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Representatives Duffey, Boggs

Cosponsors: Representatives Miller, Bishoff, Dever, Dean, West, Seitz, Zeltwanger, Hood, Young, Stein, Lepore-Hagan, Romanchuk, Brenner, Anielski, Antani, Antonio, Arndt, Ashford, Barnes, Blessing, Bocchieri, Boyd, Brown, Butler, Carfagna, Celebrezze, Cera, Clyde, Craig, Cupp, Edwards, Fedor, Galonski, Gavarone, Ginter, Gonzales, Green, Greenspan, Hagan, Hambley, Hill, Holmes, Householder, Howse, Hughes, Ingram, Keller, Kelly, Kick, Landis, Lang, Leland, Lipps, Manning, O'Brien, Patterson, Patton, Pelanda, Perales, Ramos, Reece, Reineke, Retherford, Rezabek, Roegner, Rogers, Ryan, Schuring, Sheehy, Smith, R., Sprague, Strahorn, Sweeney, Sykes

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A BILL

To amend sections 3313.471, 3319.223, 3319.36, and 1
3333.122, to enact new section 3319.229 and 2
section 3317.029, and to repeal section 3319.229 3
of the Revised Code and to amend Section 265.210 4
of Am. Sub. H.B. 49 of the 132nd General 5
Assembly regarding the presentation of career 6
information to students, the calculation of Ohio 7
College Opportunity Grant awards, and career- 8
technical educator licenses; to modify degree 9
requirements for interim career-technical 10
teachers; to provide an additional payment to 11
school districts with nuclear power plants in 12
their territories that meet specified criteria; 13
and to modify the earmarked appropriations for 14
certain payments to school districts. 15

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

Section 1. That sections 3313.471, 3319.223, 3319.36, and 3333.122 be amended and new section 3319.229 and section 3317.029 of the Revised Code be enacted to read as follows:

Sec. 3313.471. (A) As used in this section, "armed forces" means the Ohio national guard, the Ohio naval militia, the Ohio military reserve, and the active and reserve components of the United States army, navy, air force, marine corps, and coast guard.

(B) No school district board of education shall impose any restriction on the presentation of career information to students that is not uniformly imposed on representatives of the armed forces, skilled trades, institutions of higher education, career-technical education providers, business, industry, charitable institutions, and other employers, and institutions of higher education or prohibit the presentation of information or recruitment of students by those representatives for employment, employment training, or education on the district's campus. The board shall provide equal access to any of the district's employment or placement services to all of the entities described in this division.

(C) The district board shall provide any entity described in division (B) of this section with at least two opportunities per school year to present information in person to all students in grades nine through twelve individually or in a group setting and shall provide students with the opportunity to speak in person with the entities that participate in those opportunities. This requirement may be satisfied by providing

common area access for presentation of information materials or 43
by providing a scheduled educational or career fair. 44

(D) To the extent permitted by federal law and in 45
accordance with this section, the district board may develop an 46
application process for entities that wish to access school 47
property for the purpose of presenting information to students. 48
The board may develop standards of conduct and require entities 49
to adhere to those standards as a condition of continued access 50
and presentation of information materials. 51

Sec. 3317.029. (A) As used in this section: 52

(1) "Eligible district" means a city, local, or exempted 53
village school district that satisfies both of the following 54
conditions: 55

(a) The district has a nuclear power plant located within 56
its territory. 57

(b) The total taxable value of public utility personal 58
property in the district for tax year 2017 is at least fifty per 59
cent less than the total taxable value of public utility 60
personal property in the district for tax year 2016. 61

(2) (a) For fiscal year 2015, "state education aid" means 62
the sum of the district's payments for that fiscal year under 63
sections 3317.022 and 3317.0212 of the Revised Code and Section 64
263.240 of Am. Sub. H.B. 59 of the 130th general assembly. 65

(b) For each of fiscal years 2016 and 2017, "state 66
education aid" means the sum of the district's payments for that 67
fiscal year under sections 3317.022 and 3317.0212 of the Revised 68
Code and Section 263.230 of Am. Sub. H.B. 64 of the 131st 69
general assembly. 70

(c) For each of fiscal years 2018 and 2019, "state education aid" means the sum of the district's payments for that fiscal year under sections 3317.022 and 3317.0212 of the Revised Code and Sections 265.220 and 265.233 of Am. Sub. H.B. 49 of the 132nd general assembly. 71
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(d) For each of fiscal years 2020 and 2021, "state education aid" means the sum of the district's payments for that fiscal year under sections 3317.022 and 3317.0212 of the Revised Code and any temporary transitional aid that is authorized by the general assembly minus any reductions due to funding limitations that are authorized by the general assembly. 76
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(3) "Taxes charged and payable" has the same meaning as in section 3317.02 of the Revised Code. For purposes of this section, at no time shall "taxes charged and payable" include taxes levied for joint vocational school district purposes or levied under section 5705.23 of the Revised Code. 82
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(4) "Total ADM" has the same meaning as in section 3317.02 of the Revised Code. 87
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(5) An eligible district's "total resources" for a fiscal year is equal to the sum of the following: 89
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(a) The district's state education aid for that fiscal year; 91
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(b) For fiscal year 2015, the amount of the district's payments for that fiscal year under sections 5727.85 and 5751.21 of the Revised Code as they existed prior to June 30, 2015; 93
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(c) For fiscal year 2016 and any subsequent fiscal year, the amount of the district's payments for that fiscal year under section 5709.92 of the Revised Code; 96
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(d) For fiscal years 2016 and 2017, the amount of the 99
district's payment for that fiscal year under Section 263.325 of 100
Am. Sub. H.B. 64 of the 131st general assembly, as subsequently 101
amended; 102

(e) The sum of the following: 103

(i) The district's taxes charged and payable for current 104
expenses for the first half of the most recent tax year for 105
which data is available during that fiscal year. For fiscal 106
years 2018, 2019, 2020, and 2021, this amount shall include only 107
the taxes charged and payable for current expenses pursuant to 108
property tax levies that are in effect as of the effective date 109
of this section. 110

(ii) The district's taxes charged and payable for current 111
expenses for the second half of the tax year immediately 112
preceding the most recent tax year for which data is available 113
during that fiscal year. For fiscal years 2018, 2019, 2020, and 114
2021, this amount shall include only the taxes charged and 115
payable for current expenses pursuant to property tax levies 116
that are in effect as of the effective date of this section. 117

(f) Distributions received by the district during that 118
fiscal year from the gross casino revenue county student fund; 119

(g) The amount of the district's payment for that fiscal 120
year under section 3317.028 of the Revised Code. 121

(6) An eligible district's "total resources per pupil" for 122
a fiscal year is equal to the district's total resources for 123
that fiscal year divided by the district's total ADM for that 124
fiscal year. 125

(B) For each of fiscal years 2019, 2020, and 2021, the 126
department of education shall pay each eligible district an 127

<u>amount computed as follows:</u>	128
<u>(1) Calculate the average of the district's total</u>	129
<u>resources per pupil for fiscal years 2015, 2016, 2017, and 2018;</u>	130
<u>(2) Multiply the average calculated under division (B) (1)</u>	131
<u>of this section by 0.97;</u>	132
<u>(3) (a) If the district's total ADM for the applicable</u>	133
<u>fiscal year is greater than or equal to the district's total ADM</u>	134
<u>for the fiscal year immediately preceding the applicable fiscal</u>	135
<u>year, multiply the amount calculated under division (B) (2) of</u>	136
<u>this section by the total ADM for the applicable fiscal year;</u>	137
<u>(b) If the district's total ADM for the applicable fiscal</u>	138
<u>year is less than the district's total ADM for the fiscal year</u>	139
<u>immediately preceding the applicable fiscal year, multiply the</u>	140
<u>amount calculated under division (B) (2) of this section by the</u>	141
<u>following:</u>	142
<u>The total ADM for the applicable fiscal year + [(the total ADM</u>	143
<u>for the fiscal year immediately preceding the applicable fiscal</u>	144
<u>year - the total ADM for the applicable fiscal year) X 0.5]</u>	145
<u>(4) Calculate the amount to be paid to the district by</u>	146
<u>subtracting the district's total resources for the applicable</u>	147
<u>fiscal year from the amount calculated under division (B) (3) of</u>	148
<u>this section.</u>	149
<u>If the result of the calculation for a district under</u>	150
<u>division (B) (4) of this section is less than zero, the</u>	151
<u>district's payment under this section shall be zero.</u>	152
<u>(C) Any payments for a fiscal year made to an eligible</u>	153
<u>district under this section shall occur after the department has</u>	154
<u>made a payment to the district for that fiscal year under</u>	155

section 3317.028 of the Revised Code or has determined that the 156
district is not eligible for a payment for that fiscal year 157
under that section. All payments for a fiscal year made to an 158
eligible district under this section shall be made not later 159
than the last day of July of the following fiscal year. Upon 160
making a payment for a fiscal year under this section, the 161
department shall not make any reconciliations or adjustments to 162
that payment. 163

Sec. 3319.223. (A) Not later than January 1, 2011, the 164
superintendent of public instruction and the chancellor of 165
higher education jointly shall establish the Ohio teacher 166
residency program, which shall be a four-year, entry-level 167
program for classroom teachers. Except as provided in division 168
(B) of this section, the teacher residency program shall include 169
at least the following components: 170

(1) Mentoring by teachers for the first two years of the 171
program; 172

(2) Counseling, as determined necessary by the school 173
district or school, to ensure that program participants receive 174
needed professional development; 175

(3) Measures of appropriate progression through the 176
program, which shall include the performance-based assessment 177
prescribed by the state board of education for resident 178
educators in the third year of the program. 179

(B) (1) For an individual who is teaching career-technical 180
courses under an alternative resident educator license issued 181
under section 3319.26 of the Revised Code or rule of the state 182
board, the Ohio teacher residency program shall include the 183
following components: 184

(a) Conditions that, as of September 29, 2015, were 185
necessary for a participant in the third and fourth year of the 186
program to complete prior to applying for the professional 187
educator license under division (A) (2) of section 3319.22 of the 188
Revised Code, except as provided in division (B) (2) (b) of this 189
section; 190

(b) Four years of successful teaching experience under the 191
alternative resident educator license, as verified by the 192
superintendent of the employing school district; 193

(c) Successful completion of a career-technical workforce 194
development teacher preparation program that ~~consists of not~~ 195
~~less than twenty four semester hours, or the equivalent, from a~~ 196
~~state university. The teacher preparation program shall include~~ 197
~~a performance based assessment, to be verified by the~~ 198
institution meets the criteria described in division (C) (1) of 199
section 3319.229 of the Revised Code. 200

(2) No individual who is teaching career-technical courses 201
under an alternative resident educator license issued under 202
section 3319.26 of the Revised Code or rule of the state board 203
shall be required to do either of the following: 204

(a) Complete the conditions of the Ohio teacher residency 205
program that a participant, as of September 29, 2015, would have 206
been required to complete during the participant's first and 207
second year of teaching under an alternative resident educator 208
license. 209

(b) Take the performance-based assessment prescribed by 210
the state board for resident educators. 211

(C) The teacher residency program shall be aligned with 212
the standards for teachers adopted by the state board under 213

section 3319.61 of the Revised Code and best practices 214
identified by the superintendent of public instruction. 215

(D) Each person who holds a resident educator license 216
issued under section 3319.22 or 3319.227 of the Revised Code or 217
an alternative resident educator license issued under section 218
3319.26 of the Revised Code shall participate in the teacher 219
residency program. Successful completion of the program shall be 220
required to qualify any such person for a professional educator 221
license issued under section 3319.22 of the Revised Code. 222

Sec. 3319.229. (A) (1) Notwithstanding the repeal of former 223
section 3319.229 of the Revised Code by this act, the state 224
board of education shall accept applications for new, and for 225
renewal of, professional career-technical teaching licenses 226
through June 30, 2019, and issue them on the basis of the 227
applications received by that date in accordance with the rules 228
described in that former section. Except as otherwise provided 229
in divisions (A) (2) and (3) of this section, beginning July 1, 230
2019, the state board shall issue career-technical workforce 231
development educator licenses only under this section. 232

(2) An individual who, on July 1, 2019, holds a 233
professional career-technical teaching license issued under the 234
rules described in former section 3319.229 of the Revised Code, 235
may continue to renew that license in accordance with those 236
rules for the remainder of the individual's teaching career. 237
However, nothing in this division shall be construed to prohibit 238
the individual from applying to the state board for a career- 239
technical workforce development educator license under this 240
section. 241

(3) An individual who, on July 1, 2019, holds an 242
alternative resident educator license for teaching career- 243

technical education issued under section 3319.26 of the Revised 244
Code may, upon the expiration of the license, apply for a 245
professional career-technical teaching license issued under the 246
rules described in former section 3319.229 of the Revised Code. 247
Such an individual may continue to renew the professional 248
license in accordance with those rules for the remainder of the 249
individual's teaching career. However, nothing in this division 250
shall be construed to prohibit the individual from applying to 251
the state board for a career-technical workforce development 252
educator license under this section. 253

(B) The state board, in collaboration with the chancellor 254
of higher education, shall adopt rules establishing standards 255
and requirements for obtaining a two-year initial career- 256
technical workforce development educator license and a five-year 257
advanced career-technical workforce development educator 258
license. Each license shall be valid for teaching career- 259
technical education or workforce development programs in grades 260
four through twelve. The rules shall require applicants for 261
either license to have a high school diploma. 262

(C) (1) The state board shall issue an initial career- 263
technical workforce development educator license to an applicant 264
upon request from the superintendent of a school district that 265
has agreed to employ the applicant. In making the request, the 266
superintendent shall provide documentation, in accordance with 267
procedures prescribed by the department of education, showing 268
that the applicant has at least five years of work experience, 269
or the equivalent, in the subject area in which the applicant 270
will teach. The license shall be valid for teaching only in the 271
requesting district. The superintendent also shall provide 272
documentation, in accordance with procedures prescribed by the 273
department, that the applicant is enrolled in a career-technical 274

<u>workforce development educator preparation program offered by an</u>	275
<u>institution of higher education that has an existing teacher</u>	276
<u>preparatory program in place that meets all of the following</u>	277
<u>criteria:</u>	278
<u>(a) Is approved by the chancellor of higher education to</u>	279
<u>provide instruction in teaching methods and principles;</u>	280
<u>(b) Provides classroom support to the license holder;</u>	281
<u>(c) Includes at least three semester hours of coursework</u>	282
<u>in the teaching of reading in the subject area;</u>	283
<u>(d) Is aligned with career-technical education and</u>	284
<u>workforce development competencies developed by the department;</u>	285
<u>(e) Uses a summative performance-based assessment</u>	286
<u>developed by the program and aligned to the competencies</u>	287
<u>described in division (C) (1) (d) of this section to evaluate the</u>	288
<u>license holder's knowledge and skills;</u>	289
<u>(f) Consists of not less than twenty-four semester hours</u>	290
<u>of coursework, or the equivalent.</u>	291
<u>(2) As a condition of continuing to hold the initial</u>	292
<u>career-technical workforce development license, the holder of</u>	293
<u>the license shall be participating in a career-technical</u>	294
<u>workforce development educator preparation program described in</u>	295
<u>division (C) (1) of this section.</u>	296
<u>(3) The state board shall renew an initial career-</u>	297
<u>technical workforce development educator license if the</u>	298
<u>supervisor of the program described in division (C) (1) of this</u>	299
<u>section and the superintendent of the employing school district</u>	300
<u>indicate that the applicant is making sufficient progress in</u>	301
<u>both the program and the teaching position.</u>	302

(D) The state board shall issue an advanced career- 303
technical workforce development educator license to an applicant 304
who has successfully completed the program described in division 305
(C) (1) of this section, as indicated by the supervisor of the 306
program, and who demonstrates mastery of the applicable career- 307
technical education and workforce development competencies 308
described in division (C) (1) (d) of this section in the teaching 309
position, as indicated by the superintendent of the employing 310
school district. 311

(E) The holder of an advanced career-technical workforce 312
development educator license shall work with a local 313
professional development committee established under section 314
3319.22 of the Revised Code in meeting requirements for renewal 315
of the license. 316

Sec. 3319.36. (A) No treasurer of a board of education or 317
educational service center shall draw a check for the payment of 318
a teacher for services until the teacher files with the 319
treasurer both of the following: 320

(1) Such reports as are required by the state board of 321
education, the school district board of education, or the 322
superintendent of schools; 323

(2) Except for a teacher who is engaged pursuant to 324
section 3319.301 of the Revised Code, a written statement from 325
the city, exempted village, or local school district 326
superintendent or the educational service center superintendent 327
that the teacher has filed with the treasurer a legal educator 328
license, or true copy of it, to teach the subjects or grades 329
taught, with the dates of its validity. The state board of 330
education shall prescribe the record and administration for such 331
filing of educator licenses in educational service centers. 332

(B) Notwithstanding division (A) of this section, the treasurer may pay any of the following:

(1) Any teacher for services rendered during the first two months of the teacher's initial employment with the school district or educational service center, provided such teacher is the holder of a bachelor's degree or higher and has filed with the state board of education an application for the issuance of an educator license described in division (A) (1) of section 3319.22 of the Revised Code. The requirement for a bachelor's degree shall not apply to career-technical education teachers licensed under sections 3319.226 and 3319.229 of the Revised Code.

(2) Any substitute teacher for services rendered while conditionally employed under section 3319.101 of the Revised Code.

(3) Any employee for services rendered under division (F) of section 3319.088 of the Revised Code.

(C) Upon notice to the treasurer given by the state board of education or any superintendent having jurisdiction that reports required of a teacher have not been made, the treasurer shall withhold the salary of the teacher until the required reports are completed and furnished.

Sec. 3333.122. (A) The chancellor of higher education shall adopt rules to carry out this section and as authorized under section 3333.123 of the Revised Code. The rules shall include definitions of the terms "resident," "expected family contribution," "full-time student," "three-quarters-time student," "half-time student," "one-quarter-time student," "state cost of attendance," and "accredited" for the purpose of

those sections. 362

(B) Only an Ohio resident who meets both of the following 363
is eligible for a grant awarded under this section: 364

(1) The resident has an expected family contribution of 365
two thousand one hundred ninety or less; 366

(2) The resident enrolls in one of the following: 367

(a) An undergraduate program, or a nursing diploma program 368
approved by the board of nursing under section 4723.06 of the 369
Revised Code, at a state-assisted state institution of higher 370
education, as defined in section 3345.12 of the Revised Code, 371
that meets the requirements of Title VI of the Civil Rights Act 372
of 1964; 373

(b) An undergraduate program, or a nursing diploma program 374
approved by the board of nursing under section 4723.06 of the 375
Revised Code, at a private, nonprofit institution in this state 376
holding a certificate of authorization pursuant to Chapter 1713. 377
of the Revised Code; 378

(c) An undergraduate program, or a nursing diploma program 379
approved by the board of nursing under section 4723.06 of the 380
Revised Code, at a career college in this state that holds a 381
certificate of registration from the state board of career 382
colleges and schools under Chapter 3332. of the Revised Code or 383
at a private institution exempt from regulation under Chapter 384
3332. of the Revised Code as prescribed in section 3333.046 of 385
the Revised Code, if the program has a certificate of 386
authorization pursuant to Chapter 1713. of the Revised Code. 387

(d) A comprehensive transition and postsecondary program 388
that is certified by the United States department of education. 389
For purposes of this section, a "comprehensive transition and 390

postsecondary program" means a degree, certificate, or non- 391
degree program that is designed to support persons with 392
intellectual disabilities who are receiving academic, career, 393
technical, and independent living instruction at an institution 394
of higher education in order to prepare for gainful employment 395
as defined in 20 U.S.C. 1140. 396

(C) (1) The chancellor shall establish and administer a 397
needs-based financial aid grants program based on the United 398
States department of education's method of determining financial 399
need. The program shall be known as the Ohio college opportunity 400
grant program. The general assembly shall support the needs- 401
based financial aid program by such sums and in such manner as 402
it may provide, but the chancellor also may receive funds from 403
other sources to support the program. If, for any academic year, 404
the amounts available for support of the program are inadequate 405
to provide grants to all eligible students, the chancellor shall 406
do one of the following: 407

(a) Give preference in the payment of grants based upon 408
expected family contribution, beginning with the lowest expected 409
family contribution category and proceeding upward by category 410
to the highest expected family contribution category; 411

(b) Proportionately reduce the amount of each grant to be 412
awarded for the academic year under this section; 413

(c) Use an alternate formula for such grants that 414
addresses the shortage of available funds and has been submitted 415
to and approved by the controlling board. 416

(2) The needs-based financial aid grant shall be paid to 417
the eligible student through the institution in which the 418
student is enrolled, except that no needs-based financial aid 419

grant shall be paid to any person serving a term of 420
imprisonment. Applications for the grants shall be made as 421
prescribed by the chancellor, and such applications may be made 422
in conjunction with and upon the basis of information provided 423
in conjunction with student assistance programs funded by 424
agencies of the United States government or from financial 425
resources of the institution of higher education. The 426
institution shall certify that the student applicant meets the 427
requirements set forth in division (B) of this section. Needs- 428
based financial aid grants shall be provided to an eligible 429
student only as long as the student is making appropriate 430
progress toward a nursing diploma, an associate or bachelor's 431
degree, or completion of a comprehensive transition and 432
postsecondary program. No student shall be eligible to receive a 433
grant for more than ten semesters, fifteen quarters, or the 434
equivalent of five academic years. A grant made to an eligible 435
student on the basis of less than full-time enrollment shall be 436
based on the number of credit hours for which the student is 437
enrolled and shall be computed in accordance with a formula 438
adopted by rule issued by the chancellor. No student shall 439
receive more than one grant on the basis of less than full-time 440
enrollment. 441

(D) (1) Except as provided in divisions (D) (4) and (5) of 442
this section, no grant awarded under this section shall exceed 443
the total state cost of attendance. 444

(2) Subject to divisions (D) (1), (3), (4), and (5) of this 445
section, ~~the amount of a grant awarded to a student under this~~ 446
~~section shall equal the student's remaining state cost of~~ 447
~~attendance after the student's Pell grant and expected family~~ 448
~~contribution are applied to the instructional and general~~ 449
~~charges for the undergraduate or comprehensive transition and~~ 450

~~postsecondary program. However, for students enrolled in a state- 451
university or college as defined in section 3345.12 of the 452
Revised Code or a university branch, the chancellor may provide 453
that the grant amount shall equal the student's remaining 454
instructional and general charges for the undergraduate program 455
after the student's Pell grant and expected family contribution 456
have been applied to those charges, but, in chancellor shall 457
determine the maximum per student award amount for each 458
institutional sector by subtracting the sum of the maximum Pell 459
grant and maximum expected family contribution amounts, as 460
determined by the chancellor, from the average instructional and 461
general fees charged by the institutional sector. The department 462
of higher education shall publish on its web site an annual Ohio 463
college opportunity award table. In no case, shall the grant 464
amount for such a student exceed any maximum that the chancellor 465
may set by rule. 466~~

(3) For a student enrolled for a semester or quarter in 467
addition to the portion of the academic year covered by a grant 468
under this section, the maximum grant amount shall be a 469
percentage of the maximum specified in any table established in 470
rules adopted by the chancellor as provided in division (A) of 471
this section. The maximum grant for a fourth quarter shall be 472
one-third of the maximum amount so prescribed. The maximum grant 473
for a third semester shall be one-half of the maximum amount so 474
prescribed. 475

(4) If a student is enrolled in a two-year institution of 476
higher education and is eligible for an education and training 477
voucher through the Ohio education and training voucher program 478
that receives federal funding under the John H. Chafee foster 479
care independence program, 42 U.S.C. 677, the amount of a grant 480
awarded under this section may exceed the total state cost of 481

attendance to additionally cover housing costs. 482

(5) For a student who is receiving federal veterans' 483
benefits under the "All-Volunteer Force Educational Assistance 484
Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans 485
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any 486
successor program, the amount of a grant awarded under this 487
section shall be applied toward the total state cost of 488
attendance and the student's housing costs and living expenses. 489
Living expenses shall include reasonable costs for room and 490
board. 491

(E) No grant shall be made to any student in a course of 492
study in theology, religion, or other field of preparation for a 493
religious profession unless such course of study leads to an 494
accredited bachelor of arts, bachelor of science, associate of 495
arts, or associate of science degree. 496

(F) (1) Except as provided in division (F) (2) of this 497
section, no grant shall be made to any student for enrollment 498
during a fiscal year in an institution with a cohort default 499
rate determined by the United States secretary of education 500
pursuant to the "Higher Education Amendments of 1986," 100 Stat. 501
1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth 502
day of June preceding the fiscal year, equal to or greater than 503
thirty per cent for each of the preceding two fiscal years. 504

(2) Division (F) (1) of this section does not apply in the 505
case of either of the following: 506

(a) The institution pursuant to federal law appeals its 507
loss of eligibility for federal financial aid and the United 508
States secretary of education determines its cohort default rate 509
after recalculation is lower than the rate specified in division 510

(F) (1) of this section or the secretary determines due to 511
mitigating circumstances that the institution may continue to 512
participate in federal financial aid programs. The chancellor 513
shall adopt rules requiring any such appellant to provide 514
information to the chancellor regarding an appeal. 515

(b) Any student who has previously received a grant 516
pursuant to any provision of this section, including prior to 517
the section's amendment by H.B. 1 of the 128th general assembly, 518
effective July 17, 2009, and who meets all other eligibility 519
requirements of this section. 520

(3) The chancellor shall adopt rules for the notification 521
of all institutions whose students will be ineligible to 522
participate in the grant program pursuant to division (F) (1) of 523
this section. 524

(4) A student's attendance at any institution whose 525
students are ineligible for grants due to division (F) (1) of 526
this section shall not affect that student's eligibility to 527
receive a grant when enrolled in another institution. 528

(G) Institutions of higher education that enroll students 529
receiving needs-based financial aid grants under this section 530
shall report to the chancellor all students who have received 531
such needs-based financial aid grants but are no longer eligible 532
for all or part of those grants and shall refund any moneys due 533
the state within thirty days after the beginning of the quarter 534
or term immediately following the quarter or term in which the 535
student was no longer eligible to receive all or part of the 536
student's grant. There shall be an interest charge of one per 537
cent per month on all moneys due and payable after such thirty- 538
day period. The chancellor shall immediately notify the office 539
of budget and management and the legislative service commission 540

of all refunds so received. 541

Section 2. That existing sections 3313.471, 3319.223, 542
3319.36, and 3333.122 and section 3319.229 of the Revised Code 543
are hereby repealed. 544

Section 3. That Section 265.210 of Am. Sub. H.B. 49 of the 545
132nd General Assembly be amended to read as follows: 546

Sec. 265.210. FOUNDATION FUNDING 547

Of the foregoing appropriation item 200550, Foundation 548
Funding, up to \$40,000,000 in each fiscal year shall be used to 549
provide additional state aid to school districts, joint 550
vocational school districts, community schools, and STEM schools 551
for special education students under division (C) (3) of section 552
3314.08, section 3317.0214, division (B) of section 3317.16, and 553
section 3326.34 of the Revised Code, except that the Controlling 554
Board may increase these amounts if presented with such a 555
request from the Department of Education at the final meeting of 556
the fiscal year. 557

Of the foregoing appropriation item 200550, Foundation 558
Funding, up to \$3,800,000 in each fiscal year shall be used to 559
fund gifted education at educational service centers. The 560
Department shall distribute the funding through the unit-based 561
funding methodology in place under division (L) of section 562
3317.024, division (E) of section 3317.05, and divisions (A), 563
(B), and (C) of section 3317.053 of the Revised Code as they 564
existed prior to fiscal year 2010. 565

Of the foregoing appropriation item 200550, Foundation 566
Funding, up to \$40,000,000 in each fiscal year shall be reserved 567
to fund the state reimbursement of educational service centers 568
under the section of this act entitled "EDUCATIONAL SERVICE 569

CENTERS FUNDING." 570

Of the foregoing appropriation item 200550, Foundation 571
Funding, up to \$3,500,000 in each fiscal year shall be 572
distributed to educational service centers for School 573
Improvement Initiatives and for the provision of technical 574
assistance to schools and districts. The Department may 575
distribute these funds through a competitive grant process. 576

Of the foregoing appropriation item 200550, Foundation 577
Funding, up to \$10,000,000 in fiscal year 2018 and up to 578
\$7,000,000 in fiscal year 2019 shall be reserved for payments 579
under ~~section~~sections 3317.028 and 3317.029 of the Revised 580
Code. If this amount is not sufficient, the ~~Department shall~~ 581
~~prorate the payment amounts so~~ Superintendent of Public 582
Instruction may reallocate excess funds for other purposes 583
supported by this appropriation item in order to fully pay the 584
amounts required by those sections, provided that the aggregate 585
amount allocated~~appropriated~~ in this paragraph~~appropriation~~ 586
item 200550, Foundation Funding, is not exceeded. 587

Of the foregoing appropriation item 200550, Foundation 588
Funding, up to \$28,600,000 in fiscal year 2018 and up to 589
\$26,400,000 in fiscal year 2019 shall be used to support school 590
choice programs. 591

Of the portion of the funds distributed to the Cleveland 592
Municipal School District under this section, up to \$15,400,000 593
in fiscal year 2018 and \$17,600,000 in fiscal year 2019 shall be 594
used to operate the school choice program in the Cleveland 595
Municipal School District under sections 3313.974 to 3313.979 of 596
the Revised Code. Notwithstanding divisions (B) and (C) of 597
section 3313.978 and division (C) of section 3313.979 of the 598
Revised Code, up to \$1,000,000 in each fiscal year of this 599

amount shall be used by the Cleveland Municipal School District 600
to provide tutorial assistance as provided in division (H) of 601
section 3313.974 of the Revised Code. The Cleveland Municipal 602
School District shall report the use of these funds in the 603
district's three-year continuous improvement plan as described 604
in section 3302.04 of the Revised Code in a manner approved by 605
the Department. 606

Of the foregoing appropriation item 200550, Foundation 607
Funding, up to \$1,500,000 in each fiscal year may be used for 608
payment of the College Credit Plus Program for students 609
instructed at home pursuant to section 3321.04 of the Revised 610
Code. 611

Of the foregoing appropriation item 200550, Foundation 612
Funding, an amount shall be available in each fiscal year to be 613
paid to joint vocational school districts in accordance with 614
division (A) of section 3317.16 of the Revised Code, and the 615
section of this act entitled "TEMPORARY TRANSITIONAL AID FOR 616
JOINT VOCATIONAL SCHOOL DISTRICTS." 617

Of the foregoing appropriation item 200550, Foundation 618
Funding, up to \$700,000 in each fiscal year shall be used by the 619
Department for a program to pay for educational services for 620
youth who have been assigned by a juvenile court or other 621
authorized agency to any of the facilities described in division 622
(A) of the section of this act entitled "PRIVATE TREATMENT 623
FACILITY PROJECT." 624

Of the foregoing appropriation item 200550, Foundation 625
Funding, a portion may be used to pay college-preparatory 626
boarding schools the per pupil boarding amount pursuant to 627
section 3328.34 of the Revised Code. 628

Of the foregoing appropriation item 200550, Foundation 629
Funding, up to \$1,500,000 in each fiscal year shall be used for 630
the Bright New Leaders for Ohio Schools Program created and 631
implemented by the nonprofit corporation incorporated pursuant 632
to section 3319.271 of the Revised Code, to provide an 633
alternative path for individuals to receive training and 634
development in the administration of primary and secondary 635
education and leadership, enable those individuals to earn 636
degrees and obtain licenses in public school administration, and 637
promote the placement of those individuals in public schools 638
that have a poverty percentage greater than fifty per cent. 639

Of the foregoing appropriation item 200550, Foundation 640
Funding, a portion in each fiscal year shall be used to pay 641
community schools and STEM schools the amounts calculated for 642
the graduation and third-grade reading bonuses under sections 643
3314.085 and 3326.41 of the Revised Code. 644

Of the foregoing appropriation item 200550, Foundation 645
Funding, up to \$600,000 in each fiscal year may be used by the 646
Department for duties and activities related to the 647
establishment of academic distress commissions under section 648
3302.10 of the Revised Code. A portion of the funds may be used 649
as matching funds for any monetary contributions made by a 650
school district for which an academic distress commission is 651
established or by the district's local community to support 652
innovative education programs or a high-quality school 653
accelerator as provided for in section 3302.10 of the Revised 654
Code. 655

The remainder of appropriation item 200550, Foundation 656
Funding, shall be used to distribute the amounts calculated for 657
formula aid under section 3317.022 of the Revised Code, the 658

section of this act entitled "TEMPORARY TRANSITIONAL AID FOR 659
CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS," and the 660
section of this act entitled "CAP OFFSET AMOUNT FOR CITY, LOCAL, 661
AND EXEMPTED VILLAGE SCHOOL DISTRICTS." 662

Appropriation items 200502, Pupil Transportation, 200540, 663
Special Education Enhancements, and 200550, Foundation Funding, 664
other than specific set-asides, are collectively used in each 665
fiscal year to pay state formula aid obligations for school 666
districts, community schools, STEM schools, college preparatory 667
boarding schools, and joint vocational school districts under 668
this act. The first priority of these appropriation items, with 669
the exception of specific set-asides, is to fund state formula 670
aid obligations. It may be necessary to reallocate funds among 671
these appropriation items or use excess funds from other general 672
revenue fund appropriation items in the Department of 673
Education's budget in each fiscal year in order to meet state 674
formula aid obligations. If it is determined that it is 675
necessary to transfer funds among these appropriation items or 676
to transfer funds from other General Revenue Fund appropriations 677
in the Department's budget to meet state formula aid 678
obligations, the Superintendent of Public Instruction shall seek 679
approval from the Director of Budget and Management to transfer 680
funds as needed. 681

The Superintendent of Public Instruction shall make 682
payments, transfers, and deductions, as authorized by Title 683
XXXIII of the Revised Code in amounts substantially equal to 684
those made in the prior year, or otherwise, at the discretion of 685
the Superintendent, until at least the effective date of the 686
amendments and enactments made to Title XXXIII by this act. Any 687
funds paid to districts or schools under this section shall be 688
credited toward the annual funds calculated for the district or 689

school after the changes made to Title XXXVIII in this act are 690
effective. Upon the effective date of changes made to Title 691
XXXVIII in this act, funds shall be calculated as an annual 692
amount. 693

Section 4. That existing Section 265.210 of Am. Sub. H.B. 694
49 of the 132nd General Assembly is hereby repealed. 695

Section 5. The General Assembly recognizes that section 696
3319.229 of the Revised Code, as repealed and re-enacted by this 697
act, codifies a method for assessing if career-technical 698
teachers teaching under alternative resident educator licenses 699
are qualified for a professional educator license which the 700
Department of Education was required to establish under Section 701
13 of Sub. S.B. 3 of the 131st General Assembly. 702