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Representatives Cupp, Patterson

Cosponsors: Representatives Rogers, Lipps, Clites, Carfagna, Hambley, Leland, Romanchuk, Manning, G., Greenspan, Arndt, Ryan, Boggs, Crossman, Hillyer, Liston, Miller, J., Miranda, Blessing, Sweeney, Smith, K., Galonski, Lightbody, Riedel, Strahorn, Cera, O'Brien, Ginter, Stein, Manchester, Miller, A., Sobecki, Keller, Richardson, Weinstein, Lepore-Hagan, Russo, Jones, Kelly, West, Ingram, Brown, Kick, Scherer, Perales, Denson, Sykes, Sheehy, Manning, D., Howse, DeVitis, Roemer, Upchurch, Koehler, Boyd, Brent, Hoops, Robinson, Skindell, Kent, Crawley, Green, Hicks-Hudson, Seitz, Baldrige, Blair, Ghanbari, Abrams, Carruthers, Cutrona, Fraizer, Holmes, A., Patton

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, 3317.60, 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, 3317.61, 3317.62, 3317.63, 3317.64, 16
3326.43, 3326.44, and 3327.016; and to repeal 17

sections 3310.55, 3314.085, 3314.53, 3317.017, 18
3317.0215, 3317.0216, 3317.0217, 3317.0218, 19
3326.41, and 3328.33 of the Revised Code to 20
create a new school financing system for fiscal 21
year 2022 and each fiscal year thereafter, and 22
to make an appropriation. 23

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

Section 1. That sections 3301.0714, 3302.20, 3310.08, 24
3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.979, 3313.98, 25
3313.981, 3314.08, 3314.084, 3314.087, 3314.091, 3314.11, 26
3314.20, 3315.18, 3317.013, 3317.014, 3317.016, 3317.02, 27
3317.021, 3317.022, 3317.023, 3317.024, 3317.028, 3317.0212, 28
3317.0213, 3317.0214, 3317.03, 3317.051, 3317.16, 3317.20, 29
3317.25, 3317.60, 3319.57, 3324.09, 3326.31, 3326.32, 3326.33, 30
3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 3328.34, and 31
3365.01 be amended and new sections 3314.085, 3317.017, 32
3317.0215, 3317.0217, and 3317.0218 and sections 3314.089, 33
3314.0810, 3317.011, 3317.012, 3317.018, 3317.019, 3317.0110, 34
3317.071, 3317.072, 3317.11, 3317.162, 3317.61, 3317.62, 35
3317.63, 3317.64, 3326.43, 3326.44, and 3327.016 of the Revised 36
Code be enacted to read as follows: 37

Sec. 3301.0714. (A) The state board of education shall 38
adopt rules for a statewide education management information 39
system. The rules shall require the state board to establish 40
guidelines for the establishment and maintenance of the system 41
in accordance with this section and the rules adopted under this 42
section. The guidelines shall include: 43

(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section;	44 45 46
(2) Procedures for annually collecting and reporting the data to the state board in accordance with division (D) of this section;	47 48 49
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	50 51
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	52 53
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	54 55
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	56 57 58
(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:	59 60 61
(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	62 63 64 65 66 67 68 69 70 71 72

instructional services, instructional services specifically for 73
students gifted in mathematics or some other subject area, or 74
instructional services for students with a specific type of 75
disability. The categories of instructional services required by 76
the guidelines under this division shall be the same as the 77
categories of instructional services used in determining cost 78
units pursuant to division (C) (3) of this section. 79

(b) The numbers of students receiving support or 80
extracurricular services for each of the support services or 81
extracurricular programs offered by the school district, such as 82
counseling services, health services, and extracurricular sports 83
and fine arts programs. The categories of services required by 84
the guidelines under this division shall be the same as the 85
categories of services used in determining cost units pursuant 86
to division (C) (4) (a) of this section. 87

(c) Average student grades in each subject in grades nine 88
through twelve; 89

(d) Academic achievement levels as assessed under sections 90
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 91

(e) The number of students designated as having a 92
disabling condition pursuant to division (C) (1) of section 93
3301.0711 of the Revised Code; 94

(f) The numbers of students reported to the state board 95
pursuant to division (C) (2) of section 3301.0711 of the Revised 96
Code; 97

(g) Attendance rates and the average daily attendance for 98
the year. For purposes of this division, a student shall be 99
counted as present for any field trip that is approved by the 100
school administration. 101

(h) Expulsion rates;	102
(i) Suspension rates;	103
(j) Dropout rates;	104
(k) Rates of retention in grade;	105
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with state board of education rules;	106 107 108
(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;	109 110 111 112 113
(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.	114 115 116 117 118 119 120 121 122
(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	123 124 125 126 127 128 129 130

identified by name.	131
Division (B) (1) (o) of this section does not apply after	132
the date that is two years following the submission of the	133
report required by Section 733.13 of H.B. 49 of the 132nd	134
general assembly.	135
(p) The number of students earning each state diploma seal	136
included in the system prescribed under division (A) of section	137
3313.6114 of the Revised Code;	138
(q) The number of students demonstrating competency for	139
graduation using each option described in divisions (B) (1) (a) to	140
(c) of section 3313.618 of the Revised Code;	141
(r) The number of students completing each foundational	142
and supporting option as part of the demonstration of competency	143
for graduation pursuant to division (B) (1) (b) of section	144
3313.618 of the Revised Code.	145
(2) Personnel and classroom enrollment data for each	146
school district, including:	147
(a) The total numbers of licensed employees and	148
nonlicensed employees and the numbers of full-time equivalent	149
licensed employees and nonlicensed employees providing each	150
category of instructional service, instructional support	151
service, and administrative support service used pursuant to	152
division (C) (3) of this section. The guidelines adopted under	153
this section shall require these categories of data to be	154
maintained for the school district as a whole and, wherever	155
applicable, for each grade in the school district as a whole,	156
for each school building as a whole, and for each grade in each	157
school building.	158
(b) The total number of employees and the number of full-	159

time equivalent employees providing each category of service 160
used pursuant to divisions (C) (4) (a) and (b) of this section, 161
and the total numbers of licensed employees and nonlicensed 162
employees and the numbers of full-time equivalent licensed 163
employees and nonlicensed employees providing each category used 164
pursuant to division (C) (4) (c) of this section. The guidelines 165
adopted under this section shall require these categories of 166
data to be maintained for the school district as a whole and, 167
wherever applicable, for each grade in the school district as a 168
whole, for each school building as a whole, and for each grade 169
in each school building. 170

(c) The total number of regular classroom teachers 171
teaching classes of regular education and the average number of 172
pupils enrolled in each such class, in each of grades 173
kindergarten through five in the district as a whole and in each 174
school building in the school district. 175

(d) The number of lead teachers employed by each school 176
district and each school building. 177

(3) (a) Student demographic data for each school district, 178
including information regarding the gender ratio of the school 179
district's pupils, the racial make-up of the school district's 180
pupils, the number of English learners in the district, and an 181
appropriate measure of the number of the school district's 182
pupils who reside in economically disadvantaged households. The 183
demographic data shall be collected in a manner to allow 184
correlation with data collected under division (B) (1) of this 185
section. Categories for data collected pursuant to division (B) 186
(3) of this section shall conform, where appropriate, to 187
standard practices of agencies of the federal government. 188

(b) With respect to each student entering kindergarten, 189

whether the student previously participated in a public 190
preschool program, a private preschool program, or a head start 191
program, and the number of years the student participated in 192
each of these programs. 193

(4) The annual reports submitted by each school district 194
under section 3317.25 of the Revised Code describing the 195
initiative or initiatives on which the district's disadvantaged 196
pupil impact aid were spent; 197

(5) The average number of students riding on school buses 198
routed to community schools established under Chapter 3314. of 199
the Revised Code in accordance with section 3327.01 of the 200
Revised Code; 201

(6) The average number of students riding on school buses 202
routed to STEM schools established under Chapter 3326. of the 203
Revised Code in accordance with section 3327.01 of the Revised 204
Code; 205

(7) The average number of students riding on school buses 206
routed to nonpublic schools in accordance with section 3327.01 207
of the Revised Code; 208

(8) Any data required to be collected pursuant to federal 209
law. 210

(C) The education management information system shall 211
include cost accounting data for each district as a whole and 212
for each school building in each school district. The guidelines 213
adopted under this section shall require the cost data for each 214
school district to be maintained in a system of mutually 215
exclusive cost units and shall require all of the costs of each 216
school district to be divided among the cost units. The 217
guidelines shall require the system of mutually exclusive cost 218

units to include at least the following:	219
(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 formula -enrolled ADM in the school district, as determined pursuant to section 3317.03 of the Revised Code.	220 221 222 223 224 225
(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.	226 227 228 229 230 231
(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:	232 233 234 235 236 237 238 239 240 241 242
(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;	243 244 245 246
(b) The cost of the instructional support services, such	247

as services provided by a speech-language pathologist, classroom 248
aide, multimedia aide, or librarian, provided directly to 249
students in conjunction with each instructional services 250
category; 251

(c) The cost of the administrative support services 252
related to each instructional services category, such as the 253
cost of personnel that develop the curriculum for the 254
instructional services category and the cost of personnel 255
supervising or coordinating the delivery of the instructional 256
services category. 257

(4) Support or extracurricular services costs for each 258
category of service directly provided to students and required 259
by guidelines adopted pursuant to division (B) (1) (b) of this 260
section. The guidelines shall require the cost units under 261
division (C) (4) of this section to be designed so that each of 262
them may be compiled and reported in terms of average 263
expenditure per pupil receiving the service in the school 264
district as a whole and average expenditure per pupil receiving 265
the service in each building in the school district and in terms 266
of a total cost for each category of service and, as a breakdown 267
of the total cost, a cost for each of the following components: 268

(a) The cost of each support or extracurricular services 269
category required by guidelines adopted under division (B) (1) (b) 270
of this section that is provided directly to students by a 271
licensed employee, such as services provided by a guidance 272
counselor or any services provided by a licensed employee under 273
a supplemental contract; 274

(b) The cost of each such services category provided 275
directly to students by a nonlicensed employee, such as 276
janitorial services, cafeteria services, or services of a sports 277

trainer; 278

(c) The cost of the administrative services related to 279
each services category in division (C) (4) (a) or (b) of this 280
section, such as the cost of any licensed or nonlicensed 281
employees that develop, supervise, coordinate, or otherwise are 282
involved in administering or aiding the delivery of each 283
services category. 284

(D) (1) The guidelines adopted under this section shall 285
require school districts to collect information about individual 286
students, staff members, or both in connection with any data 287
required by division (B) or (C) of this section or other 288
reporting requirements established in the Revised Code. The 289
guidelines may also require school districts to report 290
information about individual staff members in connection with 291
any data required by division (B) or (C) of this section or 292
other reporting requirements established in the Revised Code. 293
The guidelines shall not authorize school districts to request 294
social security numbers of individual students. The guidelines 295
shall prohibit the reporting under this section of a student's 296
name, address, and social security number to the state board of 297
education or the department of education. The guidelines shall 298
also prohibit the reporting under this section of any personally 299
identifiable information about any student, except for the 300
purpose of assigning the data verification code required by 301
division (D) (2) of this section, to any other person unless such 302
person is employed by the school district or the information 303
technology center operated under section 3301.075 of the Revised 304
Code and is authorized by the district or technology center to 305
have access to such information or is employed by an entity with 306
which the department contracts for the scoring or the 307
development of state assessments. The guidelines may require 308

school districts to provide the social security numbers of 309
individual staff members and the county of residence for a 310
student. Nothing in this section prohibits the state board of 311
education or department of education from providing a student's 312
county of residence to the department of taxation to facilitate 313
the distribution of tax revenue. 314

(2) (a) The guidelines shall provide for each school 315
district or community school to assign a data verification code 316
that is unique on a statewide basis over time to each student 317
whose initial Ohio enrollment is in that district or school and 318
to report all required individual student data for that student 319
utilizing such code. The guidelines shall also provide for 320
assigning data verification codes to all students enrolled in 321
districts or community schools on the effective date of the 322
guidelines established under this section. The assignment of 323
data verification codes for other entities, as described in 324
division (D) (2) (d) of this section, the use of those codes, and 325
the reporting and use of associated individual student data 326
shall be coordinated by the department in accordance with state 327
and federal law. 328

School districts shall report individual student data to 329
the department through the information technology centers 330
utilizing the code. The entities described in division (D) (2) (d) 331
of this section shall report individual student data to the 332
department in the manner prescribed by the department. 333

(b) (i) Except as provided in sections 3301.941, 3310.11, 334
3310.42, 3310.63, 3313.978, and 3317.20 of the Revised Code, and 335
in division (D) (2) (b) (ii) of this section, at no time shall the 336
state board or the department have access to information that 337
would enable any data verification code to be matched to 338

personally identifiable student data. 339

(ii) For the purpose of making per-pupil payments to 340
community schools under division (C) of section 3314.08 of the 341
Revised Code, the department shall have access to information 342
that would enable any data verification code to be matched to 343
personally identifiable student data. 344

(c) Each school district and community school shall ensure 345
that the data verification code is included in the student's 346
records reported to any subsequent school district, community 347
school, or state institution of higher education, as defined in 348
section 3345.011 of the Revised Code, in which the student 349
enrolls. Any such subsequent district or school shall utilize 350
the same identifier in its reporting of data under this section. 351

(d) The director of any state agency that administers a 352
publicly funded program providing services to children who are 353
younger than compulsory school age, as defined in section 354
3321.01 of the Revised Code, including the directors of health, 355
job and family services, mental health and addiction services, 356
and developmental disabilities, shall request and receive, 357
pursuant to sections 3301.0723 and 5123.0423 of the Revised 358
Code, a data verification code for a child who is receiving 359
those services. 360

(E) The guidelines adopted under this section may require 361
school districts to collect and report data, information, or 362
reports other than that described in divisions (A), (B), and (C) 363
of this section for the purpose of complying with other 364
reporting requirements established in the Revised Code. The 365
other data, information, or reports may be maintained in the 366
education management information system but are not required to 367
be compiled as part of the profile formats required under 368

division (G) of this section or the annual statewide report 369
required under division (H) of this section. 370

(F) Beginning with the school year that begins July 1, 371
1991, the board of education of each school district shall 372
annually collect and report to the state board, in accordance 373
with the guidelines established by the board, the data required 374
pursuant to this section. A school district may collect and 375
report these data notwithstanding section 2151.357 or 3319.321 376
of the Revised Code. 377

(G) The state board shall, in accordance with the 378
procedures it adopts, annually compile the data reported by each 379
school district pursuant to division (D) of this section. The 380
state board shall design formats for profiling each school 381
district as a whole and each school building within each 382
district and shall compile the data in accordance with these 383
formats. These profile formats shall: 384

(1) Include all of the data gathered under this section in 385
a manner that facilitates comparison among school districts and 386
among school buildings within each school district; 387

(2) Present the data on academic achievement levels as 388
assessed by the testing of student achievement maintained 389
pursuant to division (B)(1)(d) of this section. 390

(H)(1) The state board shall, in accordance with the 391
procedures it adopts, annually prepare a statewide report for 392
all school districts and the general public that includes the 393
profile of each of the school districts developed pursuant to 394
division (G) of this section. Copies of the report shall be sent 395
to each school district. 396

(2) The state board shall, in accordance with the 397

procedures it adopts, annually prepare an individual report for 398
each school district and the general public that includes the 399
profiles of each of the school buildings in that school district 400
developed pursuant to division (G) of this section. Copies of 401
the report shall be sent to the superintendent of the district 402
and to each member of the district board of education. 403

(3) Copies of the reports received from the state board 404
under divisions (H) (1) and (2) of this section shall be made 405
available to the general public at each school district's 406
offices. Each district board of education shall make copies of 407
each report available to any person upon request and payment of 408
a reasonable fee for the cost of reproducing the report. The 409
board shall annually publish in a newspaper of general 410
circulation in the school district, at least twice during the 411
two weeks prior to the week in which the reports will first be 412
available, a notice containing the address where the reports are 413
available and the date on which the reports will be available. 414

(I) Any data that is collected or maintained pursuant to 415
this section and that identifies an individual pupil is not a 416
public record for the purposes of section 149.43 of the Revised 417
Code. 418

(J) As used in this section: 419

(1) "School district" means any city, local, exempted 420
village, or joint vocational school district and, in accordance 421
with section 3314.17 of the Revised Code, any community school. 422
As used in division (L) of this section, "school district" also 423
includes any educational service center or other educational 424
entity required to submit data using the system established 425
under this section. 426

(2) "Cost" means any expenditure for operating expenses 427
made by a school district excluding any expenditures for debt 428
retirement except for payments made to any commercial lending 429
institution for any loan approved pursuant to section 3313.483 430
of the Revised Code. 431

(K) Any person who removes data from the information 432
system established under this section for the purpose of 433
releasing it to any person not entitled under law to have access 434
to such information is subject to section 2913.42 of the Revised 435
Code prohibiting tampering with data. 436

(L) (1) In accordance with division (L) (2) of this section 437
and the rules adopted under division (L) (10) of this section, 438
the department of education may sanction any school district 439
that reports incomplete or inaccurate data, reports data that 440
does not conform to data requirements and descriptions published 441
by the department, fails to report data in a timely manner, or 442
otherwise does not make a good faith effort to report data as 443
required by this section. 444

(2) If the department decides to sanction a school 445
district under this division, the department shall take the 446
following sequential actions: 447

(a) Notify the district in writing that the department has 448
determined that data has not been reported as required under 449
this section and require the district to review its data 450
submission and submit corrected data by a deadline established 451
by the department. The department also may require the district 452
to develop a corrective action plan, which shall include 453
provisions for the district to provide mandatory staff training 454
on data reporting procedures. 455

(b) Withhold up to ten per cent of the total amount of 456
state funds due to the district for the current fiscal year and, 457
if not previously required under division (L) (2) (a) of this 458
section, require the district to develop a corrective action 459
plan in accordance with that division; 460

(c) Withhold an additional amount of up to twenty per cent 461
of the total amount of state funds due to the district for the 462
current fiscal year; 463

(d) Direct department staff or an outside entity to 464
investigate the district's data reporting practices and make 465
recommendations for subsequent actions. The recommendations may 466
include one or more of the following actions: 467

(i) Arrange for an audit of the district's data reporting 468
practices by department staff or an outside entity; 469

(ii) Conduct a site visit and evaluation of the district; 470

(iii) Withhold an additional amount of up to thirty per 471
cent of the total amount of state funds due to the district for 472
the current fiscal year; 473

(iv) Continue monitoring the district's data reporting; 474

(v) Assign department staff to supervise the district's 475
data management system; 476

(vi) Conduct an investigation to determine whether to 477
suspend or revoke the license of any district employee in 478
accordance with division (N) of this section; 479

(vii) If the district is issued a report card under 480
section 3302.03 of the Revised Code, indicate on the report card 481
that the district has been sanctioned for failing to report data 482
as required by this section; 483

(viii) If the district is issued a report card under 484
section 3302.03 of the Revised Code and incomplete or inaccurate 485
data submitted by the district likely caused the district to 486
receive a higher performance rating than it deserved under that 487
section, issue a revised report card for the district; 488

(ix) Any other action designed to correct the district's 489
data reporting problems. 490

(3) Any time the department takes an action against a 491
school district under division (L)(2) of this section, the 492
department shall make a report of the circumstances that 493
prompted the action. The department shall send a copy of the 494
report to the district superintendent or chief administrator and 495
maintain a copy of the report in its files. 496

(4) If any action taken under division (L)(2) of this 497
section resolves a school district's data reporting problems to 498
the department's satisfaction, the department shall not take any 499
further actions described by that division. If the department 500
withheld funds from the district under that division, the 501
department may release those funds to the district, except that 502
if the department withheld funding under division (L)(2)(c) of 503
this section, the department shall not release the funds 504
withheld under division (L)(2)(b) of this section and, if the 505
department withheld funding under division (L)(2)(d) of this 506
section, the department shall not release the funds withheld 507
under division (L)(2)(b) or (c) of this section. 508

(5) Notwithstanding anything in this section to the 509
contrary, the department may use its own staff or an outside 510
entity to conduct an audit of a school district's data reporting 511
practices any time the department has reason to believe the 512
district has not made a good faith effort to report data as 513

required by this section. If any audit conducted by an outside 514
entity under division (L) (2) (d) (i) or (5) of this section 515
confirms that a district has not made a good faith effort to 516
report data as required by this section, the district shall 517
reimburse the department for the full cost of the audit. The 518
department may withhold state funds due to the district for this 519
purpose. 520

(6) Prior to issuing a revised report card for a school 521
district under division (L) (2) (d) (viii) of this section, the 522
department may hold a hearing to provide the district with an 523
opportunity to demonstrate that it made a good faith effort to 524
report data as required by this section. The hearing shall be 525
conducted by a referee appointed by the department. Based on the 526
information provided in the hearing, the referee shall recommend 527
whether the department should issue a revised report card for 528
the district. If the referee affirms the department's contention 529
that the district did not make a good faith effort to report 530
data as required by this section, the district shall bear the 531
full cost of conducting the hearing and of issuing any revised 532
report card. 533

(7) If the department determines that any inaccurate data 534
reported under this section caused a school district to receive 535
excess state funds in any fiscal year, the district shall 536
reimburse the department an amount equal to the excess funds, in 537
accordance with a payment schedule determined by the department. 538
The department may withhold state funds due to the district for 539
this purpose. 540

(8) Any school district that has funds withheld under 541
division (L) (2) of this section may appeal the withholding in 542
accordance with Chapter 119. of the Revised Code. 543

(9) In all cases of a disagreement between the department 544
and a school district regarding the appropriateness of an action 545
taken under division (L) (2) of this section, the burden of proof 546
shall be on the district to demonstrate that it made a good 547
faith effort to report data as required by this section. 548

(10) The state board of education shall adopt rules under 549
Chapter 119. of the Revised Code to implement division (L) of 550
this section. 551

(M) No information technology center or school district 552
shall acquire, change, or update its student administration 553
software package to manage and report data required to be 554
reported to the department unless it converts to a student 555
software package that is certified by the department. 556

(N) The state board of education, in accordance with 557
sections 3319.31 and 3319.311 of the Revised Code, may suspend 558
or revoke a license as defined under division (A) of section 559
3319.31 of the Revised Code that has been issued to any school 560
district employee found to have willfully reported erroneous, 561
inaccurate, or incomplete data to the education management 562
information system. 563

(O) No person shall release or maintain any information 564
about any student in violation of this section. Whoever violates 565
this division is guilty of a misdemeanor of the fourth degree. 566

(P) The department shall disaggregate the data collected 567
under division (B) (1) (n) of this section according to the race 568
and socioeconomic status of the students assessed. 569

(Q) If the department cannot compile any of the 570
information required by division (H) of section 3302.03 of the 571
Revised Code based upon the data collected under this section, 572

the department shall develop a plan and a reasonable timeline 573
for the collection of any data necessary to comply with that 574
division. 575

Sec. 3302.20. (A) The department of education shall 576
develop standards for determining, from the existing data 577
reported in accordance with sections 3301.0714 and 3314.17 of 578
the Revised Code, the amount of annual operating expenditures 579
for classroom instructional purposes and for nonclassroom 580
purposes for each city, exempted village, local, and joint 581
vocational school district, each community school established 582
under Chapter 3314. that is not an internet- or computer-based 583
community school, each internet- or computer-based community 584
school, and each STEM school established under Chapter 3326. of 585
the Revised Code. The department shall present those standards 586
to the state board of education for consideration. In developing 587
the standards, the department shall adapt existing standards 588
used by professional organizations, research organizations, and 589
other state governments. The department also shall align the 590
expenditure categories required for reporting under the 591
standards with the categories that are required for reporting to 592
the United States department of education under federal law. 593

The state board shall consider the proposed standards and 594
adopt a final set of standards not later than December 31, 2012. 595
School districts, community schools, and STEM schools shall 596
begin reporting data in accordance with the standards on June 597
30, 2013. 598

(B) (1) The department shall categorize all city, exempted 599
village, and local school districts into not less than three nor 600
more than five groups based primarily on average daily student 601
enrollment as reported on the most recent report card issued for 602

each district under section 3302.03 of the Revised Code. 603

(2) The department shall categorize all joint vocational 604
school districts into not less than three nor more than five 605
groups based primarily on ~~formula-enrolled~~ ADM as that term is 606
defined in section 3317.02 of the Revised Code rounded to the 607
nearest whole number. 608

(3) The department shall categorize all community schools 609
that are not internet- or computer-based community schools into 610
not less than three nor more than five groups based primarily on 611
average daily student enrollment as reported on the most recent 612
report card issued for each community school under sections 613
3302.03 and 3314.012 of the Revised Code or, in the case of a 614
school to which section 3314.017 of the Revised Code applies, on 615
the total number of students reported under divisions (B) (2) (a) 616
and (b) of section 3314.08 of the Revised Code. 617

(4) The department shall categorize all internet- or 618
computer-based community schools into a single category. 619

(5) The department shall categorize all STEM schools into 620
a single category. 621

(C) Using the standards adopted under division (A) of this 622
section and the data reported under sections 3301.0714 and 623
3314.17 of the Revised Code, the department shall compute 624
annually for each fiscal year, the following: 625

(1) The percentage of each district's, community school's, 626
or STEM school's total operating budget spent for classroom 627
instructional purposes; 628

(2) The statewide average percentage for all districts, 629
community schools, and STEM schools combined spent for classroom 630
instructional purposes; 631

- (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; 632
633
634
- (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: 635
636
637
- (a) From highest to lowest percentage spent for classroom instructional purposes; 638
639
- (b) From lowest to highest percentage spent for noninstructional purposes. 640
641
- (5) The total operating expenditures per pupil for each district, community school, and STEM school; 642
643
- (6) The total operating expenditure per equivalent pupils for each district, community school, and STEM school. 644
645
- (D) In its display of rankings within each category under division (C) (4) of this section, the department shall make the following notations: 646
647
648
- (1) Within each category of city, exempted village, and local school districts, the department shall denote each district that is: 649
650
651
- (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; 652
653
654
- (b) Among the twenty per cent of all city, exempted village, and local school districts statewide with the highest performance index scores. 655
656
657
- (2) Within each category of joint vocational school 658

districts, the department shall denote each district that is:	659
(a) Among the twenty per cent of all joint vocational	660
school districts statewide with the lowest total operating	661
expenditure per equivalent pupils;	662
(b) Among the twenty per cent of all joint vocational	663
school districts statewide with the highest report card scores	664
under section 3302.033 of the Revised Code.	665
(3) Within each category of community schools that are not	666
internet- or computer-based community schools, the department	667
shall denote each school that is:	668
(a) Among the twenty per cent of all such community	669
schools statewide with the lowest total operating expenditure	670
per equivalent pupils;	671
(b) Among the twenty per cent of all such community	672
schools statewide with the highest performance index scores,	673
excluding such community schools to which section 3314.017 of	674
the Revised Code applies.	675
(4) Within the category of internet- or computer-based	676
community schools, the department shall denote each school that	677
is:	678
(a) Among the twenty per cent of all such community	679
schools statewide with the lowest total operating expenditure	680
per equivalent pupils;	681
(b) Among the twenty per cent of all such community	682
schools statewide with the highest performance index scores,	683
excluding such community schools to which section 3314.017 of	684
the Revised Code applies.	685
(5) Within the category of STEM schools, the department	686

shall denote each school that is: 687

(a) Among the twenty per cent of all STEM schools 688
statewide with the lowest total operating expenditure per 689
equivalent pupils; 690

(b) Among the twenty per cent of all STEM schools 691
statewide with the highest performance index scores. 692

For purposes of divisions (D) (3) (b) and (4) (b) of this 693
section, the display shall note that, in accordance with section 694
3314.017 of the Revised Code, a performance index score is not 695
reported for some community schools that serve primarily 696
students enrolled in dropout prevention and recovery programs. 697

(E) The department shall post in a prominent location on 698
its web site the information prescribed by divisions (C) and (D) 699
of this section. The department also shall include on each 700
district's, community school's, and STEM school's annual report 701
card issued under section 3302.03 or 3314.017 of the Revised 702
Code the respective information computed for the district or 703
school under divisions (C) (1) and (4) of this section, the 704
statewide information computed under division (C) (2) of this 705
section, and the information computed for the district's or 706
school's category under division (C) (3) of this section. 707

(F) As used in this section: 708

(1) "Internet- or computer-based community school" has the 709
same meaning as in section 3314.02 of the Revised Code. 710

(2) A school district's, community school's, or STEM 711
school's performance index score rank is its performance index 712
score rank as computed under section 3302.21 of the Revised 713
Code. 714

(3) "Expenditure per equivalent pupils" has the same 715
meaning as in section 3302.26 of the Revised Code. 716

Sec. 3310.08. (A) As used in this section, "tuition 717
discount" means any deduction from the base tuition amount per 718
student charged by the school, to which the student's family is 719
entitled due to one or more of the following conditions: 720

(1) The student's family has multiple children enrolled in 721
the same school. 722

(2) The student's family is a member of or affiliated with 723
a religious or secular organization that provides oversight of 724
the school or from which the school has agreed to enroll 725
students. 726

(3) The student's parent is an employee of the school. 727

(4) Some other qualification not based on the income of 728
the student's family or the student's athletic or academic 729
ability and for which all students in the school may qualify. 730

(B) The amount paid for an eligible student under the 731
educational choice scholarship pilot program and the expansion 732
of the program under section 3310.032 of the Revised Code shall 733
be the lesser of the following: 734

(1) The base tuition of the chartered nonpublic school in 735
which the student is enrolled minus the total amount of any 736
applicable tuition discounts for which the student qualifies; 737

(2) The maximum amount prescribed in section 3310.09 of 738
the Revised Code. 739

(C) (1) The department of education shall ~~pay compute and~~ 740
distribute state core foundation funding to the parent of each 741
eligible student for whom a scholarship is awarded under the 742

program, or to the student if at least eighteen years of age, 743
periodic partial payments of the scholarship. 744

(2) The department shall proportionately reduce or 745
terminate the payments for any student who withdraws from a 746
chartered nonpublic school prior to the end of the school year. 747

~~(D) (1) The department shall deduct from the payments made 748
to each school district under Chapter 3317., and if necessary, 749
sections 321.24 and 323.156 of the Revised Code, the amount paid 750
under division (C) of this section for each eligible student who 751
qualifies for a scholarship under section 3310.03 of the Revised 752
Code and who is entitled under section 3313.64 or 3313.65 of the 753
Revised Code to attend school in the district. In the case of a 754
student entitled to attend school in a school district under 755
division (B) (2) (a) of section 3313.64 or division (C) of section 756
3313.65 of the Revised Code, the department shall deduct the 757
payments from the school district in whose formula ADM the 758
student is included, as that term is defined in section 3317.02 759
of the Revised Code. 760~~

~~(2) If the department reduces or terminates payments to a 761
parent or a student, as prescribed in division (C) (2) of this 762
section, and the student enrolls in the schools of the student's 763
resident district or in a community school, established under 764
Chapter 3314. of the Revised Code, before the end of the school 765
year, the department shall proportionally restore to the 766
resident district the amount deducted for that student under 767
division (D) (1) of this section. 768~~

Sec. 3310.41. (A) As used in this section: 769

(1) "Alternative public provider" means either of the 770
following providers that agrees to enroll a child in the 771

provider's special education program to implement the child's 772
individualized education program and to which the child's parent 773
owes fees for the services provided to the child: 774

(a) A school district that is not the school district in 775
which the child is entitled to attend school; 776

(b) A public entity other than a school district. 777

(2) "Entitled to attend school" means entitled to attend 778
school in a school district under section 3313.64 or 3313.65 of 779
the Revised Code. 780

(3) "Formula ADM" and "~~category six special education ADM~~" 781
~~have~~ has the same ~~meanings~~ meaning as in section 3317.02 of the 782
Revised Code. 783

(4) "Preschool child with a disability" and 784
"individualized education program" have the same meanings as in 785
section 3323.01 of the Revised Code. 786

(5) "Parent" has the same meaning as in section 3313.64 of 787
the Revised Code, except that "parent" does not mean a parent 788
whose custodial rights have been terminated. "Parent" also 789
includes the custodian of a qualified special education child, 790
when a court has granted temporary, legal, or permanent custody 791
of the child to an individual other than either of the natural 792
or adoptive parents of the child or to a government agency. 793

(6) "~~Preschool scholarship ADM~~" means the number of 794
~~preschool children with disabilities certified under division~~ 795
~~(B) (3) (h) of section 3317.03 of the Revised Code.~~ 796

~~(7)~~ "Qualified special education child" is a child for 797
whom all of the following conditions apply: 798

(a) The school district in which the child is entitled to 799

attend school has identified the child as autistic. A child who 800
has been identified as having a "pervasive developmental 801
disorder - not otherwise specified (PPD-NOS)" shall be 802
considered to be an autistic child for purposes of this section. 803

(b) The school district in which the child is entitled to 804
attend school has developed an individualized education program 805
under Chapter 3323. of the Revised Code for the child. 806

(c) The child either: 807

(i) Was enrolled in the school district in which the child 808
is entitled to attend school in any grade from preschool through 809
twelve in the school year prior to the year in which a 810
scholarship under this section is first sought for the child; or 811

(ii) Is eligible to enter school in any grade preschool 812
through twelve in the school district in which the child is 813
entitled to attend school in the school year in which a 814
scholarship under this section is first sought for the child. 815

~~(8)~~ (7) "Registered private provider" means a nonpublic 816
school or other nonpublic entity that has been approved by the 817
department of education to participate in the program 818
established under this section. 819

~~(9)~~ (8) "Special education program" means a school or 820
facility that provides special education and related services to 821
children with disabilities. 822

(B) There is hereby established the autism scholarship 823
program. Under the program, the department of education shall 824
pay a scholarship to the parent of each qualified special 825
education child upon application of that parent pursuant to 826
procedures and deadlines established by rule of the state board 827
of education. Each scholarship shall be used only to pay tuition 828

for the child on whose behalf the scholarship is awarded to 829
attend a special education program that implements the child's 830
individualized education program and that is operated by an 831
alternative public provider or by a registered private provider, 832
and to pay for other services agreed to by the provider and the 833
parent of a qualified special education child that are not 834
included in the individualized education program but are 835
associated with educating the child. Upon agreement with the 836
parent of a qualified special education child, the alternative 837
public provider or the registered private provider may modify 838
the services provided to the child. Each scholarship shall be in 839
an amount not to exceed the lesser of the tuition charged for 840
the child by the special education program or twenty-seven 841
thousand dollars. The purpose of the scholarship is to permit 842
the parent of a qualified special education child the choice to 843
send the child to a special education program, instead of the 844
one operated by or for the school district in which the child is 845
entitled to attend school, to receive the services prescribed in 846
the child's individualized education program once the 847
individualized education program is finalized and any other 848
services agreed to by the provider and the parent of a qualified 849
special education child. The services provided under the 850
scholarship shall include an educational component or services 851
designed to assist the child to benefit from the child's 852
education. 853

A scholarship under this section shall not be awarded to 854
the parent of a child while the child's individualized education 855
program is being developed by the school district in which the 856
child is entitled to attend school, or while any administrative 857
or judicial mediation or proceedings with respect to the content 858
of the child's individualized education program are pending. A 859

scholarship under this section shall not be used for a child to 860
attend a public special education program that operates under a 861
contract, compact, or other bilateral agreement between the 862
school district in which the child is entitled to attend school 863
and another school district or other public provider, or for a 864
child to attend a community school established under Chapter 865
3314. of the Revised Code. However, nothing in this section or 866
in any rule adopted by the state board shall prohibit a parent 867
whose child attends a public special education program under a 868
contract, compact, or other bilateral agreement, or a parent 869
whose child attends a community school, from applying for and 870
accepting a scholarship under this section so that the parent 871
may withdraw the child from that program or community school and 872
use the scholarship for the child to attend a special education 873
program for which the parent is required to pay for services for 874
the child. 875

Except for development of the child's individualized 876
education program, the school district in which a qualified 877
special education child is entitled to attend school and the 878
child's school district of residence, as defined in section 879
3323.01 of the Revised Code, if different, are not obligated to 880
provide the child with a free appropriate public education under 881
Chapter 3323. of the Revised Code for as long as the child 882
continues to attend the special education program operated by 883
either an alternative public provider or a registered private 884
provider for which a scholarship is awarded under the autism 885
scholarship program. If at any time, the eligible applicant for 886
the child decides no longer to accept scholarship payments and 887
enrolls the child in the special education program of the school 888
district in which the child is entitled to attend school, that 889
district shall provide the child with a free appropriate public 890

education under Chapter 3323. of the Revised Code. 891

A child attending a special education program with a 892
scholarship under this section shall continue to be entitled to 893
transportation to and from that program in the manner prescribed 894
by law. 895

(C) (1) As prescribed in ~~divisions~~ division (A) (2) (h), ~~(B)~~ 896
~~(3) (g), and (B) (10)~~ of section 3317.03 of the Revised Code, a 897
child who is not a preschool child with a disability for whom a 898
scholarship is awarded under this section shall be counted in 899
the formula ADM ~~and the category six special education ADM~~ of 900
the district in which the child is entitled to attend school and 901
not in the formula ADM ~~and the category six special education~~ 902
~~ADM~~ of any other school district. ~~As prescribed in divisions (B)~~ 903
~~(3) (h) and (B) (10) of section 3317.03 of the Revised Code, a~~ 904
~~child who is a preschool child with a disability for whom a~~ 905
~~scholarship is awarded under this section shall be counted in~~ 906
~~the preschool scholarship ADM and category six special education~~ 907
~~ADM of the school district in which the child is entitled to~~ 908
~~attend school and not in the preschool scholarship ADM or~~ 909
~~category six special education ADM of any other school district.~~ 910

(2) ~~In each fiscal year, the department shall deduct from~~ 911
~~the amounts paid to each school district under Chapter 3317. of~~ 912
~~the Revised Code, and, if necessary, sections 321.24 and 323.156~~ 913
~~of the Revised Code, the aggregate amount of scholarships~~ 914
~~awarded under this section for qualified special education~~ 915
~~children included in the formula ADM, or preschool scholarship~~ 916
~~ADM, and in the category six special education ADM of that~~ 917
~~school district as provided in division (C) (1) of this section.~~ 918

~~The scholarships deducted shall be considered as an~~ 919
~~approved special education and related services expense of the~~ 920

~~school district.~~ 921

~~(3) From time to time, the department shall make a payment~~ 922
compute and distribute state core foundation funding to the 923
parent of each qualified special education child for whom a 924
scholarship has been awarded under this section. The scholarship 925
amount shall be proportionately reduced in the case of any such 926
child who is not enrolled in the special education program for 927
which a scholarship was awarded under this section for the 928
entire school year. The department shall make no payments to the 929
parent of a child while any administrative or judicial mediation 930
or proceedings with respect to the content of the child's 931
individualized education program are pending. 932

(D) A scholarship shall not be paid to a parent for 933
payment of tuition owed to a nonpublic entity unless that entity 934
is a registered private provider. The department shall approve 935
entities that meet the standards established by rule of the 936
state board for the program established under this section. 937

(E) The state board shall adopt rules under Chapter 119. 938
of the Revised Code prescribing procedures necessary to 939
implement this section, including, but not limited to, 940
procedures and deadlines for parents to apply for scholarships, 941
standards for registered private providers, and procedures for 942
approval of entities as registered private providers. 943

The rules also shall specify that intervention services 944
under the autism scholarship program may be provided by a 945
qualified, credentialed provider, including, but not limited to, 946
all of the following: 947

(1) A behavior analyst certified by a nationally 948
recognized organization that certifies behavior analysts; 949

(2) A psychologist licensed to practice in this state	950
under Chapter 4732. of the Revised Code;	951
(3) A school psychologist licensed by the state board	952
under section 3319.22 of the Revised Code;	953
(4) Any person employed by a licensed psychologist or	954
licensed school psychologist, while carrying out specific tasks,	955
under the licensee's supervision, as an extension of the	956
licensee's legal and ethical authority as specified under	957
Chapter 4732. of the Revised Code who is ascribed as "psychology	958
trainee," "psychology assistant," "psychology intern," or other	959
appropriate term that clearly implies their supervised or	960
training status;	961
(5) Unlicensed persons holding a doctoral degree in	962
psychology or special education from a program approved by the	963
state board;	964
(6) Any other qualified individual as determined by the	965
state board.	966
(F) The department shall provide reasonable notice to all	967
parents of children receiving a scholarship under the autism	968
scholarship program, alternative public providers, and	969
registered private providers of any amendment to a rule	970
governing, or change in the administration of, the autism	971
scholarship program.	972
Sec. 3310.51. As used in sections 3310.51 to 3310.64 of	973
the Revised Code:	974
(A) "Alternative public provider" means either of the	975
following providers that agrees to enroll a child in the	976
provider's special education program to implement the child's	977
individualized education program and to which the eligible	978

applicant owes fees for the services provided to the child:	979
(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;	980 981 982
(2) A public entity other than a school district.	983
(B) "Child with a disability" and "individualized education program" have the same meanings as in section 3323.01 of the Revised Code.	984 985 986
(C) "Eligible applicant" means any of the following:	987
(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.	988 989 990 991 992 993 994 995 996 997 998 999 1000
(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;	1001 1002 1003 1004
(3) The guardian of a qualified special education child, when a court has appointed a guardian for the child;	1005 1006

(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. 1035

(4) The child either: 1036

(a) Was enrolled in the schools of the school district in 1037
which the child is entitled to attend school in any grade from 1038
kindergarten through twelve in the school year prior to the 1039
school year in which a scholarship is first sought for the 1040
child; 1041

(b) Is eligible to enter school in any grade kindergarten 1042
through twelve in the school district in which the child is 1043
entitled to attend school in the school year in which a 1044
scholarship is first sought for the child. 1045

(5) The department of education has not approved a 1046
scholarship for the child under the educational choice 1047
scholarship pilot program, under sections 3310.01 to 3310.17 of 1048
the Revised Code, the autism scholarship program, under section 1049
3310.41 of the Revised Code, or the pilot project scholarship 1050
program, under sections 3313.974 to 3313.979 of the Revised Code 1051
for the same school year in which a scholarship under the Jon 1052
Peterson special needs scholarship program is sought. 1053

(6) The child and the child's parents are in compliance 1054
with the state compulsory attendance law under Chapter 3321. of 1055
the Revised Code. 1056

(G) "Registered private provider" means a nonpublic school 1057
or other nonpublic entity that has been registered by the 1058
superintendent of public instruction under section 3310.58 of 1059
the Revised Code. 1060

(H) "Scholarship" means a scholarship awarded under the 1061
Jon Peterson special needs scholarship program pursuant to 1062
sections 3310.51 to 3310.64 of the Revised Code. 1063

(I) "School district of residence" has the same meaning as 1064
in section 3323.01 of the Revised Code. A community school 1065
established under Chapter 3314. of the Revised Code is not a 1066
"school district of residence" for purposes of sections 3310.51 1067
to 3310.64 of the Revised Code. 1068

(J) "School year" has the same meaning as in section 1069
3313.62 of the Revised Code. 1070

(K) "Special education program" means a school or facility 1071
that provides special education and related services to children 1072
with disabilities. 1073

Sec. 3310.54. A qualified special education child in any 1074
of grades kindergarten through twelve for whom a scholarship is 1075
awarded under the Jon Peterson special needs scholarship program 1076
shall be counted in the formula ADM ~~and category one through six~~ 1077
~~special education ADM, as appropriate,~~ of the school district in 1078
which the child is entitled to attend school. A qualified 1079
special education child shall not be counted in the formula ADM 1080
~~or category one through six special education ADM~~ of any other 1081
school district. 1082

Sec. 3310.56. (A) The amount of the scholarship ~~awarded~~ 1083
~~and paid~~ computed and distributed using state core foundation 1084
funding to an eligible applicant for services for a qualified 1085
special education child under the Jon Peterson special needs 1086
scholarship program in each school year shall be the least of 1087
the amounts prescribed in divisions (A) (1), (2), and (3) of this 1088
section, as follows: 1089

(1) The amount of fees charged for that school year by the 1090
alternative public provider or registered private provider; 1091

(2) The sum of the amounts calculated under divisions (A) 1092

- (2) (a) and (b) of this section: 1093
- (a) ~~The formula amount \$6,020;~~ 1094
- (b) An amount prescribed for the child's disability as follows: 1095
1096
- (i) For a student in category one, ~~the amount specified in division (A) of section 3317.013 of the Revised Code~~ \$1,578; 1097
1098
- (ii) For a student in category two, ~~the amount specified in division (B) of section 3317.013 of the Revised Code~~ \$4,005; 1099
1100
- (iii) For a student in category three, ~~the amount specified in division (C) of section 3317.013 of the Revised Code~~ \$9,662; 1101
1102
1103
- (iv) For a student in category four, ~~the amount specified in division (D) of section 3317.013 of the Revised Code~~ \$12,841; 1104
1105
- (v) For a student in category five, ~~the amount specified in division (E) of section 3317.013 of the Revised Code~~ \$17,390; 1106
1107
- (vi) For a student in category six, ~~the amount specified in division (F) of section 3317.013 of the Revised Code~~ \$25,637. 1108
1109
- (3) Twenty-seven thousand dollars. 1110
- (B) As used in division (A) (2) (b) of this section, a child with a disability is in: 1111
1112
- (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; 1113
1114
1115
- (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; 1116
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1118

(3) "Category three" if the child is receiving special 1119
education services for a disability specified in division (C) of 1120
section 3317.013 of the Revised Code; 1121

(4) "Category four" if the child is receiving special 1122
education services for a disability specified in division (D) of 1123
section 3317.013 of the Revised Code; 1124

(5) "Category five" if the child is receiving special 1125
education services for a disability specified in division (E) of 1126
section 3317.013 of the Revised Code; 1127

(6) "Category six" if the child is receiving special 1128
education services for a disability specified in division (F) of 1129
section 3317.013 of the Revised Code. 1130

Sec. 3313.64. (A) As used in this section and in section 1131
3313.65 of the Revised Code: 1132

(1) (a) Except as provided in division (A) (1) (b) of this 1133
section, "parent" means either parent, unless the parents are 1134
separated or divorced or their marriage has been dissolved or 1135
annulled, in which case "parent" means the parent who is the 1136
residential parent and legal custodian of the child. When a 1137
child is in the legal custody of a government agency or a person 1138
other than the child's natural or adoptive parent, "parent" 1139
means the parent with residual parental rights, privileges, and 1140
responsibilities. When a child is in the permanent custody of a 1141
government agency or a person other than the child's natural or 1142
adoptive parent, "parent" means the parent who was divested of 1143
parental rights and responsibilities for the care of the child 1144
and the right to have the child live with the parent and be the 1145
legal custodian of the child and all residual parental rights, 1146
privileges, and responsibilities. 1147

(b) When a child is the subject of a power of attorney 1148
executed under sections 3109.51 to 3109.62 of the Revised Code, 1149
"parent" means the grandparent designated as attorney in fact 1150
under the power of attorney. When a child is the subject of a 1151
caretaker authorization affidavit executed under sections 1152
3109.64 to 3109.73 of the Revised Code, "parent" means the 1153
grandparent that executed the affidavit. 1154

(2) "Legal custody," "permanent custody," and "residual 1155
parental rights, privileges, and responsibilities" have the same 1156
meanings as in section 2151.011 of the Revised Code. 1157

(3) "School district" or "district" means a city, local, 1158
or exempted village school district and excludes any school 1159
operated in an institution maintained by the department of youth 1160
services. 1161

(4) Except as used in division (C) (2) of this section, 1162
"home" means a home, institution, foster home, group home, or 1163
other residential facility in this state that receives and cares 1164
for children, to which any of the following applies: 1165

(a) The home is licensed, certified, or approved for such 1166
purpose by the state or is maintained by the department of youth 1167
services. 1168

(b) The home is operated by a person who is licensed, 1169
certified, or approved by the state to operate the home for such 1170
purpose. 1171

(c) The home accepted the child through a placement by a 1172
person licensed, certified, or approved to place a child in such 1173
a home by the state. 1174

(d) The home is a children's home created under section 1175
5153.21 or 5153.36 of the Revised Code. 1176

- (5) "Agency" means all of the following: 1177
- (a) A public children services agency; 1178
 - (b) An organization that holds a certificate issued by the 1179
Ohio department of job and family services in accordance with 1180
the requirements of section 5103.03 of the Revised Code and 1181
assumes temporary or permanent custody of children through 1182
commitment, agreement, or surrender, and places children in 1183
family homes for the purpose of adoption; 1184
 - (c) Comparable agencies of other states or countries that 1185
have complied with applicable requirements of section 2151.39 of 1186
the Revised Code or as applicable, sections 5103.20 to 5103.22 1187
or 5103.23 to 5103.237 of the Revised Code. 1188
- (6) A child is placed for adoption if either of the 1189
following occurs: 1190
- (a) An agency to which the child has been permanently 1191
committed or surrendered enters into an agreement with a person 1192
pursuant to section 5103.16 of the Revised Code for the care and 1193
adoption of the child. 1194
 - (b) The child's natural parent places the child pursuant 1195
to section 5103.16 of the Revised Code with a person who will 1196
care for and adopt the child. 1197
- (7) "Preschool child with a disability" has the same 1198
meaning as in section 3323.01 of the Revised Code. 1199
- (8) "Child," unless otherwise indicated, includes 1200
preschool children with disabilities. 1201
- (9) "Active duty" means active duty pursuant to an 1202
executive order of the president of the United States, an act of 1203
the congress of the United States, or section 5919.29 or 5923.21 1204

of the Revised Code. 1205

(B) Except as otherwise provided in section 3321.01 of the Revised Code for admittance to kindergarten and first grade, a child who is at least five but under twenty-two years of age and any preschool child with a disability shall be admitted to school as provided in this division. 1206
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(1) A child shall be admitted to the schools of the school district in which the child's parent resides. 1211
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(2) Except as provided in division (B) of section 2151.362 and section 3317.30 of the Revised Code, a child who does not reside in the district where the child's parent resides shall be admitted to the schools of the district in which the child resides if any of the following applies: 1213
1214
1215
1216
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(a) The child is in the legal or permanent custody of a government agency or a person other than the child's natural or adoptive parent. 1218
1219
1220

(b) The child resides in a home. 1221

(c) The child requires special education. 1222

(3) A child who is not entitled under division (B) (2) of this section to be admitted to the schools of the district where the child resides and who is residing with a resident of this state with whom the child has been placed for adoption shall be admitted to the schools of the district where the child resides unless either of the following applies: 1223
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(a) The placement for adoption has been terminated. 1229

(b) Another school district is required to admit the child under division (B) (1) of this section. 1230
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Division (B) of this section does not prohibit the board 1232
of education of a school district from placing a child with a 1233
disability who resides in the district in a special education 1234
program outside of the district or its schools in compliance 1235
with Chapter 3323. of the Revised Code. 1236

(C) A district shall not charge tuition for children 1237
admitted under division (B) (1) or (3) of this section. If the 1238
district admits a child under division (B) (2) of this section, 1239
tuition shall be paid to the district that admits the child as 1240
provided in divisions (C) (1) to (3) of this section, unless 1241
division (C) (4) of this section applies to the child: 1242

(1) If the child receives special education in accordance 1243
with Chapter 3323. of the Revised Code, the school district of 1244
residence, as defined in section 3323.01 of the Revised Code, 1245
shall pay tuition for the child in accordance with section 1246
3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code 1247
regardless of who has custody of the child or whether the child 1248
resides in a home. 1249

(2) For a child that does not receive special education in 1250
accordance with Chapter 3323. of the Revised Code, except as 1251
otherwise provided in division (C) (2) (d) of this section, if the 1252
child is in the permanent or legal custody of a government 1253
agency or person other than the child's parent, tuition shall be 1254
paid by: 1255

(a) The district in which the child's parent resided at 1256
the time the court removed the child from home or at the time 1257
the court vested legal or permanent custody of the child in the 1258
person or government agency, whichever occurred first; 1259

(b) If the parent's residence at the time the court 1260

removed the child from home or placed the child in the legal or 1261
permanent custody of the person or government agency is unknown, 1262
tuition shall be paid by the district in which the child resided 1263
at the time the child was removed from home or placed in legal 1264
or permanent custody, whichever occurred first; 1265

(c) If a school district cannot be established under 1266
division (C) (2) (a) or (b) of this section, tuition shall be paid 1267
by the district determined as required by section 2151.362 of 1268
the Revised Code by the court at the time it vests custody of 1269
the child in the person or government agency; 1270

(d) If at the time the court removed the child from home 1271
or vested legal or permanent custody of the child in the person 1272
or government agency, whichever occurred first, one parent was 1273
in a residential or correctional facility or a juvenile 1274
residential placement and the other parent, if living and not in 1275
such a facility or placement, was not known to reside in this 1276
state, tuition shall be paid by the district determined under 1277
division (D) of section 3313.65 of the Revised Code as the 1278
district required to pay any tuition while the parent was in 1279
such facility or placement; 1280

(e) If the department of education has determined, 1281
pursuant to division (A) (2) of section 2151.362 of the Revised 1282
Code, that a school district other than the one named in the 1283
court's initial order, or in a prior determination of the 1284
department, is responsible to bear the cost of educating the 1285
child, the district so determined shall be responsible for that 1286
cost. 1287

(3) If the child is not in the permanent or legal custody 1288
of a government agency or person other than the child's parent 1289
and the child resides in a home, tuition shall be paid by one of 1290

the following:	1291
(a) The school district in which the child's parent resides;	1292 1293
(b) If the child's parent is not a resident of this state, the home in which the child resides.	1294 1295
(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.	1296 1297 1298 1299 1300 1301 1302 1303 1304 1305
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.	1306 1307 1308 1309 1310 1311 1312 1313
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.	1314 1315 1316 1317
In the case of a child to which division (C) (4) of this section applies, the total educational cost to be paid for the	1318 1319

child shall be determined by a formula approved by the 1320
department of education, which formula shall be designed to 1321
calculate a per diem cost for the educational services provided 1322
to the child for each day the child is served and shall reflect 1323
the total actual cost incurred in providing those services. The 1324
department shall certify the total educational cost to be paid 1325
for the child to both the school district providing the 1326
educational services and, if different, the school district that 1327
is responsible to pay tuition for the child. The department 1328
shall deduct the certified amount from the state basic aid funds 1329
payable under Chapter 3317. of the Revised Code to the district 1330
responsible to pay tuition and shall pay that amount to the 1331
district providing the educational services to the child. 1332

(D) Tuition required to be paid under divisions (C) (2) and 1333
(3) (a) of this section shall be computed in accordance with 1334
section 3317.08 of the Revised Code. Tuition required to be paid 1335
under division (C) (3) (b) of this section shall be computed in 1336
accordance with section 3317.081 of the Revised Code. If a home 1337
fails to pay the tuition required by division (C) (3) (b) of this 1338
section, the board of education providing the education may 1339
recover in a civil action the tuition and the expenses incurred 1340
in prosecuting the action, including court costs and reasonable 1341
attorney's fees. If the prosecuting attorney or city director of 1342
law represents the board in such action, costs and reasonable 1343
attorney's fees awarded by the court, based upon the prosecuting 1344
attorney's, director's, or one of their designee's time spent 1345
preparing and presenting the case, shall be deposited in the 1346
county or city general fund. 1347

(E) A board of education may enroll a child free of any 1348
tuition obligation for a period not to exceed sixty days, on the 1349
sworn statement of an adult resident of the district that the 1350

resident has initiated legal proceedings for custody of the child. 1351
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(F) In the case of any individual entitled to attend school under this division, no tuition shall be charged by the school district of attendance and no other school district shall be required to pay tuition for the individual's attendance. Notwithstanding division (B), (C), or (E) of this section: 1353
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(1) All persons at least eighteen but under twenty-two years of age who live apart from their parents, support themselves by their own labor, and have not successfully completed the high school curriculum or the individualized education program developed for the person by the high school pursuant to section 3323.08 of the Revised Code, are entitled to attend school in the district in which they reside. 1358
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(2) Any child under eighteen years of age who is married is entitled to attend school in the child's district of residence. 1365
1366
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(3) A child is entitled to attend school in the district in which either of the child's parents is employed if the child has a medical condition that may require emergency medical attention. The parent of a child entitled to attend school under division (F)(3) of this section shall submit to the board of education of the district in which the parent is employed a statement from the child's physician certifying that the child's medical condition may require emergency medical attention. The statement shall be supported by such other evidence as the board may require. 1368
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(4) Any child residing with a person other than the child's parent is entitled, for a period not to exceed twelve 1378
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months, to attend school in the district in which that person 1380
resides if the child's parent files an affidavit with the 1381
superintendent of the district in which the person with whom the 1382
child is living resides stating all of the following: 1383

(a) That the parent is serving outside of the state in the 1384
armed services of the United States; 1385

(b) That the parent intends to reside in the district upon 1386
returning to this state; 1387

(c) The name and address of the person with whom the child 1388
is living while the parent is outside the state. 1389

(5) Any child under the age of twenty-two years who, after 1390
the death of a parent, resides in a school district other than 1391
the district in which the child attended school at the time of 1392
the parent's death is entitled to continue to attend school in 1393
the district in which the child attended school at the time of 1394
the parent's death for the remainder of the school year, subject 1395
to approval of that district board. 1396

(6) A child under the age of twenty-two years who resides 1397
with a parent who is having a new house built in a school 1398
district outside the district where the parent is residing is 1399
entitled to attend school for a period of time in the district 1400
where the new house is being built. In order to be entitled to 1401
such attendance, the parent shall provide the district 1402
superintendent with the following: 1403

(a) A sworn statement explaining the situation, revealing 1404
the location of the house being built, and stating the parent's 1405
intention to reside there upon its completion; 1406

(b) A statement from the builder confirming that a new 1407
house is being built for the parent and that the house is at the 1408

location indicated in the parent's statement. 1409

(7) A child under the age of twenty-two years residing 1410
with a parent who has a contract to purchase a house in a school 1411
district outside the district where the parent is residing and 1412
who is waiting upon the date of closing of the mortgage loan for 1413
the purchase of such house is entitled to attend school for a 1414
period of time in the district where the house is being 1415
purchased. In order to be entitled to such attendance, the 1416
parent shall provide the district superintendent with the 1417
following: 1418

(a) A sworn statement explaining the situation, revealing 1419
the location of the house being purchased, and stating the 1420
parent's intent to reside there; 1421

(b) A statement from a real estate broker or bank officer 1422
confirming that the parent has a contract to purchase the house, 1423
that the parent is waiting upon the date of closing of the 1424
mortgage loan, and that the house is at the location indicated 1425
in the parent's statement. 1426

The district superintendent shall establish a period of 1427
time not to exceed ninety days during which the child entitled 1428
to attend school under division (F) (6) or (7) of this section 1429
may attend without tuition obligation. A student attending a 1430
school under division (F) (6) or (7) of this section shall be 1431
eligible to participate in interscholastic athletics under the 1432
auspices of that school, provided the board of education of the 1433
school district where the student's parent resides, by a formal 1434
action, releases the student to participate in interscholastic 1435
athletics at the school where the student is attending, and 1436
provided the student receives any authorization required by a 1437
public agency or private organization of which the school 1438

district is a member exercising authority over interscholastic 1439
sports. 1440

(8) A child whose parent is a full-time employee of a 1441
city, local, or exempted village school district, or of an 1442
educational service center, may be admitted to the schools of 1443
the district where the child's parent is employed, or in the 1444
case of a child whose parent is employed by an educational 1445
service center, in the district that serves the location where 1446
the parent's job is primarily located, provided the district 1447
board of education establishes such an admission policy by 1448
resolution adopted by a majority of its members. Any such policy 1449
shall take effect on the first day of the school year and the 1450
effective date of any amendment or repeal may not be prior to 1451
the first day of the subsequent school year. The policy shall be 1452
uniformly applied to all such children and shall provide for the 1453
admission of any such child upon request of the parent. No child 1454
may be admitted under this policy after the first day of classes 1455
of any school year. 1456

(9) A child who is with the child's parent under the care 1457
of a shelter for victims of domestic violence, as defined in 1458
section 3113.33 of the Revised Code, is entitled to attend 1459
school free in the district in which the child is with the 1460
child's parent, and no other school district shall be required 1461
to pay tuition for the child's attendance in that school 1462
district. 1463

The enrollment of a child in a school district under this 1464
division shall not be denied due to a delay in the school 1465
district's receipt of any records required under section 1466
3313.672 of the Revised Code or any other records required for 1467
enrollment. Any days of attendance and any credits earned by a 1468

child while enrolled in a school district under this division 1469
shall be transferred to and accepted by any school district in 1470
which the child subsequently enrolls. The state board of 1471
education shall adopt rules to ensure compliance with this 1472
division. 1473

(10) Any child under the age of twenty-two years whose 1474
parent has moved out of the school district after the 1475
commencement of classes in the child's senior year of high 1476
school is entitled, subject to the approval of that district 1477
board, to attend school in the district in which the child 1478
attended school at the time of the parental move for the 1479
remainder of the school year and for one additional semester or 1480
equivalent term. A district board may also adopt a policy 1481
specifying extenuating circumstances under which a student may 1482
continue to attend school under division (F)(10) of this section 1483
for an additional period of time in order to successfully 1484
complete the high school curriculum for the individualized 1485
education program developed for the student by the high school 1486
pursuant to section 3323.08 of the Revised Code. 1487

(11) As used in this division, "grandparent" means a 1488
parent of a parent of a child. A child under the age of twenty- 1489
two years who is in the custody of the child's parent, resides 1490
with a grandparent, and does not require special education is 1491
entitled to attend the schools of the district in which the 1492
child's grandparent resides, provided that, prior to such 1493
attendance in any school year, the board of education of the 1494
school district in which the child's grandparent resides and the 1495
board of education of the school district in which the child's 1496
parent resides enter into a written agreement specifying that 1497
good cause exists for such attendance, describing the nature of 1498
this good cause, and consenting to such attendance. 1499

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 1530
circumstances deemed appropriate by the superintendents. 1531

While an agreement is in effect under this division for a 1532
student who is not receiving special education under Chapter 1533
3323. of the Revised Code and notwithstanding Chapter 3327. of 1534
the Revised Code, the board of education of neither school 1535
district involved in the agreement is required to provide 1536
transportation for the student to and from the school where the 1537
student attends. 1538

A student attending a school of a district pursuant to 1539
this division shall be allowed to participate in all student 1540
activities, including interscholastic athletics, at the school 1541
where the student is attending on the same basis as any student 1542
who has always attended the schools of that district while of 1543
compulsory school age. 1544

(13) All school districts shall comply with the "McKinney- 1545
Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et seq., for 1546
the education of homeless children. Each city, local, and 1547
exempted village school district shall comply with the 1548
requirements of that act governing the provision of a free, 1549
appropriate public education, including public preschool, to 1550
each homeless child. 1551

When a child loses permanent housing and becomes a 1552
homeless person, as defined in 42 U.S.C.A. 11481(5), or when a 1553
child who is such a homeless person changes temporary living 1554
arrangements, the child's parent or guardian shall have the 1555
option of enrolling the child in either of the following: 1556

(a) The child's school of origin, as defined in 42 1557
U.S.C.A. 11432(g) (3) (C); 1558

(b) The school that is operated by the school district in 1559
which the shelter where the child currently resides is located 1560
and that serves the geographic area in which the shelter is 1561
located. 1562

(14) A child under the age of twenty-two years who resides 1563
with a person other than the child's parent is entitled to 1564
attend school in the school district in which that person 1565
resides if both of the following apply: 1566

(a) That person has been appointed, through a military 1567
power of attorney executed under section 574(a) of the "National 1568
Defense Authorization Act for Fiscal Year 1994," 107 Stat. 1674 1569
(1993), 10 U.S.C. 1044b, or through a comparable document 1570
necessary to complete a family care plan, as the parent's agent 1571
for the care, custody, and control of the child while the parent 1572
is on active duty as a member of the national guard or a reserve 1573
unit of the armed forces of the United States or because the 1574
parent is a member of the armed forces of the United States and 1575
is on a duty assignment away from the parent's residence. 1576

(b) The military power of attorney or comparable document 1577
includes at least the authority to enroll the child in school. 1578

The entitlement to attend school in the district in which 1579
the parent's agent under the military power of attorney or 1580
comparable document resides applies until the end of the school 1581
year in which the military power of attorney or comparable 1582
document expires. 1583

(G) A board of education, after approving admission, may 1584
waive tuition for students who will temporarily reside in the 1585
district and who are either of the following: 1586

(1) Residents or domiciliaries of a foreign nation who 1587

request admission as foreign exchange students; 1588

(2) Residents or domiciliaries of the United States but 1589
not of Ohio who request admission as participants in an exchange 1590
program operated by a student exchange organization. 1591

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 1592
3323.04, 3327.04, and 3327.06 of the Revised Code, a child may 1593
attend school or participate in a special education program in a 1594
school district other than in the district where the child is 1595
entitled to attend school under division (B) of this section. 1596

(I) (1) Notwithstanding anything to the contrary in this 1597
section or section 3313.65 of the Revised Code, a child under 1598
twenty-two years of age may attend school in the school district 1599
in which the child, at the end of the first full week of October 1600
of the school year, was entitled to attend school as otherwise 1601
provided under this section or section 3313.65 of the Revised 1602
Code, if at that time the child was enrolled in the schools of 1603
the district but since that time the child or the child's parent 1604
has relocated to a new address located outside of that school 1605
district and within the same county as the child's or parent's 1606
address immediately prior to the relocation. The child may 1607
continue to attend school in the district, and at the school to 1608
which the child was assigned at the end of the first full week 1609
of October of the current school year, for the balance of the 1610
school year. Division (I) (1) of this section applies only if 1611
both of the following conditions are satisfied: 1612

(a) The board of education of the school district in which 1613
the child was entitled to attend school at the end of the first 1614
full week in October and of the district to which the child or 1615
child's parent has relocated each has adopted a policy to enroll 1616
children described in division (I) (1) of this section. 1617

(b) The child's parent provides written notification of 1618
the relocation outside of the school district to the 1619
superintendent of each of the two school districts. 1620

(2) At the beginning of the school year following the 1621
school year in which the child or the child's parent relocated 1622
outside of the school district as described in division (I) (1) 1623
of this section, the child is not entitled to attend school in 1624
the school district under that division. 1625

(3) Any person or entity owing tuition to the school 1626
district on behalf of the child at the end of the first full 1627
week in October, as provided in division (C) of this section, 1628
shall continue to owe such tuition to the district for the 1629
child's attendance under division (I) (1) of this section for the 1630
lesser of the balance of the school year or the balance of the 1631
time that the child attends school in the district under 1632
division (I) (1) of this section. 1633

(4) A pupil who may attend school in the district under 1634
division (I) (1) of this section shall be entitled to 1635
transportation services pursuant to an agreement between the 1636
district and the district in which the child or child's parent 1637
has relocated unless the districts have not entered into such 1638
agreement, in which case the child shall be entitled to 1639
transportation services in the same manner as a pupil attending 1640
school in the district under interdistrict open enrollment as 1641
described in division ~~(H)~~ (E) of section 3313.981 of the Revised 1642
Code, regardless of whether the district has adopted an open 1643
enrollment policy as described in division (B) (1) (b) or (c) of 1644
section 3313.98 of the Revised Code. 1645

(J) This division does not apply to a child receiving 1646
special education. 1647

A school district required to pay tuition pursuant to 1648
division (C) (2) or (3) of this section or section 3313.65 of the 1649
Revised Code shall have an amount deducted under division (C) of 1650
section 3317.023 of the Revised Code equal to its own tuition 1651
rate for the same period of attendance. A school district 1652
entitled to receive tuition pursuant to division (C) (2) or (3) 1653
of this section or section 3313.65 of the Revised Code shall 1654
have an amount credited under division (C) of section 3317.023 1655
of the Revised Code equal to its own tuition rate for the same 1656
period of attendance. If the tuition rate credited to the 1657
district of attendance exceeds the rate deducted from the 1658
district required to pay tuition, the department of education 1659
shall pay the district of attendance the difference from amounts 1660
deducted from all districts' payments under division (C) of 1661
section 3317.023 of the Revised Code but not credited to other 1662
school districts under such division and from appropriations 1663
made for such purpose. The treasurer of each school district 1664
shall, by the fifteenth day of January and July, furnish the 1665
superintendent of public instruction a report of the names of 1666
each child who attended the district's schools under divisions 1667
(C) (2) and (3) of this section or section 3313.65 of the Revised 1668
Code during the preceding six calendar months, the duration of 1669
the attendance of those children, the school district 1670
responsible for tuition on behalf of the child, and any other 1671
information that the superintendent requires. 1672

Upon receipt of the report the superintendent, pursuant to 1673
division (C) of section 3317.023 of the Revised Code, shall 1674
deduct each district's tuition obligations under divisions (C) 1675
(2) and (3) of this section or section 3313.65 of the Revised 1676
Code and pay to the district of attendance that amount plus any 1677
amount required to be paid by the state. 1678

(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 1709
school district of attendance by the superintendent of public 1710
instruction. Each grant to be used for payments to an approved 1711
tutorial assistance provider is payable to the approved tutorial 1712
assistance provider. 1713

(A) (1) By the fifteenth day of each month of the school 1714
year that any scholarship students are enrolled in a registered 1715
private school, the chief administrator of that school shall 1716
notify the state superintendent of: 1717

(a) The number of scholarship students who were reported 1718
to the school district as having been admitted by that private 1719
school pursuant to division (A) (2) (b) of section 3313.978 of the 1720
Revised Code and who were still enrolled in the private school 1721
as of the first day of such month; 1722

(b) The number of scholarship students who were reported 1723
to the school district as having been admitted by another 1724
private school pursuant to division (A) (2) (b) of section 1725
3313.978 of the Revised Code and since the date of admission 1726
have transferred to the school providing the notification under 1727
division (A) (1) of this section. 1728

(2) From time to time, the state superintendent shall make 1729
a payment to the parent of each student entitled to a 1730
scholarship. Each payment shall include for each student 1731
reported under division (A) (1) of this section a portion of the 1732
scholarship amount specified in divisions (C) (1) and (2) of 1733
section 3313.978 of the Revised Code. This amount shall be 1734
proportionately reduced in the case of any such student who is 1735
not enrolled in a registered private school for the entire 1736
school year. 1737

(3) The first payment under this division shall be made by 1738
the last day of November and shall equal one-third of the 1739
estimated total amount that will be due to the parent for the 1740
school year pursuant to division (A) (2) of this section. 1741

(B) The state superintendent, on behalf of the parents of 1742
a scholarship student enrolled in a public school in an adjacent 1743
school district pursuant to section 3327.06 of the Revised Code, 1744
shall make the tuition payments required by that section to the 1745
school district admitting the student, except that, 1746
notwithstanding sections 3323.13, 3323.14, and 3327.06 of the 1747
Revised Code, the total payments in any school year shall not 1748
exceed the scholarship amount provided in divisions (C) (1) and 1749
(2) of section 3313.978 of the Revised Code. 1750

(C) Whenever an approved provider provides tutorial 1751
assistance to a student, the state superintendent shall pay the 1752
approved provider for such costs upon receipt of a statement 1753
specifying the services provided and the costs of the services, 1754
which statement shall be signed by the provider and verified by 1755
the chief administrator having supervisory control over the 1756
tutoring site. The total payments to any approved provider under 1757
this division for all provider services to any individual 1758
student in any school year shall not exceed the grant amount 1759
provided in division (C) (3) of section 3313.978 of the Revised 1760
Code. 1761

Sec. 3313.98. Notwithstanding division (D) of section 1762
3311.19 and division (D) of section 3311.52 of the Revised Code, 1763
the provisions of this section and sections 3313.981 to 3313.983 1764
of the Revised Code that apply to a city school district do not 1765
apply to a joint vocational or cooperative education school 1766
district unless expressly specified. 1767

(A) As used in this section and sections 3313.981 to	1768
3313.983 of the Revised Code:	1769
(1) "Parent" means either of the natural or adoptive	1770
parents of a student, except under the following conditions:	1771
(a) When the marriage of the natural or adoptive parents	1772
of the student has been terminated by a divorce, dissolution of	1773
marriage, or annulment or the natural or adoptive parents of the	1774
student are living separate and apart under a legal separation	1775
decree and the court has issued an order allocating the parental	1776
rights and responsibilities with respect to the student,	1777
"parent" means the residential parent as designated by the court	1778
except that "parent" means either parent when the court issues a	1779
shared parenting decree.	1780
(b) When a court has granted temporary or permanent	1781
custody of the student to an individual or agency other than	1782
either of the natural or adoptive parents of the student,	1783
"parent" means the legal custodian of the child.	1784
(c) When a court has appointed a guardian for the student,	1785
"parent" means the guardian of the student.	1786
(2) "Native student" means a student entitled under	1787
section 3313.64 or 3313.65 of the Revised Code to attend school	1788
in a district adopting a resolution under this section.	1789
(3) "Adjacent district" means a city, exempted village, or	1790
local school district having territory that abuts the territory	1791
of a district adopting a resolution under this section.	1792
(4) "Adjacent district student" means a student entitled	1793
under section 3313.64 or 3313.65 of the Revised Code to attend	1794
school in an adjacent district.	1795

(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. 1825
1826

(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: 1827
1828
1829
1830

(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; 1831
1832
1833
1834

(b) A policy that permits enrollment of students from all adjacent districts in accordance with policy statements contained in the resolution; 1835
1836
1837

(c) A policy that permits enrollment of students from all other districts in accordance with policy statements contained in the resolution. 1838
1839
1840

(2) A policy permitting enrollment of students from adjacent or from other districts, as applicable, shall provide for all of the following: 1841
1842
1843

(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. 1844
1845
1846
1847

(b) Procedures for admitting adjacent or other district applicants free of any tuition obligation to the district's schools, including, but not limited to: 1848
1849
1850

(i) The establishment of district capacity limits by grade level, school building, and education program; 1851
1852

(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 1882
parent of any adjacent district student. 1883

(2) Each school board permitting enrollment of other 1884
district students shall provide information about the policy 1885
adopted under this section, including the application procedures 1886
and deadlines, upon request, to the board of education of any 1887
other school district or to the parent of any student anywhere 1888
in the state. 1889

(E) Any school board shall accept all credits toward 1890
graduation earned in adjacent or other district schools by an 1891
adjacent or other district student or a native student. 1892

(F) (1) No board of education may adopt a policy 1893
discouraging or prohibiting its native students from applying to 1894
enroll in the schools of an adjacent or any other district that 1895
has adopted a policy permitting such enrollment, except that: 1896

(a) A district may object to the enrollment of a native 1897
student in an adjacent or other district in order to maintain an 1898
appropriate racial balance. 1899

(b) The board of education of a district receiving funds 1900
under 64 Stat. 1100 (1950), 20 U.S.C.A. 236 et seq., as amended, 1901
may adopt a resolution objecting to the enrollment of its native 1902
students in adjacent or other districts if at least ten per cent 1903
of its students are included in the determination of the United 1904
States secretary of education made under section 20 U.S.C.A. 1905
238(a). 1906

(2) If a board objects to enrollment of native students 1907
under this division, any adjacent or other district shall refuse 1908
to enroll such native students unless tuition is paid for the 1909
students in accordance with section 3317.08 of the Revised Code. 1910

An adjacent or other district enrolling such students may not 1911
receive funding for those students in accordance with section 1912
3313.981 of the Revised Code. 1913

(G) The state board of education shall monitor school 1914
districts to ensure compliance with this section and the 1915
districts' policies. The board may adopt rules requiring uniform 1916
application procedures, deadlines for application, notification 1917
procedures, and record-keeping requirements for all school 1918
boards that adopt policies permitting the enrollment of adjacent 1919
or other district students, as applicable. If the state board 1920
adopts such rules, no school board shall adopt a policy that 1921
conflicts with those rules. 1922

(H) A resolution adopted by a board of education under 1923
this section that entirely prohibits the enrollment of students 1924
from adjacent and from other school districts does not abrogate 1925
any agreement entered into under section 3313.841 or 3313.92 of 1926
the Revised Code or any contract entered into under section 1927
3313.90 of the Revised Code between the board of education 1928
adopting the resolution and the board of education of any 1929
adjacent or other district or prohibit these boards of education 1930
from entering into any such agreement or contract. 1931

(I) Nothing in this section shall be construed to permit 1932
or require the board of education of a city, exempted village, 1933
or local school district to exclude any native student of the 1934
district from enrolling in the district. 1935

Sec. 3313.981. (A) The state board of education shall 1936
adopt rules requiring all of the following: 1937

(1) The board of education of each city, exempted village, 1938
and local school district to annually report to the department 1939

of education all of the following:	1940
(a) The number of adjacent district or other district students in grades kindergarten through twelve, as applicable, the number of adjacent district or other district students who are preschool children with disabilities, as applicable, and the number of adjacent district or other district joint vocational students, as applicable, enrolled in the district, in accordance with a policy adopted under division (B) of section 3313.98 of the Revised Code;	1941 1942 1943 1944 1945 1946 1947 1948
(b) The number of native students in grades kindergarten through twelve enrolled in adjacent or other districts and the number of native students who are preschool children with disabilities enrolled in adjacent or other districts, in accordance with a policy adopted under division (B) of section 3313.98 of the Revised Code;	1949 1950 1951 1952 1953 1954
(c) Each adjacent district or other district student's or adjacent district or other district joint vocational student's date of enrollment in the district;	1955 1956 1957
(d) The full-time equivalent number of adjacent district or other district students enrolled in each of the categories of career-technical education programs or classes described in section 3317.014 of the Revised Code;	1958 1959 1960 1961
(e) Each native student's date of enrollment in an adjacent or other district.	1962 1963
(2) The board of education of each joint vocational school district to annually report to the department all of the following:	1964 1965 1966
(a) The number of adjacent district or other district joint vocational students, as applicable, enrolled in the	1967 1968

district; 1969

(b) The full-time equivalent number of adjacent district 1970
or other district joint vocational students enrolled in each 1971
category of career-technical education programs or classes 1972
described in section 3317.014 of the Revised Code; 1973

(c) For each adjacent district or other district joint 1974
vocational student, the city, exempted village, or local school 1975
district in which the student is also enrolled. 1976

(3) Prior to the end of each reporting period specified in 1977
section 3317.03 of the Revised Code, the superintendent of each 1978
city, local, or exempted village school district that admits 1979
adjacent district or other district students who are in grades 1980
kindergarten through twelve, adjacent district or other district 1981
students who are preschool children with disabilities, or 1982
adjacent district or other district joint vocational students in 1983
accordance with a policy adopted under division (B) of section 1984
3313.98 of the Revised Code to report to the department of 1985
education each adjacent or other district's students and where 1986
those students who are enrolled in the superintendent's district 1987
under the policy are entitled to attend school under section 1988
3313.64 or 3313.65 of the Revised Code. 1989

The rules shall provide for the method of counting 1990
students who are enrolled for part of a school year in an 1991
adjacent or other district or as an adjacent district or other 1992
district joint vocational student. 1993

(B) From the payments made to a city, exempted village, or 1994
local school district under Chapter 3317. of the Revised Code 1995
and, if necessary, from the payments made to the district under 1996
sections 321.24 and 323.156 of the Revised Code, the department 1997

of education shall annually subtract ~~all of the following:~~ 1998

~~(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;~~ 1999
2000
2001
2002
2003
2004

~~(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;~~ 2005
2006
2007
2008
2009

~~(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;~~ 2010
2011
2012
2013
2014
2015

~~(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.~~ 2016
2017
2018
2019
2020

(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:~~ 2021
2022
2023
2024

~~(1) An amount equal to the formula amount multiplied by the remainder obtained by subtracting the number of adjacent~~ 2025
2026

~~district or other district joint vocational students from the~~ 2027
~~number of adjacent district or other district students in grades~~ 2028
~~kindergarten through twelve enrolled in the district, as~~ 2029
~~reported under division (A) (1) of this section;~~ 2030

~~(2) The excess costs computed in accordance with division~~ 2031
~~(E) of this section for any adjacent district or other district~~ 2032
~~students in grades kindergarten through twelve, except for any~~ 2033
~~adjacent or other district joint vocational students, receiving~~ 2034
~~special education and related services in the district;~~ 2035

~~(3) For each of the adjacent or other district students~~ 2036
~~who are not adjacent district or other district joint vocational~~ 2037
~~students and are reported under division (A) (1) (d) of this~~ 2038
~~section as enrolled in career technical education programs or~~ 2039
~~classes described in section 3317.014 of the Revised Code, the~~ 2040
~~per pupil amount prescribed by that section for the student's~~ 2041
~~respective career technical category, on a full time equivalency~~ 2042
~~basis;~~ 2043

~~(4) An amount equal to the number of adjacent district or~~ 2044
~~other district joint vocational students reported under division~~ 2045
~~(A) (1) of this section multiplied by an amount equal to twenty~~ 2046
~~per cent of the formula amount;~~ 2047

~~(5) For, for each adjacent district or other district~~ 2048
~~student who is a preschool child with a disability reported~~ 2049
~~under division (A) (1) of this section who is enrolled in the~~ 2050
~~district, \$4,000.~~ 2051

~~(D) To the payments made to a joint vocational school~~ 2052
~~district under Chapter 3317. of the Revised Code, the department~~ 2053
~~of education shall add, for each adjacent district or other~~ 2054
~~district joint vocational student reported under division (A) (2)~~ 2055

~~of this section, both of the following:~~ 2056

~~(1) The formula amount;~~ 2057

~~(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.~~ 2058
2059
2060
2061
2062

~~(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:~~ 2063
2064
2065
2066
2067
2068

~~(a) Subtract the formula amount from the actual costs to educate the student;~~ 2069
2070

~~(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.~~ 2071
2072
2073
2074

~~(2) The board shall report the excess costs computed under this division to the department of education.~~ 2075
2076

~~(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.~~ 2077
2078
2079
2080
2081
2082

~~(F) As provided in division (D) (1) (b) of section 3317.03~~ 2083

~~of the Revised Code, no joint vocational school district shall~~ 2084
~~count any adjacent or other district joint vocational student~~ 2085
~~enrolled in the district in its enrollment certified under~~ 2086
~~section 3317.03 of the Revised Code.~~ 2087

~~(G)~~ No city, exempted village, or local school district 2088
shall receive a payment under division (C) of this section for a 2089
student, ~~and no joint vocational school district shall receive a~~ 2090
~~payment under division (D) of this section for a student,~~ if for 2091
the same school year that student is counted in the district's 2092
enrollment certified under section 3317.03 of the Revised Code. 2093

~~(H)~~ (E) Upon request of a parent, and provided the board 2094
offers transportation to native students of the same grade level 2095
and distance from school under section 3327.01 of the Revised 2096
Code, a city, exempted village, or local school board enrolling 2097
an adjacent or other district student shall provide 2098
transportation for the student within the boundaries of the 2099
board's district, except that the board shall be required to 2100
pick up and drop off a nonhandicapped student only at a regular 2101
school bus stop designated in accordance with the board's 2102
transportation policy. Pursuant to rules of the state board of 2103
education, such board may reimburse the parent from funds 2104
received for pupil transportation under section 3317.0212 of the 2105
Revised Code, or other provisions of law, for the reasonable 2106
cost of transportation from the student's home to the designated 2107
school bus stop if the student's family has an income below the 2108
federal poverty line. 2109

Sec. 3314.08. (A) As used in this section and sections 2110
3314.085 and 3314.089 of the Revised Code: 2111

(1) (a) "Category one career-technical education student" 2112
means a student who is receiving the career-technical education 2113

services described in division (A) (1) of section 3317.014 of the Revised Code. 2114
2115

(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. 2116
2117
2118
2119

(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. 2120
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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. 2124
2125
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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. 2128
2129
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2131

(2) (a) "Category one English learner" means an English learner described in division (A) of section 3317.016 of the Revised Code. 2132
2133
2134

(b) "Category two English learner" means an English learner described in division (B) of section 3317.016 of the Revised Code. 2135
2136
2137

(c) "Category three English learner" means an English learner described in division (C) of section 3317.016 of the Revised Code. 2138
2139
2140

(3) (a) "Category one special education student" means a 2141

student who is receiving special education services for a 2142
disability specified in division (A) of section 3317.013 of the 2143
Revised Code. 2144

(b) "Category two special education student" means a 2145
student who is receiving special education services for a 2146
disability specified in division (B) of section 3317.013 of the 2147
Revised Code. 2148

(c) "Category three special education student" means a 2149
student who is receiving special education services for a 2150
disability specified in division (C) of section 3317.013 of the 2151
Revised Code. 2152

(d) "Category four special education student" means a 2153
student who is receiving special education services for a 2154
disability specified in division (D) of section 3317.013 of the 2155
Revised Code. 2156

(e) "Category five special education student" means a 2157
student who is receiving special education services for a 2158
disability specified in division (E) of section 3317.013 of the 2159
Revised Code. 2160

(f) "Category six special education student" means a 2161
student who is receiving special education services for a 2162
disability specified in division (F) of section 3317.013 of the 2163
Revised Code. 2164

(4) ~~"Formula amount" has the same meaning as in section~~ 2165
~~3317.02 of the Revised Code~~"Economically disadvantaged index for 2166
a community school" means the square of the quotient of the 2167
percentage of students enrolled in the school who are identified 2168
as economically disadvantaged as defined by the department of 2169
education, divided by the percentage of students in the 2170

statewide ADM identified as economically disadvantaged. For 2171
purposes of this calculation, the "statewide ADM" equals the 2172
"statewide ADM" for city, local, and exempted village school 2173
districts described in division (F) (1) of section 3317.02 of the 2174
Revised Code. 2175

(5) "Funding base" means the following: 2176

(a) For a community school that was in operation for the 2177
entirety of fiscal year 2020, the amount paid to the school for 2178
that fiscal year under divisions (C) (1) (a), (b), (c), (d), (f), 2179
and (g) of this section as those divisions existed prior to the 2180
effective date of this amendment in accordance with division (A) 2181
of Section 265.230 of H.B. 166 of the 133rd general assembly and 2182
the amount, if any, paid to the school for that fiscal year 2183
under section 3314.085 of the Revised Code in accordance with 2184
division (B) of Section 265.230 of H.B. 166 of the 133rd general 2185
assembly; 2186

(b) For a community school that was in operation for part 2187
of fiscal year 2020, the amount that would have been paid to the 2188
school for that fiscal year under divisions (C) (1) (a), (b), (c), 2189
(d), (f), and (g) of this section as those divisions existed 2190
prior to the effective date of this amendment in accordance with 2191
division (A) of Section 265.230 of H.B. 166 of the 133rd general 2192
assembly if the school had been in operation for the entirety of 2193
that fiscal year, as calculated by the department, and the 2194
amount that would have been paid to the school for that fiscal 2195
year under section 3314.085 of the Revised Code in accordance 2196
with division (B) of Section 265.230 of H.B. 166 of the 133rd 2197
general assembly, if any, if the school had been in operation 2198
for the entirety of that fiscal year, as calculated by the 2199
department; 2200

(c) For a community school that was not in operation for 2201
fiscal year 2020, the amount that would have been paid to the 2202
school if it was in operation for that school year under 2203
divisions (C) (1) (a), (b), (c), (d), (f), and (g) of this section 2204
as those divisions existed prior to the effective date of this 2205
amendment in accordance with division (A) of Section 265.230 of 2206
H.B. 166 of the 133rd general assembly if the school had been in 2207
operation for the entirety of that fiscal year, as calculated by 2208
the department, and the amount that would have been paid to the 2209
school for that fiscal year under section 3314.085 of the 2210
Revised Code in accordance with division (B) of Section 265.230 2211
of H.B. 166 of the 133rd general assembly, if any, if the school 2212
had been in operation for the entirety of that fiscal year, as 2213
calculated by the department. 2214

(6) "IEP" has the same meaning as in section 3323.01 of 2215
the Revised Code. 2216

~~(6) "Resident district" means the school district in which~~ 2217
~~a student is entitled to attend school under section 3313.64 or~~ 2218
~~3313.65 of the Revised Code.~~ 2219

~~(7) "State education aid" has the same meaning as in~~ 2220
~~section 5751.20 of the Revised Code~~A community school's "phase- 2221
in percentage" for a fiscal year is equal to the phase-in 2222
percentage for that fiscal year for city, local, exempted 2223
village, and joint vocational school districts as defined in 2224
section 3317.02 of the Revised Code. 2225

(8) "Statewide average base cost per pupil" and "statewide 2226
average career-technical base cost per pupil" have the same 2227
meanings as in section 3317.02 of the Revised Code. 2228

(B) The state board of education shall adopt rules 2229

requiring both of the following:	2230
(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.	2231 2232 2233 2234 2235 2236
(2) The governing authority of each community school established under this chapter to annually report all of the following:	2237 2238 2239
(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;	2240 2241 2242 2243
(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;	2244 2245 2246 2247
(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;	2248 2249 2250 2251
(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 (E) <u>(5)</u> of section 3317.014 of the Revised Code that are provided by the community school;	2252 2253 2254 2255 2256 2257
(e) The number of students reported under divisions (B) (2)	2258

(a) and (b) of this section who are not reported under division	2259
(B) (2) (d) of this section but who are enrolled in career-	2260
technical education programs or classes described in each of	2261
divisions (A) <u>(1)</u> to (E) <u>(5)</u> of section 3317.014 of the Revised	2262
Code at a joint vocational school district or another district	2263
in the career-technical planning district to which the school is	2264
assigned;	2265
(f) The number of students reported under divisions (B) (2)	2266
(a) and (b) of this section who are category one to three	2267
English learners described in each of divisions (A) to (C) of	2268
section 3317.016 of the Revised Code;	2269
(g) The number of students reported under divisions (B) (2)	2270
(a) and (b) of this section who are economically disadvantaged,	2271
as defined by the department. A student shall not be	2272
categorically excluded from the number reported under division	2273
(B) (2) (g) of this section based on anything other than family	2274
income.	2275
(h) For each student, the city, exempted village, or local	2276
school district in which the student is entitled to attend	2277
school under section 3313.64 or 3313.65 of the Revised Code.	2278
(i) The number of students enrolled in a preschool program	2279
operated by the school that is licensed by the department of	2280
education under sections 3301.52 to 3301.59 of the Revised Code	2281
who are not receiving special education and related services	2282
pursuant to an IEP.	2283
A school district board and a community school governing	2284
authority shall include in their respective reports under	2285
division (B) of this section any child admitted in accordance	2286
with division (A) (2) of section 3321.01 of the Revised Code.	2287

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 2317
follows: 2318

(i) If the student is a category one special education 2319
student, the ~~amount-multiple~~ specified in division (A) of 2320
section 3317.013 of the Revised Code X the statewide average 2321
base cost per pupil for that fiscal year; 2322

(ii) If the student is a category two special education 2323
student, the ~~amount-multiple~~ specified in division (B) of 2324
section 3317.013 of the Revised Code X the statewide average 2325
base cost per pupil for that fiscal year; 2326

(iii) If the student is a category three special education 2327
student, the ~~amount-multiple~~ specified in division (C) of 2328
section 3317.013 of the Revised Code X the statewide average 2329
base cost per pupil for that fiscal year; 2330

(iv) If the student is a category four special education 2331
student, the ~~amount-multiple~~ specified in division (D) of 2332
section 3317.013 of the Revised Code X the statewide average 2333
base cost per pupil for that fiscal year; 2334

(v) If the student is a category five special education 2335
student, the ~~amount-multiple~~ specified in division (E) of 2336
section 3317.013 of the Revised Code X the statewide average 2337
base cost per pupil for that fiscal year; 2338

(vi) If the student is a category six special education 2339
student, the ~~amount-multiple~~ specified in division (F) of 2340
section 3317.013 of the Revised Code X the statewide average 2341
base cost per pupil for that fiscal year. 2342

~~(d) If the student is in kindergarten through third grade,~~ 2343
~~an additional amount of \$320;~~ 2344

~~(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;~~ 2373

~~(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;~~ 2374
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~~(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.~~ 2377
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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.~~ 2380
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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.~~ 2384
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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.~~ 2390
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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~~ 2393
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student of the type and in the manner prescribed, the department 2402
shall pay to the community school an amount equal to the 2403
school's costs for the student in excess of the threshold 2404
catastrophic costs. 2405

(b) The community school shall report under division (C) 2406
(3) (a) of this section, and the department shall pay for, only 2407
the costs of educational expenses and the related services 2408
provided to the student in accordance with the student's 2409
individualized education program. Any legal fees, court costs, 2410
or other costs associated with any cause of action relating to 2411
the student may not be included in the amount. 2412

~~(4) In any fiscal year, a community school receiving funds 2413
under division (C) (1) (g) of this section shall spend those funds 2414
only for the purposes that the department designates as approved 2415
for career technical education expenses. Career technical 2416
education expenses approved by the department shall include only 2417
expenses connected to the delivery of career technical 2418
programming to career technical students. The department shall 2419
require the school to report data annually so that the 2420
department may monitor the school's compliance with the 2421
requirements regarding the manner in which funding received 2422
under division (C) (1) (g) of this section may be spent. 2423~~

~~(5) Notwithstanding anything to the contrary in section 2424
3313.90 of the Revised Code, except as provided in division (C) 2425
(9) of this section, all funds received under division (C) (1) (g) 2426
of this section shall be spent in the following manner: 2427~~

~~(a) At least seventy five per cent of the funds shall be 2428
spent on curriculum development, purchase, and implementation; 2429
instructional resources and supplies; industry based program 2430
certification; student assessment, credentialing, and placement; 2431~~

~~curriculum specific equipment purchases and leases; career- 2432
technical student organization fees and expenses; home and 2433
agency linkages; work based learning experiences; professional- 2434
development; and other costs directly associated with career- 2435
technical education programs including development of new 2436
programs. 2437~~

~~(b) Not more than twenty five per cent of the funds shall- 2438
be used for personnel expenditures. 2439~~

~~(6) A community school shall spend the funds it receives 2440
under division (C) (1) (e) (C) (1) (c) of this section in accordance 2441
with section 3317.25 of the Revised Code. 2442~~

(5) In any fiscal year, a community school shall spend the 2443
funds it receives under division (C) (1) (d) of this section only 2444
for services for English learners. 2445

~~(7) If the sum of the payments computed under divisions- 2446
(C) (1) and (8) (a) of this section for the students entitled to- 2447
attend school in a particular school district under sections- 2448
3313.64 and 3313.65 of the Revised Code exceeds the sum of that- 2449
district's state education aid and its payment under sections- 2450
321.24 and 323.156 of the Revised Code, the department shall- 2451
calculate and apply a proration factor to the payments to all- 2452
community schools under that division for the students entitled- 2453
to attend school in that district. 2454~~

~~(8) (a) Subject to division (C) (7) of this section, the 2455
department annually shall pay to each community school, 2456
including each internet or computer based community school, an 2457
amount equal to the following: 2458~~

~~(The number of students reported by the community school- 2459
under division (B) (2) (e) of this section X the formula amount- 2460~~

~~X .20)~~ 2461

~~(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:~~ 2462
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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)~~ 2468
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~~(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.~~ 2471
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(D) A board of education sponsoring a community school may 2476
utilize local funds to make enhancement grants to the school or 2477
may agree, either as part of the contract or separately, to 2478
provide any specific services to the community school at no cost 2479
to the school. 2480

(E) A community school may not levy taxes or issue bonds 2481
secured by tax revenues. 2482

(F) No community school shall charge tuition for the 2483
enrollment of any student who is a resident of this state. A 2484
community school may charge tuition for the enrollment of any 2485
student who is not a resident of this state. 2486

(G) (1) (a) A community school may borrow money to pay any 2487
necessary and actual expenses of the school in anticipation of 2488
the receipt of any portion of the payments to be received by the 2489

school pursuant to division (C) of this section and section 2490
3314.089 of the Revised Code. The school may issue notes to 2491
evidence such borrowing. The proceeds of the notes shall be used 2492
only for the purposes for which the anticipated receipts may be 2493
lawfully expended by the school. 2494

(b) A school may also borrow money for a term not to 2495
exceed fifteen years for the purpose of acquiring facilities. 2496

(2) Except for any amount guaranteed under section 3318.50 2497
of the Revised Code, the state is not liable for debt incurred 2498
by the governing authority of a community school. 2499

(H) The department of education shall adjust the amounts 2500
~~subtracted and paid~~ under division (C) of this section and 2501
section 3314.089 of the Revised Code to reflect any enrollment 2502
of students in community schools for less than the equivalent of 2503
a full school year. The state board of education within ninety 2504
days after April 8, 2003, shall adopt in accordance with Chapter 2505
119. of the Revised Code rules governing the payments to 2506
community schools under this section including initial payments 2507
in a school year and adjustments and reductions made in 2508
subsequent periodic payments to community schools ~~and~~ 2509
~~corresponding deductions from school district accounts as~~ 2510
provided under division (C) of this section and section 3314.089 2511
of the Revised Code. For purposes of this section: 2512

(1) A student shall be considered enrolled in the 2513
community school for any portion of the school year the student 2514
is participating at a college under Chapter 3365. of the Revised 2515
Code. 2516

(2) A student shall be considered to be enrolled in a 2517
community school for the period of time beginning on the later 2518

of the date on which the school both has received documentation 2519
of the student's enrollment from a parent and the student has 2520
commenced participation in learning opportunities as defined in 2521
the contract with the sponsor, or thirty days prior to the date 2522
on which the student is entered into the education management 2523
information system established under section 3301.0714 of the 2524
Revised Code. For purposes of applying this division and 2525
divisions (H) (3) and (4) of this section to a community school 2526
student, "learning opportunities" shall be defined in the 2527
contract, which shall describe both classroom-based and non- 2528
classroom-based learning opportunities and shall be in 2529
compliance with criteria and documentation requirements for 2530
student participation which shall be established by the 2531
department. Any student's instruction time in non-classroom- 2532
based learning opportunities shall be certified by an employee 2533
of the community school. A student's enrollment shall be 2534
considered to cease on the date on which any of the following 2535
occur: 2536

(a) The community school receives documentation from a 2537
parent terminating enrollment of the student. 2538

(b) The community school is provided documentation of a 2539
student's enrollment in another public or private school. 2540

(c) The community school ceases to offer learning 2541
opportunities to the student pursuant to the terms of the 2542
contract with the sponsor or the operation of any provision of 2543
this chapter. 2544

Except as otherwise specified in this paragraph, beginning 2545
in the 2011-2012 school year, any student who completed the 2546
prior school year in an internet- or computer-based community 2547
school shall be considered to be enrolled in the same school in 2548

the subsequent school year until the student's enrollment has 2549
ceased as specified in division (H) (2) of this section. The 2550
department shall continue ~~subtracting and~~ paying amounts for the 2551
student under division (C) of this section and section 3314.089 2552
of the Revised Code without interruption at the start of the 2553
subsequent school year. However, if the student without a 2554
legitimate excuse fails to participate in the first seventy-two 2555
consecutive hours of learning opportunities offered to the 2556
student in that subsequent school year, the student shall be 2557
considered not to have re-enrolled in the school for that school 2558
year and the department shall recalculate the payments to the 2559
school for that school year to account for the fact that the 2560
student is not enrolled. 2561

(3) The department shall determine each community school 2562
student's percentage of full-time equivalency based on the 2563
percentage of learning opportunities offered by the community 2564
school to that student, reported either as number of hours or 2565
number of days, is of the total learning opportunities offered 2566
by the community school to a student who attends for the 2567
school's entire school year. However, no internet- or computer- 2568
based community school shall be credited for any time a student 2569
spends participating in learning opportunities beyond ten hours 2570
within any period of twenty-four consecutive hours. Whether it 2571
reports hours or days of learning opportunities, each community 2572
school shall offer not less than nine hundred twenty hours of 2573
learning opportunities during the school year. 2574

(4) With respect to the calculation of full-time 2575
equivalency under division (H) (3) of this section, the 2576
department shall waive the number of hours or days of learning 2577
opportunities not offered to a student because the community 2578
school was closed during the school year due to disease 2579

epidemic, hazardous weather conditions, law enforcement 2580
emergencies, inoperability of school buses or other equipment 2581
necessary to the school's operation, damage to a school 2582
building, or other temporary circumstances due to utility 2583
failure rendering the school building unfit for school use, so 2584
long as the school was actually open for instruction with 2585
students in attendance during that school year for not less than 2586
the minimum number of hours required by this chapter. The 2587
department shall treat the school as if it were open for 2588
instruction with students in attendance during the hours or days 2589
waived under this division. 2590

(I) The department of education shall reduce the amounts 2591
paid under this section and section 3314.089 of the Revised Code 2592
to reflect payments made to colleges under section 3365.07 of 2593
the Revised Code. 2594

(J) (1) No student shall be considered enrolled in any 2595
internet- or computer-based community school or, if applicable 2596
to the student, in any community school that is required to 2597
provide the student with a computer pursuant to division (C) of 2598
section 3314.22 of the Revised Code, unless both of the 2599
following conditions are satisfied: 2600

(a) The student possesses or has been provided with all 2601
required hardware and software materials and all such materials 2602
are operational so that the student is capable of fully 2603
participating in the learning opportunities specified in the 2604
contract between the school and the school's sponsor as required 2605
by division (A) (23) of section 3314.03 of the Revised Code; 2606

(b) The school is in compliance with division (A) of 2607
section 3314.22 of the Revised Code, relative to such student. 2608

(2) In accordance with policies adopted by the 2609
superintendent of public instruction, in consultation with the 2610
auditor of state, the department shall reduce the amounts 2611
otherwise payable under division (C) of this section and section 2612
3314.089 of the Revised Code to any community school that 2613
includes in its program the provision of computer hardware and 2614
software materials to any student, if such hardware and software 2615
materials have not been delivered, installed, and activated for 2616
each such student in a timely manner or other educational 2617
materials or services have not been provided according to the 2618
contract between the individual community school and its 2619
sponsor. 2620

The superintendent of public instruction and the auditor 2621
of state shall jointly establish a method for auditing any 2622
community school to which this division pertains to ensure 2623
compliance with this section. 2624

The superintendent, auditor of state, and the governor 2625
shall jointly make recommendations to the general assembly for 2626
legislative changes that may be required to assure fiscal and 2627
academic accountability for such schools. 2628

(K) (1) If the department determines that a review of a 2629
community school's enrollment is necessary, such review shall be 2630
completed and written notice of the findings shall be provided 2631
to the governing authority of the community school and its 2632
sponsor within ninety days of the end of the community school's 2633
fiscal year, unless extended for a period not to exceed thirty 2634
additional days for one of the following reasons: 2635

(a) The department and the community school mutually agree 2636
to the extension. 2637

(b) Delays in data submission caused by either a community school or its sponsor. 2638
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(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: 2640
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(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. 2645
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(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. 2648
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(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. 2652
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(d) Any decision made by the board under this division is final. 2657
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(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. 2659
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(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: 2663
2664
2665
2666

(1) Any student who has graduated from the twelfth grade 2667
of a public or nonpublic high school; 2668

(2) Any student who is not a resident of the state; 2669

(3) Any student who was enrolled in the community school 2670
during the previous school year when assessments were 2671
administered under section 3301.0711 of the Revised Code but did 2672
not take one or more of the assessments required by that section 2673
and was not excused pursuant to division (C)(1) or (3) of that 2674
section, unless the superintendent of public instruction grants 2675
the student a waiver from the requirement to take the assessment 2676
and a parent is not paying tuition for the student pursuant to 2677
section 3314.26 of the Revised Code. The superintendent may 2678
grant a waiver only for good cause in accordance with rules 2679
adopted by the state board of education. 2680

(4) Any student who has attained the age of twenty-two 2681
years, except for veterans of the armed services whose 2682
attendance was interrupted before completing the recognized 2683
twelve-year course of the public schools by reason of induction 2684
or enlistment in the armed forces and who apply for enrollment 2685
in a community school not later than four years after 2686
termination of war or their honorable discharge. If, however, 2687
any such veteran elects to enroll in special courses organized 2688
for veterans for whom tuition is paid under federal law, or 2689
otherwise, the department shall not ~~subtract from a school-~~ 2690
~~district's state aid account and shall not pay to a community~~ 2691
school under division (C) of this section and section 3314.089 2692
of the Revised Code any amount for that veteran. 2693

Sec. 3314.084. (A) As used in this section: 2694

(1) "Formula ADM" has the same meaning as in section 2695

3317.03 of the Revised Code.	2696
(2) "Home" has the same meaning as in section 3313.64 of the Revised Code.	2697 2698
(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.	2699 2700 2701 2702
(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:	2703 2704 2705 2706
(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.	2707 2708 2709 2710 2711 2712 2713 2714
(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.	2715 2716 2717 2718
(3) The child's school district of residence shall count the child in that district's formula ADM.	2719 2720
(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.	2721 2722 2723

~~(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>	2752
<u>(1) Calculate the school's classroom teacher cost for that</u>	2753
<u>fiscal year as follows:</u>	2754
<u>(a) Determine the full-time equivalency of students</u>	2755
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2756
<u>kindergarten and divide that number by 20;</u>	2757
<u>(b) Determine the full-time equivalency of students</u>	2758
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2759
<u>grades one through three and divide that number by 23;</u>	2760
<u>(c) Determine the full-time equivalency of students</u>	2761
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2762
<u>grades four through eight but are not enrolled in a career-</u>	2763
<u>technical education program or class described under section</u>	2764
<u>3317.014 of the Revised Code and divide that number by 25;</u>	2765
<u>(d) Determine the full-time equivalency of students</u>	2766
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2767
<u>grades nine through twelve but are not enrolled in a career-</u>	2768
<u>technical education program or class described under section</u>	2769
<u>3317.014 of the Revised Code and divide that number by 27;</u>	2770
<u>(e) Determine the full-time equivalency of students</u>	2771
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2772
<u>a career-technical education program or class, as reported under</u>	2773
<u>division (B) (2) (d) of section 3314.08 of the Revised Code, and</u>	2774
<u>divide that number by 18;</u>	2775
<u>(f) Compute the sum of the quotients obtained under</u>	2776
<u>divisions (D) (1) (a), (b), (c), (d), and (e) of this section;</u>	2777
<u>(g) Compute the classroom teacher cost by multiplying the</u>	2778
<u>average teacher cost for that fiscal year by the sum computed</u>	2779

<u>under division (D) (1) (f) of this section.</u>	2780
<u>(2) Calculate the school's special teacher cost for that</u>	2781
<u>fiscal year as follows:</u>	2782
<u>(a) Divide the number of students enrolled in the school</u>	2783
<u>for that fiscal year by 150;</u>	2784
<u>(b) Compute the special teacher cost by multiplying the</u>	2785
<u>quotient obtained under division (D) (2) (a) of this section by</u>	2786
<u>the average teacher cost for that fiscal year.</u>	2787
<u>(3) Calculate the school's substitute teacher cost for</u>	2788
<u>that fiscal year in accordance with the following formula:</u>	2789
<u>(a) Compute the substitute teacher daily rate with</u>	2790
<u>benefits by multiplying the substitute teacher daily rate of \$90</u>	2791
<u>by 1.16;</u>	2792
<u>(b) Compute the substitute teacher cost in accordance with</u>	2793
<u>the following formula:</u>	2794
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	2795
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	2796
<u>the amount computed under division (D) (3) (a) of this section X 5</u>	2797
<u>(4) Calculate the school's professional development cost</u>	2798
<u>for that fiscal year in accordance with the following formula:</u>	2799
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	2800
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	2801
<u>[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of</u>	2802
<u>the Revised Code for that fiscal year)/180] X 4</u>	2803
<u>(5) Calculate the school's teacher base cost for that</u>	2804
<u>fiscal year, which equals the sum of divisions (D) (1), (2), (3),</u>	2805
<u>and (4) of this section.</u>	2806

(E) The department shall compute a community school's 2807
student support base cost for a fiscal year as follows: 2808

The number of students enrolled in the school for that fiscal 2809
year X 0.90 X [(the sum of the student support base cost 2810
calculated for all city, local, and exempted village school 2811
districts in the state for that fiscal year under division (E) 2812
of section 3317.011 of the Revised Code - the sum of the 2813
athletic co-curricular activities cost calculated for all city, 2814
local, and exempted village school districts in the state for 2815
that fiscal year under division (E) (5) of section 3317.011 of 2816
the Revised Code)/ the sum of the base cost enrolled ADMs of all 2817
of the city, local, and exempted village school districts in the 2818
state for that fiscal year] 2819

(F) The department shall compute a community school's 2820
leadership and accountability base cost for a fiscal year as 2821
follows: 2822

The number of students enrolled in the school for that fiscal 2823
year X 0.90 X (the sum of the leadership and accountability base 2824
cost calculated for all city, local, and exempted village school 2825
districts in the state for that fiscal year under division (F) 2826
of section 3317.011 of the Revised Code/ the sum of the base 2827
cost enrolled ADMs of all of the city, local, and exempted 2828
village school districts in the state for that fiscal year) 2829

(G) The department shall compute a community school's 2830
building leadership and operations base cost for a fiscal year 2831
as follows: 2832

The number of students enrolled in the school for that fiscal 2833
year X 0.90 X (the sum of the building leadership and 2834
accountability base cost calculated for all city, local, and 2835

exempted village school districts in the state for that fiscal 2836
year under division (G) of section 3317.011 of the Revised Code/ 2837
the sum of the base cost enrolled ADMs of all of the city, 2838
local, and exempted village school districts in the state for 2839
that fiscal year) 2840

Sec. 3314.087. (A) As used in this section: 2841

(1) "Career-technical program" means career-technical 2842
programs or classes described in division (A) (1), ~~(B)(2)~~, ~~(C)~~ 2843
(3), ~~(D)(4)~~, or ~~(E)(5)~~ of section 3317.014 of the Revised Code 2844
in which a student is enrolled. 2845

(2) "~~Formula ADM,~~" "category Category one through five 2846
career-technical education ADM," and "FTE basis" have the same 2847
meanings as in section 3317.02 of the Revised Code. 2848

(3) "Resident school district" means the city, exempted 2849
village, or local school district in which a student is entitled 2850
to attend school under section 3313.64 or 3313.65 of the Revised 2851
Code. 2852

(B) Notwithstanding anything to the contrary in this 2853
chapter or Chapter 3317. of the Revised Code, a student enrolled 2854
in a community school may simultaneously enroll in the career- 2855
technical program operated by the career-technical planning 2856
district to which the student's resident district belongs. On an 2857
FTE basis, the student's resident school district shall count 2858
the student in the category one through five career-technical 2859
education ADM for the proportion of the time the student is 2860
enrolled in a career-technical program of the career-technical 2861
planning district to which the student's resident district 2862
belongs and, accordingly, the department of education shall 2863
calculate funds under Chapter 3317. for the resident district 2864

attributable to the student for the proportion of time the 2865
student attends the career-technical program. The community 2866
school shall count the student in its enrollment report under 2867
section 3314.08 of the Revised Code and shall report to the 2868
department the proportion of time that the student attends 2869
classes at the community school. The department shall pay the 2870
community school ~~and deduct from the student's resident school-~~ 2871
~~district~~ the amount computed for the student under section 2872
3314.08 of the Revised Code in proportion to the fraction of the 2873
time on an FTE basis that the student attends classes at the 2874
community school. "Full-time equivalency" for a community school 2875
student, as defined in division (H) of section 3314.08 of the 2876
Revised Code, does not apply to the student. 2877

Sec. 3314.089. (A) For each student enrolled in a 2878
community school established under this chapter, including an 2879
internet- or computer-based community school, and reported under 2880
division (B) (2) of section 3314.08 of the Revised Code, on a 2881
full-time equivalency basis, the department of education shall 2882
calculate career-technical education funds as follows: 2883

(1) If the student is a category one career-technical 2884
education student, the multiple specified in division (A) (1) of 2885
section 3317.014 of the Revised Code X the statewide average 2886
career-technical base cost per pupil for that fiscal year; 2887

(2) If the student is a category two career-technical 2888
education student, the multiple specified in division (A) (2) of 2889
section 3317.014 of the Revised Code X the statewide average 2890
career-technical base cost per pupil for that fiscal year; 2891

(3) If the student is a category three career-technical 2892
education student, the multiple specified in division (A) (3) of 2893
section 3317.014 of the Revised Code X the statewide average 2894

career-technical base cost per pupil for that fiscal year; 2895

(4) If the student is a category four career-technical 2896
education student, the multiple specified in division (A) (4) of 2897
section 3317.014 of the Revised Code X the statewide average 2898
career-technical base cost per pupil for that fiscal year; 2899

(5) If the student is a category five career-technical 2900
education student, the multiple specified in division (A) (5) of 2901
section 3317.014 of the Revised Code X the statewide average 2902
career-technical base cost per pupil for that fiscal year. 2903

Payment of funds calculated under division (A) of this 2904
section is subject to approval by the lead district of a career- 2905
technical planning district or the department of education under 2906
section 3317.161 of the Revised Code. 2907

(B) Subject to division (I) of section 3317.023 of the 2908
Revised Code, the department of education shall calculate 2909
career-technical associated services funds for each community 2910
school as follows: 2911

The multiple for career-technical education associated services 2912
specified under division (B) of section 3317.014 of the Revised 2913
Code X the statewide average career-technical base cost per 2914
pupil for that fiscal year X the number of the school's students 2915
enrolled in career-technical education 2916

(C) Subject to division (I) of section 3317.023 of the 2917
Revised Code, the department shall pay career awareness and 2918
exploration funds to each community school as follows: 2919

The number of students enrolled in the community school X \$2.50, 2920
for fiscal year 2022, \$5, for fiscal year 2023, \$7.50, for 2921
fiscal year 2024, or \$10, for fiscal year 2025 and each fiscal 2922
year thereafter 2923

(D) The department shall annually calculate for each 2924
community school, including each internet- or computer-based 2925
community school, an amount equal to the following: 2926

(The number of students reported by the community school under 2927
division (B) (2) (e) of section 3314.08 of the Revised Code X the 2928
school's base cost per pupil as specified under division (C) (1) 2929
(a) of section 3314.08 of the Revised Code X .20) 2930

(E) In any fiscal year, a community school receiving funds 2931
calculated under division (A) of this section shall spend those 2932
funds only for the purposes that the department designates as 2933
approved for career-technical education expenses. Career- 2934
technical education expenses approved by the department shall 2935
include only expenses connected to the delivery of career- 2936
technical programming to career-technical students. The 2937
department shall require the school to report data annually so 2938
that the department may monitor the school's compliance with the 2939
requirements regarding the manner in which funding received 2940
under division (A) of this section may be spent. 2941

(F) Notwithstanding anything to the contrary in section 2942
3313.90 of the Revised Code, except as provided in division (G) 2943
of this section, all funds received under division (A) of this 2944
section shall be spent in the following manner: 2945

(1) At least seventy-five per cent of the funds shall be 2946
spent on curriculum development, purchase, and implementation; 2947
instructional resources and supplies; industry-based program 2948
certification; student assessment, credentialing, and placement; 2949
curriculum specific equipment purchases and leases; career- 2950
technical student organization fees and expenses; home and 2951
agency linkages; work-based learning experiences; professional 2952
development; and other costs directly associated with career- 2953

technical education programs including development of new 2954
programs. 2955

(2) Not more than twenty-five per cent of the funds shall 2956
be used for personnel expenditures. 2957

(G) The department may waive the requirements in division 2958
(F) of this section for any community school that exclusively 2959
provides one or more career-technical workforce development 2960
programs in arts and communications that are not equipment- 2961
intensive, as determined by the department. 2962

(H) In any fiscal year, a community school receiving funds 2963
under division (H) of section 3317.014 of the Revised Code shall 2964
spend those funds only on the following purposes: 2965

(1) Delivery of career awareness programs to students 2966
enrolled in grades kindergarten through twelve; 2967

(2) Provision of a common, consistent curriculum to 2968
students throughout their primary and secondary education; 2969

(3) Assistance to teachers in providing a career 2970
development curriculum to students; 2971

(4) Development of a career development plan for each 2972
student that stays with that student for the duration of the 2973
student's primary and secondary education; 2974

(5) Provision of opportunities for students to engage in 2975
activities, such as career fairs, hands-on experiences, and job 2976
shadowing, across all career pathways at each grade level. 2977

The department may deny payment under division (C) of this 2978
section to any school that the department determines is using 2979
funds paid under division (H) of section 3317.014 of the Revised 2980
Code for other purposes. 2981

Sec. 3314.0810. For each fiscal year, the department of 2982
education shall calculate for each community school established 2983
under this chapter an amount equal to the lesser of the 2984
following: 2985

(A) The following sum: 2986

The school's funding base + {[the sum of the per pupil amounts 2987
calculated for the school for that fiscal year under divisions 2988
(C) (1) (a), (b), and (d) of section 3314.08 of the Revised Code + 2989
the sum of the per pupil amounts calculated for the school for 2990
that fiscal year under division (A) of section 3314.089 of the 2991
Revised Code + the amount calculated for the school for that 2992
fiscal year under divisions (B) and (D) of section 3314.089 of 2993
the Revised Code) - the school's funding base] X the school's 2994
phase-in percentage for that fiscal year} + the sum of the per 2995
pupil amounts of disadvantaged pupil impact aid calculated for 2996
that fiscal year under division (C) (1) (c) of section 3314.08 of 2997
the Revised Code 2998

(B) The following sum: 2999

The sum of the per pupil amounts calculated for the school for 3000
that fiscal year under division (C) (1) of section 3314.08 of the 3001
Revised Code + the sum of the per pupil amounts calculated for 3002
the school for that fiscal year under division (A) of section 3003
3314.089 of the Revised Code + the amount calculated for the 3004
school for that fiscal year under division (B) of section 3005
3314.089 of the Revised Code 3006

Sec. 3314.091. (A) A school district is not required to 3007
provide transportation for any native student enrolled in a 3008
community school if the district board of education has entered 3009
into an agreement with the community school's governing 3010

authority that designates the community school as responsible 3011
for providing or arranging for the transportation of the 3012
district's native students to and from the community school. For 3013
any such agreement to be effective, it must be certified by the 3014
superintendent of public instruction as having met all of the 3015
following requirements: 3016

(1) It is submitted to the department of education by a 3017
deadline which shall be established by the department. 3018

(2) In accordance with divisions (C) (1) and (2) of this 3019
section, it specifies qualifications, such as residing a minimum 3020
distance from the school, for students to have their 3021
transportation provided or arranged. 3022

(3) The transportation provided by the community school is 3023
subject to all provisions of the Revised Code and all rules 3024
adopted under the Revised Code pertaining to pupil 3025
transportation. 3026

(4) The sponsor of the community school also has signed 3027
the agreement. 3028

(B) (1) For the school year that begins on July 1, 2007, a 3029
school district is not required to provide transportation for 3030
any native student enrolled in a community school, if the 3031
community school during the previous school year transported the 3032
students enrolled in the school or arranged for the students' 3033
transportation, even if that arrangement consisted of having 3034
parents transport their children to and from the school, but did 3035
not enter into an agreement to transport or arrange for 3036
transportation for those students under division (A) of this 3037
section, and if the governing authority of the community school 3038
by July 15, 2007, submits written notification to the district 3039

board of education stating that the governing authority is 3040
accepting responsibility for providing or arranging for the 3041
transportation of the district's native students to and from the 3042
community school. 3043

(2) Except as provided in division (B)(4) of this section, 3044
for any school year subsequent to the school year that begins on 3045
July 1, 2007, a school district is not required to provide 3046
transportation for any native student enrolled in a community 3047
school if the governing authority of the community school, by 3048
the thirty-first day of January of the previous school year, 3049
submits written notification to the district board of education 3050
stating that the governing authority is accepting responsibility 3051
for providing or arranging for the transportation of the 3052
district's native students to and from the community school. If 3053
the governing authority of the community school has previously 3054
accepted responsibility for providing or arranging for the 3055
transportation of a district's native students to and from the 3056
community school, under division (B)(1) or (2) of this section, 3057
and has since relinquished that responsibility under division 3058
(B)(3) of this section, the governing authority shall not accept 3059
that responsibility again unless the district board consents to 3060
the governing authority's acceptance of that responsibility. 3061

(3) A governing authority's acceptance of responsibility 3062
under division (B)(1) or (2) of this section shall cover an 3063
entire school year, and shall remain in effect for subsequent 3064
school years unless the governing authority submits written 3065
notification to the district board that the governing authority 3066
is relinquishing the responsibility. However, a governing 3067
authority shall not relinquish responsibility for transportation 3068
before the end of a school year, and shall submit the notice 3069
relinquishing responsibility by the thirty-first day of January, 3070

in order to allow the school district reasonable time to prepare 3071
transportation for its native students enrolled in the school. 3072

(4) (a) For any school year that begins on or after July 1, 3073
2014, a school district is not required to provide 3074
transportation for any native student enrolled in a community 3075
school scheduled to open for operation in the current school 3076
year, if the governing authority of the community school, by the 3077
fifteenth day of April of the previous school year, submits 3078
written notification to the district board of education stating 3079
that the governing authority is accepting responsibility for 3080
providing or arranging for the transportation of the district's 3081
native students to and from the community school. 3082

(b) The governing authority of a community school that 3083
accepts responsibility for transporting its students under 3084
division (B) (4) (a) of this section shall comply with divisions 3085
(B) (2) and (3) of this section to renew or relinquish that 3086
authority for subsequent school years. 3087

(C) (1) A community school governing authority that enters 3088
into an agreement under division (A) of this section, or that 3089
accepts responsibility under division (B) of this section, shall 3090
provide or arrange transportation free of any charge for each of 3091
its enrolled students who is required to be transported under 3092
section 3327.01 of the Revised Code. The governing authority 3093
shall report to the department of education the number of 3094
students transported or for whom transportation is arranged 3095
under this section in accordance with rules adopted by the state 3096
board of education. 3097

(2) The governing authority may provide or arrange 3098
transportation for any other enrolled student who is not 3099
eligible for transportation in accordance with division (C) (1) 3100

of this section and may charge a fee for such service up to the 3101
actual cost of the service. 3102

(3) Notwithstanding anything to the contrary in division 3103
(C) (1) or (2) of this section, a community school governing 3104
authority shall provide or arrange transportation free of any 3105
charge for any disabled student enrolled in the school for whom 3106
the student's individualized education program developed under 3107
Chapter 3323. of the Revised Code specifies transportation. 3108

(D) (1) If a school district board and a community school 3109
governing authority elect to enter into an agreement under 3110
division (A) of this section, the department of education shall 3111
make payments to the community school according to the terms of 3112
the agreement for each student actually transported under 3113
division (C) (1) of this section. 3114

If a community school governing authority accepts 3115
transportation responsibility under division (B) of this 3116
section, the department shall make payments to the community 3117
school for each student actually transported or for whom 3118
transportation is arranged by the community school under 3119
division (C) (1) of this section, calculated as follows: 3120

(a) For any fiscal year which the general assembly has 3121
specified that transportation payments to school districts be 3122
based on an across-the-board percentage of the district's 3123
payment for the previous school year, the per pupil payment to 3124
the community school shall be the following quotient: 3125

(i) The total amount calculated for the school district in 3126
which the child is entitled to attend school for student 3127
transportation other than transportation of children with 3128
disabilities; divided by 3129

(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. 3160

~~(c) Divisions (D) (1) (a) and (b) of this section do not 3161
apply to fiscal years 2012 and 2013. Rather, for each of those 3162
fiscal years, the per pupil payment to a community school for 3163
transporting a student shall be the total amount paid under 3164
former section 3306.12 of the Revised Code for fiscal year 2011- 3165
to the school district in which the child is entitled to attend 3166
school divided by that district's "qualifying ridership," as 3167
defined in that section for fiscal year 2011. 3168~~

As used in this division "entitled to attend school" means 3169
entitled to attend school under section 3313.64 or 3313.65 of 3170
the Revised Code. 3171

~~(2) The department shall deduct the payment under division 3172
(D) (1) of this section from the state education aid, as defined 3173
in section 3314.08 of the Revised Code, and, if necessary, the 3174
payment under sections 321.14 and 323.156 of the Revised Code, 3175
that is otherwise paid to the school district in which the 3176
student enrolled in the community school is entitled to attend 3177
school. The department shall include the number of the 3178
district's native students for whom payment is made to a 3179
community school under division (D) (1) of this section in the 3180
calculation of the district's transportation payment under 3181
section 3317.0212 of the Revised Code and the operating 3182
appropriations act. 3183~~

~~(3) A community school shall be paid under division (D) (1) 3184
of this section only for students who are eligible as specified 3185
in section 3327.01 of the Revised Code and division (C) (1) of 3186
this section, and whose transportation to and from school is 3187
actually provided, who actually utilized transportation 3188
arranged, or for whom a payment in lieu of transportation is 3189~~

made by the community school's governing authority. To qualify 3190
for the payments, the community school shall report to the 3191
department, in the form and manner required by the department, 3192
data on the number of students transported or whose 3193
transportation is arranged, the number of miles traveled, cost 3194
to transport, and any other information requested by the 3195
department. 3196

~~(4)~~ (3) A community school shall use payments received 3197
under this section solely to pay the costs of providing or 3198
arranging for the transportation of students who are eligible as 3199
specified in section 3327.01 of the Revised Code and division 3200
(C) (1) of this section, which may include payments to a parent, 3201
guardian, or other person in charge of a child in lieu of 3202
transportation. 3203

(E) Except when arranged through payment to a parent, 3204
guardian, or person in charge of a child, transportation 3205
provided or arranged for by a community school pursuant to an 3206
agreement under this section is subject to all provisions of the 3207
Revised Code, and all rules adopted under the Revised Code, 3208
pertaining to the construction, design, equipment, and operation 3209
of school buses and other vehicles transporting students to and 3210
from school. The drivers and mechanics of the vehicles are 3211
subject to all provisions of the Revised Code, and all rules 3212
adopted under the Revised Code, pertaining to drivers and 3213
mechanics of such vehicles. The community school also shall 3214
comply with sections 3313.201, 3327.09, and 3327.10 of the 3215
Revised Code, division (B) of section 3327.16 of the Revised 3216
Code and, subject to division (C) (1) of this section, sections 3217
3327.01 and 3327.02 of the Revised Code, as if it were a school 3218
district. 3219

Sec. 3314.11. (A) The governing authority of each 3220
community school established under this chapter monthly shall 3221
review the residency records of students enrolled in that 3222
community school. Upon the enrollment of each student and on an 3223
annual basis, the governing authority shall verify to the 3224
department of education the school district in which the student 3225
is entitled to attend school under section 3313.64 or 3313.65 of 3226
the Revised Code. 3227

The school district may review the determination made by 3228
the community school under division (A) of this section. 3229

(B) (1) For purposes of its initial reporting of the school 3230
districts in which its students are entitled to attend school, 3231
the governing authority of a community school shall adopt a 3232
policy that prescribes the number of documents listed in 3233
division (E) of this section required to verify a student's 3234
residency. This policy shall supersede any policy concerning the 3235
number of documents for initial residency verification adopted 3236
by the district the student is entitled to attend. 3237

(2) For purposes of the annual reporting of the school 3238
districts in which its students are entitled to attend school, 3239
the governing authority of a community school shall adopt a 3240
policy that prescribes the information required to verify a 3241
student's residency. This information may be obtained through 3242
any type of document, including any of the documents listed in 3243
division (E) of this section, or any type of communication with 3244
a government official authorized to provide such information. 3245

(C) For purposes of making the determinations required 3246
under this section, the school district in which a parent or 3247
child resides is the location the parent or student has 3248
established as the primary residence and where substantial 3249

family activity takes place.	3250
(D) If a community school's determination under division	3251
(A) of this section of the school district a student is entitled	3252
to attend under section 3313.64 or 3313.65 of the Revised Code	3253
differs from a district's determination, the community school	3254
that made the determination under division (A) of this section	3255
shall provide the school district with documentation of the	3256
student's residency and shall make a good faith effort to	3257
accurately identify the correct residence of the student.	3258
(E) For purposes of this section, the following documents	3259
may serve as evidence of primary residence:	3260
(1) A deed, mortgage, lease, current home owner's or	3261
renter's insurance declaration page, or current real property	3262
tax bill;	3263
(2) A utility bill or receipt of utility installation	3264
issued within ninety days of enrollment;	3265
(3) A paycheck or paystub issued to the parent or student	3266
within ninety days of the date of enrollment that includes the	3267
address of the parent's or student's primary residence;	3268
(4) The most current available bank statement issued to	3269
the parent or student that includes the address of the parent's	3270
or student's primary residence;	3271
(5) Any other official document issued to the parent or	3272
student that includes the address of the parent's or student's	3273
primary residence. The superintendent of public instruction	3274
shall develop guidelines for determining what qualifies as an	3275
"official document" under this division.	3276
(F) When a student loses permanent housing and becomes a	3277

homeless child or youth, as defined in 42 U.S.C. 11434a, or when 3278
a child who is such a homeless child or youth changes temporary 3279
living arrangements, the district in which the student is 3280
entitled to attend school shall be determined in accordance with 3281
division (F) (13) of section 3313.64 of the Revised Code and the 3282
"McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et 3283
seq. 3284

(G) In the event of a disagreement as to which school 3285
district a student is entitled to attend, the community school, 3286
after complying with division (D) of this section, but not more 3287
than sixty days after the monthly deadline established by the 3288
department of education for reporting of community school 3289
enrollment, may present the matter to the superintendent of 3290
public instruction. Not later than thirty days after the 3291
community school presents the matter, the state superintendent, 3292
or the state superintendent's designee, shall determine which 3293
district the student is entitled to attend and shall direct any 3294
necessary adjustments to payments ~~and deductions~~ under section 3295
3314.08 of the Revised Code based on that determination. 3296

Sec. 3314.20. (A) As used in this section: 3297

(1) "Base enrollment" for an internet- or computer-based 3298
community school means either of the following: 3299

(a) If the school was open for instruction on the 3300
effective date of this section, the number of students enrolled 3301
in the school at the end of the 2012-2013 school year; 3302

(b) If the school opens for instruction after the 3303
effective date of this section, one thousand students. 3304

(2) "Enrollment limit" for an internet- or computer-based 3305
community school means the following: 3306

(a) For the 2014-2015 school year, the base enrollment 3307
increased by the prescribed annual rate of growth, as calculated 3308
by the department of education. 3309

(b) For the 2015-2016 school year and each school year 3310
thereafter, the previous school year's enrollment limit 3311
increased by the prescribed annual rate of growth, as calculated 3312
by the department. 3313

(3) "Prescribed annual rate of growth" for an internet- or 3314
computer-based community school means either of the following: 3315

(a) For a school with an enrollment limit equal to or 3316
greater than three thousand students, fifteen per cent. 3317

(b) For a school with an enrollment limit of less than 3318
three thousand students, twenty-five per cent. 3319

(B) Beginning in the 2014-2015 school year, no internet- 3320
or computer-based community school shall enroll more students 3321
than the number permitted by its enrollment limit. 3322

(C) If, in any school year, an internet- or computer-based 3323
community school enrolls more students than permitted under the 3324
enrollment limit, the department shall deduct from the community 3325
school the amount of state funds credited to the community 3326
school attributable to each student enrolled in excess of the 3327
enrollment limit, as determined by the department. ~~The~~ 3328
~~department shall distribute the deducted amounts to the school~~ 3329
~~districts to which the students enrolled in the community school~~ 3330
~~are entitled to attend school under section 3313.64 or 3313.65~~ 3331
~~of the Revised Code. Such amounts shall be distributed on a pro~~ 3332
~~rata basis according to each district's share of the total~~ 3333
~~enrollment in the community school.~~ 3334

Sec. 3315.18. (A) The board of education of each city, 3335

exempted village, local, and joint vocational school district 3336
shall establish a capital and maintenance fund. Each board 3337
annually shall deposit into that fund an amount derived from 3338
revenues received by the district that would otherwise have been 3339
deposited in the general fund that is equal to three per cent of 3340
the ~~formula amount~~ statewide average base cost per pupil for the 3341
preceding fiscal year, as defined in section 3317.02 of the 3342
Revised Code, or another percentage if established by the 3343
auditor of state under division (B) of this section, multiplied 3344
by the district's student population for the preceding fiscal 3345
year, except that money received from a permanent improvement 3346
levy authorized by section 5705.21 of the Revised Code may 3347
replace general revenue moneys in meeting the requirements of 3348
this section. Money in the fund shall be used solely for 3349
acquisition, replacement, enhancement, maintenance, or repair of 3350
permanent improvements, as that term is defined in section 3351
5705.01 of the Revised Code. Any money in the fund that is not 3352
used in any fiscal year shall carry forward to the next fiscal 3353
year. 3354

(B) The state superintendent of public instruction and the 3355
auditor of state jointly shall adopt rules in accordance with 3356
Chapter 119. of the Revised Code defining what constitutes 3357
expenditures permitted by division (A) of this section. The 3358
auditor of state may designate a percentage, other than three 3359
per cent, of the ~~formula amount~~ statewide average base cost per 3360
pupil multiplied by the district's student population that must 3361
be deposited into the fund. 3362

(C) Within its capital and maintenance fund, a school 3363
district board of education may establish a separate account 3364
solely for the purpose of depositing funds transferred from the 3365
district's reserve balance account established under former 3366

division (H) of section 5705.29 of the Revised Code. After April 3367
10, 2001, a board may deposit all or part of the funds formerly 3368
included in such reserve balance account in the separate account 3369
established under this section. Funds deposited in this separate 3370
account and interest on such funds shall be utilized solely for 3371
the purpose of providing the district's portion of the basic 3372
project costs of any project undertaken in accordance with 3373
Chapter 3318. of the Revised Code. 3374

(D) (1) Notwithstanding division (A) of this section, in 3375
any year a district is in fiscal emergency status as declared 3376
pursuant to section 3316.03 of the Revised Code, the district 3377
may deposit an amount less than required by division (A) of this 3378
section, or make no deposit, into the district capital and 3379
maintenance fund for that year. 3380

(2) Notwithstanding division (A) of this section, in any 3381
fiscal year that a school district is either in fiscal watch 3382
status, as declared pursuant to section 3316.03 of the Revised 3383
Code, or in fiscal caution status, as declared pursuant to 3384
section 3316.031 of the Revised Code, the district may apply to 3385
the superintendent of public instruction for a waiver from the 3386
requirements of division (A) of this section, under which the 3387
district may be permitted to deposit an amount less than 3388
required by that division or permitted to make no deposit into 3389
the district capital and maintenance fund for that year. The 3390
superintendent may grant a waiver under division (D) (2) of this 3391
section if the district demonstrates to the satisfaction of the 3392
superintendent that compliance with division (A) of this section 3393
that year will create an undue financial hardship on the 3394
district. 3395

(3) Notwithstanding division (A) of this section, not more 3396

often than one fiscal year in every three consecutive fiscal 3397
years, any school district that does not satisfy the conditions 3398
for the exemption described in division (D) (1) of this section 3399
or the conditions to apply for the waiver described in division 3400
(D) (2) of this section may apply to the superintendent of public 3401
instruction for a waiver from the requirements of division (A) 3402
of this section, under which the district may be permitted to 3403
deposit an amount less than required by that division or 3404
permitted to make no deposit into the district capital and 3405
maintenance fund for that year. The superintendent may grant a 3406
waiver under division (D) (3) of this section if the district 3407
demonstrates to the satisfaction of the superintendent that 3408
compliance with division (A) of this section that year will 3409
necessitate the reduction or elimination of a program currently 3410
offered by the district that is critical to the academic success 3411
of students of the district and that no reasonable alternatives 3412
exist for spending reductions in other areas of operation within 3413
the district that negate the necessity of the reduction or 3414
elimination of that program. 3415

(E) Notwithstanding any provision to the contrary in 3416
Chapter 4117. of the Revised Code, the requirements of this 3417
section prevail over any conflicting provisions of agreements 3418
between employee organizations and public employers entered into 3419
after November 21, 1997. 3420

(F) As used in this section, "student population" means 3421
the average, daily, full-time equivalent number of students in 3422
kindergarten through twelfth grade receiving any educational 3423
services from the school district during the first full school 3424
week in October, excluding students enrolled in adult education 3425
classes, but including all of the following: 3426

(1) Adjacent or other district students enrolled in the 3427
district under an open enrollment policy pursuant to section 3428
3313.98 of the Revised Code; 3429

(2) Students receiving services in the district pursuant 3430
to a compact, cooperative education agreement, or a contract, 3431
but who are entitled to attend school in another district 3432
pursuant to section 3313.64 or 3313.65 of the Revised Code; 3433

(3) Students for whom tuition is payable pursuant to 3434
sections 3317.081 and 3323.141 of the Revised Code. 3435

The department of education shall determine a district's 3436
student population using data reported to it under section 3437
3317.03 of the Revised Code for the applicable fiscal year. 3438

Sec. 3317.011. (A) As used in this section: 3439

(1) "Average administrative assistant salary" means the 3440
average salary of administrative assistants employed by city, 3441
local, and exempted village school districts in this state with 3442
salaries greater than \$20,000 but less than \$65,000 for the most 3443
recent fiscal year for which data is available, as determined by 3444
the department of education. 3445

(2) "Average bookkeeping and accounting employee salary" 3446
means the average salary of bookkeeping employees and accounting 3447
employees employed by city, local, and exempted village school 3448
districts in this state with salaries greater than \$20,000 but 3449
less than \$80,000 for the most recent fiscal year for which data 3450
is available, as determined by the department. 3451

(3) "Average clerical staff salary" means the average 3452
salary of clerical staff employed by city, local, and exempted 3453
village school districts in this state with salaries greater 3454
than \$15,000 but less than \$50,000 for the most recent fiscal 3455

year for which data is available, as determined by the 3456
department. 3457

(4) "Average counselor salary" means the average salary of 3458
counselors employed by city, local, and exempted village school 3459
districts in this state with salaries greater than \$30,000 but 3460
less than \$95,000 for the most recent fiscal year for which data 3461
is available, as determined by the department. 3462

(5) "Average education management information system 3463
support employee salary" means the average salary of accounting 3464
employees employed by city, local, and exempted village school 3465
districts in this state with salaries greater than \$30,000 but 3466
less than \$90,000 for the most recent fiscal year for which data 3467
is available, as determined by the department. 3468

(6) "Average librarian and media staff salary" means the 3469
average salary of librarians and media staff employed by city, 3470
local, and exempted village school districts in this state with 3471
salaries greater than \$30,000 but less than \$95,000 for the most 3472
recent fiscal year for which data is available, as determined by 3473
the department. 3474

(7) "Average other district administrator salary" means 3475
the average salary of all assistant superintendents and 3476
directors employed by city, local, and exempted village school 3477
districts in this state with salaries greater than \$50,000 but 3478
less than \$135,000 for the most recent fiscal year for which 3479
data is available, as determined by the department. 3480

(8) "Average principal salary" means the average salary of 3481
all principals employed by city, local, and exempted village 3482
school districts in this state with salaries greater than 3483
\$50,000 but less than \$120,000 for the most recent fiscal year 3484

for which data is available, as determined by the department. 3485

(9) "Average superintendent salary" means the average 3486
salary of all superintendents employed by city, local, and 3487
exempted village school districts in this state with salaries 3488
greater than \$60,000 but less than \$180,000 for the most recent 3489
fiscal year for which data is available, as determined by the 3490
department. 3491

(10) "Average teacher cost" for a fiscal year is equal to 3492
the sum of the following: 3493

(a) The average salary of teachers employed by city, 3494
local, and exempted village school districts in this state with 3495
salaries greater than \$30,000 but less than \$95,000 for the most 3496
recent fiscal year for which data is available, as determined by 3497
the department; 3498

(b) An amount for teacher benefits equal to 0.16 times the 3499
average salary calculated under division (A) (10) (a) of this 3500
section; 3501

(c) An amount for district-paid insurance costs equal to 3502
the following product: 3503

The statewide weighted average employer-paid monthly premium 3504
based on data reported by city, local, and exempted village 3505
school districts to the state employment relations board for the 3506
health insurance survey conducted in accordance with divisions 3507
(K) (5) and (6) of section 4117.02 of the Revised Code for the 3508
most recent fiscal year for which data is available X 12 3509

(B) When calculating a district's aggregate base cost 3510
under this section, the department shall use data from fiscal 3511
year 2018 for all of the following: 3512

<u>(1) The average salaries determined under divisions (A)</u>	3513
<u>(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of this</u>	3514
<u>section;</u>	3515
<u>(2) The amount for teacher benefits determined under</u>	3516
<u>division (A) (10) (b) of this section;</u>	3517
<u>(3) The district-paid insurance costs determined under</u>	3518
<u>division (A) (10) (c) of this section;</u>	3519
<u>(4) The spending determined under divisions (E) (4) (a), (E)</u>	3520
<u>(5) (a), (E) (6) (a), and (E) (7) (a) of this section and the</u>	3521
<u>corresponding student counts determined under divisions (E) (4)</u>	3522
<u>(b), (E) (5) (b), (E) (6) (b), and (E) (7) (b) of this section;</u>	3523
<u>(5) The information determined under division (G) (3) of</u>	3524
<u>this section.</u>	3525
<u>(C) A city, local, or exempted village school district's</u>	3526
<u>aggregate base cost for a fiscal year shall be equal to the</u>	3527
<u>following sum:</u>	3528
<u>The district's teacher base cost for that fiscal year computed</u>	3529
<u>under division (D) of this section + the district's student</u>	3530
<u>support base cost for that fiscal year computed under division</u>	3531
<u>(E) of this section + the district's leadership and</u>	3532
<u>accountability base cost for that fiscal year computed under</u>	3533
<u>division (F) of this section + the district's building</u>	3534
<u>leadership and operations base cost for that fiscal year</u>	3535
<u>computed under division (G) of this section</u>	3536
<u>(D) The department of education shall compute a district's</u>	3537
<u>teacher base cost for a fiscal year as follows:</u>	3538
<u>(1) Calculate the district's classroom teacher cost for</u>	3539
<u>that fiscal year as follows:</u>	3540

(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; 3541
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(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; 3544
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(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; 3548
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(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; 3554
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(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; 3560
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(f) Compute the sum of the quotients obtained under divisions (D) (1) (a), (b), (c), (d), and (e) of this section; 3566
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(g) Compute the classroom teacher cost by multiplying the average teacher cost for that fiscal year by the sum computed 3568
3569

<u>under division (D) (1) (f) of this section.</u>	3570
<u>(2) Calculate the district's special teacher cost for that</u>	3571
<u>fiscal year as follows:</u>	3572
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3573
<u>fiscal year by 150;</u>	3574
<u>(b) If the quotient obtained under division (D) (2) (a) of</u>	3575
<u>this section is greater than 6, the special teacher cost shall</u>	3576
<u>be equal to that quotient multiplied by the average teacher cost</u>	3577
<u>for that fiscal year.</u>	3578
<u>(c) If the quotient obtained under division (D) (2) (a) of</u>	3579
<u>this section is less than or equal to 6, the special teacher</u>	3580
<u>cost shall be equal to 6 multiplied by the average teacher cost</u>	3581
<u>for that fiscal year.</u>	3582
<u>(3) Calculate the district's substitute teacher cost for</u>	3583
<u>that fiscal year in accordance with the following formula:</u>	3584
<u>(a) Compute the substitute teacher daily rate with</u>	3585
<u>benefits by multiplying the substitute teacher daily rate of \$90</u>	3586
<u>by 1.16;</u>	3587
<u>(b) Compute the substitute teacher cost in accordance with</u>	3588
<u>the following formula:</u>	3589
<u>[The sum computed under division (D) (1) (f) of this section +</u>	3590
<u>(the greater of the quotient obtained under division (D) (2) (a)</u>	3591
<u>of this section and 6)] X the amount computed under division (D)</u>	3592
<u>(3) (a) of this section X 5</u>	3593
<u>(4) Calculate the district's professional development cost</u>	3594
<u>for that fiscal year in accordance with the following formula:</u>	3595
<u>[The sum computed under division (D) (1) (f) of this section +</u>	3596

(the greater of the quotient obtained under division (D) (2) (a) 3597
of this section and 6)] X [(the sum of divisions (A) (10) (a) and 3598
(b) of this section for that fiscal year)/180] X 4 3599

(5) Calculate the district's teacher base cost for that 3600
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 3601
and (4) of this section. 3602

(E) The department shall compute a district's student 3603
support base cost for a fiscal year as follows: 3604

(1) Calculate the district's guidance counselor cost for 3605
that fiscal year as follows: 3606

(a) Determine the number of students in the district's 3607
base cost enrolled ADM for that fiscal year that are enrolled in 3608
grades nine through twelve and divide that number by 360; 3609

(b) Compute the counselor cost in accordance with the 3610
following formula: 3611

(The greater of the quotient obtained under division (E) (1) (a) 3612
of this section and 1) X [(the average counselor salary for that 3613
fiscal year X 1.16) + the amount specified under division (A) 3614
(10) (c) of this section for that fiscal year] 3615

(2) Calculate the district's librarian and media staff 3616
cost for that fiscal year as follows: 3617

(a) Divide the district's base cost enrolled ADM for that 3618
fiscal year by 1,000; 3619

(b) Compute the librarian and media staff cost in 3620
accordance with the following formula: 3621

The quotient obtained under division (E) (2) (a) of this section X 3622
[(the average librarian and media staff salary for that fiscal 3623

year X 1.16) + the amount specified under division (A) (10) (c) of 3624
this section for that fiscal year] 3625

(3) Calculate the district's staffing cost for student 3626
social, emotional, and security support for that fiscal year as 3627
follows: 3628

(a) Divide the district's base cost enrolled ADM for that 3629
fiscal year by 250; 3630

(b) Compute the staffing cost for student social, 3631
emotional, and security support in accordance with the following 3632
formula: 3633

(The greater of the quotient obtained under division (E) (3) (a) 3634
of this section and 5) X [(the average counselor salary for that 3635
fiscal year X 1.16) + the amount specified under division (A) 3636
(10) (c) of this section for that fiscal year] 3637

(4) Calculate the district's academic co-curricular 3638
activities cost for that fiscal year as follows: 3639

(a) Determine the total amount of spending for academic 3640
co-curricular activities reported by city, local, and exempted 3641
village school districts to the department for the most recent 3642
fiscal year for which data is available; 3643

(b) Determine the sum of the enrolled ADM of every school 3644
district in the state for the most recent fiscal year for which 3645
the data specified under division (E) (4) (a) of this section is 3646
available; 3647

(c) Compute the academic co-curricular activities cost in 3648
accordance with the following formula: 3649

(The amount determined under division (E) (4) (a) of this section/ 3650
the sum determined under division (E) (4) (b) of this section) X 3651

the district's base cost enrolled ADM for the fiscal year for 3652
which the academic co-curricular activities cost is computed 3653

(5) Calculate the district's athletic co-curricular 3654
activities cost for that fiscal year as follows: 3655

(a) Determine the total amount of spending for athletic 3656
co-curricular activities reported by city, local, and exempted 3657
village school districts to the department for the most recent 3658
fiscal year for which data is available; 3659

(b) Determine the sum of the enrolled ADM of every school 3660
district in the state for the most recent fiscal year for which 3661
the data specified under division (E) (5) (a) of this section is 3662
available; 3663

(c) Compute the athletic co-curricular activities cost in 3664
accordance with the following formula: 3665

(The amount determined under division (E) (5) (a) of this section/ 3666
the sum determined under division (E) (5) (b) of this section) X 3667
the district's base cost enrolled ADM for the fiscal year for 3668
which the athletic co-curricular activities cost is computed 3669

(6) Calculate the district's building safety and security 3670
cost for that fiscal year as follows: 3671

(a) Determine the total amount of spending for building 3672
safety and security reported by city, local, and exempted 3673
village school districts to the department for the most recent 3674
fiscal year for which data is available; 3675

(b) Determine the sum of the enrolled ADM of every school 3676
district in the state that reported the data specified under 3677
division (E) (6) (a) of this section for the most recent fiscal 3678
year for which the data is available; 3679

<u>(c) Compute the building safety and security cost in</u>	3680
<u>accordance with the following formula:</u>	3681
<u>(The amount determined under division (E) (6) (a) of this section/</u>	3682
<u>the sum determined under division (E) (6) (b) of this section) X</u>	3683
<u>the district's base cost enrolled ADM for the fiscal year for</u>	3684
<u>which the building safety and security cost is computed</u>	3685
<u>(7) Calculate the district's supplies and academic content</u>	3686
<u>cost for that fiscal year as follows:</u>	3687
<u>(a) Determine the total amount of spending for supplies</u>	3688
<u>and academic content, excluding supplies for transportation and</u>	3689
<u>maintenance, reported by city, local, and exempted village</u>	3690
<u>school districts to the department for the most recent fiscal</u>	3691
<u>year for which data is available;</u>	3692
<u>(b) Determine the sum of the enrolled ADM of every school</u>	3693
<u>district in the state for the most recent fiscal year for which</u>	3694
<u>the data specified under division (E) (7) (a) of this section is</u>	3695
<u>available;</u>	3696
<u>(c) Compute the supplies and academic content cost in</u>	3697
<u>accordance with the following formula:</u>	3698
<u>(The amount determined under division (E) (7) (a) of this section/</u>	3699
<u>the sum determined under division (E) (7) (b) of this section) X</u>	3700
<u>the district's base cost enrolled ADM for the fiscal year for</u>	3701
<u>which the supplies and academic content cost is computed</u>	3702
<u>(8) Calculate the district's technology cost for that</u>	3703
<u>fiscal year in accordance with the following formula:</u>	3704
<u>\$37.50 X the district's base cost enrolled ADM for that fiscal</u>	3705
<u>year</u>	3706
<u>(9) Calculate the district's student support base cost for</u>	3707

that fiscal year, which equals the sum of divisions (E) (1), (2), (3), (4), (5), (6), (7), and (8) of this section. 3708
3709

(F) The department shall compute a district's leadership and accountability base cost for a fiscal year as follows: 3710
3711

(1) Calculate the district's superintendent cost for that fiscal year as follows: 3712
3713

(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]. 3714
3715
3716
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(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: 3719
3720
3721
3722

(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}; 3723
3724

(ii) (\$80,000 X 1.16) + the amount specified under division (A) (10) (c) of this section for that fiscal year. 3725
3726

(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]. 3727
3728
3729
3730

(2) Calculate the district's treasurer cost for that fiscal year as follows: 3731
3732

(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 3733
3734
3735

under division (A) (10) (c) of this section for that fiscal year]. 3736

(b) If the district's base cost enrolled ADM for that 3737
fiscal year is less than or equal to 4,000 but greater than or 3738
equal to 500, the district's treasurer cost shall be equal to 3739
the sum of the following: 3740

(i) (The district's base cost enrolled ADM for that fiscal 3741
year - 500) X {[((\$130,000 X 1.16) - (\$60,000 X 1.16)]/3500}; 3742

(ii) (\$60,000 X 1.16) + the amount specified under 3743
division (A) (10) (c) of this section for that fiscal year. 3744

(c) If the district's base cost enrolled ADM is less than 3745
500, then the district's treasurer cost shall be equal to 3746
[((\$60,000 X 1.16) + the amount specified under division (A) (10) 3747
(c) of this section for that fiscal year]. 3748

(3) Calculate the district's other district administrator 3749
cost for that fiscal year as follows: 3750

(a) Divide the average other district administrator salary 3751
for that fiscal year by the average superintendent salary for 3752
that fiscal year; 3753

(b) Divide the district's base cost enrolled ADM for that 3754
fiscal year by 750; 3755

(c) Compute the other district administrator cost in 3756
accordance with the following formula: 3757

{[(The district's superintendent cost for that fiscal year 3758
calculated under division (F) (1) of this section - the amount 3759
specified under division (A) (10) (c) of this section for that 3760
fiscal year) X the quotient obtained under division (F) (3) (a) of 3761
this section] + the amount specified under division (A) (10) (c) 3762
of this section} X (the greater of the quotient obtained under 3763

<u>division (F) (3) (b) of this section and 2)</u>	3764
<u>(4) Calculate the district's fiscal support cost for that</u>	3765
<u>fiscal year as follows:</u>	3766
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3767
<u>fiscal year by 850;</u>	3768
<u>(b) Determine the lesser of the following:</u>	3769
<u>(i) The maximum of the quotient obtained under division</u>	3770
<u>(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</u>	3773
<u>following formula:</u>	3774
<u>The number obtained under division (F) (4) (b) of this section X</u>	3775
<u>[(the average bookkeeping and accounting employee salary for</u>	3776
<u>that fiscal year X 1.16) + the amount specified under division</u>	3777
<u>(A) (10) (c) of this section for that fiscal year]</u>	3778
<u>(5) Calculate the district's education management</u>	3779
<u>information system support cost for that fiscal year as follows:</u>	3780
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3781
<u>fiscal year by 5,000;</u>	3782
<u>(b) Compute the education management information system</u>	3783
<u>support cost in accordance with the following formula:</u>	3784
<u>(The greater of the quotient obtained under division (F) (5) (a)</u>	3785
<u>of this section and 1) X [(the average education management</u>	3786
<u>information system support employee salary for that fiscal year</u>	3787
<u>X 1.16) + the amount specified under division (A) (10) (c) of this</u>	3788
<u>section for that fiscal year]</u>	3789
<u>(6) Calculate the district's leadership support cost for</u>	3790

that fiscal year as follows: 3791

(a) Determine the greater of the quotient obtained under 3792
division (F) (3) (b) of this section and 2, and add 1 to that 3793
number; 3794

(b) Divide the number obtained under division (F) (6) (a) of 3795
this section by 3; 3796

(c) Compute the leadership support cost in accordance with 3797
the following formula: 3798

(The greater of the quotient obtained under division (F) (6) (b) 3799
of this section and 1) X [(the average administrative assistant 3800
salary for that fiscal year X 1.16) + the amount specified under 3801
division (A) (10) (c) of this section for that fiscal year] 3802

(7) Calculate the district's information technology center 3803
support cost for that fiscal year in accordance with the 3804
following formula: 3805

\$31 X the district's base cost enrolled ADM for that fiscal year 3806

(8) Calculate the district's district leadership and 3807
accountability base cost for that fiscal year, which equals the 3808
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 3809
this section. 3810

(G) The department shall compute a district's building 3811
leadership and operations base cost for a fiscal year as 3812
follows: 3813

(1) Calculate the district's building leadership cost for 3814
that fiscal year as follows: 3815

(a) Divide the average principal salary for that fiscal 3816
year by the average superintendent salary for that fiscal year; 3817

(b) Divide the district's base cost enrolled ADM for that 3818
fiscal year by 450; 3819

(c) Compute the building leadership cost in accordance 3820
with the following formula: 3821

{[(The district's superintendent cost for that fiscal year 3822
calculated under division (F) (1) of this section - the amount 3823
specified under division (A) (10) (c) of this section for that 3824
fiscal year) X the quotient obtained under division (G) (1) (a) of 3825
this section] + the amount specified under division (A) (10) (c) 3826
of this section for that fiscal year} X the quotient obtained 3827
under division (G) (1) (b) of this section 3828

(2) Calculate the district's building leadership support 3829
cost for that fiscal year as follows: 3830

(a) Divide the district's base cost enrolled ADM for that 3831
fiscal year by 400; 3832

(b) Determine the number of school buildings in the 3833
district for that fiscal year; 3834

(c) Compute the building leadership support cost in 3835
accordance with the following formula: 3836

(i) If the quotient obtained under division (G) (2) (a) of 3837
this section is less than the number obtained under division (G) 3838
(2) (b) of this section, then the district's building leadership 3839
support cost shall be equal to {the number obtained under 3840
division (G) (2) (b) of this section for that fiscal year X [(the 3841
average clerical staff salary for that fiscal year X 1.16) + the 3842
amount specified under division (A) (10) (c) of this section for 3843
that fiscal year]}. 3844

(ii) If the quotient obtained under division (G) (2) (a) of 3845

this section is greater than or equal to the number obtained 3846
under division (G) (2) (b) of this section, then the district's 3847
building leadership support cost shall be equal to {[the lesser 3848
of (the number obtained under division (G) (2) (b) of this section 3849
X 3) and the quotient obtained under division (G) (2) (a) of this 3850
section] X [(the average clerical staff salary for that fiscal 3851
year X 1.16) + the amount specified under division (A) (10) (c) of 3852
this section for that fiscal year]}. 3853

(3) Calculate the district's building operations cost for 3854
that fiscal year as follows: 3855

(a) Using data for the six most recent fiscal years for 3856
which data is available, determine both of the following: 3857

(i) The six-year average of the average building square 3858
feet per pupil for all city, local, and exempted village school 3859
district buildings in the state; 3860

(ii) The six-year average cost per square foot for all 3861
city, local, and exempted village school district buildings in 3862
the state. 3863

(b) Compute the building operations cost in accordance 3864
with the following formula: 3865

The district's base cost enrolled ADM for that fiscal year X 3866
[(the number determined under division (G) (3) (a) (i) of this 3867
section X the number determined under division (G) (3) (a) (ii) of 3868
this section) - (the amount determined under division (E) (6) (a) 3869
of this section for that fiscal year/ the sum determined under 3870
division (E) (6) (b) of this section for that fiscal year)] 3871

(4) Calculate the district's building leadership and 3872
operations base cost for that fiscal year, which equals the sum 3873
of divisions (G) (1), (2), and (3) of this section. 3874

<u>Sec. 3317.012. (A) As used in this section, "average</u>	3875
<u>administrative assistant salary," "average bookkeeping and</u>	3876
<u>accounting employee salary," "average clerical staff salary,"</u>	3877
<u>"average counselor salary," "average education management</u>	3878
<u>information system support employee salary," "average librarian</u>	3879
<u>and media staff salary," "average other district administrator</u>	3880
<u>salary," "average principal salary," "average superintendent</u>	3881
<u>salary," and "average teacher cost" have the same meanings as in</u>	3882
<u>section 3317.011 of the Revised Code.</u>	3883
<u>(B) When calculating a district's aggregate base cost</u>	3884
<u>under this section, the department shall use data from fiscal</u>	3885
<u>year 2018 for all of the following:</u>	3886
<u>(1) The average salaries determined under divisions (A)</u>	3887
<u>(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of</u>	3888
<u>section 3317.011 of the Revised Code;</u>	3889
<u>(2) The amount for teacher benefits determined under</u>	3890
<u>division (A) (10) (b) of section 3317.011 of the Revised Code;</u>	3891
<u>(3) The district-paid insurance costs determined under</u>	3892
<u>division (A) (10) (c) of section 3317.011 of the Revised Code;</u>	3893
<u>(4) The spending determined under division (E) (4) of this</u>	3894
<u>section;</u>	3895
<u>(5) The spending determined under divisions (E) (5) (a) and</u>	3896
<u>(6) (a) of this section and the corresponding student counts</u>	3897
<u>determined under divisions (E) (5) (b) and (6) (b) of section</u>	3898
<u>3317.011 of the Revised Code;</u>	3899
<u>(6) The information determined under division (G) (3) of</u>	3900
<u>this section.</u>	3901
<u>(C) A joint vocational school district's aggregate base</u>	3902

cost for a fiscal year shall be equal to the following sum: 3903

The district's teacher base cost for that fiscal year computed 3904
under division (D) of this section + the district's student 3905
support base cost for that fiscal year computed under division 3906
(E) of this section + the district's leadership and 3907
accountability base cost for that fiscal year computed under 3908
division (F) of this section + the district's building 3909
leadership and operations base cost for that fiscal year 3910
computed under division (G) of this section 3911

(D) The department of education shall compute a district's 3912
teacher base cost for a fiscal year as follows: 3913

(1) Calculate the district's classroom teacher cost for 3914
that fiscal year as follows: 3915

(a) Determine the full-time equivalency of students in the 3916
district's base cost enrolled ADM for that fiscal year that are 3917
enrolled in a career-technical education program or class, as 3918
certified under divisions (D) (2) (h), (i), (j), (k), and (l) of 3919
section 3317.03 of the Revised Code, and divide that number by 3920
18; 3921

(b) Determine the full-time equivalency of students in the 3922
district's base cost enrolled ADM for that fiscal year that are 3923
enrolled in grades six through eight but are not enrolled in a 3924
career-technical education program or class described under 3925
section 3317.014 of the Revised Code and divide that number by 3926
25; 3927

(c) Determine the full-time equivalency of students in the 3928
district's base cost enrolled ADM for that fiscal year that are 3929
enrolled in grades nine through twelve but are not enrolled in a 3930
career-technical education program or class described under 3931

section 3317.014 of the Revised Code and divide that number by 3932
27; 3933

(d) Compute the sum of the quotients obtained under 3934
divisions (D)(1)(a), (b), and (c) of this section; 3935

(e) Compute the classroom teacher base cost by multiplying 3936
the average teacher cost for that fiscal year by the sum 3937
computed under division (D)(1)(d) of this section. 3938

(2) Calculate the district's cost for that fiscal year for 3939
teachers providing health and physical education, instruction 3940
regarding employability and soft skills, development and 3941
coordination of internships and job placements, career-technical 3942
student organization activities, pre-apprenticeship and 3943
apprenticeship coordination, and any assessment related to 3944
career-technical education, including any nationally recognized 3945
job skills or end-of-course assessment, as follows: 3946

(a) Divide the district's base cost enrolled ADM for that 3947
fiscal year by 150; 3948

(b) If the quotient obtained under division (D)(2)(a) of 3949
this section is greater than 6, the teacher cost shall be equal 3950
to that quotient multiplied by the average teacher cost for that 3951
fiscal year. 3952

(c) If the quotient obtained under division (D)(2)(a) of 3953
this section is less than or equal to 6, the teacher cost shall 3954
be equal to 6 multiplied by the average teacher cost for that 3955
fiscal year. 3956

(3) Calculate the district's substitute teacher cost for 3957
that fiscal year in accordance with the following formula: 3958

(a) Compute the substitute teacher daily rate with 3959

benefits by multiplying the substitute teacher daily rate of \$90 3960
by 1.16; 3961

(b) Compute the substitute teacher cost in accordance with 3962
the following formula: 3963

[The sum computed under division (D) (1) (d) of this section + 3964
(the greater of the quotient obtained under division (D) (2) (a) 3965
of this section and 6)] X the amount computed under division (D) 3966
(3) (a) of this section X 5 3967

(4) Calculate the district's professional development cost 3968
for that fiscal year in accordance with the following formula: 3969

[The sum computed under division (D) (1) (d) of this section + 3970
(the greater of the quotient obtained under division (D) (2) (a) 3971
of this section and 6)] X [(the sum of divisions (A) (10) (a) and 3972
(b) of section 3317.011 of the Revised Code for that fiscal 3973
year)/180] X 4 3974

(5) Calculate the district's teacher base cost for that 3975
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 3976
and (4) of this section. 3977

(E) The department shall compute a district's student 3978
support base cost for a fiscal year as follows: 3979

(1) Calculate the district's guidance counselor cost for 3980
that fiscal year as follows: 3981

(a) Determine the number of students in the district's 3982
base cost enrolled ADM for that fiscal year that are enrolled in 3983
grades nine through twelve and divide that number by 360; 3984

(b) Compute the counselor cost in accordance with the 3985
following formula: 3986

(The greater of the quotient obtained under division (E) (1) (a) 3987
of this section and 1) X [(the average counselor salary for that 3988
fiscal year X 1.16) + the amount specified under division (A) 3989
(10) (c) of section 3317.011 of the Revised Code for that fiscal 3990
year] 3991

(2) Calculate the district's librarian and media staff 3992
cost for that fiscal year as follows: 3993

(a) Divide the district's base cost enrolled ADM for that 3994
fiscal year by 1,000; 3995

(b) Compute the librarian and media staff cost in 3996
accordance with the following formula: 3997

The quotient obtained under division (E) (2) (a) of this section X 3998
[(the average librarian and media staff salary for that fiscal 3999
year X 1.16) + the amount specified under division (A) (10) (c) of 4000
section 3317.011 of the Revised Code for that fiscal year] 4001

(3) Calculate the district's staffing cost for student 4002
social, emotional, and security support for that fiscal year as 4003
follows: 4004

(a) Divide the district's base cost enrolled ADM for that 4005
fiscal year by 250; 4006

(b) Compute the staffing cost for student social, 4007
emotional, and security support in accordance with the following 4008
formula: 4009

The quotient obtained under division (E) (3) (a) of this section X 4010
[(the average counselor salary for that fiscal year X 1.16) + 4011
the amount specified under division (A) (10) (c) of section 4012
3317.011 of the Revised Code for that fiscal year] 4013

(4) Calculate the district's cost for that fiscal year for 4014

career-technical curriculum specialists and coordinators, career 4015
assessment and program placement, recruitment and orientation, 4016
student success coordination, analysis of test results, 4017
development of intervention and remediation plans and monitoring 4018
of those plans, and satellite program coordination in accordance 4019
with the following formula: 4020

[(The amount determined under division (E) (4) (a) of section 4021
3317.011 of the Revised Code for that fiscal year/ the sum 4022
determined under division (E) (4) (b) of section 3317.011 of the 4023
Revised Code) + (the amount determined under division (E) (5) (a) 4024
of section 3317.011 of the Revised Code for that fiscal year/ 4025
the sum determined under division (E) (5) (b) of section 3317.011 4026
of the Revised Code)] X the district's base cost enrolled ADM 4027
for the fiscal year for which the district's cost under this 4028
division is computed 4029

(5) Compute the district's building safety and security 4030
cost for that fiscal year in accordance with the following 4031
formula: 4032

(The amount determined under division (E) (6) (a) of section 4033
3317.011 of the Revised Code for that fiscal year/ the sum 4034
determined under division (E) (6) (b) of section 3317.011 of the 4035
Revised Code) X the district's base cost enrolled ADM for the 4036
fiscal year for which the building safety and security cost is 4037
computed 4038

(6) Compute the district's supplies and academic content 4039
cost for that fiscal year in accordance with the following 4040
formula: 4041

(The amount determined under division (E) (7) (a) of section 4042
3317.011 of the Revised Code for that fiscal year/ the sum 4043

determined under division (E) (7) (b) of section 3317.011 of the 4044
Revised Code) X the district's base cost enrolled ADM for the 4045
fiscal year for which the supplies and academic content cost is 4046
computed 4047

(7) Calculate the district's technology cost for that 4048
fiscal year in accordance with the following formula: 4049

\$37.50 X the district's base cost enrolled ADM for that fiscal 4050
year 4051

(8) Calculate the district's student support base cost for 4052
that fiscal year, which equals the sum of divisions (E) (1), (2), 4053
(3), (4), (5), (6), and (7) of this section. 4054

(F) The department shall compute a district's leadership 4055
and accountability base cost for a fiscal year as follows: 4056

(1) Calculate the district's superintendent cost for that 4057
fiscal year as follows: 4058

(a) If the district's base cost enrolled ADM for that 4059
fiscal year is greater than 4,000, then the district's 4060
superintendent cost shall be equal to [(\$160,000 X 1.16) + the 4061
amount specified under division (A) (10) (c) of section 3317.011 4062
of the Revised Code for that fiscal year]. 4063

(b) If the district's base cost enrolled ADM for that 4064
fiscal year is less than or equal to 4,000 but greater than or 4065
equal to 500, the district's superintendent cost shall be equal 4066
to the sum of the following: 4067

(i) (The district's base cost enrolled ADM for that fiscal 4068
year - 500) X {[((\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500}; 4069

(ii) (\$80,000 X 1.16) + the amount specified under 4070
division (A) (10) (c) of section 3317.011 of the Revised Code for 4071

that fiscal year. 4072

(c) If the district's base cost enrolled ADM is less than 4073
500, then the district's superintendent cost shall be equal to 4074
[($\$80,000 \times 1.16$) + the amount specified under division (A) (10) 4075
(c) of section 3317.011 of the Revised Code for that fiscal 4076
year]. 4077

(2) Calculate the district's treasurer cost for that 4078
fiscal year as follows: 4079

(a) If the district's base cost enrolled ADM for that 4080
fiscal year is greater than 4,000, then the district's treasurer 4081
cost shall be equal to [($\$130,000 \times 1.16$) + the amount specified 4082
under division (A) (10) (c) of section 3317.011 of the Revised 4083
Code for that fiscal year]. 4084

(b) If the district's base cost enrolled ADM for that 4085
fiscal year is less than or equal to 4,000 but greater than or 4086
equal to 500, the district's treasurer cost shall be equal to 4087
the sum of the following: 4088

(i) (The district's base cost enrolled ADM for that fiscal 4089
year - 500) X {[($\$130,000 \times 1.16$) - ($\$60,000 \times 1.16$)]/3500}; 4090

(ii) ($\$60,000 \times 1.16$) + the amount specified under 4091
division (A) (10) (c) of section 3317.011 of the Revised Code for 4092
that fiscal year. 4093

(c) If the district's base cost enrolled ADM is less than 4094
500, then the district's treasurer cost shall be equal to 4095
[($\$60,000 \times 1.16$) + the amount specified under division (A) (10) 4096
(c) of section 3317.011 of the Revised Code for that fiscal 4097
year]. 4098

(3) Calculate the district's other district administrator 4099

cost for that fiscal year as follows: 4100

(a) Divide the average other district administrator salary 4101
for that fiscal year by the average superintendent salary for 4102
that fiscal year; 4103

(b) Divide the district's base cost enrolled ADM for that 4104
fiscal year by 750; 4105

(c) Compute the other district administrator cost in 4106
accordance with the following formula: 4107

{[(The district's superintendent cost for that fiscal year 4108
calculated under division (F) (1) of this section - the amount 4109
specified under division (A) (10) (c) of section 3317.011 of the 4110
Revised Code for that fiscal year) X the quotient obtained under 4111
division (F) (3) (a) of this section] + the amount specified under 4112
division (A) (10) (c) of section 3317.011 of the Revised Code} X 4113
(the greater of the quotient obtained under division (F) (3) (b) 4114
of this section and 2). 4115

(4) Calculate the district's fiscal support cost for that 4116
fiscal year as follows: 4117

(a) Divide the district's base cost enrolled ADM for that 4118
fiscal year by 850; 4119

(b) Determine the lesser of the following: 4120

(i) The maximum of the quotient obtained under division 4121
(F) (4) (a) of this section and 2; 4122

(ii) 35. 4123

(c) Compute the fiscal support cost in accordance with the 4124
following formula: 4125

The number obtained under division (F) (4) (b) of this section X 4126

[(the average bookkeeping and accounting employee salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of section 3317.011 of the Revised Code for that fiscal year] 4127
4128
4129
4130

(5) Calculate the district's education management information system support cost for that fiscal year as follows: 4131
4132

(a) Divide the district's base cost enrolled ADM for that fiscal year by 5,000; 4133
4134

(b) Compute the education management information system support cost in accordance with the following formula: 4135
4136

(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 section 3317.011 of the Revised Code for that fiscal year] 4137
4138
4139
4140
4141

(6) Calculate the district's leadership support cost for that fiscal year as follows: 4142
4143

(a) Determine the greater of the quotient obtained under division (F) (3) (b) of this section and 2 and add 1 to that number; 4144
4145
4146

(b) Divide the number obtained under division (F) (6) (a) of this section by 3; 4147
4148

(c) Compute the leadership support cost in accordance with the following formula: 4149
4150

(The greater of the quotient obtained under division (F) (6) (b) of this section and 1) X [(the average administrative assistant salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of section 3317.011 of the Revised Code for 4151
4152
4153
4154

that fiscal year] 4155

(7) Calculate the district's information technology center 4156
support cost for that fiscal year in accordance with the 4157
following formula: 4158

\$31 X the district's base cost enrolled ADM for that fiscal year 4159

(8) Calculate the district's district leadership and 4160
accountability base cost for that fiscal year, which equals the 4161
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 4162
this section; 4163

(G) The department shall compute a district's building 4164
leadership and operations base cost for a fiscal year as 4165
follows: 4166

(1) Calculate the district's building leadership cost for 4167
that fiscal year as follows: 4168

(a) Divide the average principal salary for that fiscal 4169
year by the average superintendent salary for that fiscal year; 4170

(b) Divide the district's base cost enrolled ADM for that 4171
fiscal year by 450; 4172

(c) Compute the building leadership cost in accordance 4173
with the following formula: 4174

{[(The district's superintendent cost for that fiscal year 4175
calculated under division (F) (1) of this section - the amount 4176
specified under division (A) (10) (c) of section 3317.011 of the 4177
Revised Code for that fiscal year) X the quotient obtained under 4178
division (G) (1) (a) of this section] + the amount specified under 4179
division (A) (10) (c) of section 3317.011 of the Revised Code for 4180
that fiscal year} X the quotient obtained under division (G) (1) 4181
(b) of this section 4182

(2) Calculate the district's building leadership support 4183
cost for that fiscal year as follows: 4184

(a) Divide the district's base cost enrolled ADM for that 4185
fiscal year by 400; 4186

(b) Determine the number of school buildings in the 4187
district for that fiscal year; 4188

(c) Compute the building leadership support cost in 4189
accordance with the following formula: 4190

(i) If the quotient obtained under division (G) (2) (a) of 4191
this section is less than the number obtained under division (G) 4192
(2) (b) of this section, then the district's building leadership 4193
support cost shall be equal to {the number obtained under 4194
division (G) (2) (b) of this section X [(the average clerical 4195
staff salary X 1.16) + the amount specified under division (A) 4196
(10) (c) of section 3317.011 of the Revised Code for that fiscal 4197
year]}. 4198

(ii) If the quotient obtained under division (G) (2) (a) of 4199
this section is greater than or equal to the number obtained 4200
under division (G) (2) (b) of this section, then the district's 4201
building leadership support cost shall be equal to {[the lesser 4202
of (the number obtained under division (G) (2) (b) of this section 4203
X 3) and the quotient obtained under division (G) (2) (a) of this 4204
section] X [(the average clerical staff salary for that fiscal 4205
year X 1.16) + the amount specified under division (A) (10) (c) of 4206
section 3317.011 of the Revised Code for that fiscal year]}. 4207

(3) Compute the district's building operations cost for 4208
that fiscal year in accordance with the following formula: 4209

The district's base cost enrolled ADM for that fiscal year X 4210
[(the number determined under division (G) (3) (a) (i) of section 4211

3317.011 of the Revised Code X the number determined under 4212
division (G) (3) (a) (ii) of section 3317.011 of the Revised Code) 4213
- (the amount determined under division (E) (6) (a) of section 4214
3317.011 of the Revised Code for that fiscal year/ the sum 4215
determined under division (E) (6) (b) of section 3317.011 of the 4216
Revised Code for that fiscal year)] 4217

(4) Calculate the district's building leadership and 4218
operations base cost for that fiscal year, which equals the sum 4219
of divisions (G) (1), (2), and (3) of this section. 4220

Sec. 3317.013. The ~~amounts~~ multiples for the following 4221
categories of special education programs, as these programs are 4222
defined for purposes of Chapter 3323. of the Revised Code, are 4223
as follows: 4224

(A) ~~An amount of \$1,578~~ A multiple of 0.2434 for each 4225
~~student~~ students whose primary or only identified disability is 4226
a speech and language disability, as this term is defined 4227
pursuant to Chapter 3323. of the Revised Code; 4228

(B) ~~An amount of \$4,005~~ A multiple of 0.6178 for each 4229
~~student~~ students identified as specific learning disabled or 4230
developmentally disabled, as these terms are defined pursuant to 4231
Chapter 3323. of the Revised Code, identified as having an other 4232
health impairment-minor, or identified as a preschool child who 4233
is developmentally delayed; 4234

(C) ~~An amount of \$9,622~~ A multiple of 1.4843 for each 4235
~~student~~ students identified as hearing disabled or severe 4236
behavior disabled, as these terms are defined pursuant to 4237
Chapter 3323. of the Revised Code; 4238

(D) ~~An amount of \$12,841~~ A multiple of 1.9809 for each 4239
~~student~~ students identified as vision impaired, as this term is 4240

defined pursuant to Chapter 3323. of the Revised Code, or as 4241
having an other health impairment-major; 4242

(E) ~~An amount of \$17,390~~ A multiple of 2.6826 for each 4243
~~student~~ students identified as orthopedically disabled or as 4244
having multiple disabilities, as these terms are defined 4245
pursuant to Chapter 3323. of the Revised Code; 4246

(F) ~~An amount of \$25,637~~ A multiple of 3.9548 for each 4247
~~student~~ students identified as autistic, having traumatic brain 4248
injuries, or as both visually and hearing impaired, as these 4249
terms are defined pursuant to Chapter 3323. of the Revised Code. 4250

Sec. 3317.014. (A) ~~The career-technical education-~~ 4251
~~additional amount per pupil for each student enrolled in-~~ 4252
multiples for the following categories of career-technical 4253
education programs approved by the department of education under 4254
section 3317.161 of the Revised Code shall be as follows: 4255

~~(A) An amount of \$5,192~~ (1) A multiple of 0.6231 for each- 4256
~~student~~ students enrolled in career-technical education 4257
workforce development programs in agricultural and environmental 4258
systems, construction technologies, engineering and science 4259
technologies, finance, health science, information technology, 4260
and manufacturing technologies, each of which shall be defined 4261
by the department in consultation with the governor's office of 4262
workforce transformation; 4263

~~(B) An amount of \$4,921~~ (2) A multiple of 0.5906 for each- 4264
~~student~~ students enrolled in workforce development programs in 4265
business and administration, hospitality and tourism, human 4266
services, law and public safety, transportation systems, and 4267
arts and communications, each of which shall be defined by the 4268
department in consultation with the governor's office of 4269

workforce transformation; 4270

~~(C) An amount of \$1,795 (3) A multiple of 0.2154 for~~ 4271
students enrolled in career-based intervention programs, which 4272
shall be defined by the department in consultation with the 4273
governor's office of workforce transformation; 4274

~~(D) An amount of \$1,525 (4) A multiple of 0.1830 for~~ 4275
students enrolled in workforce development programs in education 4276
and training, marketing, workforce development academics, public 4277
administration, and career development, each of which shall be 4278
defined by the department of education in consultation with the 4279
governor's office of workforce transformation; 4280

~~(E) An amount of \$1,308 (5) A multiple of 0.1570 for~~ 4281
students enrolled in family and consumer science programs, which 4282
shall be defined by the department of education in consultation 4283
with the governor's office of workforce transformation. 4284

(B) The amount multiple for career-technical education 4285
associated services, as defined by the department, shall be 4286
~~\$2450.0294.~~ 4287

(C) The department of education shall calculate career- 4288
technical education funds for each city, local, exempted 4289
village, and joint vocational school district as the sum of the 4290
following: 4291

(1) The district's category one career-technical education 4292
ADM X the multiple specified in division (A) (1) of this section 4293
X the statewide average career-technical base cost per pupil for 4294
that fiscal year X the district's state share percentage; 4295

(2) The district's category two career-technical education 4296
ADM X the multiple specified in division (A) (2) of this section 4297
X the statewide average career-technical base cost per pupil for 4298

<u>that fiscal year X the district's state share percentage;</u>	4299
<u>(3) The district's category three career-technical</u>	4300
<u>education ADM X the multiple specified in division (A) (3) of</u>	4301
<u>this section X the statewide average career-technical base cost</u>	4302
<u>per pupil for that fiscal year X the district's state share</u>	4303
<u>percentage;</u>	4304
<u>(4) The district's category four career-technical</u>	4305
<u>education ADM X the multiple specified in division (A) (4) of</u>	4306
<u>this section X the statewide average career-technical base cost</u>	4307
<u>per pupil for that fiscal year X the district's state share</u>	4308
<u>percentage;</u>	4309
<u>(5) The district's category five career-technical</u>	4310
<u>education ADM X the multiple specified in division (A) (5) of</u>	4311
<u>this section X the statewide average career-technical base cost</u>	4312
<u>per pupil for that fiscal year X the district's state share</u>	4313
<u>percentage.</u>	4314
<u>Payment of funds calculated under division (C) of this</u>	4315
<u>section is subject to approval under section 3317.161 of the</u>	4316
<u>Revised Code.</u>	4317
<u>(D) The department shall calculate career-technical</u>	4318
<u>associated services funds for each city, local, exempted</u>	4319
<u>village, and joint vocational school district as follows:</u>	4320
<u>The district's state share percentage X the multiple for career-</u>	4321
<u>technical education associated services specified under division</u>	4322
<u>(B) of this section X the statewide average career-technical</u>	4323
<u>base cost per pupil for that fiscal year X the sum of the</u>	4324
<u>district's categories one through five career-technical</u>	4325
<u>education ADM</u>	4326
<u>(E) The department shall pay career awareness and</u>	4327

exploration funds to city, local, exempted village, and joint 4328
vocational school districts calculated as follows: 4329

The district's enrolled ADM X \$2.50, for fiscal year 2022, \$5, 4330
for fiscal year 2023, \$7.50, for fiscal year 2024, or \$10, for 4331
fiscal year 2025 and each fiscal year thereafter 4332

(F) (1) In any fiscal year, a school district receiving 4333
funds calculated under division (C) of this section shall spend 4334
those funds only for the purposes that the department designates 4335
as approved for career-technical education expenses. Career- 4336
technical education expenses approved by the department shall 4337
include only expenses connected to the delivery of career- 4338
technical programming to career-technical students. The 4339
department shall require the school district to report data 4340
annually so that the department may monitor the district's 4341
compliance with the requirements regarding the manner in which 4342
funding calculated under division (C) of this section may be 4343
spent. 4344

(2) All funds received under division (C) of this section 4345
shall be spent in the following manner: 4346

(a) At least seventy-five per cent of the funds shall be 4347
spent on curriculum development, purchase, and implementation; 4348
instructional resources and supplies; industry-based program 4349
certification; student assessment, credentialing, and placement; 4350
curriculum specific equipment purchases and leases; career- 4351
technical student organization fees and expenses; home and 4352
agency linkages; work-based learning experiences; professional 4353
development; and other costs directly associated with career- 4354
technical education programs including development of new 4355
programs. 4356

(b) Not more than twenty-five per cent of the funds shall 4357
be used for personnel expenditures. 4358

(G) In any fiscal year, a school district receiving funds 4359
calculated under division (D) of this section, or through a 4360
transfer of funds pursuant to division (I) of section 3317.023 4361
of the Revised Code, shall spend those funds only for the 4362
purposes that the department designates as approved for career- 4363
technical education associated services expenses, which may 4364
include such purposes as apprenticeship coordinators, 4365
coordinators for other career-technical education services, 4366
career-technical evaluation, and other purposes designated by 4367
the department. The department may deny payment of funds 4368
calculated under division (D) of this section to any district 4369
that the department determines is not operating those services 4370
or is using funds calculated under division (D) of this section, 4371
or through a transfer of funds pursuant to division (I) of 4372
section 3317.023 of the Revised Code, for other purposes. 4373

(H) In any fiscal year, a lead district of a career- 4374
technical planning district receiving funds under division (E) 4375
of this section, or through a transfer of funds pursuant to 4376
division (I) of section 3317.023 of the Revised Code, shall 4377
disperse those funds to school districts, community schools, and 4378
STEM schools receiving services from that district that provide 4379
plans for the use of those funds that are consistent with the 4380
career-technical planning district's plan that is on file with 4381
the department of education. A district or school that receives 4382
funds under this division shall spend those funds only for the 4383
following purposes: 4384

(1) Delivery of career awareness programs to students 4385
enrolled in grades kindergarten through twelve; 4386

(2) Provision of a common, consistent curriculum to students throughout their primary and secondary education; 4387
4388

(3) Assistance to teachers in providing a career development curriculum to students; 4389
4390

(4) Development of a career development plan for each student that stays with that student for the duration of the student's primary and secondary education; 4391
4392
4393

(5) Provision of opportunities for students to engage in activities, such as career fairs, hands-on experiences, and job shadowing, across all career pathways at each grade level. 4394
4395
4396

The department may deny payment under this division to any district or school that the department determines is using funds paid under this division for other purposes. 4397
4398
4399

Sec. 3317.016. The ~~amounts~~ multiples for English learners shall be as follows: 4400
4401

(A) ~~An amount of \$1,515~~ A multiple of 0.2103 for each student who has been enrolled in schools in the United States for 180 school days or less and was not previously exempted from taking the spring administration of either of the state's English language arts assessments prescribed by section 3301.0710 of the Revised Code (reading or writing). 4402
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(B) ~~An amount of \$1,136~~ A multiple of 0.1577 for each student who has been enrolled in schools in the United States for more than 180 school days ~~or was previously exempted from taking until the student achieves a score on the~~ spring administration of either of the state's English language arts assessments prescribed by section 3301.0710 of the Revised Code (reading or writing) that falls within the levels of achievement specified in divisions (A) (2) (a) to (c) of that section. 4408
4409
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(C) ~~An amount of \$758~~ A multiple of 0.1052 for each 4416
student who ~~does not qualify for inclusion under division (A) or~~ 4417
~~(B) of this section and is in a trial mainstream period, as~~ 4418
~~defined by the department~~ achieves a score on the spring 4419
administration of either of the state's English language arts 4420
assessments prescribed by section 3301.0710 of the Revised Code 4421
(reading or writing) that falls within the levels of achievement 4422
specified in divisions (A) (2) (a) to (c) of that section, for the 4423
two school years following the school year in which the student 4424
achieved that level of achievement. 4425

Sec. 3317.017. (A) The department of education shall 4426
compute a city, local, or exempted village school district's 4427
per-pupil local capacity amount for a fiscal year as follows: 4428

(1) Calculate the district's valuation per pupil for that 4429
fiscal year as follows: 4430

(a) Determine the minimum of the district's three-year 4431
average valuation for the fiscal year for which the calculation 4432
is made and the district's taxable value for the most recent tax 4433
year for which data is available; 4434

(b) Divide the amount determined under division (A) (1) (a) 4435
of this section by the district's base cost enrolled ADM for the 4436
fiscal year for which the calculation is made. 4437

(2) Calculate the district's local share federal adjusted 4438
gross income per pupil for that fiscal year as follows: 4439

(a) Determine the minimum of the following: 4440

(i) The average of the total federal adjusted gross income 4441
of the district's residents for the three most recent tax years 4442
for which data is available, as certified under section 3317.021 4443
of the Revised Code; 4444

(ii) The total federal adjusted gross income of the 4445
district's residents for the most recent tax year for which data 4446
is available, as certified under section 3317.021 of the Revised 4447
Code. 4448

(b) Divide the amount determined under division (A) (2) (a) 4449
of this section by the district's base cost enrolled ADM for the 4450
fiscal year for which the calculation is made. 4451

(3) Calculate the district's adjusted local share federal 4452
adjusted gross income per pupil for that fiscal year as follows: 4453

(a) Determine both of the following: 4454

(i) The median federal adjusted gross income of the 4455
district's residents for the most recent tax year for which data 4456
is available, as certified under section 3317.021 of the Revised 4457
Code; 4458

(ii) The number of state tax returns filed by taxpayers 4459
residing in the district for the most recent tax year for which 4460
data is available, as certified under section 3317.021 of the 4461
Revised Code. 4462

(b) Compute the product of divisions (A) (3) (a) (i) and (ii) 4463
of this section; 4464

(c) Divide the amount determined under division (A) (3) (b) 4465
of this section by the district's base cost enrolled ADM for the 4466
fiscal year for which the calculation is made. 4467

(4) Calculate the district's per-pupil local capacity 4468
percentage as follows: 4469

(a) Determine the median of the median federal adjusted 4470
gross incomes determined for all districts statewide under 4471
division (A) (3) (a) (i) of this section for that fiscal year; 4472

(b) Divide the district's median federal adjusted gross 4473
income for that fiscal year determined under division (A) (3) (a) 4474
(i) of this section by the median federal adjusted gross income 4475
for all districts statewide determined under division (A) (4) (a) 4476
of this section; 4477

(c) Rank all school districts in order of the ratios 4478
calculated under division (A) (4) (b) of this section, from the 4479
district with the highest ratio calculated under division (A) (4) 4480
(b) of this section to the district with the lowest ratio 4481
calculated under division (A) (4) (b) of this section; 4482

(d) Determine the district's per-pupil local capacity 4483
percentage as follows: 4484

(i) If the ratio calculated for the district under 4485
division (A) (4) (b) of this section is greater than or equal to 4486
the ratio calculated under division (A) (4) (b) of this section 4487
for the district with the fortieth highest ratio as determined 4488
under division (A) (4) (c) of this section, the district's per- 4489
pupil local capacity percentage shall be equal to 0.025. 4490

(ii) If the ratio calculated for the district under 4491
division (A) (4) (b) of this section is less than the ratio 4492
calculated under division (A) (4) (b) of this section for the 4493
district with the fortieth highest ratio as determined under 4494
division (A) (4) (c) of this section but greater than 1.0, the 4495
district's per-pupil local capacity percentage shall be equal to 4496
an amount calculated as follows: 4497

{[(The ratio calculated for the district under division (A) (4) 4498
(b) of this section - 1) X 0.0025] / (the ratio calculated under 4499
division (A) (4) (b) of this section for the district with the 4500
fortieth highest ratio as determined under division (A) (4) (c) of 4501

this section - 1) } + 0.0225 4502

(iii) If the ratio calculated for the district under 4503
division (A) (4) (b) of this section is less than or equal to 1.0, 4504
the district's per-pupil local capacity percentage shall be 4505
equal to the amount calculated under division (A) (4) (b) of this 4506
section times 0.0225. 4507

(5) Calculate the district's per-pupil local capacity 4508
amount for that fiscal year as follows: 4509

(The district's valuation per pupil calculated under division 4510
(A) (1) of this section for that fiscal year X the district's 4511
per-pupil local capacity percentage calculated under division 4512
(A) (4) of this section X 0.60) + (the district's local share 4513
adjusted federal gross income per pupil calculated under 4514
division (A) (2) of this section for that fiscal year X the 4515
district's per-pupil local capacity percentage calculated under 4516
division (A) (4) of this section X 0.20) + (the district's 4517
adjusted local share federal adjusted gross income per pupil 4518
calculated under division (A) (3) of this section for that fiscal 4519
year X the district's per-pupil local capacity percentage 4520
calculated under division (A) (4) of this section X 0.20) 4521

(B) The department shall compute a city, local, or 4522
exempted village school district's state share for a fiscal year 4523
as follows: 4524

(1) If the district's per-pupil local capacity amount for 4525
that fiscal year divided by the district's base cost per pupil 4526
for that fiscal year is greater than 0.95, then the district's 4527
state share shall be equal to (the district's base cost per 4528
pupil for that fiscal year X 0.05 X the district's enrolled ADM 4529
for that fiscal year). 4530

(2) If the district's per-pupil local capacity amount for 4531
that fiscal year divided by the district's base cost per pupil 4532
for that fiscal year is less than or equal to 0.95, then the 4533
district's state share for that fiscal year shall be equal to 4534
[(the district's base cost per pupil for that fiscal year - the 4535
district's per-pupil local capacity amount for that fiscal year) 4536
X the district's enrolled ADM for that fiscal year]. 4537

(C) The department shall compute a city, local, or 4538
exempted village school district's state share percentage for a 4539
fiscal year as follows: 4540

The district's state share calculated under division (B) of this 4541
section for that fiscal year/ the aggregate base cost calculated 4542
for the district for that fiscal year under section 3317.011 of 4543
the Revised Code 4544

Sec. 3317.018. (A) The statewide average base cost per 4545
pupil shall be determined as follows: 4546

(1) For fiscal year 2022, the statewide average base cost 4547
per pupil shall be equal to the sum of the aggregate base cost 4548
calculated for all city, local, and exempted village school 4549
districts in the state for that fiscal year under section 4550
3317.011 of the Revised Code divided by the sum of the base cost 4551
enrolled ADMs of all of the city, local, and exempted village 4552
school districts in the state for that fiscal year. 4553

(2) For fiscal years 2023, 2024, 2025, 2026, and 2027, the 4554
statewide average base cost per pupil shall be equal to the 4555
amount calculated under division (A)(1) of this section. 4556

(3) For fiscal year 2028 and for each fiscal year 4557
thereafter, the statewide average base cost per pupil shall be 4558
equal to the sum of the aggregate base cost calculated for all 4559

city, local, and exempted village school districts in the state 4560
under section 3317.011 of the Revised Code for that fiscal year 4561
divided by the sum of the base cost enrolled ADMs of all of the 4562
city, local, and exempted village school districts in the state 4563
for that fiscal year. 4564

(B) The statewide average career-technical base cost per 4565
pupil shall be determined as follows: 4566

(1) For fiscal year 2022, the statewide average career- 4567
technical base cost per pupil shall be equal to the sum of the 4568
aggregate base cost calculated for all joint vocational school 4569
districts in the state for that fiscal year under section 4570
3317.012 of the Revised Code divided by the sum of the base cost 4571
enrolled ADMs of all of the joint vocational school districts in 4572
the state for that fiscal year. 4573

(2) For fiscal years 2023, 2024, 2025, 2026, and 2027, the 4574
statewide average career-technical base cost per pupil shall be 4575
equal to the amount calculated under division (B)(1) of this 4576
section. 4577

(3) For fiscal year 2028 and for each fiscal year 4578
thereafter, the statewide average career-technical base cost per 4579
pupil shall be equal to the sum of the aggregate base cost 4580
calculated for all joint vocational school districts in the 4581
state under section 3317.012 of the Revised Code for that fiscal 4582
year divided by the sum of the base cost enrolled ADMs of all of 4583
the joint vocational school districts in the state for that 4584
fiscal year. 4585

Sec. 3317.019. (A)(1) Subject to division (D) of this 4586
section, for fiscal years 2022 and 2023, the department of 4587
education shall pay temporary transitional aid to each city, 4588

local, and exempted village school district according to the 4589
following formula: 4590

(The district's funding base, as that term is defined in section 4591
3317.02 of the Revised Code) + [(the amount paid to the district 4592
under division (A)(5) of section 3317.022 of the Revised Code, 4593
as that division existed prior to the effective date of this 4594
amendment, for fiscal year 2019) - (the amounts deducted from 4595
the district and paid to a community school under division (C) 4596
(1) (e) of section 3314.08 of the Revised Code or a science, 4597
technology, engineering, and mathematics school under division 4598
(E) of section 3326.33 of the Revised Code as those divisions 4599
existed prior to the effective date of this amendment for fiscal 4600
year 2020 in accordance with division (A) of Section 265.235 of 4601
H.B. 166 of the 133rd general assembly)] - (the district's 4602
payment under section 3317.022 of the Revised Code for the 4603
fiscal year for which the payment is computed) 4604

If the computation made under division (A)(1) of this 4605
section results in a negative number, the district's funding 4606
under division (A)(1) of this section shall be zero. 4607

(2) For fiscal years 2022 and 2023, the department shall 4608
pay temporary transitional transportation aid to that district 4609
according to the following formula: 4610

(The amount calculated for the district for fiscal year 2020 4611
under division (A)(2) of Section 265.220 of H.B. 166 of the 4612
133rd general assembly, prior to any funding reductions 4613
authorized by Executive Order 2020-19D, "Implementing Additional 4614
Spending Controls to Balance the State Budget" issued on May 7, 4615
2020) - (the district's payment for fiscal year 2019 under 4616
division (D)(2) of section 3314.091 of the Revised Code as that 4617
division existed prior to the effective date of this amendment) 4618

- (the district's payment under section 3317.0212 of the Revised Code for the fiscal year for which the payment is computed) 4619
4620

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. 4621
4622
4623

(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: 4624
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(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 4629
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If the computation made under this division results in a negative number, the district's funding under this division shall be zero. 4637
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For purposes of this computation, a district's "guaranteed funding" means the following: 4640
4641

(1) For fiscal year 2021, the sum of the following: 4642

(a) The district's funding base, as that term is defined in section 3317.02 of the Revised Code; 4643
4644

(b) The following difference: 4645

(The amount paid to the district under division (A)(5) of 4646

section 3317.022 of the Revised Code, as that division existed 4647
prior to the effective date of this amendment, for fiscal year 4648
2019) - (the amounts deducted from the district and paid to a 4649
community school under division (C) (1) (e) of section 3314.08 of 4650
the Revised Code or a science, technology, engineering, and 4651
mathematics school under division (E) of section 3326.33 of the 4652
Revised Code as those divisions existed prior to the effective 4653
date of this amendment in accordance with division (A) of 4654
Section 265.235 of H.B. 166 of the 133rd general assembly) 4655

(2) For fiscal years 2022 and 2023, the district's payment 4656
for that fiscal year under section 3317.022 of the Revised Code 4657
plus the district's payment for that fiscal year under division 4658
(A) (1) of this section; 4659

(3) For fiscal year 2024 and for each fiscal year 4660
thereafter, the district's payment for that fiscal year under 4661
section 3317.022 of the Revised Code plus the district's payment 4662
for that fiscal year under division (B) of this section. 4663

(C) If a local school district participates in the 4664
establishment of a joint vocational school district that begins 4665
receiving payments under section 3317.16 of the Revised Code for 4666
fiscal year 2022 or for any fiscal year thereafter, but does not 4667
receive payments for the fiscal year immediately preceding that 4668
fiscal year, the department shall adjust, as necessary, the 4669
following according to the amounts received by the district in 4670
the immediately preceding fiscal year for career-technical 4671
education students who attend the newly established joint 4672
vocational school district: 4673

(1) For purposes of division (A) (1) of this section: 4674

(a) The district's funding base, as that term is defined 4675

in section 3317.02 of the Revised Code; 4676

(b) The following difference: 4677

[(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 the Revised Code or a science, technology, engineering, and mathematics school under division (E) of section 3326.33 of the Revised Code as those divisions existed prior to the effective date of this amendment for fiscal year 2020 in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly)] 4678
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(2) For purposes of division (B) of this section, the district's guaranteed funding. 4689
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(D) (1) For purposes of division (D) of this section, a district's "decrease threshold" for a fiscal year is the greater of the following: 4691
4692
4693

(a) Twenty; 4694

(b) Ten per cent of the number of the district's students counted under division (A) (1) (b) of section 3317.03 of the Revised Code for the previous fiscal year. 4695
4696
4697

(2) For any fiscal year for which the phase-in percentage is less than one hundred per cent, if a district has fewer students counted under division (A) (1) (b) of section 3317.03 of the Revised Code for that fiscal year than for the previous fiscal year and the positive difference between those two student counts is greater than or equal to the district's decrease threshold for that fiscal year, the amount paid to the 4698
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district under division (A) or (B) of this section shall be 4705
reduced by the following amount: 4706

The statewide average base cost per pupil X [(the positive 4707
difference between the number of the district's students counted 4708
under division (A) (1) (b) of section 3317.03 of the Revised Code 4709
for that fiscal year and the number of the district's students 4710
counted under that division for the previous fiscal year) - the 4711
district's decrease threshold for that fiscal year] 4712

At no time, however, shall the amount paid to a district 4713
under division (A) or (B) of this section be less than zero. 4714

Sec. 3317.0110. (A) Notwithstanding any provision to the 4715
contrary in sections 3301.0714, 3302.20, 3310.08, 3310.41, 4716
3310.51, 3310.54, 3310.56, 3313.64, 3313.98, 3313.981, 3315.18, 4717
3319.57, 3324.09, 3327.01, 3327.016, and 3365.01 and Chapters 4718
3314., 3317., 3326., and 3328. of the Revised Code, city, local, 4719
exempted village, and joint vocational school districts, 4720
community schools, science, technology, engineering, and 4721
mathematics schools, and educational service centers shall be 4722
funded as follows: 4723

(1) On July 1, 2022, and on the first day of July of each 4724
of the succeeding five years thereafter, the director of budget 4725
and management shall transfer the unexpended, unencumbered 4726
balances in the general revenue fund at the end of the previous 4727
fiscal year to appropriation item 200550, foundation funding, 4728
and the department of education shall use that amount 4729
exclusively to fund disadvantaged pupil impact aid under 4730
sections 3314.08, 3317.022, 3317.16, and 3326.33 of the Revised 4731
Code. 4732

(2) After disadvantaged pupil impact aid is fully funded 4733

in accordance with division (A) (1) of this section, on July 1, 4734
2022, and on the first day of July of each of the succeeding 4735
five years thereafter, the director of budget and management 4736
shall transfer the unexpended, unencumbered balances in the 4737
general revenue fund at the end of the previous fiscal year to 4738
appropriation item 200550, foundation funding, and the 4739
department shall use that amount exclusively to fund educational 4740
service centers under section 3317.11 of the Revised Code. 4741

(3) After disadvantaged pupil impact aid and educational 4742
service centers are fully funded in accordance with divisions 4743
(A) (1) and (2) of this section, the remainder of the payments to 4744
school districts, community schools, and science, technology, 4745
engineering, and mathematics schools under Chapters 3314., 4746
3317., and 3326. of the Revised Code, the educational choice 4747
scholarship pilot program established under sections 3310.01 to 4748
3310.17 of the Revised Code, the autism scholarship program 4749
established under section 3310.41 of the Revised Code, the Jon 4750
Peterson special needs scholarship program established under 4751
sections 3310.51 to 3310.64 of the Revised Code, and the pilot 4752
project scholarship program established under sections 3313.974 4753
to 3313.979 of the Revised Code shall be funded using the 4754
general revenue fund and nongeneral revenue fund appropriation 4755
items in the department's budget. For this purpose, nongeneral 4756
revenue fund appropriation items shall include both federal and 4757
state nongeneral revenue fund appropriation items, provided the 4758
money disbursed from those appropriation items is not restricted 4759
to certain purposes. If the amount available is insufficient, 4760
the department shall prorate the payments so that the amount 4761
allocated in this division is not exceeded. 4762

(B) It is the intent of the general assembly that an 4763
amount equal to the estimated increase in revenues in the 4764

general revenue fund that is determined as part of the 4765
development of the main operating budget for fiscal years 2022 4766
and 2023 first be used to fund disadvantaged pupil impact aid 4767
under sections 3314.08, 3317.022, 3317.16, and 3326.33 of the 4768
Revised Code. 4769

Sec. 3317.02. As used in this chapter: 4770

(A) ~~(1)~~ A district's "base cost enrolled ADM" for a fiscal 4771
year means the greater of the following: 4772

(1) The district's enrolled ADM for the previous fiscal 4773
year; 4774

(2) The average of the district's enrolled ADM for the 4775
previous three fiscal years. 4776

(B) (1) "Base cost per pupil" for a fiscal year means, for 4777
a city, local, or exempted village school district, the 4778
aggregate base cost calculated for that district for that fiscal 4779
year under section 3317.011 of the Revised Code divided by the 4780
district's base cost enrolled ADM for that fiscal year. 4781

(2) "Base cost per pupil" for a fiscal year means, for a 4782
joint vocational school district, the aggregate base cost 4783
calculated for that district for that fiscal year under section 4784
3317.012 of the Revised Code divided by the district's base cost 4785
enrolled ADM for that fiscal year. 4786

(C) (1) "Category one career-technical education ADM" means 4787
the enrollment of students during the school year on a full-time 4788
equivalency basis in career-technical education programs 4789
described in division (A) (1) of section 3317.014 of the Revised 4790
Code and certified under division (B) (11) or (D) (2) (h) of 4791
section 3317.03 of the Revised Code. 4792

(2) "Category two career-technical education ADM" means 4793
the enrollment of students during the school year on a full-time 4794
equivalency basis in career-technical education programs 4795
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 4796
Revised Code and certified under division (B) (12) or (D) (2) (i) 4797
of section 3317.03 of the Revised Code. 4798

(3) "Category three career-technical education ADM" means 4799
the enrollment of students during the school year on a full-time 4800
equivalency basis in career-technical education programs 4801
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 4802
Revised Code and certified under division (B) (13) or (D) (2) (j) 4803
of section 3317.03 of the Revised Code. 4804

(4) "Category four career-technical education ADM" means 4805
the enrollment of students during the school year on a full-time 4806
equivalency basis in career-technical education programs 4807
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 4808
Revised Code and certified under division (B) (14) or (D) (2) (k) 4809
of section 3317.03 of the Revised Code. 4810

(5) "Category five career-technical education ADM" means 4811
the enrollment of students during the school year on a full-time 4812
equivalency basis in career-technical education programs 4813
described in division ~~(E)~~ (A) (5) of section 3317.014 of the 4814
Revised Code and certified under division (B) (15) or (D) (2) (l) 4815
of section 3317.03 of the Revised Code. 4816

~~(B) (1)~~ (D) (1) "Category one English learner ADM" means the 4817
full-time equivalent number of English learners described in 4818
division (A) of section 3317.016 of the Revised Code and 4819
certified under division (B) (16) or (D) (2) (m) of section 3317.03 4820
of the Revised Code. 4821

(2) "Category two English learner ADM" means the full-time 4822
equivalent number of English learners described in division (B) 4823
of section 3317.016 of the Revised Code and certified under 4824
division (B) (17) or (D) (2) (n) of section 3317.03 of the Revised 4825
Code. 4826

(3) "Category three English learner ADM" means the full- 4827
time equivalent number of English learners described in division 4828
(C) of section 3317.016 of the Revised Code and certified under 4829
division (B) (18) or (D) (2) (o) of section 3317.03 of the Revised 4830
Code. 4831

~~(C) (1)~~ (E) (1) "Category one special education ADM" means 4832
the full-time equivalent number of children with disabilities 4833
receiving special education services for the disability 4834
specified in division (A) of section 3317.013 of the Revised 4835
Code and certified under division (B) (5) or (D) (2) (b) of section 4836
3317.03 of the Revised Code. 4837

(2) "Category two special education ADM" means the full- 4838
time equivalent number of children with disabilities receiving 4839
special education services for those disabilities specified in 4840
division (B) of section 3317.013 of the Revised Code and 4841
certified under division (B) (6) or (D) (2) (c) of section 3317.03 4842
of the Revised Code. 4843

(3) "Category three special education ADM" means the full- 4844
time equivalent number of students receiving special education 4845
services for those disabilities specified in division (C) of 4846
section 3317.013 of the Revised Code, and certified under 4847
division (B) (7) or (D) (2) (d) of section 3317.03 of the Revised 4848
Code. 4849

(4) "Category four special education ADM" means the full- 4850

time equivalent number of students receiving special education 4851
services for those disabilities specified in division (D) of 4852
section 3317.013 of the Revised Code and certified under 4853
division (B) (8) or (D) (2) (e) of section 3317.03 of the Revised 4854
Code. 4855

(5) "Category five special education ADM" means the full- 4856
time equivalent number of students receiving special education 4857
services for the disabilities specified in division (E) of 4858
section 3317.013 of the Revised Code and certified under 4859
division (B) (9) or (D) (2) (f) of section 3317.03 of the Revised 4860
Code. 4861

(6) "Category six special education ADM" means the full- 4862
time equivalent number of students receiving special education 4863
services for the disabilities specified in division (F) of 4864
section 3317.013 of the Revised Code and certified under 4865
division (B) (10) or (D) (2) (g) of section 3317.03 of the Revised 4866
Code. 4867

~~(D)~~ (F) "Economically disadvantaged index for a school 4868
district" means the square of the quotient of that district's 4869
percentage of students in its ~~total~~ enrolled ADM who are 4870
identified as economically disadvantaged as defined by the 4871
department of education, divided by the percentage of students 4872
in the statewide ~~total~~ ADM identified as economically 4873
disadvantaged. For purposes of this calculation: 4874

(1) For a city, local, or exempted village school 4875
district, the "statewide ~~total~~ ADM" equals the sum of the ~~total~~ 4876
following: 4877

(a) The enrolled ADM for all city, local, and exempted 4878
village school districts combined; 4879

(b) The statewide enrollment of students in community schools established under Chapter 3314. of the Revised Code; 4880
4881

(c) The statewide enrollment of students in science, technology, engineering, and mathematics schools established under Chapter 3326. of the Revised Code. 4882
4883
4884

(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. 4885
4886
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~~(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: 4888
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(a) Add the students described in division (A)(1)(b) of section 3317.03 of the Revised Code; 4894
4895

(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; 4896
4897
4898

(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; 4899
4900
4901

(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. 4902
4903
4904
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(2) "Enrolled ADM" means, for a joint vocational school district, the final number verified by the superintendent of 4906
4907

public instruction, based on the enrollment reported and 4908
certified under division (D) of section 3317.03 of the Revised 4909
Code, as adjusted, if so ordered, under division (K) of that 4910
section, and as further adjusted by the department of education 4911
by adding the students described in division (D)(1)(b) of 4912
section 3317.03 of the Revised Code. 4913

(H) (1) "Formula ADM" means, for a city, local, or exempted 4914
village school district, the enrollment reported under division 4915
(A) of section 3317.03 of the Revised Code, as verified by the 4916
superintendent of public instruction and adjusted if so ordered 4917
under division (K) of that section, and as further adjusted by 4918
the department of education, as follows: 4919

(a) Count only twenty per cent of the number of joint 4920
vocational school district students counted under division (A) 4921
(3) of section 3317.03 of the Revised Code; 4922

(b) Add twenty per cent of the number of students who are 4923
entitled to attend school in the district under section 3313.64 4924
or 3313.65 of the Revised Code and are enrolled in another 4925
school district under a career-technical education compact. 4926

(2) "Formula ADM" means, for a joint vocational school 4927
district, the final number verified by the superintendent of 4928
public instruction, based on the enrollment reported and 4929
certified under division (D) of section 3317.03 of the Revised 4930
Code, as adjusted, if so ordered, under division (K) of that 4931
section. 4932

~~(F) "Formula amount" means \$6,010, for fiscal year 2018,~~ 4933
~~and \$6,020, for fiscal year 2019.~~ 4934

~~(G)~~ (I) "FTE basis" means a count of students based on 4935
full-time equivalency, in accordance with rules adopted by the 4936

department of education pursuant to section 3317.03 of the 4937
Revised Code. In adopting its rules under this division, the 4938
department shall provide for counting any student in category 4939
one, two, three, four, five, or six special education ADM or in 4940
category one, two, three, four, or five career-technical 4941
education ADM in the same proportion the student is counted in 4942
~~formula-enrolled~~ ADM. 4943

~~(H)-(J)~~ "Funding base" means, for a city, local, or 4944
exempted village school district, the amount calculated by the 4945
department as follows: 4946

(1) Compute the sum of the following: 4947

(a) The amount calculated for the district for fiscal year 4948
2020 under division (A) (1) of Section 265.220 of H.B. 166 of the 4949
133rd general assembly after any adjustments required under 4950
Section 265.227 of H.B. 166 of the 133rd general assembly and 4951
prior to any funding reductions authorized by Executive Order 4952
2020-19D, "Implementing Additional Spending Controls to Balance 4953
the State Budget" issued on May 7, 2020; 4954

(b) The district's payments for fiscal year 2020 under 4955
divisions (C) (1), (2), (3), and (4) of section 3313.981 of the 4956
Revised Code as those divisions existed prior to the effective 4957
date of this amendment. 4958

(2) Subtract from the amount calculated in division (J) (1) 4959
of this section the sum of the following: 4960

(a) The following difference: 4961

(The amount paid to the district under division (A) (5) of 4962
section 3317.022 of the Revised Code, as that division existed 4963
prior to the effective date of this amendment, for fiscal year 4964
2019) - (the amounts deducted from the district and paid to a 4965

community school under division (C) (1) (e) of section 3314.08 of 4966
the Revised Code or a science, technology, engineering, and 4967
mathematics school under division (E) of section 3326.33 of the 4968
Revised Code as those divisions existed prior to the effective 4969
date of this amendment for fiscal year 2020 in accordance with 4970
division (A) of Section 265.235 of H.B. 166 of the 133rd general 4971
assembly) 4972

(b) The payments deducted from the district and paid to a 4973
community school for fiscal year 2020 under divisions (C) (1) (a), 4974
(b), (c), (d), (e), (f), and (g) of section 3314.08 of the 4975
Revised Code as those divisions existed prior to the effective 4976
date of this amendment in accordance with division (A) of 4977
Section 265.230 of H.B. 166 of the 133rd general assembly; 4978

(c) The payments deducted from the district and paid to a 4979
science, technology, engineering, and mathematics school for 4980
fiscal year 2020 under divisions (A), (B), (C), (D), (E), (F), 4981
and (G) of section 3326.33 of the Revised Code as those 4982
divisions existed prior to the effective date of this amendment 4983
in accordance with division (A) of Section 265.235 of H.B. 166 4984
of the 133rd general assembly; 4985

(d) The payments deducted from the district under division 4986
(C) of section 3310.08 of the Revised Code as that division 4987
existed prior to the effective date of this amendment, division 4988
(C) (2) of section 3310.41 of the Revised Code as that division 4989
existed prior to the effective date of this amendment, and 4990
former section 3310.55 of the Revised Code for fiscal year 2020 4991
and, in the case of a pilot project school district as defined 4992
in section 3313.975 of the Revised Code, the funds deducted from 4993
the district under Section 265.210 of H.B. 166 of the 133rd 4994
general assembly to operate the pilot project scholarship 4995

program for fiscal year 2020 under sections 3313.974 to 3313.979 4996
of the Revised Code; 4997

(e) The payments subtracted from the district for fiscal 4998
year 2020 under divisions (B) (1), (2), and (3) of section 4999
3313.981 of the Revised Code as those divisions existed prior to 5000
the effective date of this amendment. 5001

(K) "Funding base" means, for a joint vocational school 5002
district, the amount calculated by the department as follows: 5003

(1) Compute the sum of the following: 5004

(a) The district's payments for fiscal year 2020 under 5005
Section 265.225 of H.B. 166 of the 133rd general assembly after 5006
any adjustments required under Section 265.227 of H.B. 166 of 5007
the 133rd general assembly; 5008

(b) The district's payments for fiscal year 2019 under 5009
divisions (D) (1), (2), and (E) (3) of section 3313.981 of the 5010
Revised Code as those divisions existed prior to the effective 5011
date of this amendment. 5012

(2) Subtract from the amount calculated in division (K) (1) 5013
of this section the amount paid to the district under division 5014
(A) (3) of section 3317.16 of the Revised Code, as that division 5015
existed prior to the effective date of this amendment, for 5016
fiscal year 2019. 5017

(L) "Internet- or computer-based community school" has the 5018
same meaning as in section 3314.02 of the Revised Code. 5019

~~(I)~~ (M) "Medically fragile child" means a child to whom 5020
all of the following apply: 5021

(1) The child requires the services of a doctor of 5022
medicine or osteopathic medicine at least once a week due to the 5023

instability of the child's medical condition. 5024

(2) The child requires the services of a registered nurse 5025
on a daily basis. 5026

(3) The child is at risk of institutionalization in a 5027
hospital, skilled nursing facility, or intermediate care 5028
facility for individuals with intellectual disabilities. 5029

~~(J)(1)~~ (N)(1) A child may be identified as having an 5030
"other health impairment-major" if the child's condition meets 5031
the definition of "other health impaired" established in rules 5032
previously adopted by the state board of education and if either 5033
of the following apply: 5034

(a) The child is identified as having a medical condition 5035
that is among those listed by the superintendent of public 5036
instruction as conditions where a substantial majority of cases 5037
fall within the definition of "medically fragile child." 5038

(b) The child is determined by the superintendent of 5039
public instruction to be a medically fragile child. A school 5040
district superintendent may petition the superintendent of 5041
public instruction for a determination that a child is a 5042
medically fragile child. 5043

(2) A child may be identified as having an "other health 5044
impairment-minor" if the child's condition meets the definition 5045
of "other health impaired" established in rules previously 5046
adopted by the state board of education but the child's 5047
condition does not meet either of the conditions specified in 5048
division ~~(J)(1)(a)~~ (N)(1)(a) or (b) of this section. 5049

~~(K)~~ (O) A city, local, exempted village, or joint 5050
vocational school district's "phase-in percentage" is equal to 5051
the percentage for that fiscal year that is determined by the 5052

general assembly. It is the intent of the general assembly that 5053
this percentage shall increase to one hundred per cent over the 5054
course of not more than six fiscal years, beginning with fiscal 5055
year 2022. 5056

(P) "Preschool child with a disability" means a child with 5057
a disability, as defined in section 3323.01 of the Revised Code, 5058
who is at least age three but is not of compulsory school age, 5059
as defined in section 3321.01 of the Revised Code, and who is 5060
not currently enrolled in kindergarten. 5061

~~(I)~~(Q) "Preschool scholarship ADM" means the number of 5062
preschool children with disabilities certified under division 5063
(B) (3) (h) of section 3317.03 of the Revised Code. 5064

~~(M)~~(R) "Related services" includes: 5065

(1) Child study, special education supervisors and 5066
coordinators, speech and hearing services, adaptive physical 5067
development services, occupational or physical therapy, teacher 5068
assistants for children with disabilities whose disabilities are 5069
described in division (B) of section 3317.013 or division (B) (3) 5070
of this section, behavioral intervention, interpreter services, 5071
work study, nursing services, and specialized integrative 5072
services as those terms are defined by the department; 5073

(2) Speech and language services provided to any student 5074
with a disability, including any student whose primary or only 5075
disability is a speech and language disability; 5076

(3) Any related service not specifically covered by other 5077
state funds but specified in federal law, including but not 5078
limited to, audiology and school psychological services; 5079

(4) Any service included in units funded under former 5080
division (O) (1) of section 3317.024 of the Revised Code; 5081

(5) Any other related service needed by children with disabilities in accordance with their individualized education programs. 5082
5083
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~~(N)~~ (S) "School district," unless otherwise specified, means city, local, and exempted village school districts. 5085
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~~(O)~~ (T) "State education aid" has the same meaning as in section 5751.20 of the Revised Code. 5087
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~~(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. 5089
5090
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~~(Q)~~ (2) "State share percentage" means, for a joint vocational school district, the percentage calculated in accordance with the following formula: 5093
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5095

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 5096
5097
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(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. 5100
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(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. 5103
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(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 5107
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Code, plus the taxes levied against tangible personal property. 5110

~~(R)~~ (Y) For purposes of ~~section~~ sections 3317.017 and 5111
3317.16 of the Revised Code, "three-year average valuation" for 5112
a fiscal year means the average of total taxable value for ~~tax-~~ 5113
~~years 2014, 2015, and 2016~~ the three most recent tax years for 5114
which data is available, as certified under section 3317.021 of 5115
the Revised Code. 5116

~~(2)~~ For purposes of ~~sections 3317.0217, 3317.0218, and~~ 5117
~~3317.16~~ of the Revised Code, "three year average valuation"~~-~~ 5118
means the following:~~-~~ 5119

~~(a)~~ For ~~fiscal year 2018,~~ the average of total taxable~~-~~ 5120
value for ~~tax years 2014, 2015, and 2016;~~~~-~~ 5121

~~(b)~~ For ~~fiscal year 2019,~~ the average of total taxable~~-~~ 5122
value for ~~tax years 2015, 2016, and 2017.~~~~-~~ 5123

~~(S)~~ (Z) "Total ADM" means, for a city, local, or exempted 5124
village school district, the enrollment reported under division 5125
(A) of section 3317.03 of the Revised Code, as verified by the 5126
superintendent of public instruction and adjusted if so ordered 5127
under division (K) of that section. 5128

~~(T)~~ (AA) "Total special education ADM" means the sum of 5129
categories one through six special education ADM. 5130

~~(U)~~ (BB) "Total taxable value" means the sum of the 5131
amounts certified for a city, local, exempted village, or joint 5132
vocational school district under divisions (A) (1) and (2) of 5133
section 3317.021 of the Revised Code. 5134

Sec. 3317.021. (A) On or before the first day of June of 5135
each year, the tax commissioner shall certify to the department 5136
of education and the office of budget and management the 5137

information described in divisions (A) (1) to (5) of this section 5138
for each city, exempted village, and local school district, and 5139
the information required by divisions (A) (1) and (2) of this 5140
section for each joint vocational school district, and it shall 5141
be used, along with the information certified under division (B) 5142
of this section, in making the computations for the district 5143
under this chapter. 5144

(1) The taxable value of real and public utility real 5145
property in the school district subject to taxation in the 5146
preceding tax year, by class and by county of location. 5147

(2) The taxable value of tangible personal property, 5148
including public utility personal property, subject to taxation 5149
by the district for the preceding tax year. 5150

(3) (a) The total property tax rate and total taxes charged 5151
and payable for the current expenses for the preceding tax year 5152
and the total property tax rate and the total taxes charged and 5153
payable to a joint vocational district for the preceding tax 5154
year that are limited to or to the extent apportioned to current 5155
expenses. 5156

(b) The portion of the amount of taxes charged and payable 5157
reported for each city, local, and exempted village school 5158
district under division (A) (3) (a) of this section attributable 5159
to a joint vocational school district. 5160

(4) The value of all real and public utility real property 5161
in the school district exempted from taxation minus both of the 5162
following: 5163

(a) The value of real and public utility real property in 5164
the district owned by the United States government and used 5165
exclusively for a public purpose; 5166

(b) The value of real and public utility real property in 5167
the district exempted from taxation under Chapter 725. or 1728. 5168
or section 3735.67, 5709.40, 5709.41, 5709.45, 5709.57, 5709.62, 5169
5709.63, 5709.632, 5709.73, or 5709.78 of the Revised Code. 5170

(5) The total federal adjusted gross income of the 5171
residents of the school district, based on tax returns filed by 5172
the residents of the district, for the most recent year for 5173
which this information is available, and the median Ohio 5174
adjusted gross income of the residents of the school district 5175
determined on the basis of tax returns filed for the second 5176
preceding tax year by the residents of the district. 5177

(6) The number of state tax returns filed by the residents 5178
of the district for the most recent year for which this 5179
information is available. 5180

(B) On or before the first day of May each year, the tax 5181
commissioner shall certify to the department of education and 5182
the office of budget and management the total taxable real 5183
property value of railroads and, separately, the total taxable 5184
tangible personal property value of all public utilities for the 5185
preceding tax year, by school district and by county of 5186
location. 5187

(C) If on the basis of the information certified under 5188
division (A) of this section, the department determines that any 5189
district fails in any year to meet the qualification requirement 5190
specified in division (A) of section 3317.01 of the Revised 5191
Code, the department shall immediately request the tax 5192
commissioner to determine the extent to which any school 5193
district income tax levied by the district under Chapter 5748. 5194
of the Revised Code shall be included in meeting that 5195
requirement. Within five days of receiving such a request from 5196

the department, the tax commissioner shall make the 5197
determination required by this division and report the quotient 5198
obtained under division (C) (3) of this section to the department 5199
and the office of budget and management. This quotient 5200
represents the number of mills that the department shall include 5201
in determining whether the district meets the qualification 5202
requirement of division (A) of section 3317.01 of the Revised 5203
Code. 5204

The tax commissioner shall make the determination required 5205
by this division as follows: 5206

(1) Multiply one mill times the total taxable value of the 5207
district as determined in divisions (A) (1) and (2) of this 5208
section; 5209

(2) Estimate the total amount of tax liability for the 5210
current tax year under taxes levied by Chapter 5748. of the 5211
Revised Code that are apportioned to current operating expenses 5212
of the district, excluding any income tax receipts allocated for 5213
the project cost, debt service, or maintenance set-aside 5214
associated with a state-assisted classroom facilities project as 5215
authorized by section 3318.052 of the Revised Code; 5216

(3) Divide the amount estimated under division (C) (2) of 5217
this section by the product obtained under division (C) (1) of 5218
this section. 5219

Sec. 3317.022. ~~(A)~~—The department of education shall 5220
compute and distribute state core foundation funding to each 5221
eligible school district for the fiscal year, using the 5222
information obtained under section 3317.021 of the Revised Code 5223
in the calendar year in which the fiscal year begins, ~~as~~ 5224
~~prescribed in the following divisions~~ in accordance with the 5225

following formula: 5226

The district's funding base + [(the district's state core 5227
foundation funding components for that fiscal year calculated 5228
under divisions (A) (1), (2), (3), (5), (6), (7), and (8) of this 5229
section - the district's funding base) X the district's phase-in 5230
percentage for that fiscal year] + the district's disadvantaged 5231
pupil impact aid for that fiscal year calculated under division 5232
(A) (4) of this section 5233

(A) A district's state core foundation funding components 5234
shall be all of the following: 5235

(1) ~~An opportunity grant~~ The district's state share 5236
calculated according to the following formula:- 5237

The formula amount X (formula ADM + preschool scholarship 5238
ADM) X the district's state share index under division (B) of 5239
section 3317.017 of the Revised Code; 5240

(2) Targeted assistance funds calculated under ~~divisions~~ 5241
~~(A) and (B) of section 3317.0217 of the Revised Code;~~ 5242

(3) Additional state aid for special education and related 5243
services provided under Chapter 3323. of the Revised Code 5244
calculated as the sum of the following: 5245

(a) The district's category one special education ADM X 5246
the ~~amount~~ multiple specified in division (A) of section 5247
3317.013 of the Revised Code X the statewide average base cost 5248
per pupil for that fiscal year X the district's state share 5249
index percentage; 5250

(b) The district's category two special education ADM X 5251
the ~~amount~~ multiple specified in division (B) of section 5252
3317.013 of the Revised Code X the statewide average base cost 5253

per pupil for that fiscal year X the district's state share 5254
indexpercentage; 5255

(c) The district's category three special education ADM X 5256
the ~~amount~~ multiple specified in division (C) of section 5257
3317.013 of the Revised Code X the statewide average base cost 5258
per pupil for that fiscal year X the district's state share 5259
indexpercentage; 5260

(d) The district's category four special education ADM X 5261
the ~~amount~~ multiple specified in division (D) of section 5262
3317.013 of the Revised Code X the statewide average base cost 5263
per pupil for that fiscal year X the district's state share 5264
indexpercentage; 5265

(e) The district's category five special education ADM X 5266
the ~~amount~~ multiple specified in division (E) of section 5267
3317.013 of the Revised Code X the statewide average base cost 5268
per pupil for that fiscal year X the district's state share 5269
indexpercentage; 5270

(f) The district's category six special education ADM X 5271
the ~~amount~~ multiple specified in division (F) of section 5272
3317.013 of the Revised Code X the statewide average base cost 5273
per pupil for that fiscal year X the district's state share 5274
indexpercentage. 5275

~~(4) Kindergarten through third grade literacy funds~~ 5276
~~calculated according to the following formula:-~~ 5277

~~(\$193 X formula ADM for grades kindergarten through three~~ 5278
~~X the district's state share index) + (\$127 X formula ADM for~~ 5279
~~grades kindergarten through three)~~ 5280

~~For purposes of this calculation, the department shall~~ 5281
~~subtract from a district's formula ADM for grades kindergarten~~ 5282

~~through three the number of students reported under division (B)~~ 5283
~~(3) (e) of section 3317.03 of the Revised Code as enrolled in an~~ 5284
~~internet or computer-based community school who are in grades~~ 5285
~~kindergarten through three.~~ 5286

~~(5) Economically disadvantaged funds~~ Disadvantaged pupil 5287
impact aid calculated according to the following formula: 5288

~~\$272-\$422~~ X (the district's economically disadvantaged 5289
index) X the number of students who are economically 5290
disadvantaged as certified under division (B) (21) of section 5291
3317.03 of the Revised Code 5292

~~(6)~~ (5) English learner funds calculated as the sum of the 5293
following: 5294

(a) The district's category one English learner ADM X the 5295
~~amount multiple~~ specified in division (A) of section 3317.016 of 5296
the Revised Code X the statewide average base cost per pupil for 5297
that fiscal year X the district's state share ~~index~~ percentage; 5298

(b) The district's category two English learner ADM X the 5299
~~amount multiple~~ specified in division (B) of section 3317.016 of 5300
the Revised Code X the statewide average base cost per pupil for 5301
that fiscal year X the district's state share ~~index~~ percentage; 5302

(c) The district's category three English learner ADM X 5303
the ~~amount multiple~~ specified in division (C) of section 5304
3317.016 of the Revised Code X the district's state share 5305
~~index~~ percentage. 5306

~~(7) (a)~~ (6) (a) Gifted identification funds calculated 5307
according to the following formula: 5308

~~\$5.05-\$24~~ X the district's ~~formula~~ enrolled ADM for grades 5309
kindergarten through six X the district's state share percentage 5310

(b) Gifted referral funds calculated according to the 5311
following formula: 5312

\$2.50 X the district's enrolled ADM X the district's state 5313
share percentage 5314

(c) Gifted professional development funds calculated 5315
according to the following formula: 5316

(The greater of the number of gifted students enrolled in the 5317
district as certified under division (B) (22) of section 3317.03 5318
of the Revised Code and ten per cent of the district's enrolled 5319
ADM) X the district's state share percentage X \$7, for fiscal 5320
year 2022, \$14, for fiscal year 2023, \$21, for fiscal year 2024, 5321
or \$28, for fiscal year 2025 5322

The department shall make no payments under division (A) 5323
(6) (c) of this section for fiscal year 2026 or for each fiscal 5324
year thereafter. 5325

(d) Gifted unit funding calculated under section 3317.051 5326
of the Revised Code. 5327

~~(8)-(7) Career-technical education funds calculated as the~~ 5328
~~sum of the following:-~~ 5329

~~(a) The district's category one career-technical education~~ 5330
~~ADM X the amount specified in division (A) of section 3317.014~~ 5331
~~of the Revised Code X the district's state share index;-~~ 5332

~~(b) The district's category two career-technical education~~ 5333
~~ADM X the amount specified in division (B) of section 3317.014~~ 5334
~~of the Revised Code X the district's state share index;-~~ 5335

~~(c) The district's category three career-technical~~ 5336
~~education ADM X the amount specified in division (C) of section~~ 5337
~~3317.014 of the Revised Code X the district's state share index;-~~ 5338

~~(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;~~ 5339
5340
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~~(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.~~ 5342
5343
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~~Payment of funds under division (A) (8) of this section is subject to approval under section 3317.161 of the Revised Code.~~ 5345
5346

~~(9) under division (C) of section 3317.014 of the Revised Code.~~ 5347
5348

(8) Career-technical education associated services funds 5349
calculated according to the following formula: 5350

~~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~~ 5351
5352
5353
5354

~~(10) Capacity aid funds calculated under section 3317.0218 of the Revised Code;~~ 5355
5356

~~(11) A graduation bonus calculated under section 3317.0215 of the Revised Code;~~ 5357
5358

~~(12) A third grade reading bonus calculated under section 3317.0216 of the Revised Code~~ 5359
under division (D) of section 5360
3317.014 of the Revised Code. 5361

(B) In any fiscal year, a school district shall spend for 5362
purposes that the department designates as approved for special 5363
education and related services expenses at least the amount 5364
calculated as follows: 5365

(The ~~formula amount base cost per pupil calculated for the~~ 5366
~~district for that fiscal year~~ X the total special education ADM) 5367
+ (the district's category one special education ADM X the 5368
~~amount multiple~~ specified in division (A) of section 3317.013 of 5369
the Revised Code ~~X the statewide average base cost per pupil for~~ 5370
~~that fiscal year~~) + (the district's category two special 5371
education ADM X the ~~amount multiple~~ specified in division (B) of 5372
section 3317.013 of the Revised Code ~~X the statewide average~~ 5373
~~base cost per pupil for that fiscal year~~) + (the district's 5374
category three special education ADM X the ~~amount multiple~~ 5375
specified in division (C) of section 3317.013 of the Revised 5376
Code ~~X the statewide average base cost per pupil for that fiscal~~ 5377
~~year~~) + (the district's category four special education ADM X 5378
the ~~amount multiple~~ specified in division (D) of section 5379
3317.013 of the Revised Code ~~X the statewide average base cost~~ 5380
~~per pupil for that fiscal year~~) + (the district's category five 5381
special education ADM X the ~~amount multiple~~ specified in 5382
division (E) of section 3317.013 of the Revised Code ~~X the~~ 5383
~~statewide average base cost per pupil for that fiscal year~~) + 5384
(the district's category six special education ADM X the ~~amount~~ 5385
~~multiple~~ specified in division (F) of section 3317.013 of the 5386
Revised Code ~~X the statewide average base cost per pupil for~~ 5387
~~that fiscal year~~) 5388

The purposes approved by the department for special 5389
education expenses shall include, but shall not be limited to, 5390
identification of children with disabilities, compliance with 5391
state rules governing the education of children with 5392
disabilities and prescribing the continuum of program options 5393
for children with disabilities, provision of speech language 5394
pathology services, and the portion of the school district's 5395
overall administrative and overhead costs that are attributable 5396

to the district's special education student population. 5397

~~The scholarships deducted from the school district's 5398
account under sections 3310.41 and 3310.55 of the Revised Code 5399
shall be considered to be an approved special education and 5400
related services expense for the purpose of the school 5401
district's compliance with this division. 5402~~

~~(C) In any fiscal year, a school district receiving funds 5403
under division (A) (8) of this section shall spend those funds 5404
only for the purposes that the department designates as approved 5405
for career technical education expenses. Career technical 5406
education expenses approved by the department shall include only 5407
expenses connected to the delivery of career technical 5408
programming to career technical students. The department shall 5409
require the school district to report data annually so that the 5410
department may monitor the district's compliance with the 5411
requirements regarding the manner in which funding received 5412
under division (A) (8) of this section may be spent. 5413~~

~~(D) In any fiscal year, a school district receiving funds 5414
under division (A) (9) of this section, or through a transfer of 5415
funds pursuant to division (I) of section 3317.023 of the 5416
Revised Code, shall spend those funds only for the purposes that 5417
the department designates as approved for career technical 5418
education associated services expenses, which may include such 5419
purposes as apprenticeship coordinators, coordinators for other 5420
career technical education services, career technical 5421
evaluation, and other purposes designated by the department. The 5422
department may deny payment under division (A) (9) of this 5423
section to any district that the department determines is not 5424
operating those services or is using funds paid under division 5425
(A) (9) of this section, or through a transfer of funds pursuant 5426~~

~~to division (I) of section 3317.023 of the Revised Code, for
other purposes.~~ 5427
5428

~~(E) All funds received under division (A)(8) of this
section shall be spent in the following manner:~~ 5429
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~~(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.~~ 5431
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~~(2) Not more than twenty five per cent of the funds shall
be used for personnel expenditures.~~ 5441
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~~(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.~~ 5443
5444
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(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. 5446
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5448

(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. 5449
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Sec. 3317.023. (A) The amounts required to be paid to a 5452
district under this chapter shall be adjusted by the amount of 5453
the computations made under divisions (B) to (K) of this 5454
section. 5455

As used in this section: 5456

(1) "Career-technical planning district" or "CTPD" means a 5457
school district or group of school districts designated by the 5458
department of education as being responsible for the planning 5459
for and provision of career-technical education services to 5460
students within the district or group. A community school 5461
established under Chapter 3314. of the Revised Code or a STEM 5462
school established under Chapter 3326. of the Revised Code that 5463
is serving students in any of grades seven through twelve shall 5464
be assigned to a career-technical planning district by the 5465
department. 5466

(2) "Lead district" means a school district, including a 5467
joint vocational school district, designated by the department 5468
as a CTPD, or designated to provide primary career-technical 5469
education leadership within a CTPD composed of a group of 5470
districts, community schools assigned to the CTPD, and STEM 5471
schools assigned to the CTPD. 5472

(B) If a local, city, or exempted village school district 5473
to which a governing board of an educational service center 5474
provides services pursuant to an agreement entered into under 5475
section 3313.843 of the Revised Code, deduct the amount of the 5476
payment required for the reimbursement of the governing board 5477
under that section. 5478

(C) (1) If the district is required to pay to or entitled 5479
to receive tuition from another school district under division 5480
(C) (2) or (3) of section 3313.64 or section 3313.65 of the 5481
Revised Code, or if the superintendent of public instruction is 5482
required to determine the correct amount of tuition and make a 5483
deduction or credit under section 3317.08 of the Revised Code, 5484
deduct and credit such amounts as provided in division (J) of 5485

section 3313.64 or section 3317.08 of the Revised Code. 5486

(2) For each child for whom the district is responsible 5487
for tuition or payment under division (A)(1) of section 3317.082 5488
or section 3323.091 of the Revised Code, deduct the amount of 5489
tuition or payment for which the district is responsible. 5490

(D) If the district has been certified by the 5491
superintendent of public instruction under section 3313.90 of 5492
the Revised Code as not in compliance with the requirements of 5493
that section, deduct an amount equal to ten per cent of the 5494
amount computed for the district under this chapter. 5495

(E) If the district has received a loan from a commercial 5496
lending institution for which payments are made by the 5497
superintendent of public instruction pursuant to division (E)(3) 5498
of section 3313.483 of the Revised Code, deduct an amount equal 5499
to such payments. 5500

(F)(1) If the district is a party to an agreement entered 5501
into under division (D), (E), or (F) of section 3311.06 or 5502
division (B) of section 3311.24 of the Revised Code and is 5503
obligated to make payments to another district under such an 5504
agreement, deduct an amount equal to such payments if the 5505
district school board notifies the department in writing that it 5506
wishes to have such payments deducted. 5507

(2) If the district is entitled to receive payments from 5508
another district that has notified the department to deduct such 5509
payments under division (F)(1) of this section, add the amount 5510
of such payments. 5511

(G) If the district is required to pay an amount of funds 5512
to a cooperative education district pursuant to a provision 5513
described by division (B)(4) of section 3311.52 or division (B) 5514

(8) of section 3311.521 of the Revised Code, deduct such amounts 5515
as provided under that provision and credit those amounts to the 5516
cooperative education district for payment to the district under 5517
division (B) (1) of section 3317.19 of the Revised Code. 5518

(H) (1) If a district is educating a student entitled to 5519
attend school in another district pursuant to a shared education 5520
contract, compact, or cooperative education agreement other than 5521
an agreement entered into pursuant to section 3313.842 of the 5522
Revised Code, credit to that educating district on an FTE basis 5523
both of the following: 5524

(a) An amount equal to the ~~formula amount~~ statewide average 5525
base cost per pupil. 5526

(b) Any amount applicable to the student pursuant to 5527
section 3317.013 or 3317.014 of the Revised Code. 5528

(2) Deduct any amount credited pursuant to division (H) (1) 5529
of this section from amounts paid to the school district in 5530
which the student is entitled to attend school pursuant to 5531
section 3313.64 or 3313.65 of the Revised Code. 5532

(3) If the district is required by a shared education 5533
contract, compact, or cooperative education agreement to make 5534
payments to an educational service center, deduct the amounts 5535
from payments to the district and add them to the amounts paid 5536
to the service center. 5537

(I) (1) If a district, including a joint vocational school 5538
district, is a lead district of a CTPD, credit to that district 5539
the amount calculated for each school district within that CTPD 5540
under ~~division (A) (9) divisions (D) and (E) of section 3317.022~~ 5541
3317.014 of the Revised Code ~~or division (A) (6) of section~~ 5542
3317.16 of the Revised Code, as applicable and for each community 5543

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. 5544
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(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. 5547
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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. 5552
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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. 5560
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(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. 5564
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Sec. 3317.024. The following shall be distributed monthly, quarterly, or annually as may be determined by the state board of education: 5568
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(A) An amount for each island school district and each joint state school district for the operation of each high 5571
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school and each elementary school maintained within such 5573
district and for capital improvements for such schools. Such 5574
amounts shall be determined on the basis of standards adopted by 5575
the state board of education. However, for fiscal years 2012 and 5576
2013, an island district shall receive the lesser of its actual 5577
cost of operation, as certified to the department of education, 5578
or ninety-three per cent of the amount the district received in 5579
state operating funding for fiscal year 2011. If an island 5580
district received no funding for fiscal year 2011, it shall 5581
receive no funding for either of fiscal year 2012 or 2013. 5582

(B) An amount for each school district required to pay 5583
tuition for a child in an institution maintained by the 5584
department of youth services pursuant to section 3317.082 of the 5585
Revised Code, provided the child was not included in the 5586
calculation of the district's formula ADM, as that term is 5587
defined in section 3317.02 of the Revised Code, for the 5588
preceding school year. 5589

(C) An amount for the approved cost of transporting 5590
eligible pupils with disabilities attending a special education 5591
program approved by the department of education whom it is 5592
impossible or impractical to transport by regular school bus in 5593
the course of regular route transportation provided by the 5594
school district or educational service center. In the case of a 5595
school district, this amount shall be equal to the actual costs 5596
incurred by the district when transporting those students, as 5597
reported to the department, times the percentage determined for 5598
the district for that fiscal year under divisions (E) (3) (a) to 5599
(f) of section 3317.0212 of the Revised Code. No district or 5600
service center is eligible to receive a payment under this 5601
division for the cost of transporting any pupil whom it 5602
transports by regular school bus and who is included in the 5603

district's transportation ADM. The state board of education 5604
shall establish standards and guidelines for use by the 5605
department of education in determining the approved cost of such 5606
transportation for each ~~district or~~ service center. The state 5607
board shall also establish the deadline for each district to 5608
report its actual costs for transporting these students. Costs 5609
reported by each district under this division shall be subject 5610
to periodic, random audits by the department. 5611

(D) An amount to each school district, including each 5612
cooperative education school district, pursuant to section 5613
3313.81 of the Revised Code to assist in providing free lunches 5614
to needy children. The amounts shall be determined on the basis 5615
of rules adopted by the state board of education. 5616

(E) (1) An amount for auxiliary services to each school 5617
district, for each pupil attending a chartered nonpublic 5618
elementary or high school within the district that is either of 5619
the following: 5620

(a) A school affiliated with a religious order, sect, 5621
church, or denomination or has a curriculum or mission that 5622
contains religious content, religious courses, devotional 5623
exercises, religious training, or any other religious activity; 5624

(b) A school not described in division (E) (1) (a) of this 5625
section that has not elected to receive funds under division (E) 5626
(2) of this section. 5627

(2) An amount for auxiliary services paid directly to each 5628
chartered nonpublic school that has elected to receive funds 5629
under division (E) (2) of this section for each pupil attending 5630
the school. To elect to receive funds under division (E) (2) of 5631
this section, a school, by the first day of April of each odd- 5632

numbered year, shall notify the department and the school 5633
district in which the school is located of the election and 5634
shall submit to the department an affidavit certifying that the 5635
school is not affiliated with a religious order, sect, church, 5636
or denomination and does not have a curriculum or mission that 5637
contains religious content, religious courses, devotional 5638
exercises, religious training, or any other religious activity. 5639
The election shall take effect the following first day of July, 5640
unless the department determines that the school meets the 5641
criteria in division (E) (1) (a) of this section. The school 5642
subsequently may rescind its election, but it may do so only in 5643
an odd-numbered year by notifying the department and the school 5644
district in which the school is located of the rescission not 5645
later than the first day of April of that year. Beginning the 5646
following first day of July after the rescission, the school 5647
shall receive funds under division (E) (1) of this section. 5648

The amount paid under divisions (E) (1) and (2) of this 5649
section shall equal the total amount appropriated for the 5650
implementation of sections 3317.06 and 3317.062 of the Revised 5651
Code divided by the average daily membership in grades 5652
kindergarten through twelve in chartered nonpublic elementary 5653
and high schools within the state as determined as of the last 5654
day of October of each school year. 5655

(F) An amount for each county board of developmental 5656
disabilities, distributed on the basis of standards adopted by 5657
the state board of education, for the approved cost of 5658
transportation required for children attending special education 5659
programs operated by the county board under section 3323.09 of 5660
the Revised Code; 5661

(G) An amount to each institution defined under section 5662

3317.082 of the Revised Code providing elementary or secondary 5663
education to children other than children receiving special 5664
education under section 3323.091 of the Revised Code. This 5665
amount for any institution in any fiscal year shall equal the 5666
total of all tuition amounts required to be paid to the 5667
institution under division (A) (1) of section 3317.082 of the 5668
Revised Code. 5669

The state board of education or any other board of 5670
education or governing board may provide for any resident of a 5671
district or educational service center territory any educational 5672
service for which funds are made available to the board by the 5673
United States under the authority of public law, whether such 5674
funds come directly or indirectly from the United States or any 5675
agency or department thereof or through the state or any agency, 5676
department, or political subdivision thereof. 5677

Sec. 3317.028. (A) On or before May 15, 2007, and the 5678
fifteenth day of May in each calendar year thereafter, the tax 5679
commissioner shall determine for each school district whether 5680
the taxable value of all utility tangible personal property 5681
subject to taxation by the district in the preceding tax year 5682
was less than the taxable value of such property during the 5683
second preceding tax year. If any decrease exceeds ten per cent 5684
of the district's tangible personal property taxable value 5685
included in the total taxable value used in the district's state 5686
aid computation for the fiscal year that ends in the current 5687
calendar year, the tax commissioner shall certify all of the 5688
following to the department of education and the office of 5689
budget and management: 5690

(1) The district's total taxable value for the preceding 5691
tax year; 5692

(2) The change in taxes charged and payable on the 5693
district's total taxable value for the preceding tax year and 5694
the second preceding tax year; 5695

(3) The taxable value of the utility tangible personal 5696
property decrease, which shall be considered a change in 5697
valuation; 5698

(4) The change in taxes charged and payable on such change 5699
in taxable value calculated in the same manner as in division 5700
(A) (3) of section 3317.021 of the Revised Code. 5701

(B) Upon receipt of a certification specified in this 5702
section, the department of education shall replace the three- 5703
year average valuations that were used in computing the 5704
district's state education aid for the fiscal year that ends in 5705
the current calendar year with the taxable value certified under 5706
division (A) (1) of this section and shall recompute the state 5707
education aid for such fiscal year ~~without applying any funding~~ 5708
~~limitations enacted by the general assembly to the computation.~~ 5709
The department shall pay to the district an amount equal to the 5710
lesser of the following: 5711

(1) The positive difference between the district's state 5712
education aid prior to the recomputation under this section and 5713
the district's recomputed state education aid; 5714

(2) The absolute value of the amount certified under 5715
division (A) (2) of this section. 5716

The payment date shall be determined by the director of 5717
budget and management. The director shall select a payment date 5718
that is not earlier than the first day of June of the current 5719
fiscal year and not later than the thirty-first day of July of 5720
the following fiscal year. The department of education shall not 5721

pay the district under this section prior to approval by the 5722
director of budget and management to make that payment. 5723

(C) If a school district received a grant from the 5724
catastrophic expenditures account pursuant to division (C) of 5725
section 3316.20 of the Revised Code on the basis of the same 5726
circumstances for which a recomputation is made under this 5727
section, the amount of the recomputation shall be reduced and 5728
transferred in accordance with division (C) of section 3316.20 5729
of the Revised Code. 5730

Sec. 3317.0212. (A) As used in this section: 5731

(1) "Assigned bus" means a school bus used to transport 5732
qualifying riders. 5733

(2) "Density" means the total riders per square mile of a 5734
school district. 5735

(3) "Nontraditional ridership" means the average number of 5736
qualifying riders who are enrolled in a community school 5737
established under Chapter 3314. of the Revised Code, in a STEM 5738
school established under Chapter 3326. of the Revised Code, or 5739
in a nonpublic school and are provided school bus service by a 5740
school district during the first full week of October. 5741

(4) "Qualifying riders" means resident students enrolled 5742
in regular education in preschool and grades kindergarten to 5743
twelve who are provided school bus service by a school district 5744
and who live more than one mile from the school they attend, 5745
including students with dual enrollment in a joint vocational 5746
school district or a cooperative education school district, and 5747
students enrolled in a community school, STEM school, or 5748
nonpublic school. 5749

~~(2)~~ (5) "Qualifying ridership" means the greater of the 5750

average number of qualifying riders counted in the morning or 5751
counted in the afternoon who are provided school bus service by 5752
a school district during the first full week of October. 5753

~~(3)-(6)~~ "Rider density" means the ~~total ADM per square~~ 5754
~~mile of a school district.~~following quotient: 5755

A school district's total number of qualifying riders/ the 5756
number of square miles in the district 5757

~~(4)-(7)~~ "Riders" means students enrolled in regular and 5758
special education in grades kindergarten through twelve who are 5759
provided school bus service by a school district, including 5760
students with dual enrollment in a joint vocational school 5761
district or a cooperative education school district, and 5762
students enrolled in a community school, STEM school, or 5763
nonpublic school. 5764

(8) "School bus service" means a school district's 5765
transportation of qualifying riders in any of the following 5766
types of vehicles: 5767

(a) School buses owned or leased by the district; 5768

(b) School buses operated by a private contractor hired by 5769
the district; 5770

(c) School buses operated by another school district or 5771
entity with which the district has contracted, either as part of 5772
a consortium for the provision of transportation or otherwise. 5773

(B) Not later than the ~~fifteenth day of October~~ first day 5774
of November each year, each city, local, and exempted village 5775
school district shall report to the department of education its 5776
qualifying ridership and any other information requested by the 5777
department. Subsequent adjustments to the reported numbers shall 5778

be made only in accordance with rules adopted by the department. 5779

(C) The department shall calculate the statewide 5780
transportation cost per student as follows: 5781

(1) Determine each city, local, and exempted village 5782
school district's transportation cost per student by dividing 5783
the district's total costs for school bus service in the 5784
previous fiscal year by its qualifying ridership in the previous 5785
fiscal year. 5786

(2) After excluding districts that do not provide school 5787
bus service and the ten districts with the highest 5788
transportation costs per student and the ten districts with the 5789
lowest transportation costs per student, divide the aggregate 5790
cost for school bus service for the remaining districts in the 5791
previous fiscal year by the aggregate qualifying ridership of 5792
those districts in the previous fiscal year. 5793

(D) The department shall calculate the statewide 5794
transportation cost per mile as follows: 5795

(1) Determine each city, local, and exempted village 5796
school district's transportation cost per mile by dividing the 5797
district's total costs for school bus service in the previous 5798
fiscal year by its total number of miles driven for school bus 5799
service in the previous fiscal year. 5800

(2) After excluding districts that do not provide school 5801
bus service and the ten districts with the highest 5802
transportation costs per mile and the ten districts with the 5803
lowest transportation costs per mile, divide the aggregate cost 5804
for school bus service for the remaining districts in the 5805
previous fiscal year by the aggregate miles driven for school 5806
bus service in those districts in the previous fiscal year. 5807

(E) The department shall calculate each city, local, and 5808
exempted village school district's transportation base payment 5809
as follows: 5810

(1) ~~Multiply~~ Calculate the sum of the following: 5811

(a) The product of the statewide transportation cost per 5812
student ~~by~~ and the number of students counted in the district's 5813
qualifying ridership for the current fiscal year who are 5814
enrolled in the district; 5815

(b) 1.5 times the statewide transportation cost per 5816
student times the number of students counted in the district's 5817
qualifying ridership for the current fiscal year who are 5818
enrolled in community schools established under Chapter 3314. of 5819
the Revised Code or STEM schools established under Chapter 3326. 5820
of the Revised Code; 5821

(c) 2.0 times the statewide transportation cost per 5822
student times the number of students counted in the district's 5823
qualifying ridership for the current fiscal year who are 5824
enrolled in nonpublic schools. 5825

(2) Multiply the statewide transportation cost per mile by 5826
the district's total number of miles driven for school bus 5827
service in the current fiscal year. 5828

(3) Multiply the greater of the amounts calculated under 5829
divisions (E) (1) and (2) of this section by the following: 5830

(a) For fiscal year ~~2018~~2022, the greater of ~~thirty-seven-~~ 5831
~~and one-half~~ twenty-nine and one-sixth per cent or the 5832
district's state share ~~index~~percentage, as defined in section 5833
3317.02 of the Revised Code; 5834

(b) For fiscal year ~~2019~~2023, the greater of ~~twenty-five-~~ 5835

thirty-three and one-third per cent or the district's state 5836
share ~~index~~percentage; 5837

(c) For fiscal year 2024, the greater of thirty-seven and 5838
one-half per cent or the district's state share percentage; 5839

(d) For fiscal year 2025, the greater of forty-one and 5840
two-thirds per cent or the district's state share percentage; 5841

(e) For fiscal year 2026, the greater of forty-five and 5842
five-sixths per cent or the district's state share percentage; 5843

(f) For fiscal year 2027 and for each fiscal year 5844
thereafter, the greater of fifty per cent or the district's 5845
state share percentage. 5846

(F)(1) The department annually shall establish a target 5847
number of qualifying riders per assigned bus for each city, 5848
local, and exempted village school district. The department 5849
shall use the most recently available data in establishing the 5850
target number. The target number shall be based on the statewide 5851
median number of riders per assigned bus as adjusted to reflect 5852
the district's density in comparison to the density of all other 5853
districts. The department shall post on the department's web 5854
site each district's target number of riders per assigned bus 5855
and a description of how the target number was determined. 5856

(2) The department shall determine each school district's 5857
efficiency index by dividing the district's number of riders per 5858
assigned bus by its target number of riders per assigned bus. 5859

(3) The department shall determine each city, local, and 5860
exempted village school district's efficiency adjustment payment 5861
as follows: 5862

(a) If the district's efficiency index is equal to or 5863

greater than 1.5, the efficiency adjustment payment shall be 5864
calculated according to the following formula: 5865

0.15 X the district's transportation base payment calculated 5866
under division (E) of this section 5867

(b) If the district's efficiency index is less than 1.5 5868
but greater than or equal to 1.0, the efficiency adjustment 5869
payment shall be calculated according to the following formula: 5870

{[(The district's efficiency index - 1) X 0.15] / 0.5} X the 5871
district's transportation base payment calculated under division 5872
(E) of this section 5873

(c) If the district's efficiency index is less than 1.0, 5874
the efficiency adjustment payment shall be zero. 5875

(G) In addition to funds paid under ~~division (E)~~ divisions 5876
(E), (F), and (H) of this section, each city, local, and 5877
exempted village district shall receive in accordance with rules 5878
adopted by the state board of education a payment for students 5879
transported by means other than school bus service and whose 5880
transportation is not funded under division (C) of section 5881
3317.024 of the Revised Code. The rules shall include provisions 5882
for school district reporting of such students. 5883

~~(G) (1)~~ (H) (1) For purposes of division ~~(G)~~ (H) of this 5884
section, a school district's "transportation supplement 5885
percentage" means the following quotient: 5886

(~~50~~28 - the district's rider density) / 100 5887

If the result of the calculation for a district under 5888
division ~~(G) (1)~~ (H) (1) of this section is less than zero, the 5889
district's transportation supplement percentage shall be zero. 5890

(2) The department shall pay each district a 5891

transportation supplement calculated according to the following 5892
formula: 5893

The district's transportation supplement percentage X the amount 5894
calculated for the district under division (E) (2) of this 5895
section X 0.55 5896

Sec. 3317.0213. (A) The department of education shall 5897
compute and pay in accordance with this section additional state 5898
aid for preschool children with disabilities to each city, 5899
local, and exempted village school district and to each 5900
institution, as defined in section 3323.091 of the Revised Code. 5901
Funding shall be provided for children who are not enrolled in 5902
kindergarten and who are under age six on the thirtieth day of 5903
September of the academic year, or on the first day of August of 5904
the academic year if the school district in which the child is 5905
enrolled has adopted a resolution under division (A) (3) of 5906
section 3321.01 of the Revised Code, but not less than age three 5907
on the first day of December of the academic year. 5908

The additional state aid shall be calculated under the 5909
following formula: 5910

(\$4,000 X the number of students who are preschool 5911
children with disabilities) + the sum of the following: 5912

(1) The district's or institution's category one special 5913
education students who are preschool children with disabilities 5914
X the ~~amount~~ multiple specified in division (A) of section 5915
3317.013 of the Revised Code X the statewide average base cost 5916
per pupil for that fiscal year X the district's state share 5917
~~index~~ percentage X 0.50; 5918

(2) The district's or institution's category two special 5919
education students who are preschool children with disabilities 5920

X the ~~amount~~multiple specified in division (B) of section 5921
3317.013 of the Revised Code X the statewide average base cost 5922
per pupil for that fiscal year X the district's state share 5923
~~index~~percentage X 0.50; 5924

(3) The district's or institution's category three special 5925
education students who are preschool children with disabilities 5926
X the ~~amount~~multiple specified in division (C) of section 5927
3317.013 of the Revised Code X the statewide average base cost 5928
per pupil for that fiscal year X the district's state share 5929
~~index~~percentage X 0.50; 5930

(4) The district's or institution's category four special 5931
education students who are preschool children with disabilities 5932
X the ~~amount~~multiple specified in division (D) of section 5933
3317.013 of the Revised Code X the statewide average base cost 5934
per pupil for that fiscal year X the district's state share 5935
~~index~~percentage X 0.50; 5936

(5) The district's or institution's category five special 5937
education students who are preschool children with disabilities 5938
X the ~~amount~~multiple specified in division (E) of section 5939
3317.013 of the Revised Code X the statewide average base cost 5940
per pupil for that fiscal year X the district's state share 5941
~~index~~percentage X 0.50; 5942

(6) The district's or institution's category six special 5943
education students who are preschool children with disabilities 5944
X the ~~amount~~multiple specified in division (F) of section 5945
3317.013 of the Revised Code X the statewide average base cost 5946
per pupil for that fiscal year X the district's state share 5947
~~index~~percentage X 0.50. 5948

The special education disability categories for preschool 5949

children used in this section are the same categories prescribed 5950
in section 3317.013 of the Revised Code. 5951

As used in division (A) of this section, the state share 5952
~~index percentage~~ of a student enrolled in an institution is the 5953
state share ~~index percentage~~ of the school district in which the 5954
student is entitled to attend school under section 3313.64 or 5955
3313.65 of the Revised Code. 5956

(B) If an educational service center is providing services 5957
to students who are preschool children with disabilities under 5958
agreement with the city, local, or exempted village school 5959
district in which the students are entitled to attend school, 5960
that district may authorize the department to transfer funds 5961
computed under this section to the service center providing 5962
those services. 5963

(C) If a county DD board is providing services to students 5964
who are preschool children with disabilities under agreement 5965
with the city, local, or exempted village school district in 5966
which the students are entitled to attend school, the department 5967
shall deduct from the district's payment computed under division 5968
(A) of this section the total amount of those funds that are 5969
attributable to the students served by the county DD board and 5970
pay that amount to that board. 5971

Sec. 3317.0214. (A) The department shall compute and pay 5972
in accordance with this section additional state aid to school 5973
districts for students in categories two through six special 5974
education ADM. If a district's costs for the fiscal year for a 5975
student in its categories two through six special education ADM 5976
exceed the threshold catastrophic cost for serving the student, 5977
the district may submit to the superintendent of public 5978
instruction documentation, as prescribed by the superintendent, 5979

of all its costs for that student. Upon submission of 5980
documentation for a student of the type and in the manner 5981
prescribed, the department shall pay to the district an amount 5982
equal to the sum of the following: 5983

(1) One-half of the district's costs for the student in 5984
excess of the threshold catastrophic cost; 5985

(2) The product of one-half of the district's costs for 5986
the student in excess of the threshold catastrophic cost 5987
multiplied by the district's state share ~~index~~percentage. 5988

(B) For purposes of division (A) of this section, the 5989
threshold catastrophic cost for serving a student equals: 5990

(1) For a student in the school district's category two, 5991
three, four, or five special education ADM, twenty-seven 5992
thousand three hundred seventy-five dollars; 5993

(2) For a student in the district's category six special 5994
education ADM, thirty-two thousand eight hundred fifty dollars. 5995

(C) The district shall report under division (A) of this 5996
section, and the department shall pay for, only the costs of 5997
educational expenses and the related services provided to the 5998
student in accordance with the student's individualized 5999
education program. Any legal fees, court costs, or other costs 6000
associated with any cause of action relating to the student may 6001
not be included in the amount. 6002

Sec. 3317.0215. (A) The department of education shall 6003
withhold from the aggregate amount paid for a fiscal year to 6004
each city, local, exempted village, and joint vocational school 6005
district, community school established under Chapter 3314. of 6006
the Revised Code, and science, technology, engineering, and 6007
mathematics school established under Chapter 3326. of the 6008

Revised Code an amount equal to the following: 6009

(1) In the case of a city, local, exempted village, or 6010
joint vocational school district, an amount calculated as 6011
follows: 6012

0.10 X [(the district's category one special education ADM X the 6013
multiple specified in division (A) of section 3317.013 of the 6014
Revised Code X the statewide average base cost per pupil for 6015
that fiscal year X the district's state share percentage) + (the 6016
district's category two special education ADM X the multiple 6017
specified in division (B) of section 3317.013 of the Revised 6018
Code X the statewide average base cost per pupil for that fiscal 6019
year X the district's state share percentage) + (the district's 6020
category three special education ADM X the multiple specified in 6021
division (C) of section 3317.013 of the Revised Code X the 6022
statewide average base cost per pupil for that fiscal year X the 6023
district's state share percentage) + (the district's category 6024
four special education ADM X the multiple specified in division 6025
(D) of section 3317.013 of the Revised Code X the statewide 6026
average base cost per pupil for that fiscal year X the 6027
district's state share percentage) + (the district's category 6028
five special education ADM X the multiple specified in division 6029
(E) of section 3317.013 of the Revised Code X the statewide 6030
average base cost per pupil for that fiscal year X the 6031
district's state share percentage) + (the district's category 6032
six special education ADM X the multiple specified in division 6033
(F) of section 3317.013 of the Revised Code X the statewide 6034
average base cost per pupil for that fiscal year X the 6035
district's state share percentage)] 6036

(2) In the case of a community school, the aggregate 6037
amount of special education funding paid to the school under 6038

section 3314.08 of the Revised Code times 0.10. 6039

(3) In the case of a science, technology, engineering, or 6040
mathematics school, the aggregate amount of special education 6041
funding paid to the school under section 3326.33 of the Revised 6042
Code times 0.10. 6043

(B) The department shall use the amount of funds withheld 6044
under division (A) of this section for purposes of division (C) 6045
(3) of section 3314.08 of the Revised Code, section 3317.0214 of 6046
the Revised Code, division (B) of section 3317.16 of the Revised 6047
Code, and section 3326.34 of the Revised Code. 6048

Sec. 3317.0217. Payment of the amount calculated for a 6049
school district under this section shall be made under division 6050
(A) of section 3317.022 of the Revised Code. 6051

(A) For each fiscal year, the department of education 6052
shall compute targeted assistance funds for city, local, and 6053
exempted village school districts, in accordance with the 6054
following formula: 6055

A district's capacity amount for that fiscal year calculated 6056
under division (B) of this section + a district's wealth amount 6057
for that fiscal year calculated under division (C) of this 6058
section 6059

(B) The department shall calculate each district's 6060
capacity amount for a fiscal year as follows: 6061

(1) Calculate each district's weighted wealth for that 6062
fiscal year, which equals the following sum: 6063

(The amount determined for the district for that fiscal year 6064
under division (A)(1)(a) of section 3317.017 of the Revised Code 6065
X 0.6) + (the amount determined for the district for that fiscal 6066

year under division (A) (2) (a) of section 3317.017 of the Revised 6067
Code X 0.4) 6068

(2) Determine the median weighted wealth of all school 6069
districts in this state for that fiscal year; 6070

(3) Compute each district's capacity index for that fiscal 6071
year by dividing the median weighted wealth of all school 6072
districts in this state for that fiscal year by the district's 6073
weighted wealth for that fiscal year; 6074

(4) Compute each district's capacity amount for that 6075
fiscal year as follows: 6076

(a) The district's capacity amount shall be zero if the 6077
district satisfies either of the following criteria for that 6078
fiscal year: 6079

(i) The district's capacity index is less than 1. 6080

(ii) The district's enrolled ADM is less than 200. 6081

(b) If the district does not satisfy either of the 6082
criteria specified in division (B) (4) (a) of this section for 6083
that fiscal year, the district's capacity amount for that fiscal 6084
year shall be calculated as follows: 6085

(i) Compute the following amount for the district: 6086

(The median weighted wealth of all school districts in this 6087
state for that fiscal year X 0.008) - (the district's weighted 6088
wealth for that fiscal year X 0.008) 6089

(ii) If the district's enrolled ADM for that fiscal year 6090
is greater than or equal to 200 but less than or equal to 400, 6091
the district's capacity amount for that fiscal year shall be 6092
equal to 0.05 X the amount computed under division (B) (4) (b) (i) 6093

of this section. 6094

(iii) If the district's enrolled ADM for that fiscal year 6095
is greater than 400 and less than 600, the district's capacity 6096
amount for that fiscal year shall be calculated in accordance 6097
with the following formula: 6098

{[0.95 X (the district's enrolled ADM for that fiscal year - 6099
400)/200] + 0.05} X the amount computed under division (B) (4) (b) 6100
(i) of this section 6101

(iv) If the district's enrolled ADM for that fiscal year 6102
is greater than or equal to 600, the district's capacity amount 6103
for that fiscal year shall be equal to the amount computed under 6104
division (B) (4) (b) (i) of this section. 6105

(C) The department shall calculate each district's wealth 6106
amount for a fiscal year as follows: 6107

(1) Calculate each district's weighted wealth per pupil 6108
for that fiscal year, which equals the following quotient: 6109

The district's weighted wealth for that fiscal year calculated 6110
under division (B) (1) of this section/ (the district's enrolled 6111
ADM for that fiscal year - the students described in division 6112
(A) (1) (b) of section 3317.03 of the Revised Code + the students 6113
described in division (A) (2) (d) of section 3317.03 of the 6114
Revised Code) 6115

(2) Determine the median weighted wealth per pupil of all 6116
school districts in this state for that fiscal year; 6117

(3) Compute each district's wealth index for that fiscal 6118
year by dividing the median weighted wealth per pupil of all 6119
school districts in this state for that fiscal year by the 6120
district's weighted wealth per pupil for that fiscal year; 6121

(4) Compute each district's wealth amount for that fiscal year, as follows: 6122
6123

(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. 6124
6125
6126

(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: 6127
6128
6129
6130

[(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 6131
6132
6133
6134

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: 6135
6136
6137
6138

(A) Determine if the district satisfies both of the following criteria: 6139
6140

(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; 6141
6142
6143
6144

(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. 6145
6146
6147

(B) Determine the maximum of the wealth indices calculated under division (A) (4) of former section 3317.0217 of the Revised 6148
6149

Code as it existed prior to the effective date of this section 6150
for all districts that satisfy both of the criteria specified 6151
under division (A) of this section; 6152

(C) If the district satisfies both of the criteria 6153
specified under division (A) of this section, compute the 6154
district's supplemental amount as the product of the following: 6155

(1) {[(The number specified under division (A) (1) of this 6156
section - 1.6) / (the number determined under division (B) of 6157
this section - 1.6)] X 675} + 75; 6158

(2) The district's enrolled ADM. 6159

(D) If the district does not satisfy both of the criteria 6160
specified under division (A) of this section, the district's 6161
supplemental amount shall be equal to zero. 6162

Sec. 3317.03. (A) The superintendent of each city, local, 6163
and exempted village school district shall report to the state 6164
board of education as of the last day of October, March, and 6165
June of each year the enrollment of students receiving services 6166
from schools under the superintendent's supervision, and the 6167
numbers of other students entitled to attend school in the 6168
district under section 3313.64 or 3313.65 of the Revised Code 6169
the superintendent is required to report under this section, so 6170
that the department of education can calculate the district's 6171
enrolled ADM, formula ADM, total ADM, category one through five 6172
career-technical education ADM, category one through three 6173
English learner ADM, category one through six special education 6174
ADM, preschool scholarship ADM, transportation ADM, and, for 6175
purposes of provisions of law outside of Chapter 3317. of the 6176
Revised Code, average daily membership. 6177

(1) The enrollment reported by the superintendent during 6178

the reporting period shall consist of the number of students in 6179
grades kindergarten through twelve receiving any educational 6180
services from the district, except that the following categories 6181
of students shall not be included in the determination: 6182

(a) Students enrolled in adult education classes; 6183

(b) Adjacent or other district students enrolled in the 6184
district under an open enrollment policy pursuant to section 6185
3313.98 of the Revised Code; 6186

(c) Students receiving services in the district pursuant 6187
to a compact, cooperative education agreement, or a contract, 6188
but who are entitled to attend school in another district 6189
pursuant to section 3313.64 or 3313.65 of the Revised Code; 6190

(d) Students for whom tuition is payable pursuant to 6191
sections 3317.081 and 3323.141 of the Revised Code; 6192

(e) Students receiving services in the district through a 6193
scholarship awarded under either section 3310.41 or sections 6194
3310.51 to 3310.64 of the Revised Code. 6195

When reporting students under division (A)(1) of this 6196
section, the superintendent also shall report the district where 6197
each student is entitled to attend school pursuant to sections 6198
3313.64 and 3313.65 of the Revised Code. 6199

(2) The department of education shall compile a list of 6200
all students reported to be enrolled in a district under 6201
division (A)(1) of this section and of the students entitled to 6202
attend school in the district pursuant to section 3313.64 or 6203
3313.65 of the Revised Code on an FTE basis but receiving 6204
educational services in grades kindergarten through twelve from 6205
one or more of the following entities: 6206

- (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 6235
"registered private provider" have the same meanings as in 6236
section 3310.41 or 3310.51 of the Revised Code, as applicable. 6237

(i) A science, technology, engineering, and mathematics 6238
school established under Chapter 3326. of the Revised Code, 6239
including any participation in a college pursuant to Chapter 6240
3365. of the Revised Code while enrolled in the school; 6241

(j) A college-preparatory boarding school established 6242
under Chapter 3328. of the Revised Code, including any 6243
participation in a college pursuant to Chapter 3365. of the 6244
Revised Code while enrolled in the school. 6245

(3) The department also shall compile a list of the 6246
students entitled to attend school in the district under section 6247
3313.64 or 3313.65 of the Revised Code who are enrolled in a 6248
joint vocational school district or under a career-technical 6249
education compact, excluding any students so entitled to attend 6250
school in the district who are enrolled in another school 6251
district through an open enrollment policy as reported under 6252
division (A)(2)(d) of this section and then enroll in a joint 6253
vocational school district or under a career-technical education 6254
compact. 6255

The department shall provide each city, local, and 6256
exempted village school district with an opportunity to review 6257
the list of students compiled under divisions (A)(2) and (3) of 6258
this section to ensure that the students reported accurately 6259
reflect the enrollment of students in the district. 6260

(B) To enable the department of education to obtain the 6261
data needed to complete the calculation of payments pursuant to 6262
this chapter, each superintendent shall certify from the reports 6263

provided by the department under division (A) of this section	6264
all of the following:	6265
(1) The total student enrollment in regular learning day	6266
classes included in the report under division (A) (1) or (2) of	6267
this section for each of the individual grades kindergarten	6268
through twelve in schools under the superintendent's	6269
supervision;	6270
(2) The unduplicated count of the number of preschool	6271
children with disabilities enrolled in the district for whom the	6272
district is eligible to receive funding under section 3317.0213	6273
of the Revised Code adjusted for the portion of the year each	6274
child is so enrolled, in accordance with the disability	6275
categories prescribed in section 3317.013 of the Revised Code;	6276
(3) The number of children entitled to attend school in	6277
the district pursuant to section 3313.64 or 3313.65 of the	6278
Revised Code who are:	6279
(a) Participating in a pilot project scholarship program	6280
established under sections 3313.974 to 3313.979 of the Revised	6281
Code as described in division (I) (2) (a) or (b) of this section;	6282
(b) Enrolled in a college under Chapter 3365. of the	6283
Revised Code, except when the student is enrolled in the college	6284
while also enrolled in a community school pursuant to Chapter	6285
3314. of the Revised Code, a science, technology, engineering,	6286
and mathematics school established under Chapter 3326., or a	6287
college-preparatory boarding school established under Chapter	6288
3328. of the Revised Code;	6289
(c) Enrolled in an adjacent or other school district under	6290
section 3313.98 of the Revised Code;	6291
(d) Enrolled in a community school established under	6292

Chapter 3314. of the Revised Code that is not an internet- or	6293
computer-based community school as defined in section 3314.02 of	6294
the Revised Code, including any participation in a college	6295
pursuant to Chapter 3365. of the Revised Code while enrolled in	6296
such community school;	6297
(e) Enrolled in an internet- or computer-based community	6298
school, as defined in section 3314.02 of the Revised Code,	6299
including any participation in a college pursuant to Chapter	6300
3365. of the Revised Code while enrolled in the school;	6301
(f) Enrolled in a chartered nonpublic school with a	6302
scholarship paid under section 3310.08 of the Revised Code and	6303
who qualified for the scholarship under section 3310.03 of the	6304
Revised Code;	6305
(g) Enrolled in kindergarten through grade twelve in an	6306
alternative public provider or a registered private provider	6307
with a scholarship awarded under section 3310.41 of the Revised	6308
Code;	6309
(h) Enrolled as a preschool child with a disability in an	6310
alternative public provider or a registered private provider	6311
with a scholarship awarded under section 3310.41 of the Revised	6312
Code;	6313
(i) Participating in a program operated by a county board	6314
of developmental disabilities or a state institution;	6315
(j) Enrolled in a science, technology, engineering, and	6316
mathematics school established under Chapter 3326. of the	6317
Revised Code, including any participation in a college pursuant	6318
to Chapter 3365. of the Revised Code while enrolled in the	6319
school;	6320
(k) Enrolled in a college-preparatory boarding school	6321

established under Chapter 3328. of the Revised Code, including 6322
any participation in a college pursuant to Chapter 3365. of the 6323
Revised Code while enrolled in the school; 6324

(1) Enrolled in an alternative public provider or a 6325
registered private provider with a scholarship awarded under 6326
sections 3310.51 to 3310.64 of the Revised Code. 6327

(4) The total enrollment of pupils in joint vocational 6328
schools; 6329

(5) The combined enrollment of children with disabilities 6330
reported under division (A) (1) or (2) of this section, including 6331
any student described in division (A) (1) (b) of this section and 6332
excluding any student reported under divisions (A) (2) (a), (b), 6333
(d), (g), (h), (i), and (j) of this section, receiving special 6334
education services for the category one disability described in 6335
division (A) of section 3317.013 of the Revised Code, including 6336
children attending a special education program operated by an 6337
alternative public provider or a registered private provider 6338
with a scholarship awarded under sections 3310.51 to 3310.64 of 6339
the Revised Code; 6340

(6) The combined enrollment of children with disabilities 6341
reported under division (A) (1) or (2) of this section, including 6342
any student described in division (A) (1) (b) of this section and 6343
excluding any student reported under divisions (A) (2) (a), (b), 6344
(d), (g), (h), (i), and (j) of this section, receiving special 6345
education services for category two disabilities described in 6346
division (B) of section 3317.013 of the Revised Code, including 6347
children attending a special education program operated by an 6348
alternative public provider or a registered private provider 6349
with a scholarship awarded under sections 3310.51 to 3310.64 of 6350
the Revised Code; 6351

(7) The combined enrollment of children with disabilities 6352
reported under division (A) (1) or (2) of this section, including 6353
any student described in division (A) (1) (b) of this section and 6354
excluding any student reported under divisions (A) (2) (a), (b), 6355
(d), (g), (h), (i), and (j) of this section, receiving special 6356
education services for category three disabilities described in 6357
division (C) of section 3317.013 of the Revised Code, including 6358
children attending a special education program operated by an 6359
alternative public provider or a registered private provider 6360
with a scholarship awarded under sections 3310.51 to 3310.64 of 6361
the Revised Code; 6362

(8) The combined enrollment of children with disabilities 6363
reported under division (A) (1) or (2) of this section, including 6364
any student described in division (A) (1) (b) of this section and 6365
excluding any student reported under divisions (A) (2) (a), (b), 6366
(d), (g), (h), (i), and (j) of this section, receiving special 6367
education services for category four disabilities described in 6368
division (D) of section 3317.013 of the Revised Code, including 6369
children attending a special education program operated by an 6370
alternative public provider or a registered private provider 6371
with a scholarship awarded under sections 3310.51 to 3310.64 of 6372
the Revised Code; 6373

(9) The combined enrollment of children with disabilities 6374
reported under division (A) (1) or (2) of this section, including 6375
any student described in division (A) (1) (b) of this section and 6376
excluding any student reported under divisions (A) (2) (a), (b), 6377
(d), (g), (h), (i), and (j) of this section, receiving special 6378
education services for the category five disabilities described 6379
in division (E) of section 3317.013 of the Revised Code, 6380
including children attending a special education program 6381
operated by an alternative public provider or a registered 6382

private provider with a scholarship awarded under sections 6383
3310.51 to 3310.64 of the Revised Code; 6384

(10) The combined enrollment of children with disabilities 6385
reported under division (A)(1) or (2) and under division (B)(3) 6386
(h) of this section, including any student described in division 6387
(A)(1)(b) of this section and excluding any student reported 6388
under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of 6389
this section, receiving special education services for category 6390
six disabilities described in division (F) of section 3317.013 6391
of the Revised Code, including children attending a special 6392
education program operated by an alternative public provider or 6393
a registered private provider with a scholarship awarded under 6394
either section 3310.41 or sections 3310.51 to 3310.64 of the 6395
Revised Code; 6396

(11) The enrollment of pupils reported under division (A) 6397
(1) or (2) of this section on a full-time equivalency basis, 6398
including any student described in division (A)(1)(b) of this 6399
section and excluding any student reported under divisions (A) 6400
(2)(a), (b), (d), (g), (h), (i), and (j) of this section, in 6401
category one career-technical education programs or classes, 6402
described in division (A)(1) of section 3317.014 of the Revised 6403
Code, operated by the school district or by another district 6404
that is a member of the district's career-technical planning 6405
district, other than a joint vocational school district, or by 6406
an educational service center, notwithstanding division ~~(G)~~(I) 6407
of section 3317.02 of the Revised Code and division (C)(3) of 6408
this section; 6409

(12) The enrollment of pupils reported under division (A) 6410
(1) or (2) of this section on a full-time equivalency basis, 6411
including any student described in division (A)(1)(b) of this 6412

section and excluding any student reported under divisions (A) 6413
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6414
category two career-technical education programs or services, 6415
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 6416
Revised Code, operated by the school district or another school 6417
district that is a member of the district's career-technical 6418
planning district, other than a joint vocational school 6419
district, or by an educational service center, notwithstanding 6420
division ~~(G)~~ (I) of section 3317.02 of the Revised Code and 6421
division (C) (3) of this section; 6422

(13) The enrollment of pupils reported under division (A) 6423
(1) or (2) of this section on a full-time equivalency basis, 6424
including any student described in division (A) (1) (b) of this 6425
section and excluding any student reported under divisions (A) 6426
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6427
category three career-technical education programs or services, 6428
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 6429
Revised Code, operated by the school district or another school 6430
district that is a member of the district's career-technical 6431
planning district, other than a joint vocational school 6432
district, or by an educational service center, notwithstanding 6433
division ~~(G)~~ (I) of section 3317.02 of the Revised Code and 6434
division (C) (3) of this section; 6435

(14) The enrollment of pupils reported under division (A) 6436
(1) or (2) of this section on a full-time equivalency basis, 6437
including any student described in division (A) (1) (b) of this 6438
section and excluding any student reported under divisions (A) 6439
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6440
category four career-technical education programs or services, 6441
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 6442
Revised Code, operated by the school district or another school 6443

district that is a member of the district's career-technical 6444
planning district, other than a joint vocational school 6445
district, or by an educational service center, notwithstanding 6446
division ~~(C)~~(I) of section 3317.02 of the Revised Code and 6447
division (C) (3) of this section; 6448

(15) The enrollment of pupils reported under division (A) 6449
(1) or (2) of this section on a full-time equivalency basis, 6450
including any student described in division (A) (1) (b) of this 6451
section and excluding any student reported under divisions (A) 6452
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6453
category five career-technical education programs or services, 6454
described in division ~~(E)~~(A) (5) of section 3317.014 of the 6455
Revised Code, operated by the school district or another school 6456
district that is a member of the district's career-technical 6457
planning district, other than a joint vocational school 6458
district, or by an educational service center, notwithstanding 6459
division ~~(C)~~(I) of section 3317.02 of the Revised Code and 6460
division (C) (3) of this section; 6461

(16) The enrollment of pupils reported under division (A) 6462
(1) or (2) of this section who are English learners described in 6463
division (A) of section 3317.016 of the Revised Code, including 6464
any student described in division (A) (1) (b) of this section and 6465
excluding any student reported under ~~division (B) (3) (e)~~ 6466
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6467
~~section as enrolled in an internet or computer-based community~~ 6468
~~school;~~ 6469

(17) The enrollment of pupils reported under division (A) 6470
(1) or (2) of this section who are English learners described in 6471
division (B) of section 3317.016 of the Revised Code, including 6472
any student described in division (A) (1) (b) of this section and 6473

excluding any student reported under ~~division (B) (3) (e)~~ 6474
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6475
~~section as enrolled in an internet or computer based community~~ 6476
~~school;~~ 6477

(18) The enrollment of pupils reported under division (A) 6478
(1) or (2) of this section who are English learners described in 6479
division (C) of section 3317.016 of the Revised Code, including 6480
any student described in division (A) (1) (b) of this section and 6481
~~excluding any student reported under division (B) (3) (e)~~ 6482
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6483
~~section as enrolled in an internet or computer based community~~ 6484
~~school;~~ 6485

(19) The average number of children transported during the 6486
reporting period by the school district on board-owned or 6487
contractor-owned and -operated buses, reported in accordance 6488
with rules adopted by the department of education; 6489

(20) (a) The number of children, other than preschool 6490
children with disabilities, the district placed with a county 6491
board of developmental disabilities in fiscal year 1998. 6492
Division (B) (20) (a) of this section does not apply after fiscal 6493
year 2013. 6494

(b) The number of children with disabilities, other than 6495
preschool children with disabilities, placed with a county board 6496
of developmental disabilities in the current fiscal year to 6497
receive special education services for the category one 6498
disability described in division (A) of section 3317.013 of the 6499
Revised Code; 6500

(c) The number of children with disabilities, other than 6501
preschool children with disabilities, placed with a county board 6502

of developmental disabilities in the current fiscal year to 6503
receive special education services for category two disabilities 6504
described in division (B) of section 3317.013 of the Revised 6505
Code; 6506

(d) The number of children with disabilities, other than 6507
preschool children with disabilities, placed with a county board 6508
of developmental disabilities in the current fiscal year to 6509
receive special education services for category three 6510
disabilities described in division (C) of section 3317.013 of 6511
the Revised Code; 6512

(e) The number of children with disabilities, other than 6513
preschool children with disabilities, placed with a county board 6514
of developmental disabilities in the current fiscal year to 6515
receive special education services for category four 6516
disabilities described in division (D) of section 3317.013 of 6517
the Revised Code; 6518

(f) The number of children with disabilities, other than 6519
preschool children with disabilities, placed with a county board 6520
of developmental disabilities in the current fiscal year to 6521
receive special education services for the category five 6522
disabilities described in division (E) of section 3317.013 of 6523
the Revised Code; 6524

(g) The number of children with disabilities, other than 6525
preschool children with disabilities, placed with a county board 6526
of developmental disabilities in the current fiscal year to 6527
receive special education services for category six disabilities 6528
described in division (F) of section 3317.013 of the Revised 6529
Code. 6530

(21) The enrollment of students who are economically 6531

disadvantaged, as defined by the department, including any 6532
student described in divisions (A) (1) (b) of this section and 6533
excluding any student reported under ~~division (B) (3) (e)~~ 6534
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6535
~~section as enrolled in an internet or computer based community~~ 6536
~~school.~~ A student shall not be categorically excluded from the 6537
number reported under division (B) (21) of this section based on 6538
anything other than family income. 6539

(22) The enrollment of students identified as gifted under 6540
division (A), (B), (C), or (D) of section 3324.03 of the Revised 6541
Code. 6542

(C) (1) The state board of education shall adopt rules 6543
necessary for implementing divisions (A), (B), and (D) of this 6544
section. 6545

(2) A student enrolled in a community school established 6546
under Chapter 3314., a science, technology, engineering, and 6547
mathematics school established under Chapter 3326., or a 6548
college-preparatory boarding school established under Chapter 6549
3328. of the Revised Code shall be counted in the formula ADM 6550
~~and, if applicable, the category one, two, three, four, five, or~~ 6551
~~six special education ADM~~ of the school district in which the 6552
student is entitled to attend school under section 3313.64 or 6553
3313.65 of the Revised Code for the same proportion of the 6554
school year that the student is counted in the enrollment of the 6555
community school, the science, technology, engineering, and 6556
mathematics school, or the college-preparatory boarding school 6557
for purposes of section 3314.08, 3326.33, or 3328.24 of the 6558
Revised Code. Notwithstanding the enrollment of students 6559
certified pursuant to division (B) (3) (d), (e), (j), or (k) of 6560
this section, the department may adjust the formula ADM of a 6561

school district to account for students entitled to attend 6562
school in the district under section 3313.64 or 3313.65 of the 6563
Revised Code who are enrolled in a community school, a science, 6564
technology, engineering, and mathematics school, or a college- 6565
preparatory boarding school for only a portion of the school 6566
year. 6567

(3) No child shall be counted as more than a total of one 6568
child in the sum of the enrollment of students of a school 6569
district under division (A), divisions (B) (1) to (22), or 6570
division (D) of this section, except as follows: 6571

(a) (i) A child with a disability described in section 6572
3317.013 of the Revised Code may be counted both in formula ADM 6573
and in category one, two, three, four, five, or six special 6574
education ADM and, if applicable, in category one, two, three, 6575
four, or five career-technical education ADM. As provided in 6576
division ~~(C)~~ (I) of section 3317.02 of the Revised Code, such a 6577
child shall be counted in category one, two, three, four, five, 6578
or six special education ADM in the same proportion that the 6579
child is counted in formula ADM. 6580

(ii) A child with a disability described in section 6581
3317.03 of the Revised Code may be counted both in enrolled ADM 6582
and in category one, two, three, four, five, or six special 6583
education ADM and, if applicable, in category one, two, three, 6584
four, or five career-technical education ADM. As provided in 6585
division (I) of section 3317.02 of the Revised Code, such a 6586
child shall be counted in category one, two, three, four, five, 6587
or six special education ADM in the same proportion that the 6588
child is counted in enrolled ADM. 6589

(b) (i) A child enrolled in career-technical education 6590
programs or classes described in section 3317.014 of the Revised 6591

Code may be counted both in formula ADM and category one, two, 6592
three, four, or five career-technical education ADM and, if 6593
applicable, in category one, two, three, four, five, or six 6594
special education ADM. Such a child shall be counted in category 6595
one, two, three, four, or five career-technical education ADM in 6596
the same proportion as the percentage of time that the child 6597
spends in the career-technical education programs or classes. 6598

(ii) A child enrolled in career-technical education 6599
programs or classes described in section 3317.014 of the Revised 6600
Code may be counted both in enrolled ADM and category one, two, 6601
three, four, or five career-technical education ADM and, if 6602
applicable, in category one, two, three, four, five, or six 6603
special education ADM. Such a child shall be counted in category 6604
one, two, three, four, or five career-technical education ADM in 6605
the same proportion as the percentage of time that the child 6606
spends in the career-technical education programs or classes. 6607

(4) Based on the information reported under this section, 6608
the department of education shall determine the total student 6609
count, as defined in section 3301.011 of the Revised Code, for 6610
each school district. 6611

(D) (1) The superintendent of each joint vocational school 6612
district shall report and certify to the superintendent of 6613
public instruction as of the last day of October, March, and 6614
June of each year the enrollment of students receiving services 6615
from schools under the superintendent's supervision so that the 6616
department can calculate the district's enrolled ADM, formula 6617
ADM, total ADM, category one through five career-technical 6618
education ADM, category one through three English learner ADM, 6619
category one through six special education ADM, and for purposes 6620
of provisions of law outside of Chapter 3317. of the Revised 6621

Code, average daily membership. 6622

The enrollment reported and certified by the 6623
superintendent, except as otherwise provided in this division, 6624
shall consist of the number of students in grades six through 6625
twelve receiving any educational services from the district, 6626
except that the following categories of students shall not be 6627
included in the determination: 6628

(a) Students enrolled in adult education classes; 6629

(b) Adjacent or other district joint vocational students 6630
enrolled in the district under an open enrollment policy 6631
pursuant to section 3313.98 of the Revised Code; 6632

(c) Students receiving services in the district pursuant 6633
to a compact, cooperative education agreement, or a contract, 6634
but who are entitled to attend school in a city, local, or 6635
exempted village school district whose territory is not part of 6636
the territory of the joint vocational district; 6637

(d) Students for whom tuition is payable pursuant to 6638
sections 3317.081 and 3323.141 of the Revised Code. 6639

(2) To enable the department of education to obtain the 6640
data needed to complete the calculation of payments pursuant to 6641
this chapter, each superintendent shall certify from the report 6642
provided under division (D)(1) of this section the enrollment 6643
for each of the following categories of students: 6644

(a) Students enrolled in each individual grade included in 6645
the joint vocational district schools, including any student 6646
described in division (D)(1)(b) of this section; 6647

(b) Children with disabilities receiving special education 6648
services for the category one disability described in division 6649

(A) of section 3317.013 of the Revised Code, including any student described in division (D) (1) (b) of this section; 6650
6651

(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; 6652
6653
6654
6655

(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; 6656
6657
6658
6659

(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; 6660
6661
6662
6663

(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; 6664
6665
6666
6667

(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; 6668
6669
6670
6671

(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; 6672
6673
6674
6675

(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 6676
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6678

division (D) (1) (b) of this section; 6679

(j) Students receiving category three career-technical 6680
education services, described in division ~~(C)~~ (A) (3) of section 6681
3317.014 of the Revised Code, including any student described in 6682
division (D) (1) (b) of this section; 6683

(k) Students receiving category four career-technical 6684
education services, described in division ~~(D)~~ (A) (4) of section 6685
3317.014 of the Revised Code, including any student described in 6686
division (D) (1) (b) of this section; 6687

(l) Students receiving category five career-technical 6688
education services, described in division ~~(E)~~ (A) (5) of section 6689
3317.014 of the Revised Code, including any student described in 6690
division (D) (1) (b) of this section; 6691

(m) English learners described in division (A) of section 6692
3317.016 of the Revised Code, including any student described in 6693
division (D) (1) (b) of this section; 6694

(n) English learners described in division (B) of section 6695
3317.016 of the Revised Code, including any student described in 6696
division (D) (1) (b) of this section; 6697

(o) English learners described in division (C) of section 6698
3317.016 of the Revised Code, including any student described in 6699
division (D) (1) (b) of this section; 6700

(p) Students who are economically disadvantaged, as 6701
defined by the department, including any student described in 6702
division (D) (1) (b) of this section. A student shall not be 6703
categorically excluded from the number reported under division 6704
(D) (2) (p) of this section based on anything other than family 6705
income. 6706

The superintendent of each joint vocational school 6707
district shall also indicate the city, local, or exempted 6708
village school district in which each joint vocational district 6709
pupil is entitled to attend school pursuant to section 3313.64 6710
or 3313.65 of the Revised Code. 6711

(E) In each school of each city, local, exempted village, 6712
joint vocational, and cooperative education school district 6713
there shall be maintained a record of school enrollment, which 6714
record shall accurately show, for each day the school is in 6715
session, the actual enrollment in regular day classes. For the 6716
purpose of determining the enrollment of students, the 6717
enrollment figure of any school shall not include any pupils 6718
except those pupils described by division (A) or (D) of this 6719
section. The record of enrollment for each school shall be 6720
maintained in such manner that no pupil shall be counted as 6721
enrolled prior to the actual date of entry in the school and 6722
also in such manner that where for any cause a pupil permanently 6723
withdraws from the school that pupil shall not be counted as 6724
enrolled from and after the date of such withdrawal. There shall 6725
not be included in the enrollment of any school any of the 6726
following: 6727

(1) Any pupil who has graduated from the twelfth grade of 6728
a public or nonpublic high school; 6729

(2) Any pupil who is not a resident of the state; 6730

(3) Any pupil who was enrolled in the schools of the 6731
district during the previous school year when assessments were 6732
administered under section 3301.0711 of the Revised Code but did 6733
not take one or more of the assessments required by that section 6734
and was not excused pursuant to division (C) (1) or (3) of that 6735
section; 6736

(4) Any pupil who has attained the age of twenty-two 6737
years, except for veterans of the armed services whose 6738
attendance was interrupted before completing the recognized 6739
twelve-year course of the public schools by reason of induction 6740
or enlistment in the armed forces and who apply for reenrollment 6741
in the public school system of their residence not later than 6742
four years after termination of war or their honorable 6743
discharge; 6744

(5) Any pupil who has a certificate of high school 6745
equivalence as defined in section 5107.40 of the Revised Code. 6746

If, however, any veteran described by division (E) (4) of 6747
this section elects to enroll in special courses organized for 6748
veterans for whom tuition is paid under the provisions of 6749
federal laws, or otherwise, that veteran shall not be included 6750
in the enrollment of students determined under this section. 6751

Notwithstanding division (E) (3) of this section, the 6752
enrollment of any school may include a pupil who did not take an 6753
assessment required by section 3301.0711 of the Revised Code if 6754
the superintendent of public instruction grants a waiver from 6755
the requirement to take the assessment to the specific pupil and 6756
a parent is not paying tuition for the pupil pursuant to section 6757
3313.6410 of the Revised Code. The superintendent may grant such 6758
a waiver only for good cause in accordance with rules adopted by 6759
the state board of education. 6760

The enrolled ADM, formula ADM, total ADM, category one 6761
through five career-technical education ADM, category one 6762
through three English learner ADM, category one through six 6763
special education ADM, preschool scholarship ADM, transportation 6764
ADM, and, for purposes of provisions of law outside of Chapter 6765
3317. of the Revised Code, average daily membership of any 6766

school district shall be determined in accordance with rules 6767
adopted by the state board of education. 6768

(F) (1) If a student attending a community school under 6769
Chapter 3314., a science, technology, engineering, and 6770
mathematics school established under Chapter 3326., or a 6771
college-preparatory boarding school established under Chapter 6772
3328. of the Revised Code is not included in the formula ADM 6773
calculated for the school district in which the student is 6774
entitled to attend school under section 3313.64 or 3313.65 of 6775
the Revised Code, the department of education shall adjust the 6776
formula ADM of that school district to include the student in 6777
accordance with division (C) (2) of this section, ~~and shall~~ 6778
~~recalculate the school district's payments under this chapter~~ 6779
~~for the entire fiscal year on the basis of that adjusted formula~~ 6780
~~ADM.~~ 6781

(2) If a student awarded an educational choice scholarship 6782
is not included in the formula ADM of the school district ~~from~~ 6783
~~in~~ which the department deducts funds for the scholarship under 6784
~~section 3310.08 of the Revised Code~~ student resides, the 6785
department shall adjust the formula ADM of that school district 6786
to include the student ~~to the extent necessary to account for~~ 6787
~~the deduction, and shall recalculate the school district's~~ 6788
~~payments under this chapter for the entire fiscal year on the~~ 6789
~~basis of that adjusted formula ADM.~~ 6790

(3) If a student awarded a scholarship under the Jon 6791
Peterson special needs scholarship program is not included in 6792
the formula ADM of the school district ~~from~~ in which the 6793
~~department deducts funds for the scholarship under section~~ 6794
~~3310.55 of the Revised Code~~ student resides, the department shall 6795
adjust the formula ADM of that school district to include the 6796

~~student to the extent necessary to account for the deduction, 6797
and shall recalculate the school district's payments under this 6798
chapter for the entire fiscal year on the basis of that adjusted 6799
formula ADM. 6800~~

(G) (1) (a) The superintendent of an institution operating a 6801
special education program pursuant to section 3323.091 of the 6802
Revised Code shall, for the programs under such superintendent's 6803
supervision, certify to the state board of education, in the 6804
manner prescribed by the superintendent of public instruction, 6805
both of the following: 6806

(i) The unduplicated count of the number of all children 6807
with disabilities other than preschool children with 6808
disabilities receiving services at the institution for each 6809
category of disability described in divisions (A) to (F) of 6810
section 3317.013 of the Revised Code adjusted for the portion of 6811
the year each child is so enrolled; 6812

(ii) The unduplicated count of the number of all preschool 6813
children with disabilities in classes or programs for whom the 6814
district is eligible to receive funding under section 3317.0213 6815
of the Revised Code adjusted for the portion of the year each 6816
child is so enrolled, reported according to the categories 6817
prescribed in section 3317.013 of the Revised Code. 6818

(b) The superintendent of an institution with career- 6819
technical education units approved under section 3317.05 of the 6820
Revised Code shall, for the units under the superintendent's 6821
supervision, certify to the state board of education the 6822
enrollment in those units, in the manner prescribed by the 6823
superintendent of public instruction. 6824

(2) The superintendent of each county board of 6825

developmental disabilities that maintains special education 6826
classes under section 3317.20 of the Revised Code or provides 6827
services to preschool children with disabilities pursuant to an 6828
agreement between the county board and the appropriate school 6829
district shall do both of the following: 6830

(a) Certify to the state board, in the manner prescribed 6831
by the board, the enrollment in classes under section 3317.20 of 6832
the Revised Code for each school district that has placed 6833
children in the classes; 6834

(b) Certify to the state board, in the manner prescribed 6835
by the board, the unduplicated count of the number of all 6836
preschool children with disabilities enrolled in classes for 6837
which the board is eligible to receive funding under section 6838
3317.0213 of the Revised Code adjusted for the portion of the 6839
year each child is so enrolled, reported according to the 6840
categories prescribed in section 3317.013 of the Revised Code, 6841
and the number of those classes. 6842

(H) Except as provided in division (I) of this section, 6843
when any city, local, or exempted village school district 6844
provides instruction for a nonresident pupil whose attendance is 6845
unauthorized attendance as defined in section 3327.06 of the 6846
Revised Code, that pupil's enrollment shall not be included in 6847
that district's enrollment figure used in calculating the 6848
district's payments under this chapter. The reporting official 6849
shall report separately the enrollment of all pupils whose 6850
attendance in the district is unauthorized attendance, and the 6851
enrollment of each such pupil shall be credited to the school 6852
district in which the pupil is entitled to attend school under 6853
division (B) of section 3313.64 or section 3313.65 of the 6854
Revised Code as determined by the department of education. 6855

(I) ~~(1)~~ This division shall not apply on or after the 6856
effective date of this amendment. 6857

(1) A city, local, exempted village, or joint vocational 6858
school district admitting a scholarship student of a pilot 6859
project district pursuant to division (C) of section 3313.976 of 6860
the Revised Code may count such student in its enrollment. 6861

(2) In any year for which funds are appropriated for pilot 6862
project scholarship programs, a school district implementing a 6863
state-sponsored pilot project scholarship program that year 6864
pursuant to sections 3313.974 to 3313.979 of the Revised Code 6865
may count in its enrollment: 6866

(a) All children residing in the district and utilizing a 6867
scholarship to attend kindergarten in any alternative school, as 6868
defined in section 3313.974 of the Revised Code; 6869

(b) All children who were enrolled in the district in the 6870
preceding year who are utilizing a scholarship to attend an 6871
alternative school. 6872

(J) The superintendent of each cooperative education 6873
school district shall certify to the superintendent of public 6874
instruction, in a manner prescribed by the state board of 6875
education, the applicable enrollments for all students in the 6876
cooperative education district, also indicating the city, local, 6877
or exempted village district where each pupil is entitled to 6878
attend school under section 3313.64 or 3313.65 of the Revised 6879
Code. 6880

(K) If the superintendent of public instruction determines 6881
that a component of the enrollment certified or reported by a 6882
district superintendent, or other reporting entity, is not 6883
correct, the superintendent of public instruction may order that 6884

the formula ADM used for the purposes of payments under any 6885
~~section of Title XXXIII of the Revised Code~~ district's enrolled 6886
ADM, formula ADM, or both be adjusted in the amount of the 6887
error. 6888

Sec. 3317.051. (A) ~~As used in this section, "gifted unit-~~ 6889
~~ADM" means a school district's formula ADM minus the number of~~ 6890
~~students reported by a district under divisions (A) (2) (a) and~~ 6891
~~(i) of section 3317.03 of the Revised Code.~~ 6892

~~(B)~~ The department of education shall compute and pay to a 6893
school district funds based on units for services to students 6894
identified as gifted under Chapter 3324. of the Revised Code as 6895
prescribed by this section. 6896

~~(C)~~ (B) The department shall allocate gifted units for a 6897
school district as follows: 6898

(1) One gifted coordinator unit shall be allocated for 6899
every 3,300 students in a district's ~~gifted unit~~ enrolled ADM, 6900
with a minimum of 0.5 units and a maximum of 8 units allocated 6901
for the district. 6902

(2) One kindergarten through eighth grade gifted 6903
intervention specialist unit shall be allocated for every ~~1,100-~~ 6904
140 gifted students in a district's gifted unit ADM enrolled in 6905
grades kindergarten through eight in the district, as certified 6906
under division (B) (22) of section 3317.03 of the Revised Code, 6907
with a minimum of 0.3 units allocated for the district. 6908

~~(D)~~ (3) One ninth through twelfth grade gifted 6909
intervention specialist unit shall be allocated for every 140 6910
gifted students enrolled in grades nine through twelve in the 6911
district, as certified under division (B) (22) of section 3317.03 6912
of the Revised Code, with a minimum of 0.3 units allocated for 6913

the district.

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(C) The department shall pay the following amount to a school district for gifted units:

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~~\$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 6943
collaboration grants each fiscal year to city, local, and 6944
exempted village school districts for efforts that lead to 6945
shared resource management, routing consolidation, regional 6946
collaboration, or other activities that have the potential to 6947
reduce transportation operating costs. 6948

(2) The department shall determine the amount of each 6949
grant awarded, but no grant shall exceed \$10,000 for any fiscal 6950
year. 6951

(3) The department shall adopt rules regarding all of the 6952
following: 6953

(a) The process for city, local, and exempted village 6954
school districts to submit applications for grants awarded under 6955
this section, including the deadline for those applications to 6956
be submitted; 6957

(b) The application form for grants awarded under this 6958
section; 6959

(c) The requirements and process for grant recipients to 6960
be eligible to renew their grants in future fiscal years; 6961

(d) Any other rules necessary to implement the provisions 6962
of this section. 6963

Sec. 3317.11. (A) As used in this section: 6964

(1) "Base amount" is equal to \$356,250. 6965

(2) "Student count" means the count calculated under 6966
division (G) (1) of section 3313.843 of the Revised Code. 6967

(B) For each fiscal year, the department of education 6968
shall pay the governing board of each educational service center 6969

an amount equal to the following: 6970

(1) If the educational service center has a student count of 5,000 students or less, the base amount. 6971
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(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: 6973
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6975

The base amount + [(the educational service center's student count - 5,000) X \$24.72] 6976
6977

(3) If the educational service center has a student count greater than 35,000 students, the following sum: 6978
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The base amount + (30,000 X \$24.72) + [(the educational service center's student count - 35,000) X \$30.90] 6980
6981

Sec. 3317.16. ~~(A)~~—The department of education shall 6982
compute and distribute state core foundation funding to each 6983
joint vocational school district for the fiscal year ~~as~~ 6984
~~prescribed in the following divisions~~in accordance with the 6985
following formula: 6986

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 6987
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(A) A district's state core foundation funding components shall be all of the following: 6994
6995

(1) ~~An opportunity grant~~—The district's state share of the base cost calculated according to the following formula: 6996
6997

(The ~~formula amount X formula ADM~~district's base cost calculated 6998
under section 3317.012 of the Revised Code) - (0.0005 X the 6999
lesser of the district's three-year average valuation or the 7000
district's most recent valuation) 7001

However, no district shall receive an ~~opportunity grant~~ 7002
amount under division (A) (1) of this section that is less than 7003
0.05 times the ~~formula amount times formula ADM~~base cost 7004
calculated for the district under section 3317.012 of the 7005
Revised Code. 7006

(2) Additional state aid for special education and related 7007
services provided under Chapter 3323. of the Revised Code 7008
calculated as the sum of the following: 7009

(a) The district's category one special education ADM X 7010
the ~~amount multiple~~ specified in division (A) of section 7011
3317.013 of the Revised Code X the statewide average base cost 7012
per pupil for that fiscal year X the district's state share 7013
percentage; 7014

(b) The district's category two special education ADM X 7015
the ~~amount multiple~~ specified in division (B) of section 7016
3317.013 of the Revised Code X the statewide average base cost 7017
per pupil for that fiscal year X the district's state share 7018
percentage; 7019

(c) The district's category three special education ADM X 7020
the ~~amount multiple~~ specified in division (C) of section 7021
3317.013 of the Revised Code X the statewide average base cost 7022
per pupil for that fiscal year X the district's state share 7023
percentage; 7024

(d) The district's category four special education ADM X 7025
the ~~amount multiple~~ specified in division (D) of section 7026

3317.013 of the Revised Code X the statewide average base cost 7027
per pupil for that fiscal year X the district's state share 7028
percentage; 7029

(e) The district's category five special education ADM X 7030
the ~~amount~~ multiple specified in division (E) of section 7031
3317.013 of the Revised Code X the statewide average base cost 7032
per pupil for that fiscal year X the district's state share 7033
percentage; 7034

(f) The district's category six special education ADM X 7035
the ~~amount~~ multiple specified in division (F) of section 7036
3317.013 of the Revised Code X the statewide average base cost 7037
per pupil for that fiscal year X the district's state share 7038
percentage. 7039

(3) ~~Economically disadvantaged funds~~ Disadvantaged pupil 7040
impact aid calculated according to the following formula: 7041

~~\$272-\$422~~ X the district's economically disadvantaged index X 7042
the number of students who are economically disadvantaged as 7043
certified under division (D) (2) (p) of section 3317.03 of the 7044
Revised Code 7045

(4) English learner funds calculated as the sum of the 7046
following: 7047

(a) The district's category one English learner ADM X the 7048
~~amount~~ multiple specified in division (A) of section 3317.016 of 7049
the Revised Code X the statewide average base cost per pupil for 7050
that fiscal year X the district's state share percentage; 7051

(b) The district's category two English learner ADM X the 7052
~~amount~~ multiple specified in division (B) of section 3317.016 of 7053
the Revised Code X the statewide average base cost per pupil for 7054
that fiscal year X the district's state share percentage; 7055

(c) The district's category three English learner ADM X 7056
the ~~amount multiple~~ specified in division (C) of section 7057
3317.016 of the Revised Code X the statewide average base cost 7058
per pupil for that fiscal year X the district's state share 7059
percentage; ~~—~~. 7060

(5) Career-technical education funds calculated ~~as the sum~~ 7061
~~of the following:—~~ 7062

~~(a) The district's category one career technical education~~ 7063
~~ADM X the amount specified in division (A) of section 3317.014~~ 7064
~~of the Revised Code X the district's state share percentage;—~~ 7065

~~(b) The district's category two career technical education~~ 7066
~~ADM X the amount specified in division (B) of section 3317.014~~ 7067
~~of the Revised Code X the district's state share percentage;—~~ 7068

~~(c) The district's category three career technical~~ 7069
~~education ADM X the amount specified in division (C) of section~~ 7070
~~3317.014 of the Revised Code X the district's state share~~ 7071
~~percentage;—~~ 7072

~~(d) The district's category four career technical~~ 7073
~~education ADM X the amount specified in division (D) of section~~ 7074
~~3317.014 of the Revised Code X the district's state share~~ 7075
~~percentage;—~~ 7076

~~(e) The district's category five career technical~~ 7077
~~education ADM X the amount specified in division (E) of section~~ 7078
~~3317.014 of the Revised Code X the district's state share~~ 7079
~~percentage.—~~ 7080

~~Payment of funds under division (A) (5) of this section is~~ 7081
~~subject to approval under section 3317.161 of the Revised~~ 7082
~~Code~~under division (C) of section 3317.014 of the Revised Code. 7083

(6) Career-technical education associated services funds 7084
calculated under ~~the following formula:~~ 7085

~~The district's state share percentage X the amount for career-~~ 7086
~~technical education associated services specified in section~~ 7087
~~3317.014 of the Revised Code X the sum of categories one through~~ 7088
~~five career technical education ADM~~ 7089

~~(7) A graduation bonus calculated according to the~~ 7090
~~following formula:~~ 7091

~~The district's graduation rate as reported on its most recent~~ 7092
~~report card issued by the department under section 3302.033 of~~ 7093
~~the Revised Code X 0.075 X the formula amount X the number of~~ 7094
~~the district's students who received high school or honors high~~ 7095
~~school diplomas as reported by the district to the department,~~ 7096
~~in accordance with the guidelines adopted under section~~ 7097
~~3301.0714 of the Revised Code, for the same school year for~~ 7098
~~which the most recent report card was issued X the district's~~ 7099
~~state share percentage division (D) of section 3317.014 of the~~ 7100
~~Revised Code.~~ 7101

(B) (1) If a joint vocational school district's costs for a 7102
fiscal year for a student in its categories two through six 7103
special education ADM exceed the threshold catastrophic cost for 7104
serving the student, as specified in division (B) of section 7105
3317.0214 of the Revised Code, the district may submit to the 7106
superintendent of public instruction documentation, as 7107
prescribed by the superintendent, of all of its costs for that 7108
student. Upon submission of documentation for a student of the 7109
type and in the manner prescribed, the department shall pay to 7110
the district an amount equal to the sum of the following: 7111

(a) One-half of the district's costs for the student in 7112

excess of the threshold catastrophic cost; 7113

(b) The product of one-half of the district's costs for 7114
the student in excess of the threshold catastrophic cost 7115
multiplied by the district's state share percentage. 7116

(2) The district shall report under division (B) (1) of 7117
this section, and the department shall pay for, only the costs 7118
of educational expenses and the related services provided to the 7119
student in accordance with the student's individualized 7120
education program. Any legal fees, court costs, or other costs 7121
associated with any cause of action relating to the student may 7122
not be included in the amount. 7123

(C) (1) For each student with a disability receiving 7124
special education and related services under an individualized 7125
education program, as defined in section 3323.01 of the Revised 7126
Code, at a joint vocational school district, the resident 7127
district or, if the student is enrolled in a community school, 7128
the community school shall be responsible for the amount of any 7129
costs of providing those special education and related services 7130
to that student that exceed the sum of the amount calculated for 7131
those services attributable to that student under division (A) 7132
of this section. 7133

Those excess costs shall be calculated using a formula 7134
approved by the department. 7135

(2) The board of education of the joint vocational school 7136
district may report the excess costs calculated under division 7137
(C) (1) of this section to the department of education. 7138

(3) If the board of education of the joint vocational 7139
school district reports excess costs under division (C) (2) of 7140
this section, the department shall pay the amount of excess cost 7141

calculated under division (C) (2) of this section to the joint 7142
vocational school district and shall deduct that amount as 7143
provided in division (C) (3) (a) or (b) of this section, as 7144
applicable: 7145

(a) If the student is not enrolled in a community school, 7146
the department shall deduct the amount from the account of the 7147
student's resident district pursuant to division (J) of section 7148
3317.023 of the Revised Code. 7149

(b) If the student is enrolled in a community school, the 7150
department shall deduct the amount from the account of the 7151
community school pursuant to section 3314.083 of the Revised 7152
Code. 7153

~~(D) (1) In any fiscal year, a school district receiving 7154
funds under division (A) (5) of this section shall spend those 7155
funds only for the purposes that the department designates as 7156
approved for career technical education expenses. Career 7157
technical education expenses approved by the department shall 7158
include only expenses connected to the delivery of career 7159
technical programming to career technical students. The 7160
department shall require the school district to report data 7161
annually so that the department may monitor the district's 7162
compliance with the requirements regarding the manner in which 7163
funding received under division (A) (5) of this section may be 7164
spent. 7165~~

~~(2) All funds received under division (A) (5) of this 7166
section shall be spent in the following manner: 7167~~

~~(a) At least seventy-five per cent of the funds shall be 7168
spent on curriculum development, purchase, and implementation; 7169
instructional resources and supplies; industry based program 7170~~

~~certification; student assessment, credentialing, and placement; 7171
curriculum specific equipment purchases and leases; career 7172
technical student organization fees and expenses; home and 7173
agency linkages; work based learning experiences; professional 7174
development; and other costs directly associated with career 7175
technical education programs including development of new 7176
programs. 7177~~

~~(b) Not more than twenty five per cent of the funds shall 7178
be used for personnel expenditures. 7179~~

~~(E) In any fiscal year, a school district receiving funds 7180
under division (A)(6) of this section, or through a transfer of 7181
funds pursuant to division (I) of section 3317.023 of the 7182
Revised Code, shall spend those funds only for the purposes that 7183
the department designates as approved for career technical 7184
education associated services expenses, which may include such 7185
purposes as apprenticeship coordinators, coordinators for other 7186
career technical education services, career technical 7187
evaluation, and other purposes designated by the department. The 7188
department may deny payment under division (A)(6) of this 7189
section to any district that the department determines is not 7190
operating those services or is using funds paid under division 7191
(A)(6) of this section, or through a transfer of funds pursuant 7192
to division (I) of section 3317.023 of the Revised Code, for 7193
other purposes. 7194~~

~~(F) A joint vocational school district shall spend the 7195
funds it receives under division (A)(3) of this section in 7196
accordance with section 3317.25 of the Revised Code. 7197~~

~~(G) (E) In any fiscal year, a school district shall spend 7198
the funds it receives under division (A)(4) of this section only 7199
for services for English learners. 7200~~

(F) As used in this section: 7201

(1) "Community school" means a community school 7202
established under Chapter 3314. of the Revised Code. 7203

(2) "Resident district" means the city, local, or exempted 7204
village school district in which a student is entitled to attend 7205
school under section 3313.64 or 3313.65 of the Revised Code. 7206

~~(3) "State share percentage" is equal to the following: 7207~~

~~The amount computed under division (A) (1) of this section/ (the 7208~~

~~formula amount X formula ADM) 7209~~

Sec. 3317.162. (A) For fiscal years 2022 and 2023, the 7210
department of education shall pay temporary transitional aid to 7211
each joint vocational school district according to the following 7212
formula: 7213

(The district's funding base, as that term is defined in section 7214
3317.02 of the Revised Code + the amount paid to the district 7215
under division (A) (3) of section 3317.16 of the Revised Code, as 7216
that division existed prior to the effective date of this 7217
amendment, for fiscal year 2019) - (the district's payment under 7218
section 3317.16 of the Revised Code for the fiscal year for 7219
which the payment is computed) 7220

If the computation made under division (A) of this section 7221
results in a negative number, the district's funding under 7222
division (A) of this section shall be zero. 7223

(B) For fiscal year 2024 and for each fiscal year 7224
thereafter, the department shall pay temporary transitional aid 7225
to each joint vocational school district according to the 7226
following formula: 7227

(The district's guaranteed funding for the third preceding 7228

fiscal year/ the average of the district's enrolled ADM for the 7229
third, fourth, and fifth preceding fiscal years) - (the 7230
district's payment under section 3317.16 of the Revised Code for 7231
the fiscal year for which the payment is calculated/ the 7232
district's enrolled ADM for the fiscal year for which the 7233
payment is calculated) X the district's enrolled ADM for the 7234
fiscal year for which the payment is calculated 7235

If the computation made under this division results in a 7236
negative number, the district's funding under this division 7237
shall be zero. 7238

For purposes of this computation, a district's "guaranteed 7239
funding" means the following: 7240

(1) For fiscal year 2021, the sum of the district's 7241
funding base, as that term is defined in section 3317.02 of the 7242
Revised Code, and the amount paid to the district under division 7243
(A) (3) of section 3317.16 of the Revised Code, as that division 7244
existed prior to the effective date of this amendment, for 7245
fiscal year 2019; 7246

(2) For fiscal years 2022 and 2023, the district's payment 7247
for that fiscal year under section 3317.16 of the Revised Code 7248
plus the district's payment for that fiscal year under division 7249
(A) of this section; 7250

(3) For fiscal year 2024 and for each fiscal year 7251
thereafter, the district's payment for that fiscal year under 7252
section 3317.16 of the Revised Code plus the district's payment 7253
for that fiscal year under division (B) of this section. 7254

(C) If a joint vocational school district begins receiving 7255
payments under section 3317.16 of the Revised Code for fiscal 7256
year 2022 or for any fiscal year thereafter but does not receive 7257

payments for the fiscal year immediately preceding that fiscal 7258
year, the department shall establish the following as an amount 7259
equal to the absolute value of the sum of the associated 7260
adjustments of any local school district's funding base under 7261
division (C) of section 3317.019 of the Revised Code: 7262

(1) For purposes of division (A) of this section: 7263

(a) The district's funding base, as that term is defined 7264
in section 3317.02 of the Revised Code; 7265

(b) The amount paid to the district under division (A) (3) 7266
of section 3317.16 of the Revised Code, as that division existed 7267
prior to the effective date of this amendment, for fiscal year 7268
2019. 7269

(2) For purposes of division (B) of this section, the 7270
district's guaranteed funding. 7271

Sec. 3317.20. This section does not apply to preschool 7272
children with disabilities. 7273

(A) As used in this section: 7274

(1) "Applicable special education amount" means the amount 7275
specified in section 3317.013 of the Revised Code for a 7276
disability described in that section. 7277

(2) "Child's school district" means the school district in 7278
which a child is entitled to attend school pursuant to section 7279
3313.64 or 3313.65 of the Revised Code. 7280

(3) "State share ~~index~~percentage" means the state share 7281
~~index~~percentage of the child's school district. 7282

(B) The department shall annually pay each county board of 7283
developmental disabilities for each child with a disability, 7284

other than a preschool child with a disability, for whom the 7285
county board provides special education and related services an 7286
amount equal to the ~~formula amount~~ statewide average base cost 7287
per pupil + (state share ~~index~~ percentage X the applicable 7288
special education ~~amount~~ weight X the statewide average base cost 7289
per pupil).

(C) Each county board of developmental disabilities shall 7291
report to the department, in the manner specified by the 7292
department, the name of each child for whom the county board of 7293
developmental disabilities provides special education and 7294
related services and the child's school district. 7295

(D) (1) For the purpose of verifying the accuracy of the 7296
payments under this section, the department may request from 7297
either of the following entities the data verification code 7298
assigned under division (D) (2) of section 3301.0714 of the 7299
Revised Code to any child who is placed with a county board of 7300
developmental disabilities: 7301

(a) The child's school district; 7302

(b) The independent contractor engaged to create and 7303
maintain data verification codes. 7304

(2) Upon a request by the department under division (D) (1) 7305
of this section for the data verification code of a child, the 7306
child's school district shall submit that code to the department 7307
in the manner specified by the department. If the child has not 7308
been assigned a code, the district shall assign a code to that 7309
child and submit the code to the department by a date specified 7310
by the department. If the district does not assign a code to the 7311
child by the specified date, the department shall assign a code 7312
to the child. 7313

The department annually shall submit to each school 7314
district the name and data verification code of each child 7315
residing in the district for whom the department has assigned a 7316
code under this division. 7317

(3) The department shall not release any data verification 7318
code that it receives under division (D) of this section to any 7319
person except as provided by law. 7320

(E) Any document relative to special education and related 7321
services provided by a county board of developmental 7322
disabilities that the department holds in its files that 7323
contains both a student's name or other personally identifiable 7324
information and the student's data verification code shall not 7325
be a public record under section 149.43 of the Revised Code. 7326

Sec. 3317.25. (A) As used in this section, "~~economically~~ 7327
~~disadvantaged funds~~disadvantaged pupil impact aid" means the 7328
following: 7329

(1) For a city, local, or exempted village school 7330
district, the funds received under division ~~(A) (5)~~ (A) (4) of 7331
section 3317.022 of the Revised Code; 7332

(2) For a joint vocational school district, the funds 7333
received under division (A) (3) of section 3317.16 of the Revised 7334
Code; 7335

(3) For a community school established under Chapter 3314. 7336
of the Revised Code, the funds received under division ~~(C) (1) (e)~~ 7337
(C) (1) (c) of section 3314.08 of the Revised Code; 7338

(4) For a STEM school established under Chapter 3326. of 7339
the Revised Code, the funds received under division ~~(E)~~ (B) (3) 7340
of section 3326.33 of the Revised Code. 7341

(B) In any fiscal year, a city, local, exempted village, 7342
or joint vocational school district, community school, or STEM 7343
school shall spend the ~~economically disadvantaged funds~~ 7344
disadvantaged pupil impact aid it receives for any of the 7345
following initiatives or a combination of any of the following 7346
initiatives: 7347

- (1) Extended school day and school year; 7348
- (2) Reading improvement and intervention; 7349
- (3) Instructional technology or blended learning; 7350
- (4) Professional development in reading instruction for 7351
teachers of students in kindergarten through third grade; 7352
- (5) Dropout prevention; 7353
- (6) School safety and security measures; 7354
- (7) Community learning centers that address barriers to 7355
learning; 7356
- (8) Academic interventions for students in any of grades 7357
six through twelve; 7358
- (9) Employment of an individual who has successfully 7359
completed the bright new leaders for Ohio schools program as a 7360
principal or an assistant principal under section 3319.272 of 7361
the Revised Code; 7362
- (10) Reduced class size; 7363
- (11) One year of quality preschool for every child who is 7364
four years of age and identified as economically disadvantaged; 7365
- (12) Student mentoring programs; 7366
- (13) Family engagement pertinent to enhanced student 7367

<u>educational success;</u>	7368
<u>(14) District-wide professional development to provide</u>	7369
<u>greater insight into the needs, culture, and perspective of</u>	7370
<u>disadvantaged populations and enhanced ability to recognize and</u>	7371
<u>address those needs;</u>	7372
<u>(15) Mental health services;</u>	7373
<u>(16) Services for homeless youth;</u>	7374
<u>(17) Services for child welfare involving youth;</u>	7375
<u>(18) Community liaisons;</u>	7376
<u>(19) Physical health care services;</u>	7377
<u>(20) Mentoring programs;</u>	7378
<u>(21) Family engagement and support services;</u>	7379
<u>(22) City connects programming;</u>	7380
<u>(23) Professional development regarding the provision of</u>	7381
<u>trauma informed care;</u>	7382
<u>(24) Professional development regarding cultural</u>	7383
<u>competence;</u>	7384
<u>(25) Student services provided prior to or after the</u>	7385
<u>regularly scheduled school day or any time school is not in</u>	7386
<u>session.</u>	7387
(C) At the end of each fiscal year, each city, local,	7388
exempted village, or joint vocational school district, community	7389
school, and STEM school shall submit a report to the department	7390
of education <u>describing through the education management</u>	7391
<u>information system established under section 3301.0714 of the</u>	7392
<u>Revised Code that describes the initiative or initiatives on</u>	7393

which the district's or school's ~~economically disadvantaged-~~ 7394
~~funds-disadvantaged pupil impact aid~~ were spent during that 7395
fiscal year. 7396

(D) Starting in 2015, the department shall submit a report 7397
of the information it receives under division (C) of this 7398
section to the General Assembly not later than the first day of 7399
December of each odd-numbered year in accordance with section 7400
101.68 of the Revised Code. 7401

Sec. 3317.60. (A) (1) The department of education shall 7402
conduct a study that does both of the following: 7403

(a) Reviews the criteria used in the current school 7404
funding formula to define "economically disadvantaged students" 7405
in order to determine the effectiveness of the criteria; 7406

(b) Researches how other states define "economically 7407
disadvantaged students" and how "economically disadvantaged 7408
students" are addressed in other states' school funding 7409
formulas. 7410

The department shall submit a report of its findings to 7411
the individuals prescribed in division (B) of this section not 7412
later than December 31, ~~2020~~2022. 7413

(2) The department of education, in consultation with the 7414
department of job and family services and stakeholder groups 7415
determined appropriate by the department, shall prepare a report 7416
including both of the following: 7417

(a) A review of early child initiatives in Ohio, including 7418
preschool, head start, and other early learning opportunities 7419
for young children; 7420

(b) Information regarding how other states support early 7421

learning opportunities for young children. 7422

The department of education shall submit the report to the 7423
individuals prescribed in division (B) of this section not later 7424
than December 31, ~~2020~~2022. 7425

(B) The reports prepared under division (A) of this 7426
section shall be submitted to all of the following: 7427

(1) The president and minority leader of the senate; 7428

(2) The speaker and minority leader of the house of 7429
representatives; 7430

(3) The members of the standing committees of the house of 7431
representatives and the senate that consider legislation 7432
regarding primary and secondary education; 7433

(4) The school funding oversight commission created in 7434
section 3317.64 of the Revised Code. 7435

Sec. 3317.61. (A) (1) (a) The office of budget and 7436
management shall, in consultation with the department of 7437
education, create an inventory of all state budget line items 7438
that, in the office's determination, provide funding services to 7439
children that includes all of the following information: 7440

(i) The fiscal year 2019 funding for each line item; 7441

(ii) A brief description of services provided by each line 7442
item; 7443

(iii) Estimates of funding and program descriptions of all 7444
line items that are also used to fund other types of programs, 7445
including a description explaining how those different programs 7446
interact and for whom they are provided; 7447

(iv) A preliminary analysis of policy implications 7448

regarding the potential creation and funding of "wrap-around services," as defined by the office, including health clinics provided in educational settings. 7449
7450
7451

(b) The data shall be disaggregated into three categories based on students' age ranges as follows: 7452
7453

(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; 7454
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7456

(ii) Students not described by division (A) (1) (b) (i) of this section between zero and four years of age; and 7457
7458

(iii) Students not described in division (A) (1) (b) (i) of this section between five and eighteen years of age. 7459
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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. 7461
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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. 7468
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(2) The department of education shall conduct an evaluation of all of the following topics regarding special education: 7471
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7473

(a) The categories of special education students specified under section 3317.013 of the Revised Code and the funding amounts corresponding to those categories; 7474
7475
7476

<u>(b) Best practices for providing education to special</u>	7477
<u>education students;</u>	7478
<u>(c) Protocols for providing treatment to special education</u>	7479
<u>students;</u>	7480
<u>(d) Technology to enhance the provision of special</u>	7481
<u>education;</u>	7482
<u>(e) Costs of providing special education;</u>	7483
<u>(f) Transportation of special education students.</u>	7484
<u>The department shall submit a report of its findings and</u>	7485
<u>recommendations to the individuals prescribed in division (B) of</u>	7486
<u>this section not later than December 31, 2022.</u>	7487
<u>(3) The department of education shall, in collaboration</u>	7488
<u>with the auditor of state and a workgroup established by the</u>	7489
<u>department that consists of educators, auditors, and employees</u>	7490
<u>of the department, review the funding reporting protocols and</u>	7491
<u>requirements for gifted services with the intention of</u>	7492
<u>recommending improvements regarding accountability for the</u>	7493
<u>spending of gifted funds paid to city, local, and exempted</u>	7494
<u>village school districts under section 3317.022 of the Revised</u>	7495
<u>Code. The department shall submit a report of its findings and</u>	7496
<u>recommendations to the individuals prescribed in division (B) of</u>	7497
<u>this section not later than December 31, 2022.</u>	7498
<u>(4) The department of education shall develop</u>	7499
<u>recommendations for an incentive program for school districts in</u>	7500
<u>rural areas of the state that provide services to students</u>	7501
<u>identified as gifted under division (A), (B), (C), or (D) of</u>	7502
<u>section 3324.03 of the Revised Code and submit a report of its</u>	7503
<u>findings to the individuals prescribed in division (B) of this</u>	7504
<u>section not later than December 31, 2022.</u>	7505

(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: 7506
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7509

(a) Services provided; 7510

(b) Cost of existing services; 7511

(c) The ability to generate revenue for providing nonmandatory services and offset fixed costs with that revenue; 7512
7513

(d) The average operating cost per pupil; 7514

(e) The effectiveness and efficiency of all educational service centers; 7515
7516

(f) A uniform, consistent, and standardized methodology for reporting educational service center operating revenue and expenditures. 7517
7518
7519

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. 7520
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(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. 7524
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(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 7530
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result of its findings to the individuals prescribed in division 7534
(B) of this section not later than December 31, 2022. 7535

(B) Reports prepared under divisions (A) (1), (2), (3), 7536
(4), (5), (6), and (7) of this section shall be submitted to all 7537
of the following: 7538

(1) The chair, vice chair, and ranking minority member of 7539
the finance committees of the house of representatives and the 7540
senate; 7541

(2) The chair, vice chair, and ranking minority member of 7542
the finance subcommittees regarding primary and secondary 7543
education of the house of representatives and the senate; 7544

(3) The chair, vice chair, and ranking minority member of 7545
the standing committees of the house of representatives and the 7546
senate that consider legislation regarding primary and secondary 7547
education; 7548

(4) The superintendent of public instruction; 7549

(5) The president of the state board of education; 7550

(6) The school funding oversight commission created in 7551
section 3317.64 of the Revised Code. 7552

(C) It is the intent of the general assembly that the 7553
recommendations developed under division (A) (5) of this section 7554
be the basis of legislation enacted by the general assembly in 7555
order to take effect for fiscal year 2023 and that the 7556
recommendations developed under divisions (A) (2), (3), (4), (6), 7557
and (7) of this section be the basis of legislation enacted by 7558
the general assembly in order to take effect for fiscal year 7559
2024. 7560

Sec. 3317.62. (A) The department of education shall 7561

evaluate the cost of operating community schools on a per-pupil 7562
or other reasonable basis as a replacement for the 7563
discontinuance of a fixed per-pupil formula amount. The 7564
department shall collaborate with community school governing 7565
authorities and other appropriate stakeholders while conducting 7566
this evaluation. 7567

(B) Not later than December 31, 2022, the department shall 7568
submit its findings to all of the following: 7569

(1) The chair, vice chair, and ranking minority member of 7570
the finance committees of the house of representatives and the 7571
senate; 7572

(2) The chair, vice chair, and ranking minority member of 7573
the finance subcommittees regarding primary and secondary 7574
education of the house of representatives and the senate; 7575

(3) The chair, vice chair, and ranking minority member of 7576
the standing committees of the house of representatives and the 7577
senate that consider legislation regarding primary and secondary 7578
education; 7579

(4) The superintendent of public instruction; 7580

(5) The president of the state board of education; 7581

(6) The school funding oversight commission created in 7582
section 3317.64 of the Revised Code. 7583

Sec. 3317.63. (A) A joint legislative task force to 7584
examine transportation of community school and nonpublic school 7585
students is hereby established and shall consist of six members, 7586
three of whom shall be appointed by the speaker of the house of 7587
representatives and three of whom shall be appointed by the 7588
president of the senate. The speaker of the house of 7589

representatives and president of the senate shall appoint a 7590
chairperson and vice-chairperson or co-chairpersons for the task 7591
force. 7592

(B) The task force, in consultation with the 7593
superintendent of public instruction, the auditor of state, and 7594
other stakeholders, shall study the transportation of such 7595
students and determine methods to create greater efficiency and 7596
minimize costs in transporting such students. The task force 7597
shall report its findings and a recommendation for a funding 7598
formula for the transportation of such students to the speaker 7599
of the house of representatives, the president of the senate, 7600
and the school funding oversight commission created in section 7601
3317.64 of the Revised Code not later than December 31, 2022. 7602

Sec. 3317.64. (A) The school funding oversight commission 7603
is hereby created. The commission shall do all of the following: 7604

(1) Evaluate and analyze the manner in which the funding 7605
requirements of H.B. 305 of the 133rd general assembly are being 7606
implemented and make recommendations to the general assembly to 7607
ensure that, if at all possible, the funding priorities 7608
specified in H.B. 305 of the 133rd general assembly are 7609
implemented as directed and that all other provisions are funded 7610
as equitably and evenly as possible as additional funding 7611
becomes available; 7612

(2) Analyze and make recommendations to the general 7613
assembly regarding any appropriate adjustments to the provisions 7614
of H.B. 305 of the 133rd general assembly for inflation, 7615
technology developments, changes in instructional methodology, 7616
or the use of databases; 7617

(3) Review and analyze the findings or implications of any 7618

of the studies authorized in section 3317.60, 3317.61, 3317.62, 7619
or 3317.63 of the Revised Code as amended or enacted by H.B. 305 7620
of the 133rd general assembly, as those studies become 7621
available, or any other school funding studies authorized in 7622
related legislation and make appropriate recommendations to the 7623
general assembly; 7624

(4) Upon the implementation of the provisions of H.B. 305 7625
of the 133rd general assembly, assess the impact of its 7626
calculations and other basic concepts and make recommendations 7627
to the general assembly regarding appropriate modifications to 7628
those calculations and other basic concepts; 7629

(5) Generally monitor the implementation of the provisions 7630
of H.B. 305 of the 133rd general assembly to ensure that they 7631
are implemented in a timely and effective manner that is 7632
consistent with the intent of the general assembly at the time 7633
those provisions were enacted and make recommendations to the 7634
general assembly regarding its implementation. 7635

(B) (1) The school funding oversight commission shall 7636
consist of the following members: 7637

(a) Two members of the house of representatives, appointed 7638
by the speaker of the house of representatives, and two members 7639
of the senate, appointed by the president of the senate. Of the 7640
members appointed by the speaker of the house of 7641
representatives, one shall be a member of the majority party, 7642
and one shall be a member of the minority party that has the 7643
most members. Of the members appointed by the president of the 7644
senate, one shall be a member of the majority party, and one 7645
shall be a member of the minority party that has the most 7646
members. 7647

(b) Three school district superintendents, appointed by 7648
the superintendent of public instruction with advice from those 7649
statewide organizations that represent school district 7650
superintendents, and three school district treasurers, appointed 7651
by the superintendent of public instruction with advice from 7652
those statewide organizations that represent school district 7653
treasurers. The superintendent of public instruction shall 7654
attempt to ensure that the school district superintendents and 7655
treasurers appointed under division (B) (1) (b) of this section 7656
represent a combination of urban, suburban, and rural school 7657
districts and a combination of school districts with different 7658
per-pupil local capacity amounts calculated under section 7659
3317.017 of the Revised Code. 7660

(c) Three parents, not more than two of whom shall be of 7661
the same gender, appointed by the governor. In making 7662
appointments under division (B) (1) (c) of this section, the 7663
governor shall attempt to ensure that the parents appointed are 7664
a combination of parents of students who are enrolled in, will 7665
enroll in, or were enrolled in public schools. 7666

(d) Three teachers appointed by the superintendent of 7667
public instruction. The superintendent of public instruction 7668
shall attempt to ensure that the teachers appointed under 7669
division (B) (1) (d) of this section represent a combination of 7670
urban, suburban, and rural school districts and a combination of 7671
school districts with different per-pupil local capacity amounts 7672
calculated under section 3317.017 of the Revised Code. 7673

(e) Three school board members appointed by the 7674
superintendent of public instruction. The superintendent of 7675
public instruction shall attempt to ensure that the school board 7676
members appointed under division (B) (1) (e) of this section 7677

represent a combination of urban, suburban, and rural school 7678
districts and a combination of school districts with different 7679
per-pupil local capacity amounts calculated under section 7680
3317.017 of the Revised Code. 7681

(2) Not more than one of the members appointed under 7682
divisions (B) (1) (b), (c), (d), and (e) of this section shall 7683
represent the same school district. 7684

(C) All members of the commission shall be appointed prior 7685
to the commission's first meeting as prescribed in division (D) 7686
of this section. Half of the members appointed under each of 7687
divisions (B) (1) (a), (b), (c), (d), and (e) of this section 7688
shall be appointed for two-year terms, and half of the members 7689
appointed under each of divisions (B) (1) (a), (b), (c), (d), and 7690
(e) of this section shall be appointed for four-year terms. 7691
Thereafter, all members shall be appointed for four-year terms. 7692
No member shall be eligible for reappointment except for those 7693
members appointed for initial two-year terms. 7694

(D) Not later than one year after the effective date of 7695
this section, the superintendent of public instruction shall 7696
call the first meeting of the school funding oversight 7697
commission. At that meeting, the members of the commission shall 7698
select a chair and vice-chair of the commission. Thereafter, the 7699
commission shall meet at least once every six months at the call 7700
of the chair. 7701

Sec. 3319.57. (A) A grant program is hereby established 7702
under which the department of education shall award grants to 7703
assist certain schools in a city, exempted village, local, or 7704
joint vocational school district in implementing one of the 7705
following innovations: 7706

- (1) The use of instructional specialists to mentor and support classroom teachers; 7707
7708
- (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; 7709
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- (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; 7714
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- (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; 7718
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- (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; 7721
7722
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7724
- (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; 7725
7726
7727
7728
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- (7) The provision of better conditions for new teachers, such as reduced teaching load and reduced class size; 7730
7731
- (8) The provision of incentives to attract qualified mathematics, science, or special education teachers; 7732
7733
- (9) The development and implementation of a partnership 7734

with teacher preparation programs at colleges and universities 7735
to help attract teachers qualified to teach in shortage areas; 7736

(10) The implementation of a program to increase the 7737
cultural competency of both new and veteran teachers; 7738

(11) The implementation of a program to increase the 7739
subject matter competency of veteran teachers. 7740

(B) To qualify for a grant to implement one of the 7741
innovations described in division (A) of this section, a school 7742
must meet both of the following criteria: 7743

(1) Be hard to staff, as defined by the department. 7744

(2) Use existing school district funds for the 7745
implementation of the innovation in an amount equal to the grant 7746
amount multiplied by (1 - the district's state share ~~index~~ 7747
percentage for the fiscal year in which the grant is awarded). 7748

For purposes of division (B) (2) of this section, "state 7749
share ~~index~~percentage" has the same meaning as in section 7750
3317.02 of the Revised Code. 7751

(C) The amount and number of grants awarded under this 7752
section shall be determined by the department based on any 7753
appropriations made by the general assembly for grants under 7754
this section. 7755

(D) The state board of education shall adopt rules for the 7756
administration of this grant program. 7757

Sec. 3324.09. Not later than the thirtieth day of October 7758
of each year, the department of education shall publish on its 7759
web site each school district's expenditures for the previous 7760
fiscal year of funds received under division (A) ~~(7)~~ (6) of 7761
section 3317.022 of the Revised Code for the identification of 7762

and services provided to the district's gifted students. 7763

Sec. 3326.31. As used in sections 3326.31 to 3326.50 of 7764
the Revised Code: 7765

(A) (1) "Category one career-technical education student" 7766
means a student who is receiving the career-technical education 7767
services described in division (A) (1) of section 3317.014 of the 7768
Revised Code. 7769

(2) "Category two career-technical student" means a 7770
student who is receiving the career-technical education services 7771
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 7772
Revised Code. 7773

(3) "Category three career-technical student" means a 7774
student who is receiving the career-technical education services 7775
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 7776
Revised Code. 7777

(4) "Category four career-technical student" means a 7778
student who is receiving the career-technical education services 7779
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 7780
Revised Code. 7781

(5) "Category five career-technical education student" 7782
means a student who is receiving the career-technical education 7783
services described in division ~~(E)~~ (A) (5) of section 3317.014 of 7784
the Revised Code. 7785

(B) (1) "Category one English learner" means an English 7786
learner described in division (A) of section 3317.016 of the 7787
Revised Code. 7788

(2) "Category two English learner" means an English 7789
learner described in division (B) of section 3317.016 of the 7790

Revised Code.	7791
(3) "Category three English learner" means an English learner described in division (C) of section 3317.016 of the Revised Code.	7792 7793 7794
(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.	7795 7796 7797 7798
(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.	7799 7800 7801 7802
(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.	7803 7804 7805 7806
(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.	7807 7808 7809 7810
(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.	7811 7812 7813 7814
(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.	7815 7816 7817 7818

(D) ~~"Formula amount" has the same meaning as in section~~ 7819
~~3317.02 of the Revised Code. "Economically disadvantaged index~~ 7820
~~for a science, technology, engineering, and mathematics school"~~ 7821
means the square of the quotient of the percentage of students 7822
enrolled in the school who are identified as economically 7823
disadvantaged as defined by the department of education, divided 7824
by the percentage of students in the statewide ADM identified as 7825
economically disadvantaged. For purposes of this calculation, 7826
the "statewide ADM" equals the "statewide ADM" for city, local, 7827
and exempted village school districts described in division (F) 7828
(1) of section 3317.02 of the Revised Code. 7829

(E) "Funding base" means the following: 7830

(a) For a science, technology, engineering, and 7831
mathematics school that was in operation for the entirety of 7832
fiscal year 2020, the amount paid to the school for that fiscal 7833
year under divisions (A), (B), (C), (D), (F), and (G) of section 7834
3326.33 of the Revised Code as those divisions existed prior to 7835
the effective date of this amendment in accordance with division 7836
(A) of Section 265.235 of H.B. 166 of the 133rd general assembly 7837
and the amount, if any, paid to the school for that fiscal year 7838
under section 3326.41 of the Revised Code in accordance with 7839
division (B) of Section 265.235 of H.B. 166 of the 133rd general 7840
assembly; 7841

(b) For a science, technology, engineering, and 7842
mathematics school that was in operation for part of fiscal year 7843
2020, the amount that would have been paid to the school for 7844
that fiscal year under divisions (A), (B), (C), (D), (F), and 7845
(G) of section 3326.33 of the Revised Code as those divisions 7846
existed prior to the effective date of this amendment in 7847
accordance with division (A) of Section 265.235 of H.B. 166 of 7848

the 133rd general assembly if the school had been in operation 7849
for the entirety of that fiscal year, as calculated by the 7850
department, and the amount that would have been paid to the 7851
school for that fiscal year under section 3326.41 of the Revised 7852
Code in accordance with division (B) of Section 265.235 of H.B. 7853
166 of the 133rd general assembly, if any, if the school had 7854
been in operation for the entirety of that fiscal year, as 7855
calculated by the department; 7856

(c) For a science, technology, engineering, and 7857
mathematics school that was not in operation for fiscal year 7858
2020, the amount that would have been paid to the school if it 7859
was in operation for that school year under divisions (A), (B), 7860
(C), (D), (F), and (G) of section 3326.33 of the Revised Code as 7861
those divisions existed prior to the effective date of this 7862
amendment in accordance with division (A) of Section 265.235 of 7863
H.B. 166 of the 133rd general assembly if the school had been in 7864
operation for the entirety of that fiscal year, as calculated by 7865
the department, and the amount that would have been paid to the 7866
school for that fiscal year under section 3326.41 of the Revised 7867
Code in accordance with division (B) of Section 265.235 of H.B. 7868
166 of the 133rd general assembly, if any, if the school had 7869
been in operation for the entirety of that fiscal year, as 7870
calculated by the department. 7871

(F) "IEP" means an individualized education program as 7872
defined in section 3323.01 of the Revised Code. 7873

~~(F)~~(G) A science, technology, engineering, and 7874
mathematics school's "phase-in percentage" for a fiscal year is 7875
equal to the phase-in percentage for that fiscal year for city, 7876
local, exempted village, and joint vocational school districts 7877
as defined in section 3317.02 of the Revised Code. 7878

(H) "Resident district" means the school district in which 7879
a student is entitled to attend school under section 3313.64 or 7880
3313.65 of the Revised Code. 7881

~~(G) "State education aid" has the same meaning as in~~ 7882
~~section 5751.20 of the Revised Code.~~ (I) "Statewide average base 7883
cost per pupil" and "statewide average career-technical base 7884
cost per pupil" have the same meanings as in section 3317.02 of 7885
the Revised Code. 7886

Sec. 3326.32. Each science, technology, engineering, and 7887
mathematics school shall report to the department of education, 7888
in the form and manner required by the department, all of the 7889
following information: 7890

(A) The total number of students enrolled in the school 7891
who are residents of this state; 7892

(B) The number of students reported under division (A) of 7893
this section who are receiving special education and related 7894
services pursuant to an IEP; 7895

(C) For each student reported under division (B) of this 7896
section, which category specified in divisions (A) to (F) of 7897
section 3317.013 of the Revised Code applies to the student; 7898

(D) The full-time equivalent number of students reported 7899
under division (A) of this section who are enrolled in career- 7900
technical education programs or classes described in each of 7901
divisions (A) (1), ~~(B) (2)~~, ~~(C) (3)~~, ~~(D) (4)~~, and ~~(E) (5)~~ of section 7902
3317.014 of the Revised Code that are provided by the STEM 7903
school; 7904

(E) The number of students reported under division (A) of 7905
this section who are English learners and which category 7906
specified in divisions (A) to (C) of section 3317.016 of the 7907

Revised Code applies to each student; 7908

(F) The number of students reported under division (A) of 7909
this section who are economically disadvantaged, as defined by 7910
the department. A student shall not be categorically excluded 7911
from the number reported under division (F) of this section 7912
based on anything other than family income. 7913

(G) The resident district of each student reported under 7914
division (A) of this section; 7915

(H) The total number of students enrolled in the school 7916
who are not residents of this state and any additional 7917
information regarding these students that the department 7918
requires the school to report. The school shall not receive any 7919
payments under this chapter for students reported under this 7920
division. 7921

(I) Any additional information the department determines 7922
necessary to make payments under this chapter. 7923

Sec. 3326.33. (A) For each fiscal year, the department of 7924
education shall compute and distribute state core foundation 7925
funding to each science, technology, engineering, and 7926
mathematics school established under this chapter or, if the 7927
school is part of a group of STEM schools under section 3326.031 7928
of the Revised Code, to the governing body of that group in an 7929
amount equal to the lesser of the following: 7930

(1) The following sum: 7931

The school's funding base + {(the sum of the per pupil amounts 7932
calculated for the school for that fiscal year under divisions 7933
(B) (1), (2), and (4) of this section + the sum of the per pupil 7934
amounts calculated for the school for that fiscal year under 7935
division (A) of section 3326.39 of the Revised Code + the amount 7936

calculated for the school for that fiscal year under division 7937
(B) of section 3326.39 of the Revised Code) - the school's 7938
funding base] X the school's phase-in percentage for that fiscal 7939
year} + the sum of the per pupil amounts of disadvantaged pupil 7940
impact aid calculated for that fiscal year under division (B) (3) 7941
of this section 7942

(2) The following sum: 7943

The sum of the per pupil amounts calculated for the school for 7944
that fiscal year under division (B) of this section + the sum of 7945
the per pupil amounts calculated for the school for that fiscal 7946
year under division (A) of section 3326.39 of the Revised Code + 7947
the amount calculated for the school for that fiscal year under 7948
division (B) of section 3326.39 of the Revised Code 7949

(B) For each student enrolled in a science, technology, 7950
engineering, and mathematics school established under this 7951
chapter, on a full-time equivalency basis, the department of 7952
education annually shall ~~deduct from the state education aid of~~ 7953
~~a student's resident school district and, if necessary, from the~~ 7954
~~payment made to the district under sections 321.24 and 323.156~~ 7955
~~of the Revised Code and pay to the school or, if the student is~~ 7956
~~enrolled in a school that is part of a group of STEM schools~~ 7957
~~under section 3326.031 of the Revised Code, to the governing~~ 7958
~~body of that group the sum~~ calculate all of the following: 7959

~~(A) An opportunity grant in an amount equal to the formula~~ 7960
~~amount;~~ (1) The school's base cost per pupil for that fiscal 7961
year, calculated as follows: 7962

The aggregate base cost calculated for the school for that 7963
fiscal year under section 3326.43 of the Revised Code/ the 7964
number of students enrolled in the school for that fiscal year 7965

~~(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;~~ 7966
7967
7968
7969

~~(C) (2) Additional state aid for special education and related services provided under Chapter 3323. of the Revised Code as follows:~~ 7970
7971
7972

~~(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;~~ 7973
7974
7975
7976

~~(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;~~ 7977
7978
7979
7980

~~(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;~~ 7981
7982
7983
7984

~~(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;~~ 7985
7986
7987
7988

~~(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;~~ 7989
7990
7991
7992

~~(6) (f) If the student is a category six special education student, the amount-multiple specified in division (F) of~~ 7993
7994

section 3317.013 of the Revised Code <u>X the statewide average</u>	7995
<u>base cost per pupil for that fiscal year.</u>	7996
(D) If the student is in kindergarten through third grade,	7997
\$320;	7998
(E) (3) If the student is economically disadvantaged, an	7999
amount <u>of disadvantaged pupil impact aid</u> equal to the following:	8000
\$272-\$422 X the resident district's <u>school's</u> economically	8001
disadvantaged index	8002
(F) (4) English learner funds, as follows:	8003
(1) (a) If the student is a category one English learner,	8004
the amount <u>multiple</u> specified in division (A) of section	8005
3317.016 of the Revised Code <u>X the statewide average base cost</u>	8006
<u>per pupil for that fiscal year;</u>	8007
(2) (b) If the student is a category two English learner,	8008
the amount <u>multiple</u> specified in division (B) of section	8009
3317.016 of the Revised Code <u>X the statewide average base cost</u>	8010
<u>per pupil for that fiscal year;</u>	8011
(3) (c) If the student is a category three English	8012
learner, the amount <u>multiple</u> specified in division (C) of	8013
section 3317.016 of the Revised Code <u>X the statewide average</u>	8014
<u>base cost per pupil for that fiscal year.</u>	8015
(G) <u>Career technical education funds as follows:</u>	8016
(1) If the student is a category one career technical	8017
education student, the amount specified in division (A) of	8018
section 3317.014 of the Revised Code;	8019
(2) If the student is a category two career technical	8020
education student, the amount specified in division (B) of	8021

~~section 3317.014 of the Revised Code;~~ 8022

~~(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;~~ 8023
8024
8025

~~(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;~~ 8026
8027
8028

~~(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.~~ 8029
8030
8031

~~Deduction and payment of funds under division (C) of this
section is subject to approval under section 3317.161 of the
Revised Code.~~ 8032
8033
8034

Sec. 3326.39. (A) 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: 8035
8036
8037
8038
8039

(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; 8040
8041
8042
8043

(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; 8044
8045
8046
8047

(3) If the student is a category three career-technical
education student, the multiple specified in division (A) (3) of 8048
8049

section 3317.014 of the Revised Code X the statewide average 8050
career-technical base cost per pupil for that fiscal year; 8051

(4) If the student is a category four career-technical 8052
education student, the multiple specified in division (A) (4) of 8053
section 3317.014 of the Revised Code X the statewide average 8054
career-technical base cost per pupil for that fiscal year; 8055

(5) If the student is a category five career-technical 8056
education student, the multiple specified in division (A) (5) of 8057
section 3317.014 of the Revised Code X the statewide average 8058
career-technical base cost per pupil for that fiscal year. 8059

Payment of funds calculated under division (A) of this 8060
section is subject to approval under section 3317.161 of the 8061
Revised Code. 8062

(B) Subject to division (I) of section 3317.023 of the 8063
Revised Code, the department of education shall calculate 8064
career-technical associated services funds for each science, 8065
technology, engineering, and mathematics school as follows: 8066

The multiple for career-technical education associated services 8067
specified under division (B) of section 3317.014 of the Revised 8068
Code X the statewide average career-technical base cost per 8069
pupil for that fiscal year X the number of the school's students 8070
enrolled in career-technical education 8071

(C) Subject to division (I) of section 3317.023 of the 8072
Revised Code, the department shall pay career awareness and 8073
exploration funds to each science, technology, engineering, and 8074
mathematics school as follows: 8075

The number of students enrolled in the science, technology, 8076
engineering, and mathematics school X \$2.50, for fiscal year 8077
2020, \$5, for fiscal year 2021, \$7.50, for fiscal year 2022, or 8078

\$10, for fiscal year 2023 and each fiscal year thereafter 8079

(D) In any fiscal year, a STEM school receiving funds 8080
calculated under division ~~(G)~~ (A) of this section 3326.33 of the 8081
~~Revised Code~~ shall spend those funds only for the purposes that 8082
the department designates as approved for career-technical 8083
education expenses. Career-technical ~~educational~~ education 8084
expenses approved by the department shall include only expenses 8085
connected to the delivery of career-technical programming to 8086
career-technical students. The department shall require the 8087
school to report data annually so that the department may 8088
monitor the school's compliance with the requirements regarding 8089
the manner in which funding received under division ~~(G)~~ (A) of 8090
this section 3326.33 of the ~~Revised Code~~ may be spent. 8091

~~(B)~~ (E) All funds received under division ~~(G)~~ (A) of this 8092
section 3326.33 of the ~~Revised Code~~ shall be spent in the 8093
following manner: 8094

(1) At least seventy-five per cent of the funds shall be 8095
spent on curriculum development, purchase, and implementation; 8096
instructional resources and supplies; industry-based program 8097
certification; student assessment, credentialing, and placement; 8098
curriculum specific equipment purchases and leases; career- 8099
technical student organization fees and expenses; home and 8100
agency linkages; work-based learning experiences; professional 8101
development; and other costs directly associated with career- 8102
technical education programs including development of new 8103
programs. 8104

(2) Not more than twenty-five per cent of the funds shall 8105
be used for personnel expenditures. 8106

(F) In any fiscal year, a science, technology, 8107

engineering, and mathematics school receiving funds under 8108
division (H) of section 3317.014 of the Revised Code shall spend 8109
those funds only for the following purposes: 8110

(1) Delivery of career awareness programs to students 8111
enrolled in grades kindergarten through twelve; 8112

(2) Provision of a common, consistent curriculum to 8113
students throughout their primary and secondary education; 8114

(3) Assistance to teachers in providing a career 8115
development curriculum to students; 8116

(4) Development of a career development plan for each 8117
student that stays with that student for the duration of the 8118
student's primary and secondary education; 8119

(5) Provision of opportunities for students to engage in 8120
activities, such as career fairs, hands-on experiences, and job 8121
shadowing, across all career pathways at each grade level. 8122

The department may deny payment under division (C) of this 8123
section to any school that the department determines is using 8124
funds paid under division (H) of section 3317.014 of the Revised 8125
Code for other purposes. 8126

Sec. 3326.40. A STEM school shall spend the funds it 8127
receives under division ~~(E)~~ (B) (3) of section 3326.33 of the 8128
Revised Code in accordance with section 3317.25 of the Revised 8129
Code. 8130

Sec. 3326.43. (A) As used in this section: 8131

(1) "Average teacher cost" for a fiscal year has the same 8132
meaning as in section 3317.011 of the Revised Code. 8133

(2) "Base cost enrolled ADM" has the same meaning as in 8134

section 3317.02 of the Revised Code. 8135

(B) When calculating a science, technology, engineering, 8136
and mathematics school's aggregate base cost under this section, 8137
the department shall use data from fiscal year 2018 for the 8138
average teacher cost. 8139

(C) A science, technology, engineering, and mathematics 8140
school's aggregate base cost for a fiscal year shall be equal to 8141
the following sum: 8142

The school's teacher base cost for that fiscal year computed 8143
under division (D) of this section + the school's student 8144
support base cost for that fiscal year computed under division 8145
(E) of this section + the school's leadership and accountability 8146
base cost for that fiscal year computed under division (F) of 8147
this section + the school's building leadership and operations 8148
base cost for that fiscal year computed under division (G) of 8149
this section 8150

(D) The department of education shall compute a science, 8151
technology, engineering, and mathematics school's teacher base 8152
cost for a fiscal year as follows: 8153

(1) Calculate the school's classroom teacher cost for that 8154
fiscal year as follows: 8155

(a) Determine the full-time equivalency of students 8156
enrolled in the school for that fiscal year that are enrolled in 8157
kindergarten and divide that number by 20; 8158

(b) Determine the full-time equivalency of students 8159
enrolled in the school for that fiscal year that are enrolled in 8160
grades one through three and divide that number by 23; 8161

(c) Determine the full-time equivalency of students 8162

enrolled in the school for that fiscal year that are enrolled in 8163
grades four through eight but are not enrolled in a career- 8164
technical education program or class described under section 8165
3317.014 of the Revised Code and divide that number by 25; 8166

(d) Determine the full-time equivalency of students 8167
enrolled in the school for that fiscal year that are enrolled in 8168
grades nine through twelve but are not enrolled in a career- 8169
technical education program or class described under section 8170
3317.014 of the Revised Code and divide that number by 27; 8171

(e) Determine the full-time equivalency of students 8172
enrolled in the school for that fiscal year that are enrolled in 8173
a career-technical education program or class, as reported under 8174
division (B) (2) (d) of section 3314.08 of the Revised Code, and 8175
divide that number by 18; 8176

(f) Compute the sum of the quotients obtained under 8177
divisions (D) (1) (a), (b), (c), (d), and (e) of this section; 8178

(g) Compute the classroom teacher cost by multiplying the 8179
average teacher cost for that fiscal year by the sum computed 8180
under division (D) (1) (f) of this section. 8181

(2) Calculate the school's special teacher cost for that 8182
fiscal year as follows: 8183

(a) Divide the number of students enrolled in the school 8184
for that fiscal year by 150; 8185

(b) Compute the special teacher cost by multiplying the 8186
quotient obtained under division (D) (2) (a) of this section by 8187
the average teacher cost for that fiscal year. 8188

(3) Calculate the school's substitute teacher cost for 8189
that fiscal year in accordance with the following formula: 8190

(a) Compute the substitute teacher daily rate with 8191
benefits by multiplying the substitute teacher daily rate of \$90 8192
by 1.16; 8193

(b) Compute the substitute teacher cost in accordance with 8194
the following formula: 8195

(The sum computed under division (D) (1) (f) of this section + the 8196
quotient obtained under division (D) (2) (a) of this section) X 8197
the amount computed under division (D) (3) (a) of this section X 5 8198

(4) Calculate the school's professional development cost 8199
for that fiscal year in accordance with the following formula: 8200

(The sum computed under division (D) (1) (f) of this section + the 8201
quotient obtained under division (D) (2) (a) of this section) X 8202
[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of 8203
the Revised Code for that fiscal year)/180] X 4 8204

(5) Calculate the school's teacher base cost for that 8205
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 8206
and (4) of this section. 8207

(E) The department shall compute a science, technology, 8208
engineering, and mathematics school's student support base cost 8209
for a fiscal year as follows: 8210

The number of students enrolled in the school for that fiscal 8211
year X 0.90 X [(the sum of the student support base cost 8212
calculated for all city, local, and exempted village school 8213
districts in the state for that fiscal year under division (E) 8214
of section 3317.011 of the Revised Code - the sum of the 8215
athletic co-curricular activities cost calculated for all city, 8216
local, and exempted village school districts in the state for 8217
that fiscal year under division (E) (5) of section 3317.011 of 8218
the Revised Code)/ the sum of the base cost enrolled ADMs of all 8219

of the city, local, and exempted village school districts in the 8220
state for that fiscal year] 8221

(F) The department shall compute a science, technology, 8222
engineering, and mathematics school's leadership and 8223
accountability base cost for a fiscal year as follows: 8224

The number of students enrolled in the school for that fiscal 8225
year X 0.90 X (the sum of the leadership and accountability base 8226
cost calculated for all city, local, and exempted village school 8227
districts in the state for that fiscal year under division (F) 8228
of section 3317.011 of the Revised Code/ the sum of the base 8229
cost enrolled ADMs of all of the city, local, and exempted 8230
village school districts in the state for that fiscal year) 8231

(G) The department shall compute a science, technology, 8232
engineering, and mathematics school's building leadership and 8233
operations base cost for a fiscal year as follows: 8234

The number of students enrolled in the school for that fiscal 8235
year X 0.90 X (the sum of the building leadership and 8236
accountability base cost calculated for all city, local, and 8237
exempted village school districts in the state for that fiscal 8238
year under division (G) of section 3317.011 of the Revised Code/ 8239
the sum of the base cost enrolled ADMs of all of the city, 8240
local, and exempted village school districts in the state for 8241
that fiscal year) 8242

Sec. 3326.44. In any fiscal year, a STEM school shall 8243
spend the funding it receives under division (B)(4) of section 8244
3326.33 of the Revised Code only for services for English 8245
learners. 8246

Sec. 3326.51. (A) As used in this section: 8247

(1) "Resident district" has the same meaning as in section 8248

3326.31 of the Revised Code. 8249

(2) "STEM school sponsoring district" means a municipal, 8250
city, local, exempted village, or joint vocational school 8251
district that governs and controls a STEM school pursuant to 8252
this section. 8253

(B) Notwithstanding any other provision of this chapter to 8254
the contrary: 8255

(1) If a proposal for a STEM school submitted under 8256
section 3326.03 of the Revised Code proposes that the governing 8257
body of the school be the board of education of a municipal, 8258
city, local, exempted village, or joint vocational school 8259
district that is one of the partners submitting the proposal, 8260
and the STEM committee approves that proposal, that school 8261
district board shall govern and control the STEM school as one 8262
of the schools of its district. 8263

(2) The STEM school sponsoring district shall maintain a 8264
separate accounting for the STEM school as a separate and 8265
distinct operational unit within the district's finances. The 8266
auditor of state, in the course of an annual or biennial audit 8267
of the school district serving as the STEM school sponsoring 8268
district, shall audit that school district for compliance with 8269
the financing requirements of this section. 8270

(3) With respect to students enrolled in a STEM school 8271
whose resident district is the STEM school sponsoring district: 8272

(a) The department of education shall make ~~no deductions~~ 8273
~~under section 3326.33~~ payments to the school in accordance with 8274
sections 3326.31 to 3326.49 of the Revised Code from the STEM 8275
school sponsoring district's state payments. 8276

(b) ~~The STEM school sponsoring district shall ensure that~~ 8277

~~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.~~ 8278
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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. 8283
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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. 8286
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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.~~ 8289
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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.~~ 8303
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~~(6)~~—A STEM school sponsoring district and its board may 8308
assign its district employees to the STEM school, in which case 8309
section 3326.18 of the Revised Code shall not apply. The 8310
district and board may apply any other resources of the district 8311
to the STEM school in the same manner that it applies district 8312
resources to other district schools. 8313

~~(7)~~—(6) Provisions of this chapter requiring a STEM school 8314
and its governing body to comply with specified laws as if it 8315
were a school district and in the same manner as a board of 8316
education shall instead require such compliance by the STEM 8317
school sponsoring district and its board of education, 8318
respectively, with respect to the STEM school. Where a STEM 8319
school or its governing body is required to perform a specific 8320
duty or permitted to take a specific action under this chapter, 8321
that duty is required to be performed or that action is 8322
permitted to be taken by the STEM school sponsoring district or 8323
its board of education, respectively, with respect to the STEM 8324
school. 8325

~~(8)~~—(7) No provision of this chapter limits the authority, 8326
as provided otherwise by law, of a school district and its board 8327
of education to levy taxes and issue bonds secured by tax 8328
revenues. 8329

~~(9)~~—(8) The treasurer of the STEM school sponsoring 8330
district or, if the STEM school sponsoring district is a 8331
municipal school district, the chief financial officer of the 8332
district, shall have all of the respective rights, authority, 8333
exemptions, and duties otherwise conferred upon the treasurer or 8334
chief financial officer by the Revised Code. 8335

Sec. 3327.01. Notwithstanding division (D) of section 8336
3311.19 and division (D) of section 3311.52 of the Revised Code, 8337

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. 8368

A board of education shall not be required to transport 8369
elementary or high school pupils to and from a nonpublic or 8370
community school where such transportation would require more 8371
than thirty minutes of direct travel time as measured by school 8372
bus from the public school building to which the pupils would be 8373
assigned if attending the public school designated by the 8374
district of residence. 8375

Where it is impractical to transport a pupil by school 8376
conveyance, a board of education may offer payment, in lieu of 8377
providing such transportation in accordance with section 3327.02 8378
of the Revised Code. 8379

A board of education shall not be required to transport 8380
elementary or high school pupils to and from a nonpublic or 8381
community school on Saturday or Sunday, unless a board of 8382
education and a nonpublic or community school have an agreement 8383
in place to do so before the first day of July of the school 8384
year in which the agreement takes effect. 8385

In all city, local, and exempted village school districts, 8386
the board shall provide transportation for all children who are 8387
so disabled that they are unable to walk to and from the school 8388
for which the state board of education prescribes minimum 8389
standards pursuant to division (D) of section 3301.07 of the 8390
Revised Code and which they attend. In case of dispute whether 8391
the child is able to walk to and from the school, the health 8392
commissioner shall be the judge of such ability. In all city, 8393
exempted village, and local school districts, the board shall 8394
provide transportation to and from school or special education 8395
classes for mentally disabled children in accordance with 8396
standards adopted by the state board of education. 8397

When transportation of pupils is provided the conveyance 8398
shall be run on a time schedule that shall be adopted and put in 8399
force by the board not later than ten days after the beginning 8400
of the school term. The operator of every school bus or motor 8401
van owned and operated by any school district or educational 8402
service center or privately owned and operated under contract 8403
with any school district or service center in this state shall 8404
make a good faith effort to deliver students enrolled in 8405
preschool through twelfth grades to their respective public and 8406
nonpublic schools not sooner than thirty minutes prior to the 8407
beginning of school and to be available to pick them up not 8408
later than thirty minutes after the close of their respective 8409
schools each day. 8410

The cost of any transportation service authorized by this 8411
section shall be paid first out of federal funds, if any, 8412
available for the purpose of pupil transportation, and secondly 8413
out of state appropriations, in accordance with regulations 8414
adopted by the state board of education. 8415

No transportation of any pupils shall be provided by any 8416
board of education to or from any school which in the selection 8417
of pupils, faculty members, or employees, practices 8418
discrimination against any person on the grounds of race, color, 8419
religion, or national origin. 8420

Sec. 3327.016. The board of education of each city, local, 8421
or exempted village school district that owns and operates buses 8422
for transporting students may contract, in writing, with a 8423
public or private not-for-profit agency, group, or organization, 8424
with a municipal corporation or other political subdivision or 8425
agency of the state, or with an agency of the federal government 8426
to operate its buses to assist the agency, group, organization, 8427

or political subdivision in the fulfillment of its legitimate 8428
activities and in times of emergency. These contracts shall be 8429
entered into under the authority of the school district as a 8430
political subdivision and shall not be considered commerce. When 8431
buses are made available to other agencies, groups, 8432
organizations, or political subdivisions under this section, the 8433
buses must be operated by individuals holding certificates 8434
issued by either the educational service center governing board 8435
that has entered into an agreement with the school district 8436
under section 3313.843 or 3313.845 of the Revised Code or the 8437
superintendent of the school district certifying that the 8438
individuals satisfy the requirements of section 3327.10 of the 8439
Revised Code. All state board of education regulations governing 8440
the operation of school buses when transporting students shall 8441
apply when buses are used in accordance with this section. 8442

Any board of education of a city, local, or exempted 8443
village school district that makes one or more of its vehicles 8444
available under this section shall procure liability and 8445
property damage insurance, as provided in section 3327.09 of the 8446
Revised Code, covering all vehicles used and passengers 8447
transported under this section. The board of education may 8448
recover expenses from contracting entities, not to exceed the 8449
costs of operation and insurance coverage. 8450

Sec. 3328.32. Each child enrolled in a college-preparatory 8451
boarding school established under this chapter shall be included 8452
in the ~~enrollment formula~~ ADM and total ADM of the district in 8453
which the child is entitled to attend school ~~and in the~~ 8454
~~district's category one through six special education~~ 8455
~~enrollment, as appropriate,~~ as reported under section 3317.03 of 8456
the Revised Code. 8457

~~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.~~ 8458
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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. 8461
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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. 8471
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(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. 8477
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(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 8485
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division (B) of this section. Notwithstanding any other 8488
provision of the Revised Code, the state board shall coordinate 8489
and streamline any noneducation program requirements in order to 8490
eliminate redundant or conflicting requirements, licensing 8491
provisions, and oversight by government programs or agencies. 8492
The applicable regulatory entities shall, to the maximum extent 8493
possible, use reports and financial audits provided by the 8494
auditor of state and coordinated by the department of education 8495
to eliminate or reduce contract and administrative reviews. 8496
Regulatory entities other than the state board may suggest 8497
reasonable additional items to be included in such reports and 8498
financial audits to meet any requirements of federal law. 8499
Reporting paperwork prepared for the state board shall be shared 8500
with and accepted by other state and local entities to the 8501
maximum extent feasible. 8502

(D) (1) Notwithstanding division (A) of this section, if, 8503
in any fiscal year, a college-preparatory boarding school 8504
receives federal funds for the purpose of supporting the 8505
school's operations, the amount of those federal funds shall be 8506
deducted from the total per-pupil boarding amount for all 8507
enrolled students paid by the department to the school for that 8508
fiscal year, unless the school's board of trustees and the 8509
department determine otherwise in a written agreement. Any 8510
portion of the total per-pupil boarding amount for all enrolled 8511
students remaining after the deduction of the federal funds 8512
shall be paid by the department to the school from state funds 8513
appropriated to the department. 8514

(2) Notwithstanding division (A) of this section, if, in 8515
any fiscal year, the department receives federal funds for the 8516
purpose of supporting the operations of a college-preparatory 8517
boarding school, the department shall use those federal funds, 8518

not including any portion of those funds designated for 8519
administration, to pay the school the total per-pupil boarding 8520
amount for all enrolled students for that fiscal year. Any 8521
portion of the total per-pupil boarding amount for all enrolled 8522
students remaining after the use of the federal funds shall be 8523
paid by the department to the school from state funds 8524
appropriated to the department. 8525

(3) If any federal funds are used for the purpose 8526
prescribed in division (D) (1) or (2) of this section, the 8527
department shall comply with all requirements upon which the 8528
acceptance of the federal funds is conditioned, including any 8529
requirements set forth in the funding application submitted by 8530
the school or the department and, to the extent sufficient funds 8531
are appropriated by the general assembly, any requirements 8532
regarding maintenance of effort in expenditures. 8533

Sec. 3365.01. As used in this chapter: 8534

(A) "Articulated credit" means post-secondary credit that 8535
is reflected on the official record of a student at an 8536
institution of higher education only upon enrollment at that 8537
institution after graduation from a secondary school. 8538

(B) "Default ceiling amount" means one of the following 8539
amounts, whichever is applicable: 8540

(1) For a participant enrolled in a college operating on a 8541
semester schedule, the amount calculated according to the 8542
following formula: 8543

$((0.83 \times \text{formula amount } \$6,020) / 30)$ 8544

X number of enrolled credit hours 8545

(2) For a participant enrolled in a college operating on a 8546

quarter schedule, the amount calculated according to the 8547
following formula: 8548

$((0.83 \times \text{formula amount } \$6,020) / 45)$ 8549

X number of enrolled credit hours 8550

(C) "Default floor amount" means twenty-five per cent of 8551
the default ceiling amount. 8552

(D) "Eligible out-of-state college" means any institution 8553
of higher education that is located outside of Ohio and is 8554
approved by the chancellor of higher education to participate in 8555
the college credit plus program. 8556

(E) "Fee" means any course-related fee and any other fee 8557
imposed by the college, but not included in tuition, for 8558
participation in the program established by this chapter. 8559

~~(F) "Formula amount" has the same meaning as in section~~ 8560
~~3317.02 of the Revised Code.~~ 8561

~~(G)~~ "Governing entity" means a board of education of a 8562
school district, a governing authority of a community school 8563
established under Chapter 3314., a governing body of a STEM 8564
school established under Chapter 3326., or a board of trustees 8565
of a college-preparatory boarding school established under 8566
Chapter 3328. of the Revised Code. 8567

~~(H)~~ (G) "Home-instructed participant" means a student who 8568
has been excused from the compulsory attendance law for the 8569
purpose of home instruction under section 3321.04 of the Revised 8570
Code, and is participating in the program established by this 8571
chapter. 8572

~~(I)~~ (H) "Maximum per participant charge amount" means one 8573
of the following amounts, whichever is applicable: 8574

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:

$$((\text{formula amount } \$6,020 / 30)$$

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:

$$((\text{formula amount } \$6,020 / 45)$$

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. 8602

~~(O)~~ (N) "Partnering secondary school" means a public or 8603
nonpublic secondary school with which a college has entered into 8604
an agreement in order to offer the program established by this 8605
chapter. 8606

~~(P)~~ (O) "Private college" means any of the following: 8607

(1) A nonprofit institution holding a certificate of 8608
authorization pursuant to Chapter 1713. of the Revised Code; 8609

(2) An institution holding a certificate of registration 8610
from the state board of career colleges and schools and program 8611
authorization for an associate or bachelor's degree program 8612
issued under section 3332.05 of the Revised Code; 8613

(3) A private institution exempt from regulation under 8614
Chapter 3332. of the Revised Code as prescribed in section 8615
3333.046 of the Revised Code. 8616

~~(Q)~~ (P) "Public college" means a "state institution of 8617
higher education" in section 3345.011 of the Revised Code, 8618
excluding the northeast Ohio medical university. 8619

~~(R)~~ (Q) "Public secondary school" means a school serving 8620
grades nine through twelve in a city, local, or exempted village 8621
school district, a joint vocational school district, a community 8622
school established under Chapter 3314., a STEM school 8623
established under Chapter 3326., or a college-preparatory 8624
boarding school established under Chapter 3328. of the Revised 8625
Code. 8626

~~(S)~~ (R) "School year" has the same meaning as in section 8627
3313.62 of the Revised Code. 8628

~~(T)~~ (S) "Secondary grade" means any of grades nine through 8629

twelve. 8630

~~(U)~~ (T) "Standard rate" means the amount per credit hour 8631
assessed by the college for an in-state student who is enrolled 8632
in an undergraduate course at that college, but who is not 8633
participating in the college credit plus program, as prescribed 8634
by the college's established tuition policy. 8635

~~(V)~~ (U) "Transcripted credit" means post-secondary credit 8636
that is conferred by an institution of higher education and is 8637
reflected on a student's official record at that institution 8638
upon completion of a course. 8639

Section 2. That existing sections 3301.0714, 3302.20, 8640
3310.08, 3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.979, 8641
3313.98, 3313.981, 3314.08, 3314.084, 3314.087, 3314.091, 8642
3314.11, 3314.20, 3315.18, 3317.013, 3317.014, 3317.016, 8643
3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.028, 8644
3317.0212, 3317.0213, 3317.0214, 3317.03, 3317.051, 3317.16, 8645
3317.20, 3317.25, 3317.60, 3319.57, 3324.09, 3326.31, 3326.32, 8646
3326.33, 3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 3328.34, 8647
and 3365.01 of the Revised Code are hereby repealed. 8648

Section 3. That sections 3310.55, 3314.085, 3314.53, 8649
3317.017, 3317.0215, 3317.0216, 3317.0217, 3317.0218, 3326.41, 8650
and 3328.33 of the Revised Code are hereby repealed. 8651

Section 4. All items in this section are hereby 8652
appropriated as designated out of any moneys in the state 8653
treasury to the credit of the designated fund. For all 8654
appropriations made in this act, those in the first column are 8655
for fiscal year 2020 and those in the second column are for 8656
fiscal year 2021. The appropriations made in this act are in 8657
addition to any other appropriations made for the FY 2020-FY 8658

2021 biennium. 8659

8660

1 2 3 4 5

A EDU DEPARTMENT OF EDUCATION

B State Lottery Fund Group

C 7017 200611 Education Studies \$ 0 \$ 5,000,000

D TOTAL SLF State Lottery Fund Group \$ 0 \$ 5,000,000

E TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 5,000,000

EDUCATION STUDIES 8661

The foregoing appropriation item 200611, Education 8662
Studies, shall be used to fund the education-related studies 8663
required under sections 3317.60 to 3317.63 of the Revised Code. 8664

On July 1, 2021, or as soon as possible thereafter, the 8665
Superintendent of Public Instruction may certify to the Director 8666
of Budget and Management an amount up to the unexpended, 8667
unencumbered balance of the foregoing appropriation item 200611, 8668
Education Studies, at the end of fiscal year 2021 to be 8669
reappropriated to fiscal year 2022. The amount certified is 8670
hereby reappropriated to the same appropriation item for fiscal 8671
year 2022. 8672

Section 5. Within the limits set forth in this act, the 8673
Director of Budget and Management shall establish accounts 8674
indicating the source and amount of funds for each appropriation 8675
made in this act, and shall determine the form and manner in 8676

which appropriation accounts shall be maintained. Expenditures 8677
from appropriations contained in this act shall be accounted for 8678
as though made in H.B. 166 of the 133rd General Assembly. 8679

The appropriations made in this act are subject to all 8680
provisions of H.B. 166 of the 133rd General Assembly that are 8681
generally applicable to such appropriations. 8682

Section 6. The sections of the Revised Code amended and 8683
enacted by Sections 1 and 2 of this act, with the exception of 8684
sections 3317.0110, 3317.071, 3317.60, 3317.61, 3317.62, 8685
3317.63, and 3317.64 of the Revised Code, and Section 3 of this 8686
act take effect on July 1, 2021. Sections 3317.0110, 3317.071, 8687
3317.60, 3317.61, 3317.62, 3317.63, and 3317.64 of the Revised 8688
Code, as amended or enacted by Section 1 of this act, take 8689
effect on the effective date of this section. 8690

Section 7. It is the intent of the General Assembly to 8691
appropriate \$45,000,000 in each of fiscal years 2022 and 2023 to 8692
provide school bus purchase assistance as authorized in section 8693
3317.071 of the Revised Code. The appropriations will be 8694
supported by transfers of cash in the same amount in each fiscal 8695
year made by the Director of Budget and Management from the 8696
General Revenue Fund to the School Bus Purchase Fund (Fund 8697
5VU0). 8698

Section 8. It is the intent of the General Assembly to 8699
appropriate \$250,000 in each of fiscal years 2022 and 2023 for 8700
the transportation collaboration grants authorized in section 8701
3317.072 of the Revised Code. The appropriations will be 8702
supported by transfers of cash in the same amount in each fiscal 8703
year made by the Director of Budget and Management from the 8704
General Revenue Fund to the Transportation Collaboration Fund 8705
(Fund 5WX0). 8706

Section 9. Section 3302.20 of the Revised Code is 8707
presented in this act as a composite of the section as amended 8708
by both Section 101.01 and Section 120.10 of H.B. 59 of the 8709
130th General Assembly. The General Assembly, applying the 8710
principle stated in division (B) of section 1.52 of the Revised 8711
Code that amendments are to be harmonized if reasonably capable 8712
of simultaneous operation, finds that the composite is the 8713
resulting version of the section in effect prior to the 8714
effective date of the section as presented in this act. 8715