
means a student who is receiving the career-technical education 7641  
services described in division ~~(E)~~ (A) (5) of section 3317.014 of 7642  
the Revised Code. 7643

(B) (1) "Category one English learner" means an English 7644  
learner described in division (A) of section 3317.016 of the 7645  
Revised Code. 7646

(2) "Category two English learner" means an English 7647  
learner described in division (B) of section 3317.016 of the 7648

Revised Code.	7649
(3) "Category three English learner" means an English learner described in division (C) of section 3317.016 of the Revised Code.	7650 7651 7652
(C) (1) "Category one special education student" means a student who is receiving special education services for a disability specified in division (A) of section 3317.013 of the Revised Code.	7653 7654 7655 7656
(2) "Category two special education student" means a student who is receiving special education services for a disability specified in division (B) of section 3317.013 of the Revised Code.	7657 7658 7659 7660
(3) "Category three special education student" means a student who is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code.	7661 7662 7663 7664
(4) "Category four special education student" means a student who is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code.	7665 7666 7667 7668
(5) "Category five special education student" means a student who is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code.	7669 7670 7671 7672
(6) "Category six special education student" means a student who is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code.	7673 7674 7675 7676

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

(E) "Funding base" means the following:

(a) For a science, technology, engineering, and mathematics school that was in operation for the entirety of fiscal year 2020, the amount paid to the school for that fiscal year under divisions (A), (B), (C), (D), (F), and (G) of section 3326.33 of the Revised Code as those divisions existed prior to the effective date of this amendment in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly and the amount, if any, paid to the school for that fiscal year under section 3326.41 of the Revised Code in accordance with division (B) of Section 265.235 of H.B. 166 of the 133rd general assembly;

(b) For a science, technology, engineering, and mathematics school that was in operation for part of fiscal year 2020, the amount that would have been paid to the school for that fiscal year under divisions (A), (B), (C), (D), (F), and (G) of section 3326.33 of the Revised Code as those divisions existed prior to the effective date of this amendment in accordance with division (A) of Section 265.235 of H.B. 166 of

the 133rd general assembly if the school had been in operation 7707  
for the entirety of that fiscal year, as calculated by the 7708  
department, and the amount that would have been paid to the 7709  
school for that fiscal year under section 3326.41 of the Revised 7710  
Code in accordance with division (B) of Section 265.235 of H.B. 7711  
166 of the 133rd general assembly, if any, if the school had 7712  
been in operation for the entirety of that fiscal year, as 7713  
calculated by the department; 7714

(c) For a science, technology, engineering, and 7715  
mathematics school that was not in operation for fiscal year 7716  
2020, the amount that would have been paid to the school if it 7717  
was in operation for that school year under divisions (A), (B), 7718  
(C), (D), (F), and (G) of section 3326.33 of the Revised Code as 7719  
those divisions existed prior to the effective date of this 7720  
amendment in accordance with division (A) of Section 265.235 of 7721  
H.B. 166 of the 133rd general assembly if the school had been in 7722  
operation for the entirety of that fiscal year, as calculated by 7723  
the department, and the amount that would have been paid to the 7724  
school for that fiscal year under section 3326.41 of the Revised 7725  
Code in accordance with division (B) of Section 265.235 of H.B. 7726  
166 of the 133rd general assembly, if any, if the school had 7727  
been in operation for the entirety of that fiscal year, as 7728  
calculated by the department. 7729

(F) "IEP" means an individualized education program as 7730  
defined in section 3323.01 of the Revised Code. 7731

~~(F)~~(G) A science, technology, engineering, and 7732  
mathematics school's "phase-in percentage" for a fiscal year is 7733  
equal to the phase-in percentage for that fiscal year for city, 7734  
local, exempted village, and joint vocational school districts 7735  
as defined in section 3317.02 of the Revised Code. 7736

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

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

**Sec. 3326.32.** Each science, technology, engineering, and  
mathematics school shall report to the department of education,  
in the form and manner required by the department, all of the  
following information:

(A) The total number of students enrolled in the school  
who are residents of this state;

(B) The number of students reported under division (A) of  
this section who are receiving special education and related  
services pursuant to an IEP;

(C) For each student reported under division (B) of this  
section, which category specified in divisions (A) to (F) of  
section 3317.013 of the Revised Code applies to the student;

(D) The full-time equivalent number of students reported  
under division (A) of this section who are enrolled in career-  
technical education programs or classes described in each of  
divisions (A) (1), ~~(B) (2)~~, ~~(C) (3)~~, ~~(D) (4)~~, and ~~(E) (5)~~ of section  
3317.014 of the Revised Code that are provided by the STEM  
school;

(E) The number of students reported under division (A) of  
this section who are English learners and which category  
specified in divisions (A) to (C) of section 3317.016 of the

Revised Code applies to each student; 7766

(F) The number of students reported under division (A) of 7767  
this section who are economically disadvantaged, as defined by 7768  
the department. A student shall not be categorically excluded 7769  
from the number reported under division (F) of this section 7770  
based on anything other than family income. 7771

(G) The resident district of each student reported under 7772  
division (A) of this section; 7773

(H) The total number of students enrolled in the school 7774  
who are not residents of this state and any additional 7775  
information regarding these students that the department 7776  
requires the school to report. The school shall not receive any 7777  
payments under this chapter for students reported under this 7778  
division. 7779

(I) Any additional information the department determines 7780  
necessary to make payments under this chapter. 7781

**Sec. 3326.33.** (A) For each fiscal year, the department of 7782  
education shall compute and distribute state core foundation 7783  
funding to each science, technology, engineering, and 7784  
mathematics school established under this chapter or, if the 7785  
school is part of a group of STEM schools under section 3326.031 7786  
of the Revised Code, to the governing body of that group in an 7787  
amount equal to the lesser of the following: 7788

(1) The following sum: 7789

The school's funding base + [(the sum of the per pupil amounts 7790  
calculated for the school for that fiscal year under divisions 7791  
(B) (1), (2), and (4) of this section + the sum of the per pupil 7792  
amounts calculated for the school for that fiscal year under 7793  
division (A) of section 3326.39 of the Revised Code + the amount 7794

calculated for the school for that fiscal year under division 7795  
(B) of section 3326.39 of the Revised Code) - the school's 7796  
funding base] X the school's phase-in percentage for that fiscal 7797  
year} + the sum of the per pupil amounts of disadvantaged pupil 7798  
impact aid calculated for that fiscal year under division (B)(3) 7799  
of this section 7800

(2) The following sum: 7801

The sum of the per pupil amounts calculated for the school for 7802  
that fiscal year under division (B) of this section + the sum of 7803  
the per pupil amounts calculated for the school for that fiscal 7804  
year under division (A) of section 3326.39 of the Revised Code + 7805  
the amount calculated for the school for that fiscal year under 7806  
division (B) of section 3326.39 of the Revised Code 7807

(B) For each student enrolled in a science, technology, 7808  
engineering, and mathematics school established under this 7809  
chapter, on a full-time equivalency basis, the department of 7810  
education annually shall deduct from the state education aid of 7811  
a student's resident school district and, if necessary, from the 7812  
payment made to the district under sections 321.24 and 323.156 7813  
of the Revised Code and pay to the school or, if the student is 7814  
enrolled in a school that is part of a group of STEM schools 7815  
under section 3326.031 of the Revised Code, to the governing 7816  
body of that group the sum calculate all of the following: 7817

~~(A) An opportunity grant in an amount equal to the formula~~ 7818  
~~amount;~~ (1) The school's base cost per pupil for that fiscal 7819  
year, calculated as follows: 7820

The aggregate base cost calculated for the school for that 7821  
fiscal year under section 3326.43 of the Revised Code/ the 7822  
number of students enrolled in the school for that fiscal year 7823

~~(B) The per pupil amount of targeted assistance funds calculated under division (A) of section 3317.0217 of the Revised Code for the student's resident district, as determined by the department, X 0.25;~~ 7824  
7825  
7826  
7827

~~(C) (2) Additional state aid for special education and related services provided under Chapter 3323. of the Revised Code as follows:~~ 7828  
7829  
7830

~~(1) (a) If the student is a category one special education student, the amount-multiple specified in division (A) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;~~ 7831  
7832  
7833  
7834

~~(2) (b) If the student is a category two special education student, the amount-multiple specified in division (B) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;~~ 7835  
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~~(3) (c) If the student is a category three special education student, the amount-multiple specified in division (C) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;~~ 7839  
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~~(4) (d) If the student is a category four special education student, the amount-multiple specified in division (D) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;~~ 7843  
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~~(5) (e) If the student is a category five special education student, the amount-multiple specified in division (E) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;~~ 7847  
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~~(6) (f) If the student is a category six special education student, the amount-multiple specified in division (F) of~~ 7851  
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section 3317.013 of the Revised Code <u>X the statewide average</u>	7853
<u>base cost per pupil for that fiscal year.</u>	7854
<del>(D) If the student is in kindergarten through third grade,</del>	7855
<del>\$320;</del>	7856
<del>(E) (3) If the student is economically disadvantaged, an</del>	7857
<del>amount <u>of disadvantaged pupil impact aid</u> equal to the following:</del>	7858
<del>\$272-\$422 X the <del>resident district's</del> <u>school's</u> economically</del>	7859
<del>disadvantaged index</del>	7860
<del>(F) (4) English learner funds, as follows:</del>	7861
<del>(1) (a) If the student is a category one English learner,</del>	7862
<del>the <del>amount</del> <u>multiple</u> specified in division (A) of section</del>	7863
<del>3317.016 of the Revised Code <u>X the statewide average base cost</u></del>	7864
<del><u>per pupil for that fiscal year;</u></del>	7865
<del>(2) (b) If the student is a category two English learner,</del>	7866
<del>the <del>amount</del> <u>multiple</u> specified in division (B) of section</del>	7867
<del>3317.016 of the Revised Code <u>X the statewide average base cost</u></del>	7868
<del><u>per pupil for that fiscal year;</u></del>	7869
<del>(3) (c) If the student is a category three English</del>	7870
<del>learner, the <del>amount</del> <u>multiple</u> specified in division (C) of</del>	7871
<del>section 3317.016 of the Revised Code <u>X the statewide average</u></del>	7872
<del><u>base cost per pupil for that fiscal year.</u></del>	7873
<del>(G) <u>Career technical education funds as follows:</u></del>	7874
<del>(1) If the student is a category one career technical</del>	7875
<del>education student, the amount specified in division (A) of</del>	7876
<del>section 3317.014 of the Revised Code;</del>	7877
<del>(2) If the student is a category two career technical</del>	7878
<del>education student, the amount specified in division (B) of</del>	7879

<del>section 3317.014 of the Revised Code;</del>	7880
<del>(3) If the student is a category three career-technical education student, the amount specified in division (C) of section 3317.014 of the Revised Code;</del>	7881
	7882
	7883
<del>(4) If the student is a category four career-technical education student, the amount specified in division (D) of section 3317.014 of the Revised Code;</del>	7884
	7885
	7886
<del>(5) If the student is a category five career-technical education student, the amount specified in division (E) of section 3317.014 of the Revised Code.</del>	7887
	7888
	7889
<del>Deduction and payment of funds under division (C) of this section is subject to approval under section 3317.161 of the Revised Code.</del>	7890
	7891
	7892
<b>Sec. 3326.39.</b> (A) <u>For each student enrolled in a science, technology, engineering, and mathematics school established under this chapter, on a full-time equivalency basis, the department of education shall calculate career-technical education funds as follows:</u>	7893
	7894
	7895
	7896
	7897
<u>(1) If the student is a category one career-technical education student, the multiple specified in division (A) (1) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year;</u>	7898
	7899
	7900
	7901
<u>(2) If the student is a category two career-technical education student, the multiple specified in division (A) (2) of section 3317.014 of the Revised Code X the statewide average career-technical base cost per pupil for that fiscal year;</u>	7902
	7903
	7904
	7905
<u>(3) If the student is a category three career-technical education student, the multiple specified in division (A) (3) of</u>	7906
	7907

section 3317.014 of the Revised Code X the statewide average 7908  
career-technical base cost per pupil for that fiscal year; 7909

(4) If the student is a category four career-technical 7910  
education student, the multiple specified in division (A) (4) of 7911  
section 3317.014 of the Revised Code X the statewide average 7912  
career-technical base cost per pupil for that fiscal year; 7913

(5) If the student is a category five career-technical 7914  
education student, the multiple specified in division (A) (5) of 7915  
section 3317.014 of the Revised Code X the statewide average 7916  
career-technical base cost per pupil for that fiscal year. 7917

Payment of funds calculated under division (A) of this 7918  
section is subject to approval under section 3317.161 of the 7919  
Revised Code. 7920

(B) Subject to division (I) of section 3317.023 of the 7921  
Revised Code, the department of education shall calculate 7922  
career-technical associated services funds for each science, 7923  
technology, engineering, and mathematics school as follows: 7924

The multiple for career-technical education associated services 7925  
specified under division (B) of section 3317.014 of the Revised 7926  
Code X the statewide average career-technical base cost per 7927  
pupil for that fiscal year X the number of the school's students 7928  
enrolled in career-technical education 7929

(C) Subject to division (I) of section 3317.023 of the 7930  
Revised Code, the department shall pay career awareness and 7931  
exploration funds to each science, technology, engineering, and 7932  
mathematics school as follows: 7933

The number of students enrolled in the science, technology, 7934  
engineering, and mathematics school X \$2.50, for fiscal year 7935  
2020, \$5, for fiscal year 2021, \$7.50, for fiscal year 2022, or 7936

\$10, for fiscal year 2023 and each fiscal year thereafter 7937

(D) In any fiscal year, a STEM school receiving funds 7938  
calculated under division ~~(G)~~ (A) of this section 3326.33 of the 7939  
~~Revised Code~~ shall spend those funds only for the purposes that 7940  
the department designates as approved for career-technical 7941  
education expenses. Career-technical ~~educational~~ education 7942  
expenses approved by the department shall include only expenses 7943  
connected to the delivery of career-technical programming to 7944  
career-technical students. The department shall require the 7945  
school to report data annually so that the department may 7946  
monitor the school's compliance with the requirements regarding 7947  
the manner in which funding received under division ~~(G)~~ (A) of 7948  
this section 3326.33 of the ~~Revised Code~~ may be spent. 7949

~~(B)~~ (E) All funds received under division ~~(G)~~ (A) of this 7950  
section 3326.33 of the ~~Revised Code~~ shall be spent in the 7951  
following manner: 7952

(1) At least seventy-five per cent of the funds shall be 7953  
spent on curriculum development, purchase, and implementation; 7954  
instructional resources and supplies; industry-based program 7955  
certification; student assessment, credentialing, and placement; 7956  
curriculum specific equipment purchases and leases; career- 7957  
technical student organization fees and expenses; home and 7958  
agency linkages; work-based learning experiences; professional 7959  
development; and other costs directly associated with career- 7960  
technical education programs including development of new 7961  
programs. 7962

(2) Not more than twenty-five per cent of the funds shall 7963  
be used for personnel expenditures. 7964

(F) In any fiscal year, a science, technology, 7965

engineering, and mathematics school receiving funds under 7966  
division (H) of section 3317.014 of the Revised Code shall spend 7967  
those funds only for the following purposes: 7968

(1) Delivery of career awareness programs to students 7969  
enrolled in grades kindergarten through twelve; 7970

(2) Provision of a common, consistent curriculum to 7971  
students throughout their primary and secondary education; 7972

(3) Assistance to teachers in providing a career 7973  
development curriculum to students; 7974

(4) Development of a career development plan for each 7975  
student that stays with that student for the duration of the 7976  
student's primary and secondary education; 7977

(5) Provision of opportunities for students to engage in 7978  
activities, such as career fairs, hands-on experiences, and job 7979  
shadowing, across all career pathways at each grade level. 7980

The department may deny payment under division (C) of this 7981  
section to any school that the department determines is using 7982  
funds paid under division (H) of section 3317.014 of the Revised 7983  
Code for other purposes. 7984

**Sec. 3326.40.** A STEM school shall spend the funds it 7985  
receives under division ~~(E)~~ (B) (3) of section 3326.33 of the 7986  
Revised Code in accordance with section 3317.25 of the Revised 7987  
Code. 7988

**Sec. 3326.43.** (A) As used in this section: 7989

(1) "Average teacher cost" for a fiscal year has the same 7990  
meaning as in section 3317.011 of the Revised Code. 7991

(2) "Base cost enrolled ADM" has the same meaning as in 7992

<u>section 3317.02 of the Revised Code.</u>	7993
<u>(B) When calculating a science, technology, engineering,</u>	7994
<u>and mathematics school's aggregate base cost under this section,</u>	7995
<u>the department shall use data from fiscal year 2018 for the</u>	7996
<u>average teacher cost.</u>	7997
<u>(C) A science, technology, engineering, and mathematics</u>	7998
<u>school's aggregate base cost for a fiscal year shall be equal to</u>	7999
<u>the following sum:</u>	8000
<u>The school's teacher base cost for that fiscal year computed</u>	8001
<u>under division (D) of this section + the school's student</u>	8002
<u>support base cost for that fiscal year computed under division</u>	8003
<u>(E) of this section + the school's leadership and accountability</u>	8004
<u>base cost for that fiscal year computed under division (F) of</u>	8005
<u>this section + the school's building leadership and operations</u>	8006
<u>base cost for that fiscal year computed under division (G) of</u>	8007
<u>this section</u>	8008
<u>(D) The department of education shall compute a science,</u>	8009
<u>technology, engineering, and mathematics school's teacher base</u>	8010
<u>cost for a fiscal year as follows:</u>	8011
<u>(1) Calculate the school's classroom teacher cost for that</u>	8012
<u>fiscal year as follows:</u>	8013
<u>(a) Determine the full-time equivalency of students</u>	8014
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8015
<u>kindergarten and divide that number by 20;</u>	8016
<u>(b) Determine the full-time equivalency of students</u>	8017
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8018
<u>grades one through three and divide that number by 23;</u>	8019
<u>(c) Determine the full-time equivalency of students</u>	8020

enrolled in the school for that fiscal year that are enrolled in 8021  
grades four through eight but are not enrolled in a career- 8022  
technical education program or class described under section 8023  
3317.014 of the Revised Code and divide that number by 25; 8024

(d) Determine the full-time equivalency of students 8025  
enrolled in the school for that fiscal year that are enrolled in 8026  
grades nine through twelve but are not enrolled in a career- 8027  
technical education program or class described under section 8028  
3317.014 of the Revised Code and divide that number by 27; 8029

(e) Determine the full-time equivalency of students 8030  
enrolled in the school for that fiscal year that are enrolled in 8031  
a career-technical education program or class, as reported under 8032  
division (B) (2) (d) of section 3314.08 of the Revised Code, and 8033  
divide that number by 18; 8034

(f) Compute the sum of the quotients obtained under 8035  
divisions (D) (1) (a), (b), (c), (d), and (e) of this section; 8036

(g) Compute the classroom teacher cost by multiplying the 8037  
average teacher cost for that fiscal year by the sum computed 8038  
under division (D) (1) (f) of this section. 8039

(2) Calculate the school's special teacher cost for that 8040  
fiscal year as follows: 8041

(a) Divide the number of students enrolled in the school 8042  
for that fiscal year by 150; 8043

(b) Compute the special teacher cost by multiplying the 8044  
quotient obtained under division (D) (2) (a) of this section by 8045  
the average teacher cost for that fiscal year. 8046

(3) Calculate the school's substitute teacher cost for 8047  
that fiscal year in accordance with the following formula: 8048

(a) Compute the substitute teacher daily rate with 8049  
benefits by multiplying the substitute teacher daily rate of \$90 8050  
by 1.16; 8051

(b) Compute the substitute teacher cost in accordance with 8052  
the following formula: 8053

(The sum computed under division (D) (1) (f) of this section + the 8054  
quotient obtained under division (D) (2) (a) of this section) X 8055  
the amount computed under division (D) (3) (a) of this section X 5 8056

(4) Calculate the school's professional development cost 8057  
for that fiscal year in accordance with the following formula: 8058

(The sum computed under division (D) (1) (f) of this section + the 8059  
quotient obtained under division (D) (2) (a) of this section) X 8060  
[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of 8061  
the Revised Code for that fiscal year)/180] X 4 8062

(5) Calculate the school's teacher base cost for that 8063  
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 8064  
and (4) of this section. 8065

(E) The department shall compute a science, technology, 8066  
engineering, and mathematics school's student support base cost 8067  
for a fiscal year as follows: 8068

The number of students enrolled in the school for that fiscal 8069  
year X 0.90 X [(the sum of the student support base cost 8070  
calculated for all city, local, and exempted village school 8071  
districts in the state for that fiscal year under division (E) 8072  
of section 3317.011 of the Revised Code - the sum of the 8073  
athletic co-curricular activities cost calculated for all city, 8074  
local, and exempted village school districts in the state for 8075  
that fiscal year under division (E) (5) of section 3317.011 of 8076  
the Revised Code)/ the sum of the base cost enrolled ADMs of all 8077



of the city, local, and exempted village school districts in the 8078  
state for that fiscal year] 8079

(F) The department shall compute a science, technology, 8080  
engineering, and mathematics school's leadership and 8081  
accountability base cost for a fiscal year as follows: 8082

The number of students enrolled in the school for that fiscal 8083  
year X 0.90 X (the sum of the leadership and accountability base 8084  
cost calculated for all city, local, and exempted village school 8085  
districts in the state for that fiscal year under division (F) 8086  
of section 3317.011 of the Revised Code/ the sum of the base 8087  
cost enrolled ADMs of all of the city, local, and exempted 8088  
village school districts in the state for that fiscal year) 8089

(G) The department shall compute a science, technology, 8090  
engineering, and mathematics school's building leadership and 8091  
operations base cost for a fiscal year as follows: 8092

The number of students enrolled in the school for that fiscal 8093  
year X 0.90 X (the sum of the building leadership and 8094  
accountability base cost calculated for all city, local, and 8095  
exempted village school districts in the state for that fiscal 8096  
year under division (G) of section 3317.011 of the Revised Code/ 8097  
the sum of the base cost enrolled ADMs of all of the city, 8098  
local, and exempted village school districts in the state for 8099  
that fiscal year) 8100

Sec. 3326.44. In any fiscal year, a STEM school shall 8101  
spend the funding it receives under division (B)(4) of section 8102  
3326.33 of the Revised Code only for services for English 8103  
learners. 8104

**Sec. 3326.51.** (A) As used in this section: 8105

(1) "Resident district" has the same meaning as in section 8106

3326.31 of the Revised Code. 8107

(2) "STEM school sponsoring district" means a municipal, 8108  
city, local, exempted village, or joint vocational school 8109  
district that governs and controls a STEM school pursuant to 8110  
this section. 8111

(B) Notwithstanding any other provision of this chapter to 8112  
the contrary: 8113

(1) If a proposal for a STEM school submitted under 8114  
section 3326.03 of the Revised Code proposes that the governing 8115  
body of the school be the board of education of a municipal, 8116  
city, local, exempted village, or joint vocational school 8117  
district that is one of the partners submitting the proposal, 8118  
and the STEM committee approves that proposal, that school 8119  
district board shall govern and control the STEM school as one 8120  
of the schools of its district. 8121

(2) The STEM school sponsoring district shall maintain a 8122  
separate accounting for the STEM school as a separate and 8123  
distinct operational unit within the district's finances. The 8124  
auditor of state, in the course of an annual or biennial audit 8125  
of the school district serving as the STEM school sponsoring 8126  
district, shall audit that school district for compliance with 8127  
the financing requirements of this section. 8128

(3) With respect to students enrolled in a STEM school 8129  
whose resident district is the STEM school sponsoring district: 8130

(a) The department of education shall make ~~no deductions~~ 8131  
~~under section 3326.33~~ payments to the school in accordance with 8132  
sections 3326.31 to 3326.49 of the Revised Code from the STEM 8133  
school sponsoring district's state payments. 8134

(b) ~~The STEM school sponsoring district shall ensure that~~ 8135

~~it allocates to the STEM school funds equal to or exceeding the amount that would be calculated pursuant to division (B) of section 3313.981 of the Revised Code for the students attending the school whose resident district is the STEM school sponsoring district.~~ 8136  
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~~(e)~~The STEM school sponsoring district is responsible for providing children with disabilities with a free appropriate public education under Chapter 3323. of the Revised Code. 8141  
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~~(d)~~(c)The STEM school sponsoring district shall provide student transportation in accordance with laws and policies generally applicable to the district. 8144  
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(4) With respect to students enrolled in the STEM school whose resident district is another school district, the department shall ~~make no payments or deductions under sections 3326.31 to 3326.49 of the Revised Code. Instead, consider the students shall be considered as open enrollment students and the department shall make payments and deductions to the school in accordance with section 3313.981 sections 3326.31 to 3326.49 of the Revised Code. The STEM school sponsoring district shall allocate the payments to the STEM school. The STEM school sponsoring district may enter into financial agreements with the students' resident districts, which agreements may provide financial support in addition to the funds received from the open enrollment calculation. The STEM school sponsoring district shall allocate all such additional funds to the STEM school.~~ 8147  
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~~(5) Where the department is required to make, deny, reduce, or adjust payments to a STEM school sponsoring district pursuant to this section, it shall do so in such a manner that the STEM school sponsoring district may allocate that action to the STEM school.~~ 8161  
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~~(6)~~—A STEM school sponsoring district and its board may 8166  
assign its district employees to the STEM school, in which case 8167  
section 3326.18 of the Revised Code shall not apply. The 8168  
district and board may apply any other resources of the district 8169  
to the STEM school in the same manner that it applies district 8170  
resources to other district schools. 8171

~~(7)~~—(6) Provisions of this chapter requiring a STEM school 8172  
and its governing body to comply with specified laws as if it 8173  
were a school district and in the same manner as a board of 8174  
education shall instead require such compliance by the STEM 8175  
school sponsoring district and its board of education, 8176  
respectively, with respect to the STEM school. Where a STEM 8177  
school or its governing body is required to perform a specific 8178  
duty or permitted to take a specific action under this chapter, 8179  
that duty is required to be performed or that action is 8180  
permitted to be taken by the STEM school sponsoring district or 8181  
its board of education, respectively, with respect to the STEM 8182  
school. 8183

~~(8)~~—(7) No provision of this chapter limits the authority, 8184  
as provided otherwise by law, of a school district and its board 8185  
of education to levy taxes and issue bonds secured by tax 8186  
revenues. 8187

~~(9)~~—(8) The treasurer of the STEM school sponsoring 8188  
district or, if the STEM school sponsoring district is a 8189  
municipal school district, the chief financial officer of the 8190  
district, shall have all of the respective rights, authority, 8191  
exemptions, and duties otherwise conferred upon the treasurer or 8192  
chief financial officer by the Revised Code. 8193

**Sec. 3327.01.** Notwithstanding division (D) of section 8194  
3311.19 and division (D) of section 3311.52 of the Revised Code, 8195

this section and sections 3327.011, 3327.012, and 3327.02 of the Revised Code do not apply to any joint vocational or cooperative education school district.

In all city, local, and exempted village school districts where resident school pupils in grades kindergarten through eight live more than two miles from the school for which the state board of education prescribes minimum standards pursuant to division (D) of section 3301.07 of the Revised Code and to which they are assigned by the board of education of the district of residence or to and from the nonpublic or community school which they attend, the board of education shall provide transportation for such pupils to and from that school except as provided in section 3327.02 of the Revised Code.

In all city, local, and exempted village school districts where pupil transportation is required under a career-technical plan approved by the state board of education under section 3313.90 of the Revised Code, for any student attending a career-technical program operated by another school district, including a joint vocational school district, as prescribed under that section, the board of education of the student's district of residence shall provide transportation from the public high school operated by that district to which the student is assigned to the career-technical program.

In all city, local, and exempted village school districts, the board may provide transportation for resident school pupils in grades nine through twelve to and from the high school to which they are assigned by the board of education of the district of residence or to and from the nonpublic or community high school which they attend for which the state board of education prescribes minimum standards pursuant to division (D)

of section 3301.07 of the Revised Code. 8226

A board of education shall not be required to transport 8227  
elementary or high school pupils to and from a nonpublic or 8228  
community school where such transportation would require more 8229  
than thirty minutes of direct travel time as measured by school 8230  
bus from the public school building to which the pupils would be 8231  
assigned if attending the public school designated by the 8232  
district of residence. 8233

Where it is impractical to transport a pupil by school 8234  
conveyance, a board of education may offer payment, in lieu of 8235  
providing such transportation in accordance with section 3327.02 8236  
of the Revised Code. 8237

A board of education shall not be required to transport 8238  
elementary or high school pupils to and from a nonpublic or 8239  
community school on Saturday or Sunday, unless a board of 8240  
education and a nonpublic or community school have an agreement 8241  
in place to do so before the first day of July of the school 8242  
year in which the agreement takes effect. 8243

In all city, local, and exempted village school districts, 8244  
the board shall provide transportation for all children who are 8245  
so disabled that they are unable to walk to and from the school 8246  
for which the state board of education prescribes minimum 8247  
standards pursuant to division (D) of section 3301.07 of the 8248  
Revised Code and which they attend. In case of dispute whether 8249  
the child is able to walk to and from the school, the health 8250  
commissioner shall be the judge of such ability. In all city, 8251  
exempted village, and local school districts, the board shall 8252  
provide transportation to and from school or special education 8253  
classes for mentally disabled children in accordance with 8254  
standards adopted by the state board of education. 8255

When transportation of pupils is provided the conveyance 8256  
shall be run on a time schedule that shall be adopted and put in 8257  
force by the board not later than ten days after the beginning 8258  
of the school term. The operator of every school bus or motor 8259  
van owned and operated by any school district or educational 8260  
service center or privately owned and operated under contract 8261  
with any school district or service center in this state shall 8262  
make a good faith effort to deliver students enrolled in 8263  
preschool through twelfth grades to their respective public and 8264  
nonpublic schools not sooner than thirty minutes prior to the 8265  
beginning of school and to be available to pick them up not 8266  
later than thirty minutes after the close of their respective 8267  
schools each day. 8268

The cost of any transportation service authorized by this 8269  
section shall be paid first out of federal funds, if any, 8270  
available for the purpose of pupil transportation, and secondly 8271  
out of state appropriations, in accordance with regulations 8272  
adopted by the state board of education. 8273

No transportation of any pupils shall be provided by any 8274  
board of education to or from any school which in the selection 8275  
of pupils, faculty members, or employees, practices 8276  
discrimination against any person on the grounds of race, color, 8277  
religion, or national origin. 8278

**Sec. 3327.016.** The board of education of each city, local, 8279  
or exempted village school district that owns and operates buses 8280  
for transporting students may contract, in writing, with a 8281  
public or private not-for-profit agency, group, or organization, 8282  
with a municipal corporation or other political subdivision or 8283  
agency of the state, or with an agency of the federal government 8284  
to operate its buses to assist the agency, group, organization, 8285

or political subdivision in the fulfillment of its legitimate 8286  
activities and in times of emergency. These contracts shall be 8287  
entered into under the authority of the school district as a 8288  
political subdivision and shall not be considered commerce. When 8289  
buses are made available to other agencies, groups, 8290  
organizations, or political subdivisions under this section, the 8291  
buses must be operated by individuals holding certificates 8292  
issued by either the educational service center governing board 8293  
that has entered into an agreement with the school district 8294  
under section 3313.843 or 3313.845 of the Revised Code or the 8295  
superintendent of the school district certifying that the 8296  
individuals satisfy the requirements of section 3327.10 of the 8297  
Revised Code. All state board of education regulations governing 8298  
the operation of school buses when transporting students shall 8299  
apply when buses are used in accordance with this section. 8300

Any board of education of a city, local, or exempted 8301  
village school district that makes one or more of its vehicles 8302  
available under this section shall procure liability and 8303  
property damage insurance, as provided in section 3327.09 of the 8304  
Revised Code, covering all vehicles used and passengers 8305  
transported under this section. The board of education may 8306  
recover expenses from contracting entities, not to exceed the 8307  
costs of operation and insurance coverage. 8308

**Sec. 3328.32.** Each child enrolled in a college-preparatory 8309  
boarding school established under this chapter shall be included 8310  
in the ~~enrollment formula~~ ADM and total ADM of the district in 8311  
which the child is entitled to attend school ~~and in the~~ 8312  
~~district's category one through six special education~~ 8313  
~~enrollment, as appropriate,~~ as reported under section 3317.03 of 8314  
the Revised Code. 8315



~~The department of education shall count that child in the district's formula ADM, total ADM, and, as appropriate, category one through six special education ADM.~~

**Sec. 3328.34.** (A) For each child enrolled in a college-preparatory boarding school, as reported under section 3328.31 of the Revised Code, the department of education shall pay to the school the sum of the amount ~~deducted from a participating school district's account for that child under section 3328.33 of the Revised Code~~ eighty-five per cent of the operating expenditure per pupil of the city, local, or exempted village school district in which the child is entitled to attend school plus the per-pupil boarding amount specified in division (B) of this section.

As used in this division, a district's "operating expenditure per pupil" is the total amount of state payments and other nonfederal revenue spent by the district for operating expenses during the previous fiscal year, divided by the district's enrolled ADM, as that term is defined in section 3317.02 of the Revised Code, for the previous fiscal year.

(B) For the first fiscal year in which a college-preparatory boarding school may be established under this chapter, the "per-pupil boarding amount" is twenty-five thousand dollars. For each fiscal year thereafter, that amount shall be adjusted by the rate of inflation, as measured by the consumer price index (all urban consumers, all items) prepared by the bureau of labor statistics of the United States department of labor, for the previous twelve-month period.

(C) The state board of education may accept funds from federal and state noneducation support services programs for the purpose of funding the per pupil boarding amount prescribed in

division (B) of this section. Notwithstanding any other 8346  
provision of the Revised Code, the state board shall coordinate 8347  
and streamline any noneducation program requirements in order to 8348  
eliminate redundant or conflicting requirements, licensing 8349  
provisions, and oversight by government programs or agencies. 8350  
The applicable regulatory entities shall, to the maximum extent 8351  
possible, use reports and financial audits provided by the 8352  
auditor of state and coordinated by the department of education 8353  
to eliminate or reduce contract and administrative reviews. 8354  
Regulatory entities other than the state board may suggest 8355  
reasonable additional items to be included in such reports and 8356  
financial audits to meet any requirements of federal law. 8357  
Reporting paperwork prepared for the state board shall be shared 8358  
with and accepted by other state and local entities to the 8359  
maximum extent feasible. 8360

(D) (1) Notwithstanding division (A) of this section, if, 8361  
in any fiscal year, a college-preparatory boarding school 8362  
receives federal funds for the purpose of supporting the 8363  
school's operations, the amount of those federal funds shall be 8364  
deducted from the total per-pupil boarding amount for all 8365  
enrolled students paid by the department to the school for that 8366  
fiscal year, unless the school's board of trustees and the 8367  
department determine otherwise in a written agreement. Any 8368  
portion of the total per-pupil boarding amount for all enrolled 8369  
students remaining after the deduction of the federal funds 8370  
shall be paid by the department to the school from state funds 8371  
appropriated to the department. 8372

(2) Notwithstanding division (A) of this section, if, in 8373  
any fiscal year, the department receives federal funds for the 8374  
purpose of supporting the operations of a college-preparatory 8375  
boarding school, the department shall use those federal funds, 8376

not including any portion of those funds designated for 8377  
administration, to pay the school the total per-pupil boarding 8378  
amount for all enrolled students for that fiscal year. Any 8379  
portion of the total per-pupil boarding amount for all enrolled 8380  
students remaining after the use of the federal funds shall be 8381  
paid by the department to the school from state funds 8382  
appropriated to the department. 8383

(3) If any federal funds are used for the purpose 8384  
prescribed in division (D) (1) or (2) of this section, the 8385  
department shall comply with all requirements upon which the 8386  
acceptance of the federal funds is conditioned, including any 8387  
requirements set forth in the funding application submitted by 8388  
the school or the department and, to the extent sufficient funds 8389  
are appropriated by the general assembly, any requirements 8390  
regarding maintenance of effort in expenditures. 8391

**Sec. 3365.01.** As used in this chapter: 8392

(A) "Articulated credit" means post-secondary credit that 8393  
is reflected on the official record of a student at an 8394  
institution of higher education only upon enrollment at that 8395  
institution after graduation from a secondary school. 8396

(B) "Default ceiling amount" means one of the following 8397  
amounts, whichever is applicable: 8398

(1) For a participant enrolled in a college operating on a 8399  
semester schedule, the amount calculated according to the 8400  
following formula: 8401

$((0.83 \times \text{formula amount } \$6,020) / 30)$  8402

X number of enrolled credit hours 8403

(2) For a participant enrolled in a college operating on a 8404

quarter schedule, the amount calculated according to the 8405  
following formula: 8406

$((0.83 \times \text{formula amount } \$6,020) / 45)$  8407

X number of enrolled credit hours 8408

(C) "Default floor amount" means twenty-five per cent of 8409  
the default ceiling amount. 8410

(D) "Eligible out-of-state college" means any institution 8411  
of higher education that is located outside of Ohio and is 8412  
approved by the chancellor of higher education to participate in 8413  
the college credit plus program. 8414

(E) "Fee" means any course-related fee and any other fee 8415  
imposed by the college, but not included in tuition, for 8416  
participation in the program established by this chapter. 8417

~~(F) "Formula amount" has the same meaning as in section~~ 8418  
~~3317.02 of the Revised Code.~~ 8419

~~(G)~~—"Governing entity" means a board of education of a 8420  
school district, a governing authority of a community school 8421  
established under Chapter 3314., a governing body of a STEM 8422  
school established under Chapter 3326., or a board of trustees 8423  
of a college-preparatory boarding school established under 8424  
Chapter 3328. of the Revised Code. 8425

~~(H)~~—(G) "Home-instructed participant" means a student who 8426  
has been excused from the compulsory attendance law for the 8427  
purpose of home instruction under section 3321.04 of the Revised 8428  
Code, and is participating in the program established by this 8429  
chapter. 8430

~~(I)~~—(H) "Maximum per participant charge amount" means one 8431  
of the following amounts, whichever is applicable: 8432

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:

~~((formula amount \$6,020/ 30)~~

X number of enrolled credit hours)

(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula:

~~((formula amount \$6,020/ 45)~~

X number of enrolled credit hours)

~~(J)~~ (I) "Nonpublic secondary school" means a chartered school for which minimum standards are prescribed by the state board of education pursuant to division (D) of section 3301.07 of the Revised Code.

~~(K)~~ (J) "Number of enrolled credit hours" means the number of credit hours for a course in which a participant is enrolled during the previous term after the date on which a withdrawal from a course would have negatively affected the participant's transcribed grade, as prescribed by the college's established withdrawal policy.

~~(I)~~ (K) "Parent" has the same meaning as in section 3313.64 of the Revised Code.

~~(M)~~ (L) "Participant" means any student enrolled in a college under the program established by this chapter.

~~(N)~~ (M) "Partnering college" means a college with which a public or nonpublic secondary school has entered into an agreement in order to offer the program established by this

chapter. 8460

~~(O)~~ (N) "Partnering secondary school" means a public or 8461  
nonpublic secondary school with which a college has entered into 8462  
an agreement in order to offer the program established by this 8463  
chapter. 8464

~~(P)~~ (O) "Private college" means any of the following: 8465

(1) A nonprofit institution holding a certificate of 8466  
authorization pursuant to Chapter 1713. of the Revised Code; 8467

(2) An institution holding a certificate of registration 8468  
from the state board of career colleges and schools and program 8469  
authorization for an associate or bachelor's degree program 8470  
issued under section 3332.05 of the Revised Code; 8471

(3) A private institution exempt from regulation under 8472  
Chapter 3332. of the Revised Code as prescribed in section 8473  
3333.046 of the Revised Code. 8474

~~(Q)~~ (P) "Public college" means a "state institution of 8475  
higher education" in section 3345.011 of the Revised Code, 8476  
excluding the northeast Ohio medical university. 8477

~~(R)~~ (Q) "Public secondary school" means a school serving 8478  
grades nine through twelve in a city, local, or exempted village 8479  
school district, a joint vocational school district, a community 8480  
school established under Chapter 3314., a STEM school 8481  
established under Chapter 3326., or a college-preparatory 8482  
boarding school established under Chapter 3328. of the Revised 8483  
Code. 8484

~~(S)~~ (R) "School year" has the same meaning as in section 8485  
3313.62 of the Revised Code. 8486

~~(T)~~ (S) "Secondary grade" means any of grades nine through 8487

twelve. 8488

~~(U)~~ (T) "Standard rate" means the amount per credit hour 8489  
assessed by the college for an in-state student who is enrolled 8490  
in an undergraduate course at that college, but who is not 8491  
participating in the college credit plus program, as prescribed 8492  
by the college's established tuition policy. 8493

~~(V)~~ (U) "Transcripted credit" means post-secondary credit 8494  
that is conferred by an institution of higher education and is 8495  
reflected on a student's official record at that institution 8496  
upon completion of a course. 8497

**Section 2.** That existing sections 3301.0714, 3302.20, 8498  
3310.08, 3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.979, 8499  
3313.98, 3313.981, 3314.08, 3314.084, 3314.087, 3314.091, 8500  
3314.11, 3314.20, 3315.18, 3317.013, 3317.014, 3317.016, 8501  
3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.028, 8502  
3317.0212, 3317.0213, 3317.0214, 3317.03, 3317.051, 3317.16, 8503  
3317.20, 3317.25, 3317.26, 3319.57, 3324.09, 3326.31, 3326.32, 8504  
3326.33, 3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 3328.34, 8505  
and 3365.01 of the Revised Code are hereby repealed. 8506

**Section 3.** That sections 3310.55, 3314.085, 3314.53, 8507  
3317.017, 3317.0215, 3317.0216, 3317.0217, 3317.0218, 3326.41, 8508  
and 3328.33 of the Revised Code are hereby repealed. 8509

**Section 4.** That Sections 4, 5, 6, and 7 of S.B. 310 of the 8510  
133rd General Assembly be amended to read as follows: 8511

**Sec. 4.** (A) (1) The Department of Education shall conduct a 8512  
study that does ~~both~~ all of the following: 8513

(a) Reviews the criteria used in the current school 8514  
funding formula to define "economically disadvantaged students" 8515  
in order to determine the effectiveness of the criteria; 8516

(b) Researches how other states define "economically disadvantaged students" and how "economically disadvantaged students" are addressed in other states' school funding formulas;  
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(c) Evaluates and determines the essential types and amounts of resources needed to provide economically disadvantaged students the emotional, social, and academic services necessary to ensure for success;  
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(d) Evaluates and revises the current definition of "economically disadvantaged student."  
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The Department shall submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022.  
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8528  
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(2) The Department of Education, in consultation with the Department of Job and Family Services and stakeholder groups determined appropriate by the Department, shall prepare a report including ~~both~~all of the following:  
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8533

(a) A review of early child initiatives in Ohio, including preschool, Head Start, and other early learning opportunities for young children;  
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(b) Information regarding how other states support early learning opportunities for young children;  
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(c) The cost effectiveness of continuing the existing multiple provider system;  
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(d) Ways in which the existing system may be better coordinated and cost efficient;  
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8542

(e) Alternative ways in which the state can supply high quality preschool, especially for economically disadvantaged  
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8544



students. 8545

The Department of Education shall submit the report to the 8546  
individuals prescribed in division (B) of this section not later 8547  
than December 31, 2022. 8548

(B) The reports prepared under division (A) of this 8549  
section shall be submitted to all of the following: 8550

(1) The President and Minority Leader of the Senate; 8551

(2) The Speaker and Minority Leader of the House of 8552  
Representatives; 8553

(3) The members of the standing committees of the House of 8554  
Representatives and the Senate that consider legislation 8555  
regarding primary and secondary education; 8556

(4) The school funding oversight commission created in 8557  
section 3317.60 of the Revised Code. 8558

**Sec. 5.** (A) (1) (a) The Office of Budget and Management 8559  
shall, in consultation with the Department of Education, create 8560  
an inventory of all state budget line items that, in the 8561  
Office's determination, provide funding services to children 8562  
that includes all of the following information: 8563

(i) The fiscal year 2019 funding for each line item; 8564

(ii) A brief description of services provided by each line 8565  
item; 8566

(iii) Estimates of funding and program descriptions of all 8567  
line items that are also used to fund other types of programs, 8568  
including a description explaining how those different programs 8569  
interact and for whom they are provided; 8570

(iv) A preliminary analysis of policy implications 8571

regarding the potential creation and funding of "wrap-around services," as defined by the Office, including health clinics provided in educational settings. 8572  
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(b) The data shall be disaggregated into three categories based on students' age ranges as follows: 8575  
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(i) Students receiving special education services for a disability specified in divisions (A) to (F) of section 3317.013 of the Revised Code between zero and twenty-one years of age; 8577  
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(ii) Students not described by division (A) (1) (b) (i) of this section between zero and four years of age; and 8580  
8581

(iii) Students not described in division (A) (1) (b) (i) of this section between five and eighteen years of age. 8582  
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Additionally, the data shall be disaggregated into service categories that may be provided by multiple agencies, funds, and line items, such as children's mental health, children's physical health, child nutrition, early childhood education, primary and secondary education, special education, juvenile detention services, and any other categories that receive significant state and federal funding. 8584  
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(c) The Office shall submit the inventory to the individuals prescribed in division (B) of this section not later than December 31, 2022. 8591  
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8593

(2) The Department of Education shall conduct an evaluation of all of the following topics regarding special education: 8594  
8595  
8596

(a) The categories of special education students specified under section 3317.013 of the Revised Code and the funding amounts corresponding to those categories; 8597  
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8599

(b) Best practices for providing education to special education students;	8600
	8601
(c) Protocols for providing treatment to special education students;	8602
	8603
(d) Technology to enhance the provision of special education;	8604
	8605
(e) Costs of providing special education;	8606
(f) Transportation of special education students.	8607
The Department shall submit a report of its findings and recommendations to the individuals prescribed in division (B) of this section not later than December 31, 2022.	8608
	8609
	8610
(3) The Department of Education shall, in collaboration with the Auditor of State and a workgroup established by the Department that consists of educators, auditors, and employees of the Department, review the funding reporting protocols and requirements for gifted services with the intention of recommending improvements regarding accountability for the spending of gifted funds paid to city, local, and exempted village school districts under section 3317.022 of the Revised Code. The Department shall submit a report of its findings and recommendations to the individuals prescribed in division (B) of this section not later than December 31, 2022.	8611
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(4) The Department of Education shall develop recommendations for an incentive program for school districts in rural areas of the state that provide services to students identified as gifted under division (A), (B), (C), or (D) of section 3324.03 of the Revised Code and submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022.	8622
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(5) The Department of Education shall, in collaboration with the Auditor of State and the Ohio Educational Service Center Association, conduct an evaluation of educational service centers, including all of the following:

- (a) Services provided;
- (b) Cost of existing services;
- (c) The ability to generate revenue for providing nonmandatory services and offset fixed costs with that revenue;
- (d) The average operating cost per pupil;
- (e) The effectiveness and efficiency of all educational service centers.

The Department shall submit a report of its findings and a recommendation for a funding formula for educational service centers to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(6) The Department of Education shall evaluate the current funding amounts and required services for all categories of English learners described in section 3317.016 of the Revised Code. The Department shall submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(7) The Department of Education shall conduct a study of the cost to educate students enrolled in internet- or computer-based community schools and shall consult with these schools while conducting this study. The Department shall submit a result of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022.

(B) Reports prepared under divisions (A) (1), (2), (3),

(4), (5), (6), and (7) of this section shall be submitted to all 8657  
of the following: 8658

(1) The chairperson, vice chair, and ranking minority 8659  
member of the finance committees of the House of Representatives 8660  
and the Senate; 8661

(2) The chairperson, vice chair, and ranking minority 8662  
member of the finance subcommittees regarding primary and 8663  
secondary education of the House of Representatives and the 8664  
Senate; 8665

(3) The chairperson, vice chair, and ranking minority 8666  
member of the standing committees of the House of 8667  
Representatives and the Senate that consider legislation 8668  
regarding primary and secondary education; 8669

(4) The Superintendent of Public Instruction; 8670

(5) The President of the State Board of Education; 8671

(6) The school funding oversight commission created in 8672  
section 3317.60 of the Revised Code. 8673

(C) It is the intent of the General Assembly that the 8674  
recommendations developed under division (A) (5) of this section 8675  
be the basis of legislation enacted by the General Assembly in 8676  
order to take effect for fiscal year 2023 and that the 8677  
recommendations developed under divisions (A) (2), (3), (4), (6), 8678  
and (7) of this section be the basis of legislation enacted by 8679  
the General Assembly in order to take effect for fiscal year 8680  
2024. 8681

**Sec. 6.** (A) The Department of Education, in consultation 8682  
with community school governing authorities and other 8683  
appropriate stakeholders, shall evaluate the cost of operating 8684

community schools on a per-pupil or other reasonable basis as a replacement for the discontinuance of a fixed per-pupil formula amount.

(B) Not later than December 31, 2022, the Department shall submit its findings to all of the following:

(1) The chairperson, vice chair, and ranking minority member of the finance committees of the House of Representatives and the Senate;

(2) The chairperson, vice chair, and ranking minority member of the finance subcommittees regarding primary and secondary education of the House of Representatives and the Senate;

(3) The chairperson, vice chair, and ranking minority member of the standing committees of the House of Representatives and the Senate that consider legislation regarding primary and secondary education;

(4) The Superintendent of Public Instruction;

(5) The President of the State Board of Education;

(6) The school funding oversight commission created in section 3317.60 of the Revised Code.

**Sec. 7.** (A) A joint legislative task force to examine transportation of community school and nonpublic school students is hereby established and shall consist of six members, three of whom shall be appointed by the Speaker of the House of Representatives and three of whom shall be appointed by the President of the Senate. The Speaker of the House of Representatives and President of the Senate shall appoint a chairperson and vice-chairperson or co-chairpersons for the task

force. 8713

(B) The task force, in consultation with the 8714  
Superintendent of Public Instruction, the Auditor of State, and 8715  
other stakeholders, shall study the transportation of such 8716  
students and determine methods to create greater efficiency and 8717  
minimize costs in transporting such students. The task force 8718  
shall report its findings and a recommendation for a funding 8719  
formula for the transportation of such students to the Speaker 8720  
of the House of Representatives~~and,~~ the President of the 8721  
Senate, and the school funding oversight commission created in 8722  
section 3317.60 of the Revised Code not later than December 31, 8723  
2022. 8724

**Section 5.** That existing Sections 4, 5, 6, and 7 of S.B. 8725  
310 of the 133rd General Assembly are hereby repealed. 8726

**Section 6.** The sections of the Revised Code amended and 8727  
enacted by Sections 1 and 2 of this act, with the exception of 8728  
sections 3317.0110, 3317.071, and 3317.60 of the Revised Code, 8729  
and Section 3 of this act take effect on July 1, 2021. Sections 8730  
3317.0110, 3317.071, and 3317.60 of the Revised Code, as amended 8731  
or enacted by Section 1 of this act, take effect on the 8732  
effective date of this section. 8733

**Section 7.** It is the intent of the General Assembly to 8734  
appropriate \$45,000,000 in each of fiscal years 2022 and 2023 to 8735  
provide school bus purchase assistance as authorized in section 8736  
3317.071 of the Revised Code. The appropriations will be 8737  
supported by transfers of cash in the same amount in each fiscal 8738  
year made by the Director of Budget and Management from the 8739  
General Revenue Fund to the School Bus Purchase Fund (Fund 8740  
5VU0). 8741

**Section 8.** It is the intent of the General Assembly to 8742  
appropriate \$250,000 in each of fiscal years 2022 and 2023 for 8743  
the transportation collaboration grants authorized in section 8744  
3317.072 of the Revised Code. The appropriations will be 8745  
supported by transfers of cash in the same amount in each fiscal 8746  
year made by the Director of Budget and Management from the 8747  
General Revenue Fund to the Transportation Collaboration Fund 8748  
(Fund 5WX0). 8749

**Section 9.** Section 3302.20 of the Revised Code is 8750  
presented in this act as a composite of the section as amended 8751  
by both Section 101.01 and Section 120.10 of H.B. 59 of the 8752  
130th General Assembly. The General Assembly, applying the 8753  
principle stated in division (B) of section 1.52 of the Revised 8754  
Code that amendments are to be harmonized if reasonably capable 8755  
of simultaneous operation, finds that the composite is the 8756  
resulting version of the section in effect prior to the 8757  
effective date of the section as presented in this act. 8758