

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 262

Senator Williams

Cosponsors: Senators Antonio, Sykes, Maharath

A BILL

To amend sections 3301.0714, 3302.20, 3310.08, 1
3310.41, 3310.54, 3314.08, 3314.084, 3314.087, 2
3314.088, 3314.091, 3314.11, 3314.20, 3317.017, 3
3317.02, 3317.022, 3317.029, 3317.0212, 4
3317.0217, 3317.0218, 3317.0219, 3317.03, 5
3317.051, 3317.163, 3326.31, 3326.33, and 6
3326.42 and to repeal section 3310.55 of the 7
Revised Code and to amend Sections 265.10, 8
265.170, 265.210, 265.220, 265.230, and 265.235 9
of H.B. 166 of the 133rd General Assembly to 10
require the direct payment of state funding to 11
community schools and science, technology, 12
engineering, and mathematics schools; to require 13
the direct payment of K-12 state scholarships; 14
and to make an appropriation. 15

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

Section 1. That sections 3301.0714, 3302.20, 3310.08, 16
3310.41, 3310.54, 3314.08, 3314.084, 3314.087, 3314.088, 17
3314.091, 3314.11, 3314.20, 3317.017, 3317.02, 3317.022, 18
3317.029, 3317.0212, 3317.0217, 3317.0218, 3317.0219, 3317.03, 19

3317.051, 3317.163, 3326.31, 3326.33, and 3326.42 of the Revised Code be amended to read as follows:

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

(1) Standards identifying and defining the types of data in the system in accordance with divisions (B) and (C) of this section;

(2) Procedures for annually collecting and reporting the data to the state board in accordance with division (D) of this section;

(3) Procedures for annually compiling the data in accordance with division (G) of this section;

(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;

(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.

(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:

(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:

(a) The numbers of students receiving each category of instructional service offered by the school district, such as

regular education instruction, vocational education instruction, 48
specialized instruction programs or enrichment instruction that 49
is part of the educational curriculum, instruction for gifted 50
students, instruction for students with disabilities, and 51
remedial instruction. The guidelines shall require instructional 52
services under this division to be divided into discrete 53
categories if an instructional service is limited to a specific 54
subject, a specific type of student, or both, such as regular 55
instructional services in mathematics, remedial reading 56
instructional services, instructional services specifically for 57
students gifted in mathematics or some other subject area, or 58
instructional services for students with a specific type of 59
disability. The categories of instructional services required by 60
the guidelines under this division shall be the same as the 61
categories of instructional services used in determining cost 62
units pursuant to division (C) (3) of this section. 63

(b) The numbers of students receiving support or 64
extracurricular services for each of the support services or 65
extracurricular programs offered by the school district, such as 66
counseling services, health services, and extracurricular sports 67
and fine arts programs. The categories of services required by 68
the guidelines under this division shall be the same as the 69
categories of services used in determining cost units pursuant 70
to division (C) (4) (a) of this section. 71

(c) Average student grades in each subject in grades nine 72
through twelve; 73

(d) Academic achievement levels as assessed under sections 74
3301.0710, 3301.0711, and 3301.0712 of the Revised Code; 75

(e) The number of students designated as having a 76
disabling condition pursuant to division (C) (1) of section 77

3301.0711 of the Revised Code;	78
(f) The numbers of students reported to the state board pursuant to division (C) (2) of section 3301.0711 of the Revised Code;	79 80 81
(g) Attendance rates and the average daily attendance for the year. For purposes of this division, a student shall be counted as present for any field trip that is approved by the school administration.	82 83 84 85
(h) Expulsion rates;	86
(i) Suspension rates;	87
(j) Dropout rates;	88
(k) Rates of retention in grade;	89
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with state board of education rules;	90 91 92
(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;	93 94 95 96 97
(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	98 99 100 101 102 103 104 105

student requests the district not to report those results.	106
(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 identified by name.	107 108 109 110 111 112 113 114 115
Division (B) (1) (o) of this section does not apply after the date that is two years following the submission of the report required by Section 733.13 of H.B. 49 of the 132nd general assembly.	116 117 118 119
(p) The number of students earning each state diploma seal included in the system prescribed under division (A) of section 3313.6114 of the Revised Code;	120 121 122
(q) The number of students demonstrating competency for graduation using each option described in divisions (B) (1) (a) to (c) of section 3313.618 of the Revised Code;	123 124 125
(r) The number of students completing each foundational and supporting option as part of the demonstration of competency for graduation pursuant to division (B) (1) (b) of section 3313.618 of the Revised Code.	126 127 128 129
(2) Personnel and classroom enrollment data for each school district, including:	130 131
(a) The total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent licensed employees and nonlicensed employees providing each	132 133 134

category of instructional service, instructional support 135
service, and administrative support service used pursuant to 136
division (C) (3) of this section. The guidelines adopted under 137
this section shall require these categories of data to be 138
maintained for the school district as a whole and, wherever 139
applicable, for each grade in the school district as a whole, 140
for each school building as a whole, and for each grade in each 141
school building. 142

(b) The total number of employees and the number of full- 143
time equivalent employees providing each category of service 144
used pursuant to divisions (C) (4) (a) and (b) of this section, 145
and the total numbers of licensed employees and nonlicensed 146
employees and the numbers of full-time equivalent licensed 147
employees and nonlicensed employees providing each category used 148
pursuant to division (C) (4) (c) of this section. The guidelines 149
adopted under this section shall require these categories of 150
data to be maintained for the school district as a whole and, 151
wherever applicable, for each grade in the school district as a 152
whole, for each school building as a whole, and for each grade 153
in each school building. 154

(c) The total number of regular classroom teachers 155
teaching classes of regular education and the average number of 156
pupils enrolled in each such class, in each of grades 157
kindergarten through five in the district as a whole and in each 158
school building in the school district. 159

(d) The number of lead teachers employed by each school 160
district and each school building. 161

(3) (a) Student demographic data for each school district, 162
including information regarding the gender ratio of the school 163
district's pupils, the racial make-up of the school district's 164

pupils, the number of English learners in the district, and an appropriate measure of the number of the school district's pupils who reside in economically disadvantaged households. The demographic data shall be collected in a manner to allow correlation with data collected under division (B) (1) of this section. Categories for data collected pursuant to division (B) (3) of this section shall conform, where appropriate, to standard practices of agencies of the federal government.

(b) With respect to each student entering kindergarten, whether the student previously participated in a public preschool program, a private preschool program, or a head start program, and the number of years the student participated in each of these programs.

(4) Any data required to be collected pursuant to federal law.

(C) The education management information system shall include cost accounting data for each district as a whole and for each school building in each school district. The guidelines adopted under this section shall require the cost data for each school district to be maintained in a system of mutually exclusive cost units and shall require all of the costs of each school district to be divided among the cost units. The guidelines shall require the system of mutually exclusive cost units to include at least the following:

(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.

(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.

(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:

(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;

(b) The cost of the instructional support services, such as services provided by a speech-language pathologist, classroom aide, multimedia aide, or librarian, provided directly to students in conjunction with each instructional services category;

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

supervising or coordinating the delivery of the instructional services category.	225 226
(4) Support or extracurricular services costs for each category of service directly provided to students and required by guidelines adopted pursuant to division (B) (1) (b) of this section. The guidelines shall require the cost units under division (C) (4) of this section to be designed so that each of them may be compiled and reported in terms of average expenditure per pupil receiving the service in the school district as a whole and average expenditure per pupil receiving the service in each building in the school district and in terms of a total cost for each category of service and, as a breakdown of the total cost, a cost for each of the following components:	227 228 229 230 231 232 233 234 235 236 237
(a) The cost of each support or extracurricular services category required by guidelines adopted under division (B) (1) (b) of this section that is provided directly to students by a licensed employee, such as services provided by a guidance counselor or any services provided by a licensed employee under a supplemental contract;	238 239 240 241 242 243
(b) The cost of each such services category provided directly to students by a nonlicensed employee, such as janitorial services, cafeteria services, or services of a sports trainer;	244 245 246 247
(c) The cost of the administrative services related to each services category in division (C) (4) (a) or (b) of this section, such as the cost of any licensed or nonlicensed employees that develop, supervise, coordinate, or otherwise are involved in administering or aiding the delivery of each services category.	248 249 250 251 252 253

(D) (1) The guidelines adopted under this section shall 254
require school districts to collect information about individual 255
students, staff members, or both in connection with any data 256
required by division (B) or (C) of this section or other 257
reporting requirements established in the Revised Code. The 258
guidelines may also require school districts to report 259
information about individual staff members in connection with 260
any data required by division (B) or (C) of this section or 261
other reporting requirements established in the Revised Code. 262
The guidelines shall not authorize school districts to request 263
social security numbers of individual students. The guidelines 264
shall prohibit the reporting under this section of a student's 265
name, address, and social security number to the state board of 266
education or the department of education. The guidelines shall 267
also prohibit the reporting under this section of any personally 268
identifiable information about any student, except for the 269
purpose of assigning the data verification code required by 270
division (D) (2) of this section, to any other person unless such 271
person is employed by the school district or the information 272
technology center operated under section 3301.075 of the Revised 273
Code and is authorized by the district or technology center to 274
have access to such information or is employed by an entity with 275
which the department contracts for the scoring or the 276
development of state assessments. The guidelines may require 277
school districts to provide the social security numbers of 278
individual staff members and the county of residence for a 279
student. Nothing in this section prohibits the state board of 280
education or department of education from providing a student's 281
county of residence to the department of taxation to facilitate 282
the distribution of tax revenue. 283

(2) (a) The guidelines shall provide for each school 284

district or community school to assign a data verification code 285
that is unique on a statewide basis over time to each student 286
whose initial Ohio enrollment is in that district or school and 287
to report all required individual student data for that student 288
utilizing such code. The guidelines shall also provide for 289
assigning data verification codes to all students enrolled in 290
districts or community schools on the effective date of the 291
guidelines established under this section. The assignment of 292
data verification codes for other entities, as described in 293
division (D) (2) (d) of this section, the use of those codes, and 294
the reporting and use of associated individual student data 295
shall be coordinated by the department in accordance with state 296
and federal law. 297

School districts shall report individual student data to 298
the department through the information technology centers 299
utilizing the code. The entities described in division (D) (2) (d)
of this section shall report individual student data to the 300
department in the manner prescribed by the department. 301
302

(b) (i) Except as provided in sections 3301.941, 3310.11, 303
3310.42, 3310.63, 3313.978, and 3317.20 of the Revised Code, and 304
in division (D) (2) (b) (ii) of this section, at no time shall the 305
state board or the department have access to information that 306
would enable any data verification code to be matched to 307
personally identifiable student data. 308

(ii) For the purpose of making per-pupil payments to 309
community schools under division (C) of section 3314.08 of the 310
Revised Code, the department shall have access to information 311
that would enable any data verification code to be matched to 312
personally identifiable student data. 313

(c) Each school district and community school shall ensure 314

that the data verification code is included in the student's 315
records reported to any subsequent school district, community 316
school, or state institution of higher education, as defined in 317
section 3345.011 of the Revised Code, in which the student 318
enrolls. Any such subsequent district or school shall utilize 319
the same identifier in its reporting of data under this section. 320

(d) The director of any state agency that administers a 321
publicly funded program providing services to children who are 322
younger than compulsory school age, as defined in section 323
3321.01 of the Revised Code, including the directors of health, 324
job and family services, mental health and addiction services, 325
and developmental disabilities, shall request and receive, 326
pursuant to sections 3301.0723 and 5123.0423 of the Revised 327
Code, a data verification code for a child who is receiving 328
those services. 329

(E) The guidelines adopted under this section may require 330
school districts to collect and report data, information, or 331
reports other than that described in divisions (A), (B), and (C) 332
of this section for the purpose of complying with other 333
reporting requirements established in the Revised Code. The 334
other data, information, or reports may be maintained in the 335
education management information system but are not required to 336
be compiled as part of the profile formats required under 337
division (G) of this section or the annual statewide report 338
required under division (H) of this section. 339

(F) Beginning with the school year that begins July 1, 340
1991, the board of education of each school district shall 341
annually collect and report to the state board, in accordance 342
with the guidelines established by the board, the data required 343
pursuant to this section. A school district may collect and 344

report these data notwithstanding section 2151.357 or 3319.321 345
of the Revised Code. 346

(G) The state board shall, in accordance with the 347
procedures it adopts, annually compile the data reported by each 348
school district pursuant to division (D) of this section. The 349
state board shall design formats for profiling each school 350
district as a whole and each school building within each 351
district and shall compile the data in accordance with these 352
formats. These profile formats shall: 353

(1) Include all of the data gathered under this section in 354
a manner that facilitates comparison among school districts and 355
among school buildings within each school district; 356

(2) Present the data on academic achievement levels as 357
assessed by the testing of student achievement maintained 358
pursuant to division (B)(1)(d) of this section. 359

(H)(1) The state board shall, in accordance with the 360
procedures it adopts, annually prepare a statewide report for 361
all school districts and the general public that includes the 362
profile of each of the school districts developed pursuant to 363
division (G) of this section. Copies of the report shall be sent 364
to each school district. 365

(2) The state board shall, in accordance with the 366
procedures it adopts, annually prepare an individual report for 367
each school district and the general public that includes the 368
profiles of each of the school buildings in that school district 369
developed pursuant to division (G) of this section. Copies of 370
the report shall be sent to the superintendent of the district 371
and to each member of the district board of education. 372

(3) Copies of the reports received from the state board 373

under divisions (H) (1) and (2) of this section shall be made 374
available to the general public at each school district's 375
offices. Each district board of education shall make copies of 376
each report available to any person upon request and payment of 377
a reasonable fee for the cost of reproducing the report. The 378
board shall annually publish in a newspaper of general 379
circulation in the school district, at least twice during the 380
two weeks prior to the week in which the reports will first be 381
available, a notice containing the address where the reports are 382
available and the date on which the reports will be available. 383

(I) Any data that is collected or maintained pursuant to 384
this section and that identifies an individual pupil is not a 385
public record for the purposes of section 149.43 of the Revised 386
Code. 387

(J) As used in this section: 388

(1) "School district" means any city, local, exempted 389
village, or joint vocational school district and, in accordance 390
with section 3314.17 of the Revised Code, any community school. 391
As used in division (L) of this section, "school district" also 392
includes any educational service center or other educational 393
entity required to submit data using the system established 394
under this section. 395

(2) "Cost" means any expenditure for operating expenses 396
made by a school district excluding any expenditures for debt 397
retirement except for payments made to any commercial lending 398
institution for any loan approved pursuant to section 3313.483 399
of the Revised Code. 400

(K) Any person who removes data from the information 401
system established under this section for the purpose of 402

releasing it to any person not entitled under law to have access 403
to such information is subject to section 2913.42 of the Revised 404
Code prohibiting tampering with data. 405

(L) (1) In accordance with division (L) (2) of this section 406
and the rules adopted under division (L) (10) of this section, 407
the department of education may sanction any school district 408
that reports incomplete or inaccurate data, reports data that 409
does not conform to data requirements and descriptions published 410
by the department, fails to report data in a timely manner, or 411
otherwise does not make a good faith effort to report data as 412
required by this section. 413

(2) If the department decides to sanction a school 414
district under this division, the department shall take the 415
following sequential actions: 416

(a) Notify the district in writing that the department has 417
determined that data has not been reported as required under 418
this section and require the district to review its data 419
submission and submit corrected data by a deadline established 420
by the department. The department also may require the district 421
to develop a corrective action plan, which shall include 422
provisions for the district to provide mandatory staff training 423
on data reporting procedures. 424

(b) Withhold up to ten per cent of the total amount of 425
state funds due to the district for the current fiscal year and, 426
if not previously required under division (L) (2) (a) of this 427
section, require the district to develop a corrective action 428
plan in accordance with that division; 429

(c) Withhold an additional amount of up to twenty per cent 430
of the total amount of state funds due to the district for the 431

current fiscal year;	432
(d) Direct department staff or an outside entity to	433
investigate the district's data reporting practices and make	434
recommendations for subsequent actions. The recommendations may	435
include one or more of the following actions:	436
(i) Arrange for an audit of the district's data reporting	437
practices by department staff or an outside entity;	438
(ii) Conduct a site visit and evaluation of the district;	439
(iii) Withhold an additional amount of up to thirty per	440
cent of the total amount of state funds due to the district for	441
the current fiscal year;	442
(iv) Continue monitoring the district's data reporting;	443
(v) Assign department staff to supervise the district's	444
data management system;	445
(vi) Conduct an investigation to determine whether to	446
suspend or revoke the license of any district employee in	447
accordance with division (N) of this section;	448
(vii) If the district is issued a report card under	449
section 3302.03 of the Revised Code, indicate on the report card	450
that the district has been sanctioned for failing to report data	451
as required by this section;	452
(viii) If the district is issued a report card under	453
section 3302.03 of the Revised Code and incomplete or inaccurate	454
data submitted by the district likely caused the district to	455
receive a higher performance rating than it deserved under that	456
section, issue a revised report card for the district;	457
(ix) Any other action designed to correct the district's	458

data reporting problems. 459

(3) Any time the department takes an action against a 460
school district under division (L)(2) of this section, the 461
department shall make a report of the circumstances that 462
prompted the action. The department shall send a copy of the 463
report to the district superintendent or chief administrator and 464
maintain a copy of the report in its files. 465

(4) If any action taken under division (L)(2) of this 466
section resolves a school district's data reporting problems to 467
the department's satisfaction, the department shall not take any 468
further actions described by that division. If the department 469
withheld funds from the district under that division, the 470
department may release those funds to the district, except that 471
if the department withheld funding under division (L)(2)(c) of 472
this section, the department shall not release the funds 473
withheld under division (L)(2)(b) of this section and, if the 474
department withheld funding under division (L)(2)(d) of this 475
section, the department shall not release the funds withheld 476
under division (L)(2)(b) or (c) of this section. 477

(5) Notwithstanding anything in this section to the 478
contrary, the department may use its own staff or an outside 479
entity to conduct an audit of a school district's data reporting 480
practices any time the department has reason to believe the 481
district has not made a good faith effort to report data as 482
required by this section. If any audit conducted by an outside 483
entity under division (L)(2)(d)(i) or (5) of this section 484
confirms that a district has not made a good faith effort to 485
report data as required by this section, the district shall 486
reimburse the department for the full cost of the audit. The 487
department may withhold state funds due to the district for this 488

purpose. 489

(6) Prior to issuing a revised report card for a school 490
district under division (L)(2)(d)(viii) of this section, the 491
department may hold a hearing to provide the district with an 492
opportunity to demonstrate that it made a good faith effort to 493
report data as required by this section. The hearing shall be 494
conducted by a referee appointed by the department. Based on the 495
information provided in the hearing, the referee shall recommend 496
whether the department should issue a revised report card for 497
the district. If the referee affirms the department's contention 498
that the district did not make a good faith effort to report 499
data as required by this section, the district shall bear the 500
full cost of conducting the hearing and of issuing any revised 501
report card. 502

(7) If the department determines that any inaccurate data 503
reported under this section caused a school district to receive 504
excess state funds in any fiscal year, the district shall 505
reimburse the department an amount equal to the excess funds, in 506
accordance with a payment schedule determined by the department. 507
The department may withhold state funds due to the district for 508
this purpose. 509

(8) Any school district that has funds withheld under 510
division (L)(2) of this section may appeal the withholding in 511
accordance with Chapter 119. of the Revised Code. 512

(9) In all cases of a disagreement between the department 513
and a school district regarding the appropriateness of an action 514
taken under division (L)(2) of this section, the burden of proof 515
shall be on the district to demonstrate that it made a good 516
faith effort to report data as required by this section. 517

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

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

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

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

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

(Q) If the department cannot compile any of the information required by division (H) of section 3302.03 of the Revised Code based upon the data collected under this section, the department shall develop a plan and a reasonable timeline for the collection of any data necessary to comply with that division.

Sec. 3302.20. (A) The department of education shall develop standards for determining, from the existing data

reported in accordance with sections 3301.0714 and 3314.17 of 547
the Revised Code, the amount of annual operating expenditures 548
for classroom instructional purposes and for nonclassroom 549
purposes for each city, exempted village, local, and joint 550
vocational school district, each community school established 551
under Chapter 3314. that is not an internet- or computer-based 552
community school, each internet- or computer-based community 553
school, and each STEM school established under Chapter 3326. of 554
the Revised Code. The department shall present those standards 555
to the state board of education for consideration. In developing 556
the standards, the department shall adapt existing standards 557
used by professional organizations, research organizations, and 558
other state governments. The department also shall align the 559
expenditure categories required for reporting under the 560
standards with the categories that are required for reporting to 561
the United States department of education under federal law. 562

The state board shall consider the proposed standards and 563
adopt a final set of standards not later than December 31, 2012. 564
School districts, community schools, and STEM schools shall 565
begin reporting data in accordance with the standards on June 566
30, 2013. 567

(B) (1) The department shall categorize all city, exempted 568
village, and local school districts into not less than three nor 569
more than five groups based primarily on average daily student 570
enrollment as reported on the most recent report card issued for 571
each district under section 3302.03 of the Revised Code. 572

(2) The department shall categorize all joint vocational 573
school districts into not less than three nor more than five 574
groups based primarily on ~~formula~~-enrolled ADM as that term is 575
defined in section 3317.02 of the Revised Code rounded to the 576

nearest whole number. 577

(3) The department shall categorize all community schools 578
that are not internet- or computer-based community schools into 579
not less than three nor more than five groups based primarily on 580
average daily student enrollment as reported on the most recent 581
report card issued for each community school under sections 582
3302.03 and 3314.012 of the Revised Code or, in the case of a 583
school to which section 3314.017 of the Revised Code applies, on 584
the total number of students reported under divisions (B) (2) (a) 585
and (b) of section 3314.08 of the Revised Code. 586

(4) The department shall categorize all internet- or 587
computer-based community schools into a single category. 588

(5) The department shall categorize all STEM schools into 589
a single category. 590

(C) Using the standards adopted under division (A) of this 591
section and the data reported under sections 3301.0714 and 592
3314.17 of the Revised Code, the department shall compute 593
annually for each fiscal year, the following: 594

(1) The percentage of each district's, community school's, 595
or STEM school's total operating budget spent for classroom 596
instructional purposes; 597

(2) The statewide average percentage for all districts, 598
community schools, and STEM schools combined spent for classroom 599
instructional purposes; 600

(3) The average percentage for each of the categories of 601
districts and schools established under division (B) of this 602
section spent for classroom instructional purposes; 603

(4) The ranking of each district, community school, or 604

STEM school within its respective category established under 605
division (B) of this section according to the following: 606

(a) From highest to lowest percentage spent for classroom 607
instructional purposes; 608

(b) From lowest to highest percentage spent for 609
noninstructional purposes. 610

(5) The total operating expenditures per pupil for each 611
district, community school, and STEM school; 612

(6) The total operating expenditure per equivalent pupils 613
for each district, community school, and STEM school. 614

(D) In its display of rankings within each category under 615
division (C) (4) of this section, the department shall make the 616
following notations: 617

(1) Within each category of city, exempted village, and 618
local school districts, the department shall denote each 619
district that is: 620

(a) Among the twenty per cent of all city, exempted 621
village, and local school districts statewide with the lowest 622
total operating expenditure per equivalent pupils; 623

(b) Among the twenty per cent of all city, exempted 624
village, and local school districts statewide with the highest 625
performance index scores. 626

(2) Within each category of joint vocational school 627
districts, the department shall denote each district that is: 628

(a) Among the twenty per cent of all joint vocational 629
school districts statewide with the lowest total operating 630
expenditure per equivalent pupils; 631

(b) Among the twenty per cent of all joint vocational 632
school districts statewide with the highest report card scores 633
under section 3302.033 of the Revised Code. 634

(3) Within each category of community schools that are not 635
internet- or computer-based community schools, the department 636
shall denote each school that is: 637

(a) Among the twenty per cent of all such community 638
schools statewide with the lowest total operating expenditure 639
per equivalent pupils; 640

(b) Among the twenty per cent of all such community 641
schools statewide with the highest performance index scores, 642
excluding such community schools to which section 3314.017 of 643
the Revised Code applies. 644

(4) Within the category of internet- or computer-based 645
community schools, the department shall denote each school that 646
is: 647

(a) Among the twenty per cent of all such community 648
schools statewide with the lowest total operating expenditure 649
per equivalent pupils; 650

(b) Among the twenty per cent of all such community 651
schools statewide with the highest performance index scores, 652
excluding such community schools to which section 3314.017 of 653
the Revised Code applies. 654

(5) Within the category of STEM schools, the department 655
shall denote each school that is: 656

(a) Among the twenty per cent of all STEM schools 657
statewide with the lowest total operating expenditure per 658
equivalent pupils; 659

(b) Among the twenty per cent of all STEM schools 660
statewide with the highest performance index scores. 661

For purposes of divisions (D) (3) (b) and (4) (b) of this 662
section, the display shall note that, in accordance with section 663
3314.017 of the Revised Code, a performance index score is not 664
reported for some community schools that serve primarily 665
students enrolled in dropout prevention and recovery programs. 666

(E) The department shall post in a prominent location on 667
its web site the information prescribed by divisions (C) and (D) 668
of this section. The department also shall include on each 669
district's, community school's, and STEM school's annual report 670
card issued under section 3302.03 or 3314.017 of the Revised 671
Code the respective information computed for the district or 672
school under divisions (C) (1) and (4) of this section, the 673
statewide information computed under division (C) (2) of this 674
section, and the information computed for the district's or 675
school's category under division (C) (3) of this section. 676

(F) As used in this section: 677

(1) "Internet- or computer-based community school" has the 678
same meaning as in section 3314.02 of the Revised Code. 679

(2) A school district's, community school's, or STEM 680
school's performance index score rank is its performance index 681
score rank as computed under section 3302.21 of the Revised 682
Code. 683

(3) "Expenditure per equivalent pupils" has the same 684
meaning as in section 3302.26 of the Revised Code. 685

Sec. 3310.08. (A) As used in this section, "tuition 686
discount" means any deduction from the base tuition amount per 687
student charged by the school, to which the student's family is 688

entitled due to one or more of the following conditions:	689
(1) The student's family has multiple children enrolled in the same school.	690 691
(2) The student's family is a member of or affiliated with a religious or secular organization that provides oversight of the school or from which the school has agreed to enroll students.	692 693 694 695
(3) The student's parent is an employee of the school.	696
(4) Some other qualification not based on the income of the student's family or the student's athletic or academic ability and for which all students in the school may qualify.	697 698 699
(B) The amount paid for an eligible student under the educational choice scholarship pilot program and the expansion of the program under section 3310.032 of the Revised Code shall be the lesser of the following:	700 701 702 703
(1) The base tuition of the chartered nonpublic school in which the student is enrolled minus the total amount of any applicable tuition discounts for which the student qualifies;	704 705 706
(2) The maximum amount prescribed in section 3310.09 of the Revised Code.	707 708
(C) (1) The department of education shall pay to the parent of each eligible student for whom a scholarship is awarded under the program, or to the student if at least eighteen years of age, periodic partial payments of the scholarship.	709 710 711 712
(2) The department shall proportionately reduce or terminate the payments for any student who withdraws from a chartered nonpublic school prior to the end of the school year.	713 714 715

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

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

Sec. 3310.41. (A) As used in this section: 737

(1) "Alternative public provider" means either of the following providers that agrees to enroll a child in the provider's special education program to implement the child's individualized education program and to which the child's parent owes fees for the services provided to the child: 738
739
740
741
742

(a) A school district that is not the school district in which the child is entitled to attend school; 743
744

- (b) A public entity other than a school district. 745
- (2) "Entitled to attend school" means entitled to attend 746
school in a school district under section 3313.64 or 3313.65 of 747
the Revised Code. 748
- (3) "Formula ADM" and ~~"category six special education ADM"~~ 749
~~have~~ has the same ~~meanings~~ meaning as in section 3317.02 of the 750
Revised Code. 751
- (4) "Preschool child with a disability" and 752
"individualized education program" have the same meanings as in 753
section 3323.01 of the Revised Code. 754
- (5) "Parent" has the same meaning as in section 3313.64 of 755
the Revised Code, except that "parent" does not mean a parent 756
whose custodial rights have been terminated. "Parent" also 757
includes the custodian of a qualified special education child, 758
when a court has granted temporary, legal, or permanent custody 759
of the child to an individual other than either of the natural 760
or adoptive parents of the child or to a government agency. 761
- (6) ~~"Preschool scholarship ADM" means the number of~~ 762
~~preschool children with disabilities certified under division~~ 763
~~(B) (3) (h) of section 3317.03 of the Revised Code.~~ 764
- ~~(7)~~ "Qualified special education child" is a child for 765
whom all of the following conditions apply: 766
- (a) The school district in which the child is entitled to 767
attend school has identified the child as autistic. A child who 768
has been identified as having a "pervasive developmental 769
disorder - not otherwise specified (PPD-NOS)" shall be 770
considered to be an autistic child for purposes of this section. 771
- (b) The school district in which the child is entitled to 772

attend school has developed an individualized education program 773
under Chapter 3323. of the Revised Code for the child. 774

(c) The child either: 775

(i) Was enrolled in the school district in which the child 776
is entitled to attend school in any grade from preschool through 777
twelve in the school year prior to the year in which a 778
scholarship under this section is first sought for the child; or 779

(ii) Is eligible to enter school in any grade preschool 780
through twelve in the school district in which the child is 781
entitled to attend school in the school year in which a 782
scholarship under this section is first sought for the child. 783

~~(8)~~ (7) "Registered private provider" means a nonpublic 784
school or other nonpublic entity that has been approved by the 785
department of education to participate in the program 786
established under this section. 787

~~(9)~~ (8) "Special education program" means a school or 788
facility that provides special education and related services to 789
children with disabilities. 790

(B) There is hereby established the autism scholarship 791
program. Under the program, the department of education shall 792
pay a scholarship to the parent of each qualified special 793
education child upon application of that parent pursuant to 794
procedures and deadlines established by rule of the state board 795
of education. Each scholarship shall be used only to pay tuition 796
for the child on whose behalf the scholarship is awarded to 797
attend a special education program that implements the child's 798
individualized education program and that is operated by an 799
alternative public provider or by a registered private provider, 800
and to pay for other services agreed to by the provider and the 801

parent of a qualified special education child that are not 802
included in the individualized education program but are 803
associated with educating the child. Upon agreement with the 804
parent of a qualified special education child, the alternative 805
public provider or the registered private provider may modify 806
the services provided to the child. Each scholarship shall be in 807
an amount not to exceed the lesser of the tuition charged for 808
the child by the special education program or twenty-seven 809
thousand dollars. The purpose of the scholarship is to permit 810
the parent of a qualified special education child the choice to 811
send the child to a special education program, instead of the 812
one operated by or for the school district in which the child is 813
entitled to attend school, to receive the services prescribed in 814
the child's individualized education program once the 815
individualized education program is finalized and any other 816
services agreed to by the provider and the parent of a qualified 817
special education child. The services provided under the 818
scholarship shall include an educational component or services 819
designed to assist the child to benefit from the child's 820
education. 821

A scholarship under this section shall not be awarded to 822
the parent of a child while the child's individualized education 823
program is being developed by the school district in which the 824
child is entitled to attend school, or while any administrative 825
or judicial mediation or proceedings with respect to the content 826
of the child's individualized education program are pending. A 827
scholarship under this section shall not be used for a child to 828
attend a public special education program that operates under a 829
contract, compact, or other bilateral agreement between the 830
school district in which the child is entitled to attend school 831
and another school district or other public provider, or for a 832

child to attend a community school established under Chapter 833
3314. of the Revised Code. However, nothing in this section or 834
in any rule adopted by the state board shall prohibit a parent 835
whose child attends a public special education program under a 836
contract, compact, or other bilateral agreement, or a parent 837
whose child attends a community school, from applying for and 838
accepting a scholarship under this section so that the parent 839
may withdraw the child from that program or community school and 840
use the scholarship for the child to attend a special education 841
program for which the parent is required to pay for services for 842
the child. 843

Except for development of the child's individualized 844
education program, the school district in which a qualified 845
special education child is entitled to attend school and the 846
child's school district of residence, as defined in section 847
3323.01 of the Revised Code, if different, are not obligated to 848
provide the child with a free appropriate public education under 849
Chapter 3323. of the Revised Code for as long as the child 850
continues to attend the special education program operated by 851
either an alternative public provider or a registered private 852
provider for which a scholarship is awarded under the autism 853
scholarship program. If at any time, the eligible applicant for 854
the child decides no longer to accept scholarship payments and 855
enrolls the child in the special education program of the school 856
district in which the child is entitled to attend school, that 857
district shall provide the child with a free appropriate public 858
education under Chapter 3323. of the Revised Code. 859

A child attending a special education program with a 860
scholarship under this section shall continue to be entitled to 861
transportation to and from that program in the manner prescribed 862
by law. 863

(C) (1) As prescribed in ~~divisions~~ division (A) (2) (h), ~~(B)~~ 864
~~(3) (g), and (B) (10)~~ of section 3317.03 of the Revised Code, a 865
child who is not a preschool child with a disability for whom a 866
scholarship is awarded under this section shall be counted in 867
the formula ADM and the ~~category six special education ADM~~ of 868
the district in which the child is entitled to attend school and 869
not in the formula ADM and the ~~category six special education~~ 870
~~ADM~~ of any other school district. As prescribed in ~~divisions (B)~~ 871
~~(3) (h) and (B) (10)~~ of section 3317.03 of the Revised Code, a 872
~~child who is a preschool child with a disability for whom a~~ 873
~~scholarship is awarded under this section shall be counted in~~ 874
~~the preschool scholarship ADM and category six special education~~ 875
~~ADM of the school district in which the child is entitled to~~ 876
~~attend school and not in the preschool scholarship ADM or~~ 877
~~category six special education ADM of any other school district.~~ 878

(2) ~~In each fiscal year, the department shall deduct from~~ 879
~~the amounts paid to each school district under Chapter 3317. of~~ 880
~~the Revised Code, and, if necessary, sections 321.24 and 323.156~~ 881
~~of the Revised Code, the aggregate amount of scholarships~~ 882
~~awarded under this section for qualified special education~~ 883
~~children included in the formula ADM, or preschool scholarship~~ 884
~~ADM, and in the category six special education ADM of that~~ 885
~~school district as provided in division (C) (1) of this section.~~ 886

~~The scholarships deducted shall be considered as an~~ 887
~~approved special education and related services expense of the~~ 888
~~school district.~~ 889

~~(3)~~ From time to time, the department shall make a payment 890
to the parent of each qualified special education child for whom 891
a scholarship has been awarded under this section. The 892
scholarship amount shall be proportionately reduced in the case 893

of any such child who is not enrolled in the special education 894
program for which a scholarship was awarded under this section 895
for the entire school year. The department shall make no 896
payments to the parent of a child while any administrative or 897
judicial mediation or proceedings with respect to the content of 898
the child's individualized education program are pending. 899

(D) A scholarship shall not be paid to a parent for 900
payment of tuition owed to a nonpublic entity unless that entity 901
is a registered private provider. The department shall approve 902
entities that meet the standards established by rule of the 903
state board for the program established under this section. 904

(E) The state board shall adopt rules under Chapter 119. 905
of the Revised Code prescribing procedures necessary to 906
implement this section, including, but not limited to, 907
procedures and deadlines for parents to apply for scholarships, 908
standards for registered private providers, and procedures for 909
approval of entities as registered private providers. 910

The rules also shall specify that intervention services 911
under the autism scholarship program may be provided by a 912
qualified, credentialed provider, including, but not limited to, 913
all of the following: 914

(1) A behavior analyst certified by a nationally 915
recognized organization that certifies behavior analysts; 916

(2) A psychologist licensed to practice in this state 917
under Chapter 4732. of the Revised Code; 918

(3) A school psychologist licensed by the state board 919
under section 3319.22 of the Revised Code; 920

(4) Any person employed by a licensed psychologist or 921
licensed school psychologist, while carrying out specific tasks, 922

under the licensee's supervision, as an extension of the 923
licensee's legal and ethical authority as specified under 924
Chapter 4732. of the Revised Code who is ascribed as "psychology 925
trainee," "psychology assistant," "psychology intern," or other 926
appropriate term that clearly implies their supervised or 927
training status; 928

(5) Unlicensed persons holding a doctoral degree in 929
psychology or special education from a program approved by the 930
state board; 931

(6) Any other qualified individual as determined by the 932
state board. 933

(F) The department shall provide reasonable notice to all 934
parents of children receiving a scholarship under the autism 935
scholarship program, alternative public providers, and 936
registered private providers of any amendment to a rule 937
governing, or change in the administration of, the autism 938
scholarship program. 939

Sec. 3310.54. A qualified special education child in any 940
of grades kindergarten through twelve for whom a scholarship is 941
awarded under the Jon Peterson special needs scholarship program 942
shall be counted in the formula ADM ~~and category one through six~~ 943
~~special education ADM, as appropriate,~~ of the school district in 944
which the child is entitled to attend school. A qualified 945
special education child shall not be counted in the formula ADM 946
~~or category one through six special education ADM~~ of any other 947
school district. 948

Sec. 3314.08. (A) As used in this section: 949

(1) (a) "Category one career-technical education student" 950
means a student who is receiving the career-technical education 951

services described in division (A) of section 3317.014 of the Revised Code.	952 953
(b) "Category two career-technical student" means a student who is receiving the career-technical education services described in division (B) of section 3317.014 of the Revised Code.	954 955 956 957
(c) "Category three career-technical student" means a student who is receiving the career-technical education services described in division (C) of section 3317.014 of the Revised Code.	958 959 960 961
(d) "Category four career-technical student" means a student who is receiving the career-technical education services described in division (D) of section 3317.014 of the Revised Code.	962 963 964 965
(e) "Category five career-technical education student" means a student who is receiving the career-technical education services described in division (E) of section 3317.014 of the Revised Code.	966 967 968 969
(2) (a) "Category one English learner" means an English learner described in division (A) of section 3317.016 of the Revised Code.	970 971 972
(b) "Category two English learner" means an English learner described in division (B) of section 3317.016 of the Revised Code.	973 974 975
(c) "Category three English learner" means an English learner described in division (C) of section 3317.016 of the Revised Code.	976 977 978
(3) (a) "Category one special education student" means a	979

student who is receiving special education services for a 980
disability specified in division (A) of section 3317.013 of the 981
Revised Code. 982

(b) "Category two special education student" means a 983
student who is receiving special education services for a 984
disability specified in division (B) of section 3317.013 of the 985
Revised Code. 986

(c) "Category three special education student" means a 987
student who is receiving special education services for a 988
disability specified in division (C) of section 3317.013 of the 989
Revised Code. 990

(d) "Category four special education student" means a 991
student who is receiving special education services for a 992
disability specified in division (D) of section 3317.013 of the 993
Revised Code. 994

(e) "Category five special education student" means a 995
student who is receiving special education services for a 996
disability specified in division (E) of section 3317.013 of the 997
Revised Code. 998

(f) "Category six special education student" means a 999
student who is receiving special education services for a 1000
disability specified in division (F) of section 3317.013 of the 1001
Revised Code. 1002

(4) "Economically disadvantaged index for a community 1003
school" means the square of the quotient of the percentage of 1004
students enrolled in the school who are identified as 1005
economically disadvantaged as defined by the department of 1006
education, divided by the percentage of students in the 1007
statewide ADM identified as economically disadvantaged. For 1008

purposes of this calculation, the "statewide ADM" equals the 1009
"statewide ADM" for city, local, and exempted village school 1010
districts described in division (D)(1) of section 3317.02 of the 1011
Revised Code. 1012

(5) "Formula amount" has the same meaning as in section 1013
3317.02 of the Revised Code. 1014

~~(5)~~(6) "IEP" has the same meaning as in section 3323.01 1015
of the Revised Code. 1016

~~(6)~~(7) "Resident district" means the school district in 1017
which a student is entitled to attend school under section 1018
3313.64 or 3313.65 of the Revised Code. 1019

~~(7)~~ "State education aid" has the same meaning as in 1020
~~section 5751.20 of the Revised Code.~~ 1021

(B) The state board of education shall adopt rules 1022
requiring both of the following: 1023

(1) The board of education of each city, exempted village, 1024
and local school district to annually report the number of 1025
students entitled to attend school in the district who are 1026
enrolled in each grade kindergarten through twelve in a 1027
community school established under this chapter, and for each 1028
child, the community school in which the child is enrolled. 1029

(2) The governing authority of each community school 1030
established under this chapter to annually report all of the 1031
following: 1032

(a) The number of students enrolled in grades one through 1033
twelve and the full-time equivalent number of students enrolled 1034
in kindergarten in the school who are not receiving special 1035
education and related services pursuant to an IEP; 1036

(b) The number of enrolled students in grades one through	1037
twelve and the full-time equivalent number of enrolled students	1038
in kindergarten, who are receiving special education and related	1039
services pursuant to an IEP;	1040
(c) The number of students reported under division (B) (2)	1041
(b) of this section receiving special education and related	1042
services pursuant to an IEP for a disability described in each	1043
of divisions (A) to (F) of section 3317.013 of the Revised Code;	1044
(d) The full-time equivalent number of students reported	1045
under divisions (B) (2) (a) and (b) of this section who are	1046
enrolled in career-technical education programs or classes	1047
described in each of divisions (A) to (E) of section 3317.014 of	1048
the Revised Code that are provided by the community school;	1049
(e) The number of students reported under divisions (B) (2)	1050
(a) and (b) of this section who are not reported under division	1051
(B) (2) (d) of this section but who are enrolled in career-	1052
technical education programs or classes described in each of	1053
divisions (A) to (E) of section 3317.014 of the Revised Code at	1054
a joint vocational school district or another district in the	1055
career-technical planning district to which the school is	1056
assigned;	1057
(f) The number of students reported under divisions (B) (2)	1058
(a) and (b) of this section who are category one to three	1059
English learners described in each of divisions (A) to (C) of	1060
section 3317.016 of the Revised Code;	1061
(g) The number of students reported under divisions (B) (2)	1062
(a) and (b) of this section who are economically disadvantaged,	1063
as defined by the department. A student shall not be	1064
categorically excluded from the number reported under division	1065

(B) (2) (g) of this section based on anything other than family income. 1066
1067

(h) For each student, the city, exempted village, or local school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. 1068
1069
1070

(i) The number of students enrolled in a preschool program operated by the school that is licensed by the department of education under sections 3301.52 to 3301.59 of the Revised Code who are not receiving special education and related services pursuant to an IEP. 1071
1072
1073
1074
1075

A school district board and a community school governing authority shall include in their respective reports under division (B) of this section any child admitted in accordance with division (A) (2) of section 3321.01 of the Revised Code. 1076
1077
1078
1079

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. 1080
1081
1082
1083

(C) (1) Except as provided in division (C) (2) of this section, and subject to divisions (C) (3), (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 of the following: 1084
1085
1086
1087
1088
1089
1090
1091
1092

(a) An opportunity grant in an amount equal to the formula amount; 1093
1094

(b) The per pupil amount of targeted assistance funds	1095
calculated under division (A) of section 3317.0217 of the	1096
Revised Code for the student's resident district, as determined	1097
by the department, X 0.25;	1098
(c) Additional state aid for special education and related	1099
services provided under Chapter 3323. of the Revised Code as	1100
follows:	1101
(i) If the student is a category one special education	1102
student, the amount specified in division (A) of section	1103
3317.013 of the Revised Code;	1104
(ii) If the student is a category two special education	1105
student, the amount specified in division (B) of section	1106
3317.013 of the Revised Code;	1107
(iii) If the student is a category three special education	1108
student, the amount specified in division (C) of section	1109
3317.013 of the Revised Code;	1110
(iv) If the student is a category four special education	1111
student, the amount specified in division (D) of section	1112
3317.013 of the Revised Code;	1113
(v) If the student is a category five special education	1114
student, the amount specified in division (E) of section	1115
3317.013 of the Revised Code;	1116
(vi) If the student is a category six special education	1117
student, the amount specified in division (F) of section	1118
3317.013 of the Revised Code.	1119
(d) If the student is in kindergarten through third grade,	1120
an additional amount of \$320;	1121
(e) If the student is economically disadvantaged, an	1122

additional amount equal to the following:	1123
\$272 X the resident district's <u>school's</u> economically	1124
disadvantaged index	1125
(f) English learner funds as follows:	1126
(i) If the student is a category one English learner, the	1127
amount specified in division (A) of section 3317.016 of the	1128
Revised Code;	1129
(ii) If the student is a category two English learner, the	1130
amount specified in division (B) of section 3317.016 of the	1131
Revised Code;	1132
(iii) If the student is a category three English learner,	1133
the amount specified in division (C) of section 3317.016 of the	1134
Revised Code.	1135
(g) If the student is reported under division (B) (2) (d) of	1136
this section, career-technical education funds as follows:	1137
(i) If the student is a category one career-technical	1138
education student, the amount specified in division (A) of	1139
section 3317.014 of the Revised Code;	1140
(ii) If the student is a category two career-technical	1141
education student, the amount specified in division (B) of	1142
section 3317.014 of the Revised Code;	1143
(iii) If the student is a category three career-technical	1144
education student, the amount specified in division (C) of	1145
section 3317.014 of the Revised Code;	1146
(iv) If the student is a category four career-technical	1147
education student, the amount specified in division (D) of	1148
section 3317.014 of the Revised Code;	1149

(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. 1150
1151
1152

~~Deduction and payment~~ Payment of funds under division (C) 1153
(1) (g) of this section is subject to approval by the lead 1154
district of a career-technical planning district or the 1155
department of education under section 3317.161 of the Revised 1156
Code. 1157

(2) ~~When deducting from the state education aid of a student's resident district for students enrolled in~~ In the case 1158
of an internet- or computer-based community school and making 1159
payments to such school under this section, the department shall 1160
make the ~~deductions and~~ payments described in only divisions (C) 1161
(1) (a), (c), and (g) of this section. 1162
1163

No ~~deductions or~~ payments shall be made for a student 1164
enrolled in such school under division (C) (1) (b), (d), (e), or 1165
(f) of this section. 1166

(3) (a) If a community school's costs for a fiscal year for 1167
a student receiving special education and related services 1168
pursuant to an IEP for a disability described in divisions (B) 1169
to (F) of section 3317.013 of the Revised Code exceed the 1170
threshold catastrophic cost for serving the student as specified 1171
in division (B) of section 3317.0214 of the Revised Code, the 1172
school may submit to the superintendent of public instruction 1173
documentation, as prescribed by the superintendent, of all its 1174
costs for that student. Upon submission of documentation for a 1175
student of the type and in the manner prescribed, the department 1176
shall pay to the community school an amount equal to the 1177
school's costs for the student in excess of the threshold 1178
catastrophic costs. 1179

(b) The community school shall report under division (C) 1180
(3) (a) of this section, and the department shall pay for, only 1181
the costs of educational expenses and the related services 1182
provided to the student in accordance with the student's 1183
individualized education program. Any legal fees, court costs, 1184
or other costs associated with any cause of action relating to 1185
the student may not be included in the amount. 1186

(4) In any fiscal year, a community school receiving funds 1187
under division (C) (1) (g) of this section shall spend those funds 1188
only for the purposes that the department designates as approved 1189
for career-technical education expenses. Career-technical 1190
education expenses approved by the department shall include only 1191
expenses connected to the delivery of career-technical 1192
programming to career-technical students. The department shall 1193
require the school to report data annually so that the 1194
department may monitor the school's compliance with the 1195
requirements regarding the manner in which funding received 1196
under division (C) (1) (g) of this section may be spent. 1197

(5) Notwithstanding anything to the contrary in section 1198
3313.90 of the Revised Code, except as provided in division (C) 1199
(9) of this section, all funds received under division (C) (1) (g) 1200
of this section shall be spent in the following manner: 1201

(a) At least seventy-five per cent of the funds shall be 1202
spent on curriculum development, purchase, and implementation; 1203
instructional resources and supplies; industry-based program 1204
certification; student assessment, credentialing, and placement; 1205
curriculum specific equipment purchases and leases; career- 1206
technical student organization fees and expenses; home and 1207
agency linkages; work-based learning experiences; professional 1208
development; and other costs directly associated with career- 1209

technical education programs including development of new 1210
programs. 1211

(b) Not more than twenty-five per cent of the funds shall 1212
be used for personnel expenditures. 1213

(6) A community school shall spend the funds it receives 1214
under division (C) (1) (e) of this section in accordance with 1215
section 3317.25 of the Revised Code. 1216

~~(7) If the sum of the payments computed under divisions 1217
(C) (1) and (8) (a) of this section for the students entitled to 1218
attend school in a particular school district under sections 1219
3313.64 and 3313.65 of the Revised Code exceeds the sum of that 1220
district's state education aid and its payment under sections 1221
321.24 and 323.156 of the Revised Code, the department shall 1222
calculate and apply a proration factor to the payments to all 1223
community schools under that division for the students entitled 1224
to attend school in that district. 1225~~

~~(8) (a) Subject to division (C) (7) of this section, the The 1226
department annually shall pay to each community school, 1227
including each internet- or computer-based community school, an 1228
amount equal to the following: 1229~~

(The number of students reported by the community school 1230
under division (B) (2) (e) of this section X the formula amount X 1231
.20) 1232

~~(b) For each payment made to a community school under 1233
division (C) (8) (a) of this section, the department shall deduct 1234
from the state education aid of each city, local, and exempted 1235
village school district and, if necessary, from the payment made 1236
to the district under sections 321.24 and 323.156 of the Revised 1237
Code an amount equal to the following: 1238~~

~~(The number of the district's students reported by the
community school under division (B) (2) (c) of this section X the
formula amount X .20)~~

~~(9)~~ (8) 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.

(D) A board of education sponsoring a community school may
utilize local funds to make enhancement grants to the school or
may agree, either as part of the contract or separately, to
provide any specific services to the community school at no cost
to the school.

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

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

(G) (1) (a) A community school may borrow money to pay any
necessary and actual expenses of the school in anticipation of
the receipt of any portion of the payments to be received by the
school pursuant to division (C) of this section. The school may
issue notes to evidence such borrowing. The proceeds of the
notes shall be used only for the purposes for which the
anticipated receipts may be lawfully expended by the school.

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

(2) Except for any amount guaranteed under section 3318.50

of the Revised Code, the state is not liable for debt incurred 1268
by the governing authority of a community school. 1269

(H) The department of education shall adjust the amounts 1270
~~subtracted and~~ paid under division (C) of this section to 1271
reflect any enrollment of students in community schools for less 1272
than the equivalent of a full school year. The state board of 1273
education within ninety days after April 8, 2003, shall adopt in 1274
accordance with Chapter 119. of the Revised Code rules governing 1275
the payments to community schools under this section including 1276
initial payments in a school year and adjustments and reductions 1277
made in subsequent periodic payments to community schools ~~and~~ 1278
~~corresponding deductions from school district accounts as~~ 1279
provided under division (C) of this section. For purposes of 1280
this section: 1281

(1) A student shall be considered enrolled in the 1282
community school for any portion of the school year the student 1283
is participating at a college under Chapter 3365. of the Revised 1284
Code. 1285

(2) A student shall be considered to be enrolled in a 1286
community school for the period of time beginning on the later 1287
of the date on which the school both has received documentation 1288
of the student's enrollment from a parent and the student has 1289
commenced participation in learning opportunities as defined in 1290
the contract with the sponsor, or thirty days prior to the date 1291
on which the student is entered into the education management 1292
information system established under section 3301.0714 of the 1293
Revised Code. For purposes of applying this division and 1294
divisions (H) (3) and (4) of this section to a community school 1295
student, "learning opportunities" shall be defined in the 1296
contract, which shall describe both classroom-based and non- 1297

classroom-based learning opportunities and shall be in 1298
compliance with criteria and documentation requirements for 1299
student participation which shall be established by the 1300
department. Any student's instruction time in non-classroom- 1301
based learning opportunities shall be certified by an employee 1302
of the community school. A student's enrollment shall be 1303
considered to cease on the date on which any of the following 1304
occur: 1305

(a) The community school receives documentation from a 1306
parent terminating enrollment of the student. 1307

(b) The community school is provided documentation of a 1308
student's enrollment in another public or private school. 1309

(c) The community school ceases to offer learning 1310
opportunities to the student pursuant to the terms of the 1311
contract with the sponsor or the operation of any provision of 1312
this chapter. 1313

Except as otherwise specified in this paragraph, beginning 1314
in the 2011-2012 school year, any student who completed the 1315
prior school year in an internet- or computer-based community 1316
school shall be considered to be enrolled in the same school in 1317
the subsequent school year until the student's enrollment has 1318
ceased as specified in division (H) (2) of this section. The 1319
department shall continue ~~subtracting and~~ paying amounts for the 1320
student under division (C) of this section without interruption 1321
at the start of the subsequent school year. However, if the 1322
student without a legitimate excuse fails to participate in the 1323
first seventy-two consecutive hours of learning opportunities 1324
offered to the student in that subsequent school year, the 1325
student shall be considered not to have re-enrolled in the 1326
school for that school year and the department shall recalculate 1327

the payments to the school for that school year to account for 1328
the fact that the student is not enrolled. 1329

(3) The department shall determine each community school 1330
student's percentage of full-time equivalency based on the 1331
percentage of learning opportunities offered by the community 1332
school to that student, reported either as number of hours or 1333
number of days, is of the total learning opportunities offered 1334
by the community school to a student who attends for the 1335
school's entire school year. However, no internet- or computer- 1336
based community school shall be credited for any time a student 1337
spends participating in learning opportunities beyond ten hours 1338
within any period of twenty-four consecutive hours. Whether it 1339
reports hours or days of learning opportunities, each community 1340
school shall offer not less than nine hundred twenty hours of 1341
learning opportunities during the school year. 1342

(4) With respect to the calculation of full-time 1343
equivalency under division (H) (3) of this section, the 1344
department shall waive the number of hours or days of learning 1345
opportunities not offered to a student because the community 1346
school was closed during the school year due to disease 1347
epidemic, hazardous weather conditions, law enforcement 1348
emergencies, inoperability of school buses or other equipment 1349
necessary to the school's operation, damage to a school 1350
building, or other temporary circumstances due to utility 1351
failure rendering the school building unfit for school use, so 1352
long as the school was actually open for instruction with 1353
students in attendance during that school year for not less than 1354
the minimum number of hours required by this chapter. The 1355
department shall treat the school as if it were open for 1356
instruction with students in attendance during the hours or days 1357
waived under this division. 1358

(I) The department of education shall reduce the amounts 1359
paid under this section to reflect payments made to colleges 1360
under section 3365.07 of the Revised Code. 1361

(J) (1) No student shall be considered enrolled in any 1362
internet- or computer-based community school or, if applicable 1363
to the student, in any community school that is required to 1364
provide the student with a computer pursuant to division (C) of 1365
section 3314.22 of the Revised Code, unless both of the 1366
following conditions are satisfied: 1367

(a) The student possesses or has been provided with all 1368
required hardware and software materials and all such materials 1369
are operational so that the student is capable of fully 1370
participating in the learning opportunities specified in the 1371
contract between the school and the school's sponsor as required 1372
by division (A) (23) of section 3314.03 of the Revised Code; 1373

(b) The school is in compliance with division (A) of 1374
section 3314.22 of the Revised Code, relative to such student. 1375

(2) In accordance with policies adopted by the 1376
superintendent of public instruction, in consultation with the 1377
auditor of state, the department shall reduce the amounts 1378
otherwise payable under division (C) of this section to any 1379
community school that includes in its program the provision of 1380
computer hardware and software materials to any student, if such 1381
hardware and software materials have not been delivered, 1382
installed, and activated for each such student in a timely 1383
manner or other educational materials or services have not been 1384
provided according to the contract between the individual 1385
community school and its sponsor. 1386

The superintendent of public instruction and the auditor 1387

of state shall jointly establish a method for auditing any 1388
community school to which this division pertains to ensure 1389
compliance with this section. 1390

The superintendent, auditor of state, and the governor 1391
shall jointly make recommendations to the general assembly for 1392
legislative changes that may be required to assure fiscal and 1393
academic accountability for such schools. 1394

(K) (1) If the department determines that a review of a 1395
community school's enrollment is necessary, such review shall be 1396
completed and written notice of the findings shall be provided 1397
to the governing authority of the community school and its 1398
sponsor within ninety days of the end of the community school's 1399
fiscal year, unless extended for a period not to exceed thirty 1400
additional days for one of the following reasons: 1401

(a) The department and the community school mutually agree 1402
to the extension. 1403

(b) Delays in data submission caused by either a community 1404
school or its sponsor. 1405

(2) If the review results in a finding that additional 1406
funding is owed to the school, such payment shall be made within 1407
thirty days of the written notice. If the review results in a 1408
finding that the community school owes moneys to the state, the 1409
following procedure shall apply: 1410

(a) Within ten business days of the receipt of the notice 1411
of findings, the community school may appeal the department's 1412
determination to the state board of education or its designee. 1413

(b) The board or its designee shall conduct an informal 1414
hearing on the matter within thirty days of receipt of such an 1415
appeal and shall issue a decision within fifteen days of the 1416

conclusion of the hearing. 1417

(c) If the board has enlisted a designee to conduct the 1418
hearing, the designee shall certify its decision to the board. 1419
The board may accept the decision of the designee or may reject 1420
the decision of the designee and issue its own decision on the 1421
matter. 1422

(d) Any decision made by the board under this division is 1423
final. 1424

(3) If it is decided that the community school owes moneys 1425
to the state, the department shall deduct such amount from the 1426
school's future payments in accordance with guidelines issued by 1427
the superintendent of public instruction. 1428

(L) The department ~~shall not subtract from a school-~~ 1429
~~district's state aid account and shall not pay to a community~~ 1430
school under division (C) of this section any amount for any of 1431
the following: 1432

(1) Any student who has graduated from the twelfth grade 1433
of a public or nonpublic high school; 1434

(2) Any student who is not a resident of the state; 1435

(3) Any student who was enrolled in the community school 1436
during the previous school year when assessments were 1437
administered under section 3301.0711 of the Revised Code but did 1438
not take one or more of the assessments required by that section 1439
and was not excused pursuant to division (C) (1) or (3) of that 1440
section, unless the superintendent of public instruction grants 1441
the student a waiver from the requirement to take the assessment 1442
and a parent is not paying tuition for the student pursuant to 1443
section 3314.26 of the Revised Code. The superintendent may 1444
grant a waiver only for good cause in accordance with rules 1445

adopted by the state board of education. 1446

(4) Any student who has attained the age of twenty-two 1447
years, except for veterans of the armed services whose 1448
attendance was interrupted before completing the recognized 1449
twelve-year course of the public schools by reason of induction 1450
or enlistment in the armed forces and who apply for enrollment 1451
in a community school not later than four years after 1452
termination of war or their honorable discharge. If, however, 1453
any such veteran elects to enroll in special courses organized 1454
for veterans for whom tuition is paid under federal law, or 1455
otherwise, the department ~~shall not subtract from a school-~~ 1456
~~district's state aid account and~~ shall not pay to a community 1457
school under division (C) of this section any amount for that 1458
veteran. 1459

Sec. 3314.084. (A) As used in this section: 1460

(1) "Formula ADM" has the same meaning as in section 1461
3317.03 of the Revised Code. 1462

(2) "Home" has the same meaning as in section 3313.64 of 1463
the Revised Code. 1464

(3) "School district of residence" has the same meaning as 1465
in section 3323.01 of the Revised Code; however, a community 1466
school established under this chapter is not a "school district 1467
of residence" for purposes of this section. 1468

(B) Notwithstanding anything to the contrary in section 1469
3314.08 or 3317.03 of the Revised Code, all of the following 1470
apply in the case of a child who is enrolled in a community 1471
school and is also living in a home: 1472

(1) For purposes of the report required under division (B) 1473
(1) of section 3314.08 of the Revised Code, the child's school 1474

district of residence, and not the school district in which the 1475
home that the child is living in is located, shall be considered 1476
to be the school district in which the child is entitled to 1477
attend school. That school district of residence, therefore, 1478
shall make the report required under division (B)(1) of section 1479
3314.08 of the Revised Code with respect to the child. 1480

(2) For purposes of the report required under division (B) 1481
(2) of section 3314.08 of the Revised Code, the community school 1482
shall report the name of the child's school district of 1483
residence. 1484

(3) The child's school district of residence shall count 1485
the child in that district's formula ADM. 1486

(4) The school district in which the home that the child 1487
is living in is located shall not count the child in that 1488
district's formula ADM. 1489

~~(5) The department of education shall deduct the 1490
applicable amounts prescribed under division (C) of section 1491
3314.08 of the Revised Code from the child's school district of 1492
residence and shall not deduct those amounts from the school 1493
district in which the home that the child is living in is 1494
located. 1495~~

~~(6) The department shall make the payments prescribed in 1496
division (C) of section 3314.08 of the Revised Code, as 1497
applicable, to the community school. 1498~~

Sec. 3314.087. (A) As used in this section: 1499

(1) "Career-technical program" means career-technical 1500
programs or classes described in division (A), (B), (C), (D), or 1501
(E) of section 3317.014 of the Revised Code in which a student 1502
is enrolled. 1503

(2) ~~"Formula ADM," "category"~~ Category one through five 1504
career-technical education ADM~~7~~" and "FTE basis" have the same 1505
meanings as in section 3317.02 of the Revised Code. 1506

(3) "Resident school district" means the city, exempted 1507
village, or local school district in which a student is entitled 1508
to attend school under section 3313.64 or 3313.65 of the Revised 1509
Code. 1510

(B) Notwithstanding anything to the contrary in this 1511
chapter or Chapter 3317. of the Revised Code, a student enrolled 1512
in a community school may simultaneously enroll in the career- 1513
technical program operated by the career-technical planning 1514
district to which the student's resident district belongs. On an 1515
FTE basis, the student's resident school district shall count 1516
the student in the category one through five career-technical 1517
education ADM for the proportion of the time the student is 1518
enrolled in a career-technical program of the career-technical 1519
planning district to which the student's resident district 1520
belongs and, accordingly, the department of education shall 1521
calculate funds under Chapter 3317. for the resident district 1522
attributable to the student for the proportion of time the 1523
student attends the career-technical program. The community 1524
school shall count the student in its enrollment report under 1525
section 3314.08 of the Revised Code and shall report to the 1526
department the proportion of time that the student attends 1527
classes at the community school. The department shall pay the 1528
community school ~~and deduct from the student's resident school-~~ 1529
~~district~~ the amount computed for the student under section 1530
3314.08 of the Revised Code in proportion to the fraction of the 1531
time on an FTE basis that the student attends classes at the 1532
community school. "Full-time equivalency" for a community school 1533
student, as defined in division (H) of section 3314.08 of the 1534

Revised Code, does not apply to the student. 1535

Sec. 3314.088. (A) As used in this section: 1536

(1) "Base per pupil amount" has the same meaning as in 1537
section 3317.0219 of the Revised Code. 1538

(2) "Eligible school district" has the same meaning as in 1539
division (C)(1) of section 3317.0219 of the Revised Code. 1540

(3) "Resident district" has the same meaning as in section 1541
3314.08 of the Revised Code. 1542

(B) Subject to division (E) of this section, for fiscal 1543
years 2020 and 2021, the department of education shall calculate 1544
and pay to each community school that is not an internet- or 1545
computer-based community school student wellness and success 1546
funds, on a full-time equivalency basis, for each student 1547
enrolled in the school in the immediately preceding fiscal year 1548
in an amount equal to the following: 1549

(The base per pupil amount of the student's resident 1550
district for that fiscal year + the scaled amount of the 1551
student's resident district, if any, computed under division (B) 1552
(4) of section 3317.0219 of the Revised Code) 1553

However, each community school shall receive a minimum 1554
payment of \$25,000, for fiscal year 2020, or \$36,000, for fiscal 1555
year 2021. 1556

(C) Subject to division (E) of this section, for fiscal 1557
years 2020 and 2021, the department shall pay student wellness 1558
and success funds to each internet- or computer-based community 1559
school in an amount equal to \$25,000, for fiscal year 2020, or 1560
\$36,000, for fiscal year 2021. 1561

(D) Subject to division (E) of this section, for fiscal 1562

years 2020 and 2021, the department shall pay to each community 1563
school that is not an internet- or computer-based community 1564
school student wellness and success enhancement funds, on a 1565
full-time equivalency basis, for each student enrolled in the 1566
school in the immediately preceding fiscal year whose resident 1567
district is an eligible school district, in an amount equal to 1568
the following: 1569

The amount paid to the student's resident district under 1570
division (C) (2) of section 3317.0219 of the Revised Code for 1571
that fiscal year/ the student wellness and success enrolled ADM 1572
of the student's resident district for the immediately preceding 1573
fiscal year 1574

(E) The department shall pay funds under divisions (B), 1575
(C), and (D) of this section as follows: 1576

(1) One-half of the amount shall be paid not later than 1577
the thirty-first day of October of the fiscal year for which the 1578
payment is calculated. 1579

(2) One-half of the amount shall be paid not later than 1580
the twenty-eighth day of February of the fiscal year for which 1581
the payment is calculated. 1582

Upon making a payment for a fiscal year under this 1583
section, the department shall not make any reconciliations or 1584
adjustments to that payment. 1585

(F) A community school that receives a payment under this 1586
section shall comply with section 3317.26 of the Revised Code. 1587

Sec. 3314.091. (A) A school district is not required to 1588
provide transportation for any native student enrolled in a 1589
community school if the district board of education has entered 1590
into an agreement with the community school's governing 1591

authority that designates the community school as responsible 1592
for providing or arranging for the transportation of the 1593
district's native students to and from the community school. For 1594
any such agreement to be effective, it must be certified by the 1595
superintendent of public instruction as having met all of the 1596
following requirements: 1597

(1) It is submitted to the department of education by a 1598
deadline which shall be established by the department. 1599

(2) In accordance with divisions (C) (1) and (2) of this 1600
section, it specifies qualifications, such as residing a minimum 1601
distance from the school, for students to have their 1602
transportation provided or arranged. 1603

(3) The transportation provided by the community school is 1604
subject to all provisions of the Revised Code and all rules 1605
adopted under the Revised Code pertaining to pupil 1606
transportation. 1607

(4) The sponsor of the community school also has signed 1608
the agreement. 1609

(B) (1) For the school year that begins on July 1, 2007, a 1610
school district is not required to provide transportation for 1611
any native student enrolled in a community school, if the 1612
community school during the previous school year transported the 1613
students enrolled in the school or arranged for the students' 1614
transportation, even if that arrangement consisted of having 1615
parents transport their children to and from the school, but did 1616
not enter into an agreement to transport or arrange for 1617
transportation for those students under division (A) of this 1618
section, and if the governing authority of the community school 1619
by July 15, 2007, submits written notification to the district 1620

board of education stating that the governing authority is 1621
accepting responsibility for providing or arranging for the 1622
transportation of the district's native students to and from the 1623
community school. 1624

(2) Except as provided in division (B)(4) of this section, 1625
for any school year subsequent to the school year that begins on 1626
July 1, 2007, a school district is not required to provide 1627
transportation for any native student enrolled in a community 1628
school if the governing authority of the community school, by 1629
the thirty-first day of January of the previous school year, 1630
submits written notification to the district board of education 1631
stating that the governing authority is accepting responsibility 1632
for providing or arranging for the transportation of the 1633
district's native students to and from the community school. If 1634
the governing authority of the community school has previously 1635
accepted responsibility for providing or arranging for the 1636
transportation of a district's native students to and from the 1637
community school, under division (B)(1) or (2) of this section, 1638
and has since relinquished that responsibility under division 1639
(B)(3) of this section, the governing authority shall not accept 1640
that responsibility again unless the district board consents to 1641
the governing authority's acceptance of that responsibility. 1642

(3) A governing authority's acceptance of responsibility 1643
under division (B)(1) or (2) of this section shall cover an 1644
entire school year, and shall remain in effect for subsequent 1645
school years unless the governing authority submits written 1646
notification to the district board that the governing authority 1647
is relinquishing the responsibility. However, a governing 1648
authority shall not relinquish responsibility for transportation 1649
before the end of a school year, and shall submit the notice 1650
relinquishing responsibility by the thirty-first day of January, 1651

in order to allow the school district reasonable time to prepare 1652
transportation for its native students enrolled in the school. 1653

(4) (a) For any school year that begins on or after July 1, 1654
2014, a school district is not required to provide 1655
transportation for any native student enrolled in a community 1656
school scheduled to open for operation in the current school 1657
year, if the governing authority of the community school, by the 1658
fifteenth day of April of the previous school year, submits 1659
written notification to the district board of education stating 1660
that the governing authority is accepting responsibility for 1661
providing or arranging for the transportation of the district's 1662
native students to and from the community school. 1663

(b) The governing authority of a community school that 1664
accepts responsibility for transporting its students under 1665
division (B) (4) (a) of this section shall comply with divisions 1666
(B) (2) and (3) of this section to renew or relinquish that 1667
authority for subsequent school years. 1668

(C) (1) A community school governing authority that enters 1669
into an agreement under division (A) of this section, or that 1670
accepts responsibility under division (B) of this section, shall 1671
provide or arrange transportation free of any charge for each of 1672
its enrolled students who is required to be transported under 1673
section 3327.01 of the Revised Code. The governing authority 1674
shall report to the department of education the number of 1675
students transported or for whom transportation is arranged 1676
under this section in accordance with rules adopted by the state 1677
board of education. 1678

(2) The governing authority may provide or arrange 1679
transportation for any other enrolled student who is not 1680
eligible for transportation in accordance with division (C) (1) 1681

of this section and may charge a fee for such service up to the 1682
actual cost of the service. 1683

(3) Notwithstanding anything to the contrary in division 1684
(C) (1) or (2) of this section, a community school governing 1685
authority shall provide or arrange transportation free of any 1686
charge for any disabled student enrolled in the school for whom 1687
the student's individualized education program developed under 1688
Chapter 3323. of the Revised Code specifies transportation. 1689

(D) (1) If a school district board and a community school 1690
governing authority elect to enter into an agreement under 1691
division (A) of this section, the department of education shall 1692
make payments to the community school according to the terms of 1693
the agreement for each student actually transported under 1694
division (C) (1) of this section. 1695

If a community school governing authority accepts 1696
transportation responsibility under division (B) of this 1697
section, the department shall make payments to the community 1698
school for each student actually transported or for whom 1699
transportation is arranged by the community school under 1700
division (C) (1) of this section, calculated as follows: 1701

(a) For any fiscal year which the general assembly has 1702
specified that transportation payments to school districts be 1703
based on an across-the-board percentage of the district's 1704
payment for the previous school year, the per pupil payment to 1705
the community school shall be the following quotient: 1706

(i) The total amount calculated for the school district in 1707
which the child is entitled to attend school for student 1708
transportation other than transportation of children with 1709
disabilities; divided by 1710

(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 computed for and paid to the school district in which the student is entitled to attend school by the method of transportation the district would have used. The community school, however, is not required to use the same method to transport that student.

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

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

~~(2) The department shall deduct the payment under division (D) (1) of this section from the state education aid, as defined~~

~~in section 3314.08 of the Revised Code, and, if necessary, the~~ 1741
~~payment under sections 321.14 and 323.156 of the Revised Code,~~ 1742
~~that is otherwise paid to the school district in which the~~ 1743
~~student enrolled in the community school is entitled to attend~~ 1744
~~school. The department shall include the number of the~~ 1745
~~district's native students for whom payment is made to a~~ 1746
~~community school under division (D) (1) of this section in the~~ 1747
~~calculation of the district's transportation payment under~~ 1748
~~section 3317.0212 of the Revised Code and the operating~~ 1749
~~appropriations act.~~ 1750

~~(3)~~ A community school shall be paid under division (D) (1) 1751
of this section only for students who are eligible as specified 1752
in section 3327.01 of the Revised Code and division (C) (1) of 1753
this section, and whose transportation to and from school is 1754
actually provided, who actually utilized transportation 1755
arranged, or for whom a payment in lieu of transportation is 1756
made by the community school's governing authority. To qualify 1757
for the payments, the community school shall report to the 1758
department, in the form and manner required by the department, 1759
data on the number of students transported or whose 1760
transportation is arranged, the number of miles traveled, cost 1761
to transport, and any other information requested by the 1762
department. 1763

~~(4)~~ (3) A community school shall use payments received 1764
under this section solely to pay the costs of providing or 1765
arranging for the transportation of students who are eligible as 1766
specified in section 3327.01 of the Revised Code and division 1767
(C) (1) of this section, which may include payments to a parent, 1768
guardian, or other person in charge of a child in lieu of 1769
transportation. 1770

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

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

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

(B) (1) For purposes of its initial reporting of the school districts in which its students are entitled to attend school, the governing authority of a community school shall adopt a policy that prescribes the number of documents listed in

division (E) of this section required to verify a student's 1801
residency. This policy shall supersede any policy concerning the 1802
number of documents for initial residency verification adopted 1803
by the district the student is entitled to attend. 1804

(2) For purposes of the annual reporting of the school 1805
districts in which its students are entitled to attend school, 1806
the governing authority of a community school shall adopt a 1807
policy that prescribes the information required to verify a 1808
student's residency. This information may be obtained through 1809
any type of document, including any of the documents listed in 1810
division (E) of this section, or any type of communication with 1811
a government official authorized to provide such information. 1812

(C) For purposes of making the determinations required 1813
under this section, the school district in which a parent or 1814
child resides is the location the parent or student has 1815
established as the primary residence and where substantial 1816
family activity takes place. 1817

(D) If a community school's determination under division 1818
(A) of this section of the school district a student is entitled 1819
to attend under section 3313.64 or 3313.65 of the Revised Code 1820
differs from a district's determination, the community school 1821
that made the determination under division (A) of this section 1822
shall provide the school district with documentation of the 1823
student's residency and shall make a good faith effort to 1824
accurately identify the correct residence of the student. 1825

(E) For purposes of this section, the following documents 1826
may serve as evidence of primary residence: 1827

(1) A deed, mortgage, lease, current home owner's or 1828
renter's insurance declaration page, or current real property 1829

tax bill;	1830
(2) A utility bill or receipt of utility installation	1831
issued within ninety days of enrollment;	1832
(3) A paycheck or paystub issued to the parent or student	1833
within ninety days of the date of enrollment that includes the	1834
address of the parent's or student's primary residence;	1835
(4) The most current available bank statement issued to	1836
the parent or student that includes the address of the parent's	1837
or student's primary residence;	1838
(5) Any other official document issued to the parent or	1839
student that includes the address of the parent's or student's	1840
primary residence. The superintendent of public instruction	1841
shall develop guidelines for determining what qualifies as an	1842
"official document" under this division.	1843
(F) When a student loses permanent housing and becomes a	1844
homeless child or youth, as defined in 42 U.S.C. 11434a, or when	1845
a child who is such a homeless child or youth changes temporary	1846
living arrangements, the district in which the student is	1847
entitled to attend school shall be determined in accordance with	1848
division (F) (13) of section 3313.64 of the Revised Code and the	1849
"McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et	1850
seq.	1851
(G) In the event of a disagreement as to which school	1852
district a student is entitled to attend, the community school,	1853
after complying with division (D) of this section, but not more	1854
than sixty days after the monthly deadline established by the	1855
department of education for reporting of community school	1856
enrollment, may present the matter to the superintendent of	1857
public instruction. Not later than thirty days after the	1858

community school presents the matter, the state superintendent, 1859
or the state superintendent's designee, shall determine which 1860
district the student is entitled to attend and shall direct any 1861
necessary adjustments to payments ~~and deductions~~ under section 1862
3314.08 of the Revised Code based on that determination. 1863

Sec. 3314.20. (A) As used in this section: 1864

(1) "Base enrollment" for an internet- or computer-based 1865
community school means either of the following: 1866

(a) If the school was open for instruction on the 1867
effective date of this section, the number of students enrolled 1868
in the school at the end of the 2012-2013 school year; 1869

(b) If the school opens for instruction after the 1870
effective date of this section, one thousand students. 1871

(2) "Enrollment limit" for an internet- or computer-based 1872
community school means the following: 1873

(a) For the 2014-2015 school year, the base enrollment 1874
increased by the prescribed annual rate of growth, as calculated 1875
by the department of education. 1876

(b) For the 2015-2016 school year and each school year 1877
thereafter, the previous school year's enrollment limit 1878
increased by the prescribed annual rate of growth, as calculated 1879
by the department. 1880

(3) "Prescribed annual rate of growth" for an internet- or 1881
computer-based community school means either of the following: 1882

(a) For a school with an enrollment limit equal to or 1883
greater than three thousand students, fifteen per cent. 1884

(b) For a school with an enrollment limit of less than 1885

three thousand students, twenty-five per cent. 1886

(B) Beginning in the 2014-2015 school year, no internet- 1887
or computer-based community school shall enroll more students 1888
than the number permitted by its enrollment limit. 1889

(C) If, in any school year, an internet- or computer-based 1890
community school enrolls more students than permitted under the 1891
enrollment limit, the department shall deduct from the community 1892
school the amount of state funds credited to the community 1893
school attributable to each student enrolled in excess of the 1894
enrollment limit, as determined by the department. ~~The~~ 1895
~~department shall distribute the deducted amounts to the school-~~ 1896
~~districts to which the students enrolled in the community school~~ 1897
~~are entitled to attend school under section 3313.64 or 3313.65~~ 1898
~~of the Revised Code. Such amounts shall be distributed on a pro-~~ 1899
~~rata basis according to each district's share of the total~~ 1900
~~enrollment in the community school.~~ 1901

Sec. 3317.017. The department of education shall compute a 1902
school district's state share index as follows: 1903

(A) Calculate the district's valuation index, which equals 1904
the following quotient: 1905

(The district's three-year average valuation/ the 1906
district's total ADM)/ (the statewide three-year average 1907
valuation for school districts with a total ADM greater than 1908
zero/ the statewide total ADM) 1909

(B) (1) Calculate the district's median income index, which 1910
equals the following quotient: 1911

(The district's median Ohio adjusted gross income/ the 1912
median of the median Ohio adjusted gross income of all districts 1913
statewide with a total ADM greater than zero) 1914

(2) Calculate the district's income index, which equals 1915
the following sum: 1916

(The district's median income index X 0.5) + {[the three-year 1917
average federal adjusted gross income of the school district's 1918
residents/ the district's ~~formula-enrolled~~ ADM for fiscal year 1919
2017)/ (the three-year average federal adjusted gross income of 1920
all districts statewide with a ~~formula-enrolled~~ ADM for fiscal 1921
year 2017 greater than zero/ the statewide ~~formula-enrolled~~ ADM 1922
for fiscal year 2017)] X 0.5} 1923

(C) Determine the district's wealth index as follows: 1924

(1) If the district's income index is less than the 1925
district's valuation index and the district's median income 1926
index is less than or equal to 1.5, then the district's wealth 1927
index shall be equal to [(0.4 X the district's income index) + 1928
(0.6 X the district's valuation index)]. 1929

(2) If the district's income index does not meet both of 1930
the conditions described in division (C) (1) of this section, 1931
then the district's wealth index shall be equal to the 1932
district's valuation index. 1933

(D) Determine the district's state share index as follows: 1934

(1) If the district's wealth index is less than or equal 1935
to 0.35, then the district's state share index shall be equal to 1936
0.90. 1937

(2) If the district's wealth index is greater than 0.35 1938
but less than or equal to 0.90, then the district's state share 1939
index shall be equal to {0.40 X [(0.90 - the district's wealth 1940
index)/ 0.55]} + 0.50. 1941

(3) If the district's wealth index is greater than 0.90 1942

but less than 1.8, then the district's state share index shall 1943
be equal to $\{0.45 \times [(1.8 - \text{the district's wealth index}) / 0.9]\}$ 1944
+ 0.05. 1945

(4) If the district's wealth index is greater than or 1946
equal to 1.8, then the district's state share index shall be 1947
equal to 0.05. 1948

(E) (1) For each school district for which the tax-exempt 1949
value of the district, as certified under division (A) (4) of 1950
section 3317.021 of the Revised Code, equals or exceeds thirty 1951
per cent of the potential value of the district, the department 1952
shall calculate the difference between the district's tax-exempt 1953
value and thirty per cent of the district's potential value. For 1954
this purpose, the "potential value" of a school district is the 1955
three-year average valuation of the district plus the tax-exempt 1956
value of the district. 1957

(2) For each school district to which division (E) (1) of 1958
this section applies, the department shall adjust the district's 1959
three-year average valuation used in the calculation under 1960
division (A) of this section by subtracting from it the amount 1961
calculated under division (E) (1) of this section. The department 1962
shall not, however, make any adjustments to the statewide three- 1963
year average valuation used in the calculation under division 1964
(A) of this section. 1965

(F) (1) Except as provided in division (F) (3) of this 1966
section, for purposes of division (F) of this section, for 1967
fiscal year 2018 or 2019, an "eligible school district" is a 1968
school district that satisfies all of the following for that 1969
fiscal year: 1970

(a) The total taxable value of public utility personal 1971

property in the district is at least ten per cent of the 1972
district's total taxable value for the tax year immediately 1973
preceding the most recent tax year for which data is available. 1974

(b) The total taxable value of public utility personal 1975
property in the district for the most recent tax year for which 1976
data is available is at least ten per cent less than the total 1977
taxable value of public utility property in the district for the 1978
tax year immediately preceding the most recent tax year for 1979
which data is available. 1980

(c) The total taxable value of power plants in the 1981
district for the most recent tax year for which data is 1982
available is at least ten per cent less than the total taxable 1983
value of power plants in the district for the tax year 1984
immediately preceding the most recent tax year for which data is 1985
available. 1986

(2) Notwithstanding divisions (A) to (E) of this section, 1987
the department shall compute each eligible school district's 1988
state share index as follows: 1989

(a) Calculate the district's valuation index in accordance 1990
with division (A) of this section, except that, if the 1991
district's total taxable value for the most recent tax year for 1992
which data is available is less than the district's "three-year 1993
average valuation," the district's "three-year average 1994
valuation" shall be replaced in that calculation with the 1995
district's total taxable value for the most recent tax year for 1996
which data is available; 1997

(b) Calculate the district's median income index and 1998
income index in accordance with division (B) of this section; 1999

(c) Determine the district's wealth index in accordance 2000

with division (C) of this section using the district's valuation index, median income index, and income index as calculated under divisions (F) (2) (a) and (b) of this section;

(d) Determine the district's state share index in accordance with division (D) of this section using the district's wealth index as determined under division (F) (2) (c) of this section.

(3) For purposes of division (F) of this section, if a district is an eligible school district for fiscal year 2018 but is not an eligible school district for fiscal year 2019, the district's state share index for fiscal year 2019 shall be equal to the district's state share index for 2018.

(G) When performing the calculations required under this section, the department shall not round to fewer than four decimal places.

For purposes of these calculations for fiscal years 2018 and 2019, "total ADM" means the total ADM for fiscal year 2017; "median Ohio adjusted gross income" means the median Ohio adjusted gross income, as that term is defined in section 5747.01 of the Revised Code, for tax year 2015; "three-year average federal adjusted gross income" means the average of the federal adjusted gross income for tax years 2013, 2014, and 2015 as reported under section 3317.021 of the Revised Code; and "tax-exempt value" means the tax-exempt value for tax year 2016.

Sec. 3317.02. As used in this chapter:

(A) (1) "Category one career-technical education ADM" means the enrollment of students during the school year on a full-time equivalency basis in career-technical education programs described in division (A) of section 3317.014 of the Revised

Code and certified under division (B) (11) or (D) (2) (h) of 2030
section 3317.03 of the Revised Code. 2031

(2) "Category two career-technical education ADM" means 2032
the enrollment of students during the school year on a full-time 2033
equivalency basis in career-technical education programs 2034
described in division (B) of section 3317.014 of the Revised 2035
Code and certified under division (B) (12) or (D) (2) (i) of 2036
section 3317.03 of the Revised Code. 2037

(3) "Category three career-technical education ADM" means 2038
the enrollment of students during the school year on a full-time 2039
equivalency basis in career-technical education programs 2040
described in division (C) of section 3317.014 of the Revised 2041
Code and certified under division (B) (13) or (D) (2) (j) of 2042
section 3317.03 of the Revised Code. 2043

(4) "Category four career-technical education ADM" means 2044
the enrollment of students during the school year on a full-time 2045
equivalency basis in career-technical education programs 2046
described in division (D) of section 3317.014 of the Revised 2047
Code and certified under division (B) (14) or (D) (2) (k) of 2048
section 3317.03 of the Revised Code. 2049

(5) "Category five career-technical education ADM" means 2050
the enrollment of students during the school year on a full-time 2051
equivalency basis in career-technical education programs 2052
described in division (E) of section 3317.014 of the Revised 2053
Code and certified under division (B) (15) or (D) (2) (l) of 2054
section 3317.03 of the Revised Code. 2055

(B) (1) "Category one English learner ADM" means the full- 2056
time equivalent number of English learners described in division 2057
(A) of section 3317.016 of the Revised Code and certified under 2058

division (B) (16) or (D) (2) (m) of section 3317.03 of the Revised Code. 2059
2060

(2) "Category two English learner ADM" means the full-time equivalent number of English learners described in division (B) of section 3317.016 of the Revised Code and certified under division (B) (17) or (D) (2) (n) of section 3317.03 of the Revised Code. 2061
2062
2063
2064
2065

(3) "Category three English learner ADM" means the full-time equivalent number of English learners described in division (C) of section 3317.016 of the Revised Code and certified under division (B) (18) or (D) (2) (o) of section 3317.03 of the Revised Code. 2066
2067
2068
2069
2070

(C) (1) "Category one special education ADM" means the full-time equivalent number of children with disabilities receiving special education services for the disability specified in division (A) of section 3317.013 of the Revised Code and certified under division (B) (5) or (D) (2) (b) of section 3317.03 of the Revised Code. 2071
2072
2073
2074
2075
2076

(2) "Category two special education ADM" means the full-time equivalent number of children with disabilities receiving special education services for those disabilities specified in division (B) of section 3317.013 of the Revised Code and certified under division (B) (6) or (D) (2) (c) of section 3317.03 of the Revised Code. 2077
2078
2079
2080
2081
2082

(3) "Category three special education ADM" means the full-time equivalent number of students receiving special education services for those disabilities specified in division (C) of section 3317.013 of the Revised Code, and certified under division (B) (7) or (D) (2) (d) of section 3317.03 of the Revised Code. 2083
2084
2085
2086
2087

Code.	2088
(4) "Category four special education ADM" means the full-time equivalent number of students receiving special education services for those disabilities specified in division (D) of section 3317.013 of the Revised Code and certified under division (B) (8) or (D) (2) (e) of section 3317.03 of the Revised Code.	2089 2090 2091 2092 2093 2094
(5) "Category five special education ADM" means the full-time equivalent number of students receiving special education services for the disabilities specified in division (E) of section 3317.013 of the Revised Code and certified under division (B) (9) or (D) (2) (f) of section 3317.03 of the Revised Code.	2095 2096 2097 2098 2099 2100
(6) "Category six special education ADM" means the full-time equivalent number of students receiving special education services for the disabilities specified in division (F) of section 3317.013 of the Revised Code and certified under division (B) (10) or (D) (2) (g) of section 3317.03 of the Revised Code.	2101 2102 2103 2104 2105 2106
(D) "Economically disadvantaged index for a school district" means the square of the quotient of that district's percentage of students in its <u>enrolled ADM, in the case of a city, local, or exempted village school district, or total ADM, in the case of a joint vocational school district,</u> who are identified as economically disadvantaged as defined by the department of education, divided by the percentage of students in the statewide total -ADM identified as economically disadvantaged. For purposes of this calculation:	2107 2108 2109 2110 2111 2112 2113 2114 2115
(1) For a city, local, or exempted village school	2116

district, the "statewide ~~total~~-ADM" equals the sum of the ~~total~~-
following: 2117
2118

(a) The enrolled ADM for all city, local, and exempted 2119
village school districts combined; 2120

(b) The statewide enrollment of students in community 2121
schools established under Chapter 3314. of the Revised Code; 2122

(c) The statewide enrollment of students in science, 2123
technology, engineering, and mathematics schools established 2124
under Chapter 3326. of the Revised Code. 2125

(2) For a joint vocational school district, the "statewide 2126
~~total~~-ADM" equals the sum of the formula ADM for all joint 2127
vocational school districts combined. 2128

~~(E) (1)~~-(E) "Enrolled ADM" means, for a city, local, or 2129
exempted village school district, the enrollment reported under 2130
division (A) of section 3317.03 of the Revised Code, as verified 2131
by the superintendent of public instruction and adjusted if so 2132
ordered under division (K) of that section, and as further 2133
adjusted by the department of education as follows: 2134

(1) Subtract the students counted under divisions (A) (2) 2135
(a), (b), (g), (h), and (i) of section 3317.03 of the Revised 2136
Code; 2137

(2) Count only twenty per cent of the number of joint 2138
vocational school district students counted under division (A) 2139
(3) of section 3317.03 of the Revised Code; 2140

(3) Add twenty per cent of the number of students who are 2141
entitled to attend school in the district under section 3313.64 2142
or 3313.65 of the Revised Code and are enrolled in another 2143
school district under a career-technical education compact. 2144

(F)(1) "Formula 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:

(a) 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;

(b) 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.

(2) "Formula ADM" means, for a joint vocational school district, the final number verified by the superintendent of public instruction, based on the enrollment reported and certified under division (D) of section 3317.03 of the Revised Code, as adjusted, if so ordered, under division (K) of that section.

~~(F)~~(G) "Formula amount" means \$6,010, for fiscal year 2018, and \$6,020, for fiscal year 2019.

~~(G)~~(H) "FTE basis" means a count of students based on full-time equivalency, in accordance with rules adopted by the department of education pursuant to section 3317.03 of the Revised Code. In adopting its rules under this division, the department shall provide for counting any student in category one, two, three, four, five, or six special education ADM or in category one, two, three, four, or five career-technical education ADM in the same proportion the student is counted in

enrolled ADM, in the case of a city, local, or exempted village 2174
school district, or formula ADM, in the case of a joint 2175
vocational school district. 2176

~~(H)~~ (I) "Internet- or computer-based community school" has 2177
the same meaning as in section 3314.02 of the Revised Code. 2178

~~(I)~~ (J) "Medically fragile child" means a child to whom 2179
all of the following apply: 2180

(1) The child requires the services of a doctor of 2181
medicine or osteopathic medicine at least once a week due to the 2182
instability of the child's medical condition. 2183

(2) The child requires the services of a registered nurse 2184
on a daily basis. 2185

(3) The child is at risk of institutionalization in a 2186
hospital, skilled nursing facility, or intermediate care 2187
facility for individuals with intellectual disabilities. 2188

~~(J)~~ ~~(1)~~ (K) (1) A child may be identified as having an 2189
"other health impairment-major" if the child's condition meets 2190
the definition of "other health impaired" established in rules 2191
previously adopted by the state board of education and if either 2192
of the following apply: 2193

(a) The child is identified as having a medical condition 2194
that is among those listed by the superintendent of public 2195
instruction as conditions where a substantial majority of cases 2196
fall within the definition of "medically fragile child." 2197

(b) The child is determined by the superintendent of 2198
public instruction to be a medically fragile child. A school 2199
district superintendent may petition the superintendent of 2200
public instruction for a determination that a child is a 2201

medically fragile child. 2202

(2) A child may be identified as having an "other health 2203
impairment-minor" if the child's condition meets the definition 2204
of "other health impaired" established in rules previously 2205
adopted by the state board of education but the child's 2206
condition does not meet either of the conditions specified in 2207
division ~~(J) (1) (a)~~ (K) (1) (a) or (b) of this section. 2208

~~(K)~~ (L) "Preschool child with a disability" means a child 2209
with a disability, as defined in section 3323.01 of the Revised 2210
Code, who is at least age three but is not of compulsory school 2211
age, as defined in section 3321.01 of the Revised Code, and who 2212
is not currently enrolled in kindergarten. 2213

~~(L) "Preschool scholarship ADM" means the number of~~ 2214
~~preschool children with disabilities certified under division~~ 2215
~~(B) (3) (h) of section 3317.03 of the Revised Code.~~ 2216

(M) "Related services" includes: 2217

(1) Child study, special education supervisors and 2218
coordinators, speech and hearing services, adaptive physical 2219
development services, occupational or physical therapy, teacher 2220
assistants for children with disabilities whose disabilities are 2221
described in division (B) of section 3317.013 or division (B) (3) 2222
of this section, behavioral intervention, interpreter services, 2223
work study, nursing services, and specialized integrative 2224
services as those terms are defined by the department; 2225

(2) Speech and language services provided to any student 2226
with a disability, including any student whose primary or only 2227
disability is a speech and language disability; 2228

(3) Any related service not specifically covered by other 2229
state funds but specified in federal law, including but not 2230

limited to, audiology and school psychological services;	2231
(4) Any service included in units funded under former	2232
division (O) (1) of section 3317.024 of the Revised Code;	2233
(5) Any other related service needed by children with	2234
disabilities in accordance with their individualized education	2235
programs.	2236
(N) "School district," unless otherwise specified, means	2237
city, local, and exempted village school districts.	2238
(O) "State education aid" has the same meaning as in	2239
section 5751.20 of the Revised Code.	2240
(P) "State share index" means the state share index	2241
calculated for a district under section 3317.017 of the Revised	2242
Code.	2243
(Q) "Taxes charged and payable" means the taxes charged	2244
and payable against real and public utility property after	2245
making the reduction required by section 319.301 of the Revised	2246
Code, plus the taxes levied against tangible personal property.	2247
(R) (1) For purposes of section 3317.017 of the Revised	2248
Code, "three-year average valuation" means the average of total	2249
taxable value for tax years 2014, 2015, and 2016.	2250
(2) For purposes of sections 3317.0217, 3317.0218, and	2251
3317.16 of the Revised Code, "three-year average valuation"	2252
means the following:	2253
(a) For fiscal year 2018, the average of total taxable	2254
value for tax years 2014, 2015, and 2016;	2255
(b) For fiscal year 2019, the average of total taxable	2256
value for tax years 2015, 2016, and 2017.	2257

(S) "Total 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 minus the enrollment reported under divisions (A)(2)(a), (b), (g), (h), and (i) of that section, as verified by the superintendent of public instruction and adjusted if so ordered under division (K) of that section.

(T) "Total special education ADM" means the sum of categories one through six special education ADM.

(U) "Total taxable value" means the sum of the amounts certified for a city, local, exempted village, or joint vocational school district under divisions (A)(1) and (2) of section 3317.021 of the Revised Code.

Sec. 3317.022. (A) The department of education shall compute and distribute state core foundation funding to each eligible school district for the fiscal year, using the information obtained under section 3317.021 of the Revised Code in the calendar year in which the fiscal year begins, as prescribed in the following divisions:

(1) An opportunity grant calculated according to the following formula:

The formula amount X ~~(formula ADM + preschool scholarship-enrolled ADM)~~ X the district's state share index

(2) Targeted assistance funds calculated under divisions (A) and (B) of section 3317.0217 of the Revised Code;

(3) Additional state aid for special education and related services provided under Chapter 3323. of the Revised Code calculated as the sum of the following:

(a) The district's category one special education ADM X	2286
the amount specified in division (A) of section 3317.013 of the	2287
Revised Code X the district's state share index;	2288
(b) The district's category two special education ADM X	2289
the amount specified in division (B) of section 3317.013 of the	2290
Revised Code X the district's state share index;	2291
(c) The district's category three special education ADM X	2292
the amount specified in division (C) of section 3317.013 of the	2293
Revised Code X the district's state share index;	2294
(d) The district's category four special education ADM X	2295
the amount specified in division (D) of section 3317.013 of the	2296
Revised Code X the district's state share index;	2297
(e) The district's category five special education ADM X	2298
the amount specified in division (E) of section 3317.013 of the	2299
Revised Code X the district's state share index;	2300
(f) The district's category six special education ADM X	2301
the amount specified in division (F) of section 3317.013 of the	2302
Revised Code X the district's state share index.	2303
(4) Kindergarten through third grade literacy funds	2304
calculated according to the following formula:	2305
(\$193 X formula <u>enrolled</u> ADM for grades kindergarten	2306
through three X the district's state share index) + (\$127 X	2307
formula <u>enrolled</u> ADM for grades kindergarten through three)	2308
For purposes of this calculation, the department shall	2309
subtract from a district's formula ADM for grades kindergarten	2310
through three the number of students reported under division (B)	2311
(3)(e) of section 3317.03 of the Revised Code as enrolled in an	2312
internet or computer based community school who are in grades	2313

kindergarten through three.	2314
(5) Economically disadvantaged funds calculated according to the following formula:	2315 2316
\$272 X (the district's economically disadvantaged index) X the number of students who are economically disadvantaged as certified under division (B) (21) of section 3317.03 of the Revised Code	2317 2318 2319 2320
(6) English learner funds calculated as the sum of the following:	2321 2322
(a) The district's category one English learner ADM X the amount specified in division (A) of section 3317.016 of the Revised Code X the district's state share index;	2323 2324 2325
(b) The district's category two English learner ADM X the amount specified in division (B) of section 3317.016 of the Revised Code X the district's state share index;	2326 2327 2328
(c) The district's category three English learner ADM X the amount specified in division (C) of section 3317.016 of the Revised Code X the district's state share index.	2329 2330 2331
(7) (a) Gifted identification funds calculated according to the following formula:	2332 2333
\$5.05 X the district's formula <u>enrolled</u> ADM	2334
(b) Gifted unit funding calculated under section 3317.051 of the Revised Code.	2335 2336
(8) Career-technical education funds calculated as the sum of the following:	2337 2338
(a) The district's category one career-technical education ADM X the amount specified in division (A) of section 3317.014	2339 2340

of the Revised Code X the district's state share index;	2341
(b) The district's category two career-technical education	2342
ADM X the amount specified in division (B) of section 3317.014	2343
of the Revised Code X the district's state share index;	2344
(c) The district's category three career-technical	2345
education ADM X the amount specified in division (C) of section	2346
3317.014 of the Revised Code X the district's state share index;	2347
(d) The district's category four career-technical	2348
education ADM X the amount specified in division (D) of section	2349
3317.014 of the Revised Code X the district's state share index;	2350
(e) The district's category five career-technical	2351
education ADM X the amount specified in division (E) of section	2352
3317.014 of the Revised Code X the district's state share index.	2353
Payment of funds under division (A) (8) of this section is	2354
subject to approval under section 3317.161 of the Revised Code.	2355
(9) Career-technical education associated services funds	2356
calculated according to the following formula:	2357
The district's state share index X the amount for career-	2358
technical education associated services specified in section	2359
3317.014 of the Revised Code X the sum of categories one through	2360
five career-technical education ADM	2361
(10) Capacity aid funds calculated under section 3317.0218	2362
of the Revised Code;	2363
(11) A graduation bonus calculated under section 3317.0215	2364
of the Revised Code;	2365
(12) A third-grade reading bonus calculated under section	2366
3317.0216 of the Revised Code.	2367

(B) In any fiscal year, a school district shall spend for 2368
purposes that the department designates as approved for special 2369
education and related services expenses at least the amount 2370
calculated as follows: 2371

(The formula amount X the total special education ADM) + (the 2372
district's category one special education ADM X the amount 2373
specified in division (A) of section 3317.013 of the Revised 2374
Code) + (the district's category two special education ADM X the 2375
amount specified in division (B) of section 3317.013 of the 2376
Revised Code) + (the district's category three special education 2377
ADM X the amount specified in division (C) of section 3317.013 2378
of the Revised Code) + (the district's category four special 2379
education ADM X the amount specified in division (D) of section 2380
3317.013 of the Revised Code) + (the district's category five 2381
special education ADM X the amount specified in division (E) of 2382
section 3317.013 of the Revised Code) + (the district's category 2383
six special education ADM X the amount specified in division (F) 2384
of section 3317.013 of the Revised Code) 2385

The purposes approved by the department for special 2386
education expenses shall include, but shall not be limited to, 2387
identification of children with disabilities, compliance with 2388
state rules governing the education of children with 2389
disabilities and prescribing the continuum of program options 2390
for children with disabilities, provision of speech language 2391
pathology services, and the portion of the school district's 2392
overall administrative and overhead costs that are attributable 2393
to the district's special education student population. 2394

~~The scholarships deducted from the school district's~~ 2395
~~account under sections 3310.41 and 3310.55 of the Revised Code~~ 2396
~~shall be considered to be an approved special education and~~ 2397

~~related services expense for the purpose of the school~~ 2398
~~district's compliance with this division.~~ 2399

(C) In any fiscal year, a school district receiving funds 2400
under division (A) (8) of this section shall spend those funds 2401
only for the purposes that the department designates as approved 2402
for career-technical education expenses. Career-technical 2403
education expenses approved by the department shall include only 2404
expenses connected to the delivery of career-technical 2405
programming to career-technical students. The department shall 2406
require the school district to report data annually so that the 2407
department may monitor the district's compliance with the 2408
requirements regarding the manner in which funding received 2409
under division (A) (8) of this section may be spent. 2410

(D) In any fiscal year, a school district receiving funds 2411
under division (A) (9) of this section, or through a transfer of 2412
funds pursuant to division (I) of section 3317.023 of the 2413
Revised Code, shall spend those funds only for the purposes that 2414
the department designates as approved for career-technical 2415
education associated services expenses, which may include such 2416
purposes as apprenticeship coordinators, coordinators for other 2417
career-technical education services, career-technical 2418
evaluation, and other purposes designated by the department. The 2419
department may deny payment under division (A) (9) of this 2420
section to any district that the department determines is not 2421
operating those services or is using funds paid under division 2422
(A) (9) of this section, or through a transfer of funds pursuant 2423
to division (I) of section 3317.023 of the Revised Code, for 2424
other purposes. 2425

(E) All funds received under division (A) (8) of this 2426
section shall be spent in the following manner: 2427

(1) 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

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

(F) A school district shall spend the funds it receives 2440
under division (A) (5) of this section in accordance with section 2441
3317.25 of the Revised Code. 2442

Sec. 3317.029. (A) As used in this section: 2443

(1) "Eligible district" means a city, local, or exempted 2444
village school district that satisfies both of the following 2445
conditions: 2446

(a) The district has a nuclear power plant located within 2447
its territory. 2448

(b) The total taxable value of public utility personal 2449
property in the district for tax year 2017 is at least fifty per 2450
cent less than the total taxable value of public utility 2451
personal property in the district for tax year 2016. 2452

(2) (a) For fiscal year 2015, "state education aid" means 2453
the sum of the district's payments for that fiscal year under 2454
sections 3317.022 and 3317.0212 of the Revised Code and Section 2455
263.240 of Am. Sub. H.B. 59 of the 130th general assembly. 2456

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

(c) For each of fiscal years 2018 and 2019, "state education aid" means the sum of the district's payments for that fiscal year under sections 3317.022 and 3317.0212 of the Revised Code and Sections 265.220 and 265.233 of Am. Sub. H.B. 49 of the 132nd general assembly.

(d) For each of fiscal years 2020 and 2021, "state education aid" means the sum of the district's payments for that fiscal year under sections 3317.022 and 3317.0212 of the Revised Code and any temporary transitional aid that is authorized by the general assembly minus any reductions due to funding limitations that are authorized by the general assembly.

(3) "Taxes charged and payable" has the same meaning as in section 3317.02 of the Revised Code. For purposes of this section, at no time shall "taxes charged and payable" include taxes levied for joint vocational school district purposes or levied under section 5705.23 of the Revised Code.

(4) ~~"Total resources ADM" has the same meaning as in section 3317.02 of the Revised Code 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.~~

(5) An eligible district's "total resources" for a fiscal year is equal to the sum of the following:

(a) The district's state education aid for that fiscal year;	2486 2487
(b) For fiscal year 2015, the amount of the district's payments for that fiscal year under sections 5727.85 and 5751.21 of the Revised Code as they existed prior to June 30, 2015;	2488 2489 2490
(c) For fiscal year 2016 and any subsequent fiscal year, the amount of the district's payments for that fiscal year under section 5709.92 of the Revised Code;	2491 2492 2493
(d) For fiscal years 2016 and 2017, the amount of the district's payment for that fiscal year under Section 263.325 of Am. Sub. H.B. 64 of the 131st general assembly, as subsequently amended;	2494 2495 2496 2497
(e) The sum of the following:	2498
(i) The district's taxes charged and payable for current expenses for the first half of the most recent tax year for which data is available during that fiscal year. For fiscal years 2018, 2019, 2020, and 2021, this amount shall include only the taxes charged and payable for current expenses pursuant to property tax levies that are in effect as of the effective date of this section <u>June 29, 2018</u> .	2499 2500 2501 2502 2503 2504 2505
(ii) The district's taxes charged and payable for current expenses for the second half of the tax year immediately preceding the most recent tax year for which data is available during that fiscal year. For fiscal years 2018, 2019, 2020, and 2021, this amount shall include only the taxes charged and payable for current expenses pursuant to property tax levies that are in effect as of the effective date of this section <u>June 29, 2018</u> .	2506 2507 2508 2509 2510 2511 2512 2513
(f) Distributions received by the district during that	2514

fiscal year from the gross casino revenue county student fund; 2515

(g) The amount of the district's payment for that fiscal 2516
year under section 3317.028 of the Revised Code. 2517

(6) An eligible district's "total resources per pupil" for 2518
a fiscal year is equal to the district's total resources for 2519
that fiscal year divided by the district's total resources ADM 2520
for that fiscal year. 2521

(B) For each of fiscal years 2019, 2020, and 2021, the 2522
department of education shall pay each eligible district an 2523
amount computed as follows: 2524

(1) Calculate the average of the district's total 2525
resources per pupil for fiscal years 2015, 2016, 2017, and 2018; 2526

(2) Multiply the average calculated under division (B) (1) 2527
of this section by 0.97; 2528

(3) (a) If the district's total resources ADM for the 2529
applicable fiscal year is greater than or equal to the 2530
district's total resources ADM for the fiscal year immediately 2531
preceding the applicable fiscal year, multiply the amount 2532
calculated under division (B) (2) of this section by the total 2533
resources ADM for the applicable fiscal year; 2534

(b) If the district's total resources ADM for the 2535
applicable fiscal year is less than the district's total 2536
resources ADM for the fiscal year immediately preceding the 2537
applicable fiscal year, multiply the amount calculated under 2538
division (B) (2) of this section by the following: 2539

The total resources ADM for the applicable fiscal year + [(the 2540
total resources ADM for the fiscal year immediately preceding 2541
the applicable fiscal year - the total resources ADM for the 2542

applicable fiscal year) X 0.5] 2543

(4) Calculate the amount to be paid to the district by 2544
subtracting the district's total resources for the applicable 2545
fiscal year from the amount calculated under division (B) (3) of 2546
this section. 2547

If the result of the calculation for a district under 2548
division (B) (4) of this section is less than zero, the 2549
district's payment under this section shall be zero. 2550

(C) Any payments for a fiscal year made to an eligible 2551
district under this section shall occur after the department has 2552
made a payment to the district for that fiscal year under 2553
section 3317.028 of the Revised Code or has determined that the 2554
district is not eligible for a payment for that fiscal year 2555
under that section. All payments for a fiscal year made to an 2556
eligible district under this section shall be made not later 2557
than the last day of July of the following fiscal year. Upon 2558
making a payment for a fiscal year under this section, the 2559
department shall not make any reconciliations or adjustments to 2560
that payment. 2561

Sec. 3317.0212. (A) As used in this section: 2562

(1) "Qualifying riders" means resident students enrolled 2563
in regular education in grades kindergarten to twelve who are 2564
provided school bus service by a school district and who live 2565
more than one mile from the school they attend, including 2566
students with dual enrollment in a joint vocational school 2567
district or a cooperative education school district, and 2568
students enrolled in a community school, STEM school, or 2569
nonpublic school. 2570

(2) "Qualifying ridership" means the average number of 2571

qualifying riders who are provided school bus service by a school district during the first full week of October.

(3) "Rider density" means the ~~total~~rider density ADM per square mile of a school district.

(4) "Rider density 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.

(5) "School bus service" means a school district's transportation of qualifying riders in any of the following types of vehicles:

(a) School buses owned or leased by the district;

(b) School buses operated by a private contractor hired by the district;

(c) School buses operated by another school district or entity with which the district has contracted, either as part of a consortium for the provision of transportation or otherwise.

(B) Not later than the fifteenth day of October each year, each city, local, and exempted village school district shall report to the department of education its qualifying ridership and any other information requested by the department. Subsequent adjustments to the reported numbers shall be made only in accordance with rules adopted by the department.

(C) The department shall calculate the statewide transportation cost per student as follows:

(1) Determine each city, local, and exempted village school district's transportation cost per student by dividing

the district's total costs for school bus service in the 2600
previous fiscal year by its qualifying ridership in the previous 2601
fiscal year. 2602

(2) After excluding districts that do not provide school 2603
bus service and the ten districts with the highest 2604
transportation costs per student and the ten districts with the 2605
lowest transportation costs per student, divide the aggregate 2606
cost for school bus service for the remaining districts in the 2607
previous fiscal year by the aggregate qualifying ridership of 2608
those districts in the previous fiscal year. 2609

(D) The department shall calculate the statewide 2610
transportation cost per mile as follows: 2611

(1) Determine each city, local, and exempted village 2612
school district's transportation cost per mile by dividing the 2613
district's total costs for school bus service in the previous 2614
fiscal year by its total number of miles driven for school bus 2615
service in the previous fiscal year. 2616

(2) After excluding districts that do not provide school 2617
bus service and the ten districts with the highest 2618
transportation costs per mile and the ten districts with the 2619
lowest transportation costs per mile, divide the aggregate cost 2620
for school bus service for the remaining districts in the 2621
previous fiscal year by the aggregate miles driven for school 2622
bus service in those districts in the previous fiscal year. 2623

(E) The department shall calculate each city, local, and 2624
exempted village school district's transportation payment as 2625
follows: 2626

(1) Multiply the statewide transportation cost per student 2627
by the district's qualifying ridership for the current fiscal 2628

year. 2629

(2) Multiply the statewide transportation cost per mile by 2630
the district's total number of miles driven for school bus 2631
service in the current fiscal year. 2632

(3) Multiply the greater of the amounts calculated under 2633
divisions (E) (1) and (2) of this section by the following: 2634

(a) For fiscal year 2018, the greater of thirty-seven and 2635
one-half per cent or the district's state share index, as 2636
defined in section 3317.02 of the Revised Code; 2637

(b) For fiscal year 2019, the greater of twenty-five per 2638
cent or the district's state share index. 2639

(F) In addition to funds paid under division (E) of this 2640
section, each city, local, and exempted village district shall 2641
receive in accordance with rules adopted by the state board of 2642
education a payment for students transported by means other than 2643
school bus service and whose transportation is not funded under 2644
division (C) of section 3317.024 of the Revised Code. The rules 2645
shall include provisions for school district reporting of such 2646
students. 2647

(G) (1) For purposes of division (G) of this section, a 2648
school district's "transportation supplement percentage" means 2649
the following quotient: 2650

(50 - the district's rider density)/ 100 2651

If the result of the calculation for a district under 2652
division (G) (1) of this section is less than zero, the 2653
district's transportation supplement percentage shall be zero. 2654

(2) The department shall pay each district a 2655
transportation supplement calculated according to the following 2656

formula: 2657

The district's transportation supplement percentage X the amount 2658
calculated for the district under division (E) (2) of this 2659
section X 0.55 2660

Sec. 3317.0217. Payment of the amount calculated for a 2661
school district under this section shall be made under division 2662
(A) of section 3317.022 of the Revised Code. 2663

(A) The department of education shall annually compute 2664
targeted assistance funds to school districts, as follows: 2665

(1) Calculate the local wealth per pupil of each school 2666
district, which equals the following sum: 2667

(a) One-half times the quotient of (i) the district's 2668
three-year average valuation divided by (ii) its formula ADM; 2669
plus 2670

(b) One-half times the quotient of (i) the average of the 2671
total federal adjusted gross income of the school district's 2672
residents for the three years most recently reported under 2673
section 3317.021 of the Revised Code divided by (ii) its formula 2674
ADM. 2675

(2) Rank all school districts in order of local wealth per 2676
pupil, from the district with the lowest local wealth per pupil 2677
to the district with the highest local wealth per pupil. 2678

(3) Compute the statewide wealth per pupil, which equals 2679
the following sum: 2680

(a) One-half times the quotient of (i) the sum of the 2681
three-year average valuations for all school districts divided 2682
by (ii) the sum of formula ADM counts for all school districts; 2683
plus 2684

(b) One-half times the quotient of (i) the sum of the three-year average total federal adjusted gross incomes for all school districts divided by (ii) the sum of formula ADM counts for all school districts.

(4) Compute each district's wealth index by dividing the statewide wealth per pupil by the district's local wealth per pupil.

(5) Compute the per pupil targeted assistance for each eligible school district in accordance with the following formula:

(Threshold local wealth per pupil - the district's local wealth per pupil) X target millage X the district's wealth index

Where:

(a) An "eligible school district" means a school district with a local wealth per pupil less than that of the school district with the 490th lowest local wealth per pupil.

(b) "Threshold local wealth per pupil" means the local wealth per pupil of the school district with the 490th lowest local wealth per pupil.

(c) "Target millage" means 0.006.

If the result of the calculation for a school district under division (A) (5) of this section is less than zero, the district's targeted assistance shall be zero.

(6) Calculate the aggregate amount to be paid as targeted assistance funds to each school district under division (A) of section 3317.022 of the Revised Code by multiplying the per pupil targeted assistance computed under division (A) (5) of this section by the district's ~~net formula~~ enrolled ADM.

~~As used in this division, a district's "net formula ADM" means its formula ADM minus the number of community school students certified under division (B) (3) (d) of section 3317.03 of the Revised Code X 0.75, the number of internet and computer based community school students certified under division (B) (3) (e) of that section, the number of science, technology, engineering, and mathematics school students certified under division (B) (3) (j) of that section X 0.75, and the number of scholarship students certified under divisions (B) (3) (f), (g), and (l) of that section.~~

(B) The department shall annually compute supplemental targeted assistance funds to school districts, as follows:

(1) Compute each district's agricultural percentage as the quotient of (a) the three-year average valuation of real property in the district that is classified as agricultural property divided by (b) the three-year average valuation of all of the real property in the district.

(2) Calculate the aggregate amount to be paid as supplemental targeted assistance funds to each school district under division (A) of section 3317.022 of the Revised Code, as follows:

(The district's agricultural percentage - 0.1) X (0.4 X the formula amount) X the district's ~~net formula~~ enrolled ADM, ~~as that term is defined in division (A) of this section~~

If the result of the calculation for a school district under division (B) (2) of this section is less than zero, the district's supplemental targeted assistance shall be zero.

Sec. 3317.0218. The department of education shall annually compute capacity aid funds to school districts, as follows:

(A) For each school district, multiply the district's three-year average valuation by 0.001;	2742 2743
(B) Determine the median amount of all of the amounts calculated under division (A) of this section;	2744 2745
(C) Calculate each school district's capacity ratio, which equals the greater of zero or the amount calculated as follows: (The amount determined under division (B) of this section/ the amount calculated for the district under division (A) of this section) - 1	2746 2747 2748 2749 2750
If the result of a calculation for a school district under division (C) of this section is greater than 2.5, the district's capacity ratio shall be 2.5.	2751 2752 2753
(D) Calculate the capacity aid per pupil amount, which equals the following quotient: (The amount determined under division (B) of this section)/ (the average of the formula-enrolled ADMs of all of the districts for which the amount calculated under division (A) of this section is less than the amount determined under division (B) of this section)	2754 2755 2756 2757 2758 2759 2760
(E) Calculate each school district's capacity aid, which equals the following product: The capacity aid per pupil amount calculated under division (D) of this section X the district's formula-enrolled ADM X 4.0 X the district's capacity ratio calculated under division (C) of this section	2761 2762 2763 2764 2765 2766
Sec. 3317.0219. (A) As used in this section:	2767
(1) A district's "base per pupil amount" means the	2768

following:	2769
(a) For a district in the highest quintile determined under division (B) (2) of this section, \$250, for fiscal year 2020, and \$360, for fiscal year 2021.	2770 2771 2772
(b) For a district in the second highest quintile determined under division (B) (2) of this section, \$200, for fiscal year 2020, and \$290, for fiscal year 2021.	2773 2774 2775
(c) For a district in the third highest quintile determined under division (B) (2) of this section, \$110, for fiscal year 2020, and \$155, for fiscal year 2021.	2776 2777 2778
(d) For a district in the fourth highest quintile determined under division (B) (2) of this section, \$50, for fiscal year 2020, and \$70, for fiscal year 2021.	2779 2780 2781
(e) For a district in the fifth highest quintile determined under division (B) (2) of this section, \$20, for fiscal year 2020, and \$30, for fiscal year 2021.	2782 2783 2784
(2) "Base poverty percentage" for a quintile determined under division (B) (2) of this section means the poverty percentage of the district ranked lowest in that quintile.	2785 2786 2787
(3) " Enrolled <u>Student wellness and success enrolled ADM</u> " 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:	2788 2789 2790 2791 2792 2793 2794
(a) Add the students counted under division (A) (1) (b) of section 3317.03 of the Revised Code.	2795 2796

(b) Subtract the students counted under divisions (A) (2) 2797
(a), (b), (d), (g), (h), (i), and (j) of section 3317.03 of the 2798
Revised Code. 2799

(c) Subtract the students counted under division (A) (3) of 2800
section 3317.03 of the Revised Code. 2801

(B) Subject to division (D) of this section, for fiscal 2802
years 2020 and 2021, the department of education shall calculate 2803
and pay student wellness and success funds to city, local, and 2804
exempted village school districts as follows: 2805

(1) Using the most recent five-year estimates published by 2806
the United States census bureau in the American community survey 2807
or its successor report, compute the poverty percentage for each 2808
district, which equals the following quotient: 2809

The number of children younger than eighteen years old residing 2810
in the district who live in a household with a family income 2811
below one hundred eighty-five per cent of the federal poverty 2812
guidelines, as defined in section 5101.46 of the Revised Code/ 2813
the total number of children younger than eighteen years old 2814
residing in the district 2815

(2) Rank all city, local, and exempted village school 2816
districts in order of poverty percentage calculated under 2817
division (B) (1) of this section, from the district with the 2818
highest percentage to the district with the lowest percentage, 2819
and group the districts into quintiles. 2820

(3) Determine each district's student wellness and success 2821
enrolled ADM for the immediately preceding fiscal year. If a 2822
district's student wellness and success enrolled ADM for the 2823
immediately preceding fiscal year is determined to be less than 2824
five, the district's student wellness and success enrolled ADM, 2825

for purposes of computations under this section, shall be zero. 2826

(4) For each district that is not in the highest quintile 2827
determined under division (B) (2) of this section, compute the 2828
district's scaled amount, which is equal to the following 2829
quotient: 2830

[(The district's poverty percentage computed under division (B) 2831
(1) of this section - the base poverty percentage of the 2832
district's quintile)/ (the base poverty percentage of the 2833
quintile that is the next highest quintile compared to the 2834
district's quintile - the base poverty percentage of the 2835
district's quintile)] X (the base per pupil amount for a 2836
district in the quintile that is the next highest quintile 2837
compared to the district's quintile - the district's base per 2838
pupil amount) 2839

(5) Compute a district's payment as follows: 2840

(a) Subject to division (B) (5) (c) of this section, if a 2841
district is in the highest quintile determined under division 2842
(B) (2) of this section, the district's payment shall be equal to 2843
the following amount: 2844

The district's base per pupil amount for that fiscal year X the 2845
district's student wellness and success enrolled ADM determined 2846
under division (B) (3) of this section 2847

(b) Subject to division (B) (5) (c) of this section, if a 2848
district is not in the highest quintile determined under 2849
division (B) (2) of this section, the district's payment shall be 2850
equal to the following amount: 2851

(The district's base per pupil amount for that fiscal year + the 2852
district's scaled amount computed under division (B) (4) of this 2853
section for that fiscal year) X the district's student wellness 2854

and success enrolled ADM determined under division (B) (3) of 2855
this section 2856

(c) If the computation of a district's payment under 2857
division (B) (5) (a) or (b) of this section is greater than zero 2858
but less than \$25,000, for fiscal year 2020, or \$36,000, for 2859
fiscal year 2021, the district's payment shall be equal to 2860
\$25,000, for fiscal year 2020, or \$36,000, for fiscal year 2021. 2861

If the computation of a district's payment under division 2862
(B) (5) (a) or (b) of this section is equal to zero, the 2863
district's payment shall be equal to zero. 2864

(C) (1) As used in division (C) of this section: 2865

(a) "Eligible school district" means a city, local, or 2866
exempted village school district that received supplemental 2867
targeted assistance funding under division (B) of section 2868
3317.0217 of the Revised Code for fiscal year 2019. 2869

(b) A district's "enhancement percentage for a fiscal 2870
year" means the square of the quotient of the poverty percentage 2871
calculated for the district for that fiscal year under division 2872
(B) (1) of this section divided by 0.36. 2873

(2) Subject to division (D) of this section, for fiscal 2874
years 2020 and 2021, the department shall pay student wellness 2875
and success enhancement funds to each eligible city, local, and 2876
exempted village school district in an amount equal to the 2877
following product: 2878

(\$50, for fiscal year 2020, or \$75, for fiscal year 2021) X the 2879
district's enhancement percentage for that fiscal year X the 2880
district's student wellness and success enrolled ADM for the 2881
immediately preceding fiscal year 2882

(D) The department shall pay funds under divisions (B) and 2883
(C) of this section as follows: 2884

(1) One-half of the amount shall be paid not later than 2885
the thirty-first day of October of the fiscal year for which the 2886
payment is calculated. 2887

(2) One-half of the amount shall be paid not later than 2888
the twenty-eighth day of February of the fiscal year for which 2889
the payment is calculated. 2890

Upon making a payment for a fiscal year under this 2891
section, the department shall not make any reconciliations or 2892
adjustments to that payment. 2893

(E) A city, local, or exempted village school district 2894
that receives a payment under this section shall comply with 2895
section 3317.26 of the Revised Code. 2896

Sec. 3317.03. (A) The superintendent of each city, local, 2897
and exempted village school district shall report to the state 2898
board of education as of the last day of October, March, and 2899
June of each year the enrollment of students receiving services 2900
from schools under the superintendent's supervision, and the 2901
numbers of other students entitled to attend school in the 2902
district under section 3313.64 or 3313.65 of the Revised Code 2903
the superintendent is required to report under this section, so 2904
that the department of education can calculate the district's 2905
enrolled ADM, formula ADM, rider density ADM, total ADM, 2906
category one through five career-technical education ADM, 2907
category one through three English learner ADM, category one 2908
through six special education ADM, preschool scholarship ADM, 2909
transportation ADM, and, for purposes of provisions of law 2910
outside of Chapter 3317. of the Revised Code, average daily 2911

membership.	2912
(1) The enrollment reported by the superintendent during	2913
the reporting period shall consist of the number of students in	2914
grades kindergarten through twelve receiving any educational	2915
services from the district, except that the following categories	2916
of students shall not be included in the determination:	2917
(a) Students enrolled in adult education classes;	2918
(b) Adjacent or other district students enrolled in the	2919
district under an open enrollment policy pursuant to section	2920
3313.98 of the Revised Code;	2921
(c) Students receiving services in the district pursuant	2922
to a compact, cooperative education agreement, or a contract,	2923
but who are entitled to attend school in another district	2924
pursuant to section 3313.64 or 3313.65 of the Revised Code;	2925
(d) Students for whom tuition is payable pursuant to	2926
sections 3317.081 and 3323.141 of the Revised Code;	2927
(e) Students receiving services in the district through a	2928
scholarship awarded under either section 3310.41 or sections	2929
3310.51 to 3310.64 of the Revised Code.	2930
When reporting students under division (A)(1) of this	2931
section, the superintendent also shall report the district where	2932
each student is entitled to attend school pursuant to sections	2933
3313.64 and 3313.65 of the Revised Code.	2934
(2) The department of education shall compile a list of	2935
all students reported to be enrolled in a district under	2936
division (A)(1) of this section and of the students entitled to	2937
attend school in the district pursuant to section 3313.64 or	2938
3313.65 of the Revised Code on an FTE basis but receiving	2939

educational services in grades kindergarten through twelve from	2940
one or more of the following entities:	2941
(a) A community school pursuant to Chapter 3314. of the	2942
Revised Code, including any participation in a college pursuant	2943
to Chapter 3365. of the Revised Code while enrolled in such	2944
community school;	2945
(b) An alternative school pursuant to sections 3313.974 to	2946
3313.979 of the Revised Code as described in division (I) (2) (a)	2947
or (b) of this section;	2948
(c) A college pursuant to Chapter 3365. of the Revised	2949
Code, except when the student is enrolled in the college while	2950
also enrolled in a community school pursuant to Chapter 3314., a	2951
science, technology, engineering, and mathematics school	2952
established under Chapter 3326., or a college-preparatory	2953
boarding school established under Chapter 3328. of the Revised	2954
Code;	2955
(d) An adjacent or other school district under an open	2956
enrollment policy adopted pursuant to section 3313.98 of the	2957
Revised Code;	2958
(e) An educational service center or cooperative education	2959
district;	2960
(f) Another school district under a cooperative education	2961
agreement, compact, or contract;	2962
(g) A chartered nonpublic school with a scholarship paid	2963
under section 3310.08 of the Revised Code, if the students	2964
qualified for the scholarship under section 3310.03 of the	2965
Revised Code;	2966
(h) An alternative public provider or a registered private	2967

provider with a scholarship awarded under either section 3310.41 2968
or sections 3310.51 to 3310.64 of the Revised Code. 2969

As used in this section, "alternative public provider" and 2970
"registered private provider" have the same meanings as in 2971
section 3310.41 or 3310.51 of the Revised Code, as applicable. 2972

(i) A science, technology, engineering, and mathematics 2973
school established under Chapter 3326. of the Revised Code, 2974
including any participation in a college pursuant to Chapter 2975
3365. of the Revised Code while enrolled in the school; 2976

(j) A college-preparatory boarding school established 2977
under Chapter 3328. of the Revised Code, including any 2978
participation in a college pursuant to Chapter 3365. of the 2979
Revised Code while enrolled in the school. 2980

(3) The department also shall compile a list of the 2981
students entitled to attend school in the district under section 2982
3313.64 or 3313.65 of the Revised Code who are enrolled in a 2983
joint vocational school district or under a career-technical 2984
education compact, excluding any students so entitled to attend 2985
school in the district who are enrolled in another school 2986
district through an open enrollment policy as reported under 2987
division (A) (2) (d) of this section and then enroll in a joint 2988
vocational school district or under a career-technical education 2989
compact. 2990

The department shall provide each city, local, and 2991
exempted village school district with an opportunity to review 2992
the list of students compiled under divisions (A) (2) and (3) of 2993
this section to ensure that the students reported accurately 2994
reflect the enrollment of students in the district. 2995

(B) To enable the department of education to obtain the 2996

data needed to complete the calculation of payments pursuant to 2997
this chapter, each superintendent shall certify from the reports 2998
provided by the department under division (A) of this section 2999
all of the following: 3000

(1) The total student enrollment in regular learning day 3001
classes included in the report under division (A) (1) or (2) of 3002
this section for each of the individual grades kindergarten 3003
through twelve in schools under the superintendent's 3004
supervision; 3005

(2) The unduplicated count of the number of preschool 3006
children with disabilities enrolled in the district for whom the 3007
district is eligible to receive funding under section 3317.0213 3008
of the Revised Code adjusted for the portion of the year each 3009
child is so enrolled, in accordance with the disability 3010
categories prescribed in section 3317.013 of the Revised Code; 3011

(3) The number of children entitled to attend school in 3012
the district pursuant to section 3313.64 or 3313.65 of the 3013
Revised Code who are: 3014

(a) Participating in a pilot project scholarship program 3015
established under sections 3313.974 to 3313.979 of the Revised 3016
Code as described in division (I) (2) (a) or (b) of this section; 3017

(b) Enrolled in a college under Chapter 3365. of the 3018
Revised Code, except when the student is enrolled in the college 3019
while also enrolled in a community school pursuant to Chapter 3020
3314. of the Revised Code, a science, technology, engineering, 3021
and mathematics school established under Chapter 3326., or a 3022
college-preparatory boarding school established under Chapter 3023
3328. of the Revised Code; 3024

(c) Enrolled in an adjacent or other school district under 3025

section 3313.98 of the Revised Code;	3026
(d) Enrolled in a community school established under	3027
Chapter 3314. of the Revised Code that is not an internet- or	3028
computer-based community school as defined in section 3314.02 of	3029
the Revised Code, including any participation in a college	3030
pursuant to Chapter 3365. of the Revised Code while enrolled in	3031
such community school;	3032
(e) Enrolled in an internet- or computer-based community	3033
school, as defined in section 3314.02 of the Revised Code,	3034
including any participation in a college pursuant to Chapter	3035
3365. of the Revised Code while enrolled in the school;	3036
(f) Enrolled in a chartered nonpublic school with a	3037
scholarship paid under section 3310.08 of the Revised Code and	3038
who qualified for the scholarship under section 3310.03 of the	3039
Revised Code;	3040
(g) Enrolled in kindergarten through grade twelve in an	3041
alternative public provider or a registered private provider	3042
with a scholarship awarded under section 3310.41 of the Revised	3043
Code;	3044
(h) Enrolled as a preschool child with a disability in an	3045
alternative public provider or a registered private provider	3046
with a scholarship awarded under section 3310.41 of the Revised	3047
Code;	3048
(i) Participating in a program operated by a county board	3049
of developmental disabilities or a state institution;	3050
(j) Enrolled in a science, technology, engineering, and	3051
mathematics school established under Chapter 3326. of the	3052
Revised Code, including any participation in a college pursuant	3053
to Chapter 3365. of the Revised Code while enrolled in the	3054

school;	3055
(k) Enrolled in a college-preparatory boarding school established under Chapter 3328. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;	3056 3057 3058 3059
(1) Enrolled in an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code.	3060 3061 3062
(4) The total enrollment of pupils in joint vocational schools;	3063 3064
(5) The combined enrollment of children with disabilities reported under division (A) (1) or (2) of this section, <u>excluding</u> <u>any student reported under divisions (A) (2) (a), (b), (g), (h),</u> <u>and (i) of this section,</u> receiving special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;	3065 3066 3067 3068 3069 3070 3071 3072 3073 3074
(6) The combined enrollment of children with disabilities reported under division (A) (1) or (2) of this section, <u>excluding</u> <u>any student reported under divisions (A) (2) (a), (b), (g), (h),</u> <u>and (i) of this section,</u> receiving special education services for category two disabilities described in division (B) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the	3075 3076 3077 3078 3079 3080 3081 3082 3083

Revised Code; 3084

(7) The combined enrollment of children with disabilities 3085
reported under division (A) (1) or (2) of this section, excluding 3086
any student reported under divisions (A) (2) (a), (b), (g), (h), 3087
and (i) of this section, receiving special education services 3088
for category three disabilities described in division (C) of 3089
section 3317.013 of the Revised Code, including children 3090
attending a special education program operated by an alternative 3091
public provider or a registered private provider with a 3092
scholarship awarded under sections 3310.51 to 3310.64 of the 3093
Revised Code; 3094

(8) The combined enrollment of children with disabilities 3095
reported under division (A) (1) or (2) of this section, excluding 3096
any student reported under divisions (A) (2) (a), (b), (g), (h), 3097
and (i) of this section, receiving special education services 3098
for category four disabilities described in division (D) of 3099
section 3317.013 of the Revised Code, including children 3100
attending a special education program operated by an alternative 3101
public provider or a registered private provider with a 3102
scholarship awarded under sections 3310.51 to 3310.64 of the 3103
Revised Code; 3104

(9) The combined enrollment of children with disabilities 3105
reported under division (A) (1) or (2) of this section, excluding 3106
any student reported under divisions (A) (2) (a), (b), (g), (h), 3107
and (i) of this section, receiving special education services 3108
for the category five disabilities described in division (E) of 3109
section 3317.013 of the Revised Code, including children 3110
attending a special education program operated by an alternative 3111
public provider or a registered private provider with a 3112
scholarship awarded under sections 3310.51 to 3310.64 of the 3113

Revised Code; 3114

(10) The combined enrollment of children with disabilities 3115
reported under division (A) (1) or (2) and under division (B) (3) 3116
(h) of this section, excluding any student reported under 3117
divisions (A) (2) (a), (b), (g), (h), and (i) of this section, 3118
receiving special education services for category six 3119
disabilities described in division (F) of section 3317.013 of 3120
the Revised Code, including children attending a special 3121
education program operated by an alternative public provider or 3122
a registered private provider with a scholarship awarded under 3123
either section 3310.41 or sections 3310.51 to 3310.64 of the 3124
Revised Code; 3125

(11) The enrollment of pupils reported under division (A) 3126
(1) or (2) of this section on a full-time equivalency basis, 3127
excluding any student reported under divisions (A) (2) (a), (b), 3128
(g), (h), and (i) of this section, in category one career- 3129
technical education programs or classes, described in division 3130
(A) of section 3317.014 of the Revised Code, operated by the 3131
school district or by another district that is a member of the 3132
district's career-technical planning district, other than a 3133
joint vocational school district, or by an educational service 3134
center, notwithstanding division ~~(G)~~ (H) of section 3317.02 of 3135
the Revised Code and division (C) (3) of this section; 3136

(12) The enrollment of pupils reported under division (A) 3137
(1) or (2) of this section on a full-time equivalency basis, 3138
excluding any student reported under divisions (A) (2) (a), (b), 3139
(g), (h), and (i) of this section, in category two career- 3140
technical education programs or services, described in division 3141
(B) of section 3317.014 of the Revised Code, operated by the 3142
school district or another school district that is a member of 3143

the district's career-technical planning district, other than a 3144
joint vocational school district, or by an educational service 3145
center, notwithstanding division ~~(G)~~ (H) of section 3317.02 of 3146
the Revised Code and division (C) (3) of this section; 3147

(13) The enrollment of pupils reported under division (A) 3148
(1) or (2) of this section on a full-time equivalency basis, 3149
excluding any student reported under divisions (A) (2) (a), (b), 3150
(g), (h), and (i) of this section, in category three career- 3151
technical education programs or services, described in division 3152
(C) of section 3317.014 of the Revised Code, operated by the 3153
school district or another school district that is a member of 3154
the district's career-technical planning district, other than a 3155
joint vocational school district, or by an educational service 3156
center, notwithstanding division ~~(G)~~ (H) of section 3317.02 of 3157
the Revised Code and division (C) (3) of this section; 3158

(14) The enrollment of pupils reported under division (A) 3159
(1) or (2) of this section on a full-time equivalency basis, 3160
excluding any student reported under divisions (A) (2) (a), (b), 3161
(g), (h), and (i) of this section, in category four career- 3162
technical education programs or services, described in division 3163
(D) of section 3317.014 of the Revised Code, operated by the 3164
school district or another school district that is a member of 3165
the district's career-technical planning district, other than a 3166
joint vocational school district, or by an educational service 3167
center, notwithstanding division ~~(G)~~ (H) of section 3317.02 of 3168
the Revised Code and division (C) (3) of this section; 3169

(15) The enrollment of pupils reported under division (A) 3170
(1) or (2) of this section on a full-time equivalency basis, 3171
excluding any student reported under divisions (A) (2) (a), (b), 3172
(g), (h), and (i) of this section, in category five career- 3173

technical education programs or services, described in division 3174
(E) of section 3317.014 of the Revised Code, operated by the 3175
school district or another school district that is a member of 3176
the district's career-technical planning district, other than a 3177
joint vocational school district, or by an educational service 3178
center, notwithstanding division ~~(G)~~(H) of section 3317.02 of 3179
the Revised Code and division (C) (3) of this section; 3180

(16) The enrollment of pupils reported under division (A) 3181
(1) or (2) of this section who are English learners described in 3182
division (A) of section 3317.016 of the Revised Code, excluding 3183
any student reported under ~~division (B) (3) (e)~~ divisions (A) (2) 3184
(a), (b), (g), (h), and (i) of this section ~~as enrolled in an~~ 3185
~~internet or computer based community school;~~ 3186

(17) The enrollment of pupils reported under division (A) 3187
(1) or (2) of this section who are English learners described in 3188
division (B) of section 3317.016 of the Revised Code, excluding 3189
any student reported under ~~division (B) (3) (e)~~ divisions (A) (2) 3190
(a), (b), (g), (h), and (i) of this section ~~as enrolled in an~~ 3191
~~internet or computer based community school;~~ 3192

(18) The enrollment of pupils reported under division (A) 3193
(1) or (2) of this section who are English learners described in 3194
division (C) of section 3317.016 of the Revised Code, excluding 3195
any student reported under ~~division (B) (3) (e)~~ divisions (A) (2) 3196
(a), (b), (g), (h), and (i) of this section ~~as enrolled in an~~ 3197
~~internet or computer based community school;~~ 3198

(19) The average number of children transported during the 3199
reporting period by the school district on board-owned or 3200
contractor-owned and -operated buses, reported in accordance 3201
with rules adopted by the department of education; 3202

(20) (a) The number of children, other than preschool 3203
children with disabilities, the district placed with a county 3204
board of developmental disabilities in fiscal year 1998. 3205
Division (B) (20) (a) of this section does not apply after fiscal 3206
year 2013. 3207

(b) The number of children with disabilities, other than 3208
preschool children with disabilities, placed with a county board 3209
of developmental disabilities in the current fiscal year to 3210
receive special education services for the category one 3211
disability described in division (A) of section 3317.013 of the 3212
Revised Code; 3213

(c) The number of children with disabilities, other than 3214
preschool children with disabilities, placed with a county board 3215
of developmental disabilities in the current fiscal year to 3216
receive special education services for category two disabilities 3217
described in division (B) of section 3317.013 of the Revised 3218
Code; 3219

(d) The number of children with disabilities, other than 3220
preschool children with disabilities, placed with a county board 3221
of developmental disabilities in the current fiscal year to 3222
receive special education services for category three 3223
disabilities described in division (C) of section 3317.013 of 3224
the Revised Code; 3225

(e) The number of children with disabilities, other than 3226
preschool children with disabilities, placed with a county board 3227
of developmental disabilities in the current fiscal year to 3228
receive special education services for category four 3229
disabilities described in division (D) of section 3317.013 of 3230
the Revised Code; 3231

(f) The number of children with disabilities, other than 3232
preschool children with disabilities, placed with a county board 3233
of developmental disabilities in the current fiscal year to 3234
receive special education services for the category five 3235
disabilities described in division (E) of section 3317.013 of 3236
the Revised Code; 3237

(g) The number of children with disabilities, other than 3238
preschool children with disabilities, placed with a county board 3239
of developmental disabilities in the current fiscal year to 3240
receive special education services for category six disabilities 3241
described in division (F) of section 3317.013 of the Revised 3242
Code. 3243

(21) The enrollment of students who are economically 3244
disadvantaged, as defined by the department, excluding any 3245
student reported under ~~division (B) (3) (e)~~ divisions (A) (2) (a), 3246
(b), (g), (h), and (i) of this section ~~as enrolled in an~~ 3247
~~internet or computer based community school~~. A student shall 3248
not be categorically excluded from the number reported under 3249
division (B) (21) of this section based on anything other than 3250
family income. 3251

(C) (1) The state board of education shall adopt rules 3252
necessary for implementing divisions (A), (B), and (D) of this 3253
section. 3254

(2) A student enrolled in a community school established 3255
under Chapter 3314., a science, technology, engineering, and 3256
mathematics school established under Chapter 3326., or a 3257
college-preparatory boarding school established under Chapter 3258
3328. of the Revised Code shall be counted in the formula ADM 3259
~~and, if applicable, the category one, two, three, four, five, or~~ 3260
~~six special education ADM~~ of the school district in which the 3261

student is entitled to attend school under section 3313.64 or 3262
3313.65 of the Revised Code for the same proportion of the 3263
school year that the student is counted in the enrollment of the 3264
community school, the science, technology, engineering, and 3265
mathematics school, or the college-preparatory boarding school 3266
for purposes of section 3314.08, 3326.33, or 3328.24 of the 3267
Revised Code. Notwithstanding the enrollment of students 3268
certified pursuant to division (B)(3)(d), (e), (j), or (k) of 3269
this section, the department may adjust the formula ADM of a 3270
school district to account for students entitled to attend 3271
school in the district under section 3313.64 or 3313.65 of the 3272
Revised Code who are enrolled in a community school, a science, 3273
technology, engineering, and mathematics school, or a college- 3274
preparatory boarding school for only a portion of the school 3275
year. 3276

(3) No child shall be counted as more than a total of one 3277
child in the sum of the enrollment of students of a school 3278
district under division (A), divisions (B)(1) to (22), or 3279
division (D) of this section, except as follows: 3280

(a) (i) A child with a disability described in section 3281
3317.013 of the Revised Code may be counted both in formula ADM 3282
and in category one, two, three, four, five, or six special 3283
education ADM and, if applicable, in category one, two, three, 3284
four, or five career-technical education ADM. As provided in 3285
division ~~(C)~~ (H) of section 3317.02 of the Revised Code, such a 3286
child shall be counted in category one, two, three, four, five, 3287
or six special education ADM in the same proportion that the 3288
child is counted in formula ADM. 3289

(ii) A child with a disability described in section 3290
3317.013 of the Revised Code may be counted both in enrolled ADM 3291

and in category one, two, three, four, five, or six special 3292
education ADM and, if applicable, in category one, two, three, 3293
four, or five career-technical education ADM. As provided in 3294
division (H) of section 3317.02 of the Revised Code, such a 3295
child shall be counted in category one, two, three, four, five, 3296
or six special education ADM in the same proportion that the 3297
child is counted in enrolled ADM. 3298

(b)(i) A child enrolled in career-technical education 3299
programs or classes described in section 3317.014 of the Revised 3300
Code may be counted both in formula ADM and category one, two, 3301
three, four, or five career-technical education ADM and, if 3302
applicable, in category one, two, three, four, five, or six 3303
special education ADM. Such a child shall be counted in category 3304
one, two, three, four, or five career-technical education ADM in 3305
the same proportion as the percentage of time that the child 3306
spends in the career-technical education programs or classes. 3307

(ii) A child enrolled in career-technical education 3308
programs or classes described in section 3317.014 of the Revised 3309
Code may be counted both in enrolled ADM and category one, two, 3310
three, four, or five career-technical education ADM and, if 3311
applicable, in category one, two, three, four, five, or six 3312
special education ADM. Such a child shall be counted in category 3313
one, two, three, four, or five career-technical education ADM in 3314
the same proportion as the percentage of time that the child 3315
spends in the career-technical education programs or classes. 3316

(4) Based on the information reported under this section, 3317
the department of education shall determine the total student 3318
count, as defined in section 3301.011 of the Revised Code, for 3319
each school district. 3320

(D) (1) The superintendent of each joint vocational school 3321

district shall report and certify to the superintendent of 3322
public instruction as of the last day of October, March, and 3323
June of each year the enrollment of students receiving services 3324
from schools under the superintendent's supervision so that the 3325
department can calculate the district's enrolled ADM, formula 3326
ADM, total ADM, category one through five career-technical 3327
education ADM, category one through three English learner ADM, 3328
category one through six special education ADM, and for purposes 3329
of provisions of law outside of Chapter 3317. of the Revised 3330
Code, average daily membership. 3331

The enrollment reported and certified by the 3332
superintendent, except as otherwise provided in this division, 3333
shall consist of the number of students in grades six through 3334
twelve receiving any educational services from the district, 3335
except that the following categories of students shall not be 3336
included in the determination: 3337

(a) Students enrolled in adult education classes; 3338

(b) Adjacent or other district joint vocational students 3339
enrolled in the district under an open enrollment policy 3340
pursuant to section 3313.98 of the Revised Code; 3341

(c) Students receiving services in the district pursuant 3342
to a compact, cooperative education agreement, or a contract, 3343
but who are entitled to attend school in a city, local, or 3344
exempted village school district whose territory is not part of 3345
the territory of the joint vocational district; 3346

(d) Students for whom tuition is payable pursuant to 3347
sections 3317.081 and 3323.141 of the Revised Code. 3348

(2) To enable the department of education to obtain the 3349
data needed to complete the calculation of payments pursuant to 3350

this chapter, each superintendent shall certify from the report	3351
provided under division (D) (1) of this section the enrollment	3352
for each of the following categories of students:	3353
(a) Students enrolled in each individual grade included in	3354
the joint vocational district schools;	3355
(b) Children with disabilities receiving special education	3356
services for the category one disability described in division	3357
(A) of section 3317.013 of the Revised Code;	3358
(c) Children with disabilities receiving special education	3359
services for the category two disabilities described in division	3360
(B) of section 3317.013 of the Revised Code;	3361
(d) Children with disabilities receiving special education	3362
services for category three disabilities described in division	3363
(C) of section 3317.013 of the Revised Code;	3364
(e) Children with disabilities receiving special education	3365
services for category four disabilities described in division	3366
(D) of section 3317.013 of the Revised Code;	3367
(f) Children with disabilities receiving special education	3368
services for the category five disabilities described in	3369
division (E) of section 3317.013 of the Revised Code;	3370
(g) Children with disabilities receiving special education	3371
services for category six disabilities described in division (F)	3372
of section 3317.013 of the Revised Code;	3373
(h) Students receiving category one career-technical	3374
education services, described in division (A) of section	3375
3317.014 of the Revised Code;	3376
(i) Students receiving category two career-technical	3377
education services, described in division (B) of section	3378

3317.014 of the Revised Code;	3379
(j) Students receiving category three career-technical	3380
education services, described in division (C) of section	3381
3317.014 of the Revised Code;	3382
(k) Students receiving category four career-technical	3383
education services, described in division (D) of section	3384
3317.014 of the Revised Code;	3385
(l) Students receiving category five career-technical	3386
education services, described in division (E) of section	3387
3317.014 of the Revised Code;	3388
(m) English learners described in division (A) of section	3389
3317.016 of the Revised Code;	3390
(n) English learners described in division (B) of section	3391
3317.016 of the Revised Code;	3392
(o) English learners described in division (C) of section	3393
3317.016 of the Revised Code;	3394
(p) Students who are economically disadvantaged, as	3395
defined by the department. A student shall not be categorically	3396
excluded from the number reported under division (D) (2) (p) of	3397
this section based on anything other than family income.	3398
The superintendent of each joint vocational school	3399
district shall also indicate the city, local, or exempted	3400
village school district in which each joint vocational district	3401
pupil is entitled to attend school pursuant to section 3313.64	3402
or 3313.65 of the Revised Code.	3403
(E) In each school of each city, local, exempted village,	3404
joint vocational, and cooperative education school district	3405
there shall be maintained a record of school enrollment, which	3406

record shall accurately show, for each day the school is in 3407
session, the actual enrollment in regular day classes. For the 3408
purpose of determining the enrollment of students, the 3409
enrollment figure of any school shall not include any pupils 3410
except those pupils described by division (A) or (D) of this 3411
section. The record of enrollment for each school shall be 3412
maintained in such manner that no pupil shall be counted as 3413
enrolled prior to the actual date of entry in the school and 3414
also in such manner that where for any cause a pupil permanently 3415
withdraws from the school that pupil shall not be counted as 3416
enrolled from and after the date of such withdrawal. There shall 3417
not be included in the enrollment of any school any of the 3418
following: 3419

(1) Any pupil who has graduated from the twelfth grade of 3420
a public or nonpublic high school; 3421

(2) Any pupil who is not a resident of the state; 3422

(3) Any pupil who was enrolled in the schools of the 3423
district during the previous school year when assessments were 3424
administered under section 3301.0711 of the Revised Code but did 3425
not take one or more of the assessments required by that section 3426
and was not excused pursuant to division (C)(1) or (3) of that 3427
section; 3428

(4) Any pupil who has attained the age of twenty-two 3429
years, except for veterans of the armed services whose 3430
attendance was interrupted before completing the recognized 3431
twelve-year course of the public schools by reason of induction 3432
or enlistment in the armed forces and who apply for reenrollment 3433
in the public school system of their residence not later than 3434
four years after termination of war or their honorable 3435
discharge; 3436

(5) Any pupil who has a certificate of high school 3437
equivalence as defined in section 5107.40 of the Revised Code. 3438

If, however, any veteran described by division (E) (4) of 3439
this section elects to enroll in special courses organized for 3440
veterans for whom tuition is paid under the provisions of 3441
federal laws, or otherwise, that veteran shall not be included 3442
in the enrollment of students determined under this section. 3443

Notwithstanding division (E) (3) of this section, the 3444
enrollment of any school may include a pupil who did not take an 3445
assessment required by section 3301.0711 of the Revised Code if 3446
the superintendent of public instruction grants a waiver from 3447
the requirement to take the assessment to the specific pupil and 3448
a parent is not paying tuition for the pupil pursuant to section 3449
3313.6410 of the Revised Code. The superintendent may grant such 3450
a waiver only for good cause in accordance with rules adopted by 3451
the state board of education. 3452

The enrolled ADM, formula ADM, total ADM, category one 3453
through five career-technical education ADM, category one 3454
through three English learner ADM, category one through six 3455
special education ADM, preschool scholarship ADM, transportation 3456
ADM, and, for purposes of provisions of law outside of Chapter 3457
3317. of the Revised Code, average daily membership of any 3458
school district shall be determined in accordance with rules 3459
adopted by the state board of education. 3460

(F) (1) If a student attending a community school under 3461
Chapter 3314., a science, technology, engineering, and 3462
mathematics school established under Chapter 3326., or a 3463
college-preparatory boarding school established under Chapter 3464
3328. of the Revised Code is not included in the formula ADM 3465
calculated for the school district in which the student is 3466

entitled to attend school under section 3313.64 or 3313.65 of 3467
the Revised Code, the department of education shall adjust the 3468
formula ADM of that school district to include the student in 3469
accordance with division (C) (2) of this section, ~~and shall~~ 3470
~~recalculate the school district's payments under this chapter~~ 3471
~~for the entire fiscal year on the basis of that adjusted formula~~ 3472
~~ADM.~~ 3473

(2) If a student awarded an educational choice scholarship 3474
is not included in the formula ADM of the school district ~~from~~ 3475
~~in which the department deducts funds for the scholarship under~~ 3476
~~section 3310.08 of the Revised Code~~ student resides, the 3477
department shall adjust the formula ADM of that school district 3478
to include the student ~~to the extent necessary to account for~~ 3479
~~the deduction, and shall recalculate the school district's~~ 3480
~~payments under this chapter for the entire fiscal year on the~~ 3481
~~basis of that adjusted formula ADM.~~ 3482

(3) If a student awarded a scholarship under the Jon 3483
Peterson special needs scholarship program is not included in 3484
the formula ADM of the school district ~~from~~ in which the 3485
~~department deducts funds for the scholarship under section~~ 3486
~~3310.55 of the Revised Code~~ student resides, the department 3487
shall adjust the formula ADM of that school district to include 3488
the student ~~to the extent necessary to account for the~~ 3489
~~deduction, and shall recalculate the school district's payments~~ 3490
~~under this chapter for the entire fiscal year on the basis of~~ 3491
~~that adjusted formula ADM.~~ 3492

(G) (1) (a) The superintendent of an institution operating a 3493
special education program pursuant to section 3323.091 of the 3494
Revised Code shall, for the programs under such superintendent's 3495
supervision, certify to the state board of education, in the 3496

manner prescribed by the superintendent of public instruction, 3497
both of the following: 3498

(i) The unduplicated count of the number of all children 3499
with disabilities other than preschool children with 3500
disabilities receiving services at the institution for each 3501
category of disability described in divisions (A) to (F) of 3502
section 3317.013 of the Revised Code adjusted for the portion of 3503
the year each child is so enrolled; 3504

(ii) The unduplicated count of the number of all preschool 3505
children with disabilities in classes or programs for whom the 3506
district is eligible to receive funding under section 3317.0213 3507
of the Revised Code adjusted for the portion of the year each 3508
child is so enrolled, reported according to the categories 3509
prescribed in section 3317.013 of the Revised Code. 3510

(b) The superintendent of an institution with career- 3511
technical education units approved under section 3317.05 of the 3512
Revised Code shall, for the units under the superintendent's 3513
supervision, certify to the state board of education the 3514
enrollment in those units, in the manner prescribed by the 3515
superintendent of public instruction. 3516

(2) The superintendent of each county board of 3517
developmental disabilities that maintains special education 3518
classes under section 3317.20 of the Revised Code or provides 3519
services to preschool children with disabilities pursuant to an 3520
agreement between the county board and the appropriate school 3521
district shall do both of the following: 3522

(a) Certify to the state board, in the manner prescribed 3523
by the board, the enrollment in classes under section 3317.20 of 3524
the Revised Code for each school district that has placed 3525

children in the classes; 3526

(b) Certify to the state board, in the manner prescribed 3527
by the board, the unduplicated count of the number of all 3528
preschool children with disabilities enrolled in classes for 3529
which the board is eligible to receive funding under section 3530
3317.0213 of the Revised Code adjusted for the portion of the 3531
year each child is so enrolled, reported according to the 3532
categories prescribed in section 3317.013 of the Revised Code, 3533
and the number of those classes. 3534

(H) Except as provided in division (I) of this section, 3535
when any city, local, or exempted village school district 3536
provides instruction for a nonresident pupil whose attendance is 3537
unauthorized attendance as defined in section 3327.06 of the 3538
Revised Code, that pupil's enrollment shall not be included in 3539
that district's enrollment figure used in calculating the 3540
district's payments under this chapter. The reporting official 3541
shall report separately the enrollment of all pupils whose 3542
attendance in the district is unauthorized attendance, and the 3543
enrollment of each such pupil shall be credited to the school 3544
district in which the pupil is entitled to attend school under 3545
division (B) of section 3313.64 or section 3313.65 of the 3546
Revised Code as determined by the department of education. 3547

~~(I)(1)~~ (I) This division shall not apply on or after the 3548
effective date of this amendment. 3549

(1) A city, local, exempted village, or joint vocational 3550
school district admitting a scholarship student of a pilot 3551
project district pursuant to division (C) of section 3313.976 of 3552
the Revised Code may count such student in its enrollment. 3553

(2) In any year for which funds are appropriated for pilot 3554

project scholarship programs, a school district implementing a 3555
state-sponsored pilot project scholarship program that year 3556
pursuant to sections 3313.974 to 3313.979 of the Revised Code 3557
may count in its enrollment: 3558

(a) All children residing in the district and utilizing a 3559
scholarship to attend kindergarten in any alternative school, as 3560
defined in section 3313.974 of the Revised Code; 3561

(b) All children who were enrolled in the district in the 3562
preceding year who are utilizing a scholarship to attend an 3563
alternative school. 3564

(J) The superintendent of each cooperative education 3565
school district shall certify to the superintendent of public 3566
instruction, in a manner prescribed by the state board of 3567
education, the applicable enrollments for all students in the 3568
cooperative education district, also indicating the city, local, 3569
or exempted village district where each pupil is entitled to 3570
attend school under section 3313.64 or 3313.65 of the Revised 3571
Code. 3572

(K) If the superintendent of public instruction determines 3573
that a component of the enrollment certified or reported by a 3574
district superintendent, or other reporting entity, is not 3575
correct, the superintendent of public instruction may order that 3576
the ~~formula ADM used for the purposes of payments under any~~ 3577
~~section of Title XXXIII of the Revised Code~~ district's enrolled 3578
ADM, formula ADM, or both be adjusted in the amount of the 3579
error. 3580

Sec. 3317.051. (A) ~~As used in this section, "gifted unit~~ 3581
~~ADM" means a school district's formula ADM minus the number of~~ 3582
~~students reported by a district under divisions (A) (2) (a) and~~ 3583

~~(i) of section 3317.03 of the Revised Code.~~ 3584

~~(B)~~ The department of education shall compute and pay to a 3585
school district funds based on units for services to students 3586
identified as gifted under Chapter 3324. of the Revised Code as 3587
prescribed by this section. 3588

~~(C)~~ (B) The department shall allocate gifted units for a 3589
school district as follows: 3590

(1) One gifted coordinator unit shall be allocated for 3591
every 3,300 students in a district's ~~gifted unit~~ enrolled ADM, 3592
with a minimum of 0.5 units and a maximum of 8 units allocated 3593
for the district. 3594

(2) One gifted intervention specialist unit shall be 3595
allocated for every 1,100 students in a district's ~~gifted unit~~ 3596
enrolled ADM, with a minimum of 0.3 units allocated for the 3597
district. 3598

~~(D)~~ (C) The department shall pay the following amount to a 3599
school district for gifted units: 3600

\$37,370 multiplied by the number of units allocated to a school 3601
district under division ~~(C)~~ (B) of this section 3602

~~(E)~~ (D) A school district may assign gifted unit funding 3603
that it receives under division ~~(D)~~ (C) of this section to 3604
another school district, an educational service center, a 3605
community school, or a STEM school as part of an arrangement to 3606
provide services to the district. 3607

Sec. 3317.163. (A) As used in this section: 3608

(1) "Base per pupil amount" has the same meaning as in 3609
section 3317.0219 of the Revised Code. 3610

(2) "Eligible school district" has the same meaning as in 3611
division (C)(1) of section 3317.0219 of the Revised Code. 3612

(3) "Resident district" means the city, local, or exempted 3613
village school district in which a student is entitled to attend 3614
school pursuant to section 3313.64 or 3313.65 of the Revised 3615
Code. 3616

(B) Subject to division (D) of this section, for fiscal 3617
years 2020 and 2021, the department of education shall calculate 3618
and pay to each joint vocational school district student 3619
wellness and success funds, on a full-time equivalency basis, 3620
for each student enrolled in the district in the immediately 3621
preceding fiscal year in an amount equal to the following: 3622

(The base per pupil amount of the student's resident district 3623
for that fiscal year + the scaled amount of the student's 3624
resident district, if any, computed under division (B)(4) of 3625
section 3317.0219 of the Revised Code) 3626

However, each joint vocational school district shall 3627
receive a minimum payment of \$25,000, for fiscal year 2020, or 3628
\$36,000 for fiscal year 2021. 3629

(C) Subject to division (D) of this section, for fiscal 3630
years 2020 and 2021, the department shall pay to each joint 3631
vocational school district student wellness and success 3632
enhancement funds, on a full-time equivalency basis, for each 3633
student enrolled in the district in the immediately preceding 3634
fiscal year whose resident district is an eligible school 3635
district, in an amount equal to the following: 3636

The amount paid to the student's resident district under 3637
division (C)(2) of section 3317.0219 of the Revised Code for 3638
that fiscal year/ the student wellness and success enrolled ADM 3639

of the student's resident district for the immediately preceding 3640
fiscal year 3641

(D) The department shall pay funds under divisions (B) and 3642
(C) of this section as follows: 3643

(1) One-half of the amount shall be paid not later than 3644
the thirty-first day of October of the fiscal year for which the 3645
payment is calculated. 3646

(2) One-half of the amount shall be paid not later than 3647
the twenty-eighth day of February of the fiscal year for which 3648
the payment is calculated. 3649

Upon making a payment for a fiscal year under this 3650
section, the department shall not make any reconciliations or 3651
adjustments to that payment. 3652

(E) A joint vocational school district that receives a 3653
payment under this section shall comply with section 3317.26 of 3654
the Revised Code. 3655

Sec. 3326.31. As used in sections 3326.31 to 3326.50 of 3656
the Revised Code: 3657

(A) (1) "Category one career-technical education student" 3658
means a student who is receiving the career-technical education 3659
services described in division (A) of section 3317.014 of the 3660
Revised Code. 3661

(2) "Category two career-technical student" means a 3662
student who is receiving the career-technical education services 3663
described in division (B) of section 3317.014 of the Revised 3664
Code. 3665

(3) "Category three career-technical student" means a 3666
student who is receiving the career-technical education services 3667

described in division (C) of section 3317.014 of the Revised Code. 3668
3669

(4) "Category four career-technical student" means a student who is receiving the career-technical education services described in division (D) of section 3317.014 of the Revised Code. 3670
3671
3672
3673

(5) "Category five career-technical education student" means a student who is receiving the career-technical education services described in division (E) of section 3317.014 of the Revised Code. 3674
3675
3676
3677

(B) (1) "Category one English learner" means an English learner described in division (A) of section 3317.016 of the Revised Code. 3678
3679
3680

(2) "Category two English learner" means an English learner described in division (B) of section 3317.016 of the Revised Code. 3681
3682
3683

(3) "Category three English learner" means an English learner described in division (C) of section 3317.016 of the Revised Code. 3684
3685
3686

(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. 3687
3688
3689
3690

(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. 3691
3692
3693
3694

(3) "Category three special education student" means a 3695

student who is receiving special education services for a 3696
disability specified in division (C) of section 3317.013 of the 3697
Revised Code. 3698

(4) "Category four special education student" means a 3699
student who is receiving special education services for a 3700
disability specified in division (D) of section 3317.013 of the 3701
Revised Code. 3702

(5) "Category five special education student" means a 3703
student who is receiving special education services for a 3704
disability specified in division (E) of section 3317.013 of the 3705
Revised Code. 3706

(6) "Category six special education student" means a 3707
student who is receiving special education services for a 3708
disability specified in division (F) of section 3317.013 of the 3709
Revised Code. 3710

(D) "Formula amount" has the same meaning as in section 3711
3317.02 of the Revised Code. 3712

(E) "Economically disadvantaged index for a science, 3713
technology, engineering, and mathematics school" means the 3714
square of the quotient of the percentage of students enrolled in 3715
the school who are identified as economically disadvantaged as 3716
defined by the department of education, divided by the 3717
percentage of students in the statewide ADM identified as 3718
economically disadvantaged. For purposes of this calculation, 3719
the "statewide ADM" equals the "statewide ADM" for city, local, 3720
and exempted village school districts described in division (D) 3721
(1) of section 3317.02 of the Revised Code. 3722

(F) "IEP" means an individualized education program as 3723
defined in section 3323.01 of the Revised Code. 3724

~~(F)-(G)~~ "Resident district" means the school district in 3725
which a student is entitled to attend school under section 3726
3313.64 or 3313.65 of the Revised Code. 3727

~~(G) "State education aid" has the same meaning as in 3728
section 5751.20 of the Revised Code. 3729~~

Sec. 3326.33. For each student enrolled in a science, 3730
technology, engineering, and mathematics school established 3731
under this chapter, on a full-time equivalency basis, the 3732
department of education annually shall ~~deduct from the state-~~ 3733
~~education aid of a student's resident school district and, if-~~ 3734
~~necessary, from the payment made to the district under sections-~~ 3735
~~321.24 and 323.156 of the Revised Code and pay to the school or,~~ 3736
if the student is enrolled in a school that is part of a group 3737
of STEM schools under section 3326.031 of the Revised Code, to 3738
the governing body of that group the sum of the following: 3739

(A) An opportunity grant in an amount equal to the formula 3740
amount; 3741

(B) The per pupil amount of targeted assistance funds 3742
calculated under division (A) of section 3317.0217 of the 3743
Revised Code for the student's resident district, as determined 3744
by the department, X 0.25; 3745

(C) Additional state aid for special education and related 3746
services provided under Chapter 3323. of the Revised Code as 3747
follows: 3748

(1) If the student is a category one special education 3749
student, the amount specified in division (A) of section 3750
3317.013 of the Revised Code; 3751

(2) If the student is a category two special education 3752
student, the amount specified in division (B) of section 3753

3317.013 of the Revised Code;	3754
(3) If the student is a category three special education student, the amount specified in division (C) of section 3317.013 of the Revised Code;	3755 3756 3757
(4) If the student is a category four special education student, the amount specified in division (D) of section 3317.013 of the Revised Code;	3758 3759 3760
(5) If the student is a category five special education student, the amount specified in division (E) of section 3317.013 of the Revised Code;	3761 3762 3763
(6) If the student is a category six special education student, the amount specified in division (F) of section 3317.013 of the Revised Code.	3764 3765 3766
(D) If the student is in kindergarten through third grade, \$320;	3767 3768
(E) If the student is economically disadvantaged, an amount equal to the following:	3769 3770
\$272 X the resident district's <u>school's</u> economically disadvantaged index	3771 3772
(F) English learner funds, as follows:	3773
(1) If the student is a category one English learner, the amount specified in division (A) of section 3317.016 of the Revised Code;	3774 3775 3776
(2) If the student is a category two English learner, the amount specified in division (B) of section 3317.016 of the Revised Code;	3777 3778 3779
(3) If the student is a category three English learner,	3780

the amount specified in division (C) of section 3317.016 of the Revised Code.	3781 3782
(G) Career-technical education funds as follows:	3783
(1) 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;	3784 3785 3786
(2) 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;	3787 3788 3789
(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;	3790 3791 3792
(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;	3793 3794 3795
(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.	3796 3797 3798
Deduction and payment <u>Payment</u> of funds under division (G) of this section is subject to approval under section 3317.161 of the Revised Code.	3799 3800 3801
Sec. 3326.42. (A) As used in this section:	3802
(1) "Base per pupil amount" has the same meaning as in section 3317.0219 of the Revised Code.	3803 3804
(2) "Eligible school district" has the same meaning as in division (C)(1) of section 3317.0219 of the Revised Code.	3805 3806
(3) "Resident district" has the same meaning as in section	3807

3326.31 of the Revised Code. 3808

(B) Subject to division (D) of this section, for fiscal 3809
years 2020 and 2021, the department of education shall calculate 3810
and pay to each science, technology, engineering, and 3811
mathematics school student wellness and success funds, on a 3812
full-time equivalency basis, for each student enrolled in the 3813
school in the immediately preceding fiscal year in an amount 3814
equal to the following: 3815

(The base per pupil amount of the student's resident district 3816
for that fiscal year + the scaled amount of the student's 3817
resident district, if any, computed under division (B) (4) of 3818
section 3317.0219 of the Revised Code) 3819

However, each science, technology, engineering, and 3820
mathematics school shall receive a minimum payment of \$25,000, 3821
for fiscal year 2020, or \$36,000 for fiscal year 2021. 3822

(C) Subject to division (D) of this section, for fiscal 3823
years 2020 and 2021, the department shall pay to each science, 3824
technology, engineering, and mathematics school student wellness 3825
and success enhancement funds, on a full-time equivalency basis, 3826
for each student enrolled in the school in the immediately 3827
preceding fiscal year whose resident district is an eligible 3828
school district, in an amount equal to the following: 3829

The amount paid to the student's resident district under 3830
division (C) (2) of section 3317.0219 of the Revised Code for 3831
that fiscal year/ the student wellness and success enrolled ADM 3832
of the student's resident district for the immediately preceding 3833
fiscal year 3834

(D) The department shall pay funds under divisions (B) and 3835
(C) of this section as follows: 3836

(1) One-half of the amount shall be paid not later than 3837
the thirty-first day of October of the fiscal year for which the 3838
payment is calculated. 3839

(2) One-half of the amount shall be paid not later than 3840
the twenty-eighth day of February of the fiscal year for which 3841
the payment is calculated. 3842

Upon making a payment for a fiscal year under this 3843
section, the department shall not make any reconciliations or 3844
adjustments to that payment. 3845

(E) A science, technology, engineering, and mathematics 3846
school that receives a payment under this section shall comply 3847
with section 3317.26 of the Revised Code. 3848

Section 2. That existing sections 3301.0714, 3302.20, 3849
3310.08, 3310.41, 3310.54, 3314.08, 3314.084, 3314.087, 3850
3314.088, 3314.091, 3314.11, 3314.20, 3317.017, 3317.02, 3851
3317.022, 3317.029, 3317.0212, 3317.0217, 3317.0218, 3317.0219, 3852
3317.03, 3317.051, 3317.163, 3326.31, 3326.33, and 3326.42 of 3853
the Revised Code are hereby repealed. 3854

Section 3. That section 3310.55 of the Revised Code is 3855
hereby repealed. 3856

Section 4. That Sections 265.10, 265.170, 265.210, 3857
265.220, 265.230, and 265.235 of H.B. 166 of the 133rd General 3858
Assembly be amended to read as follows: 3859

Sec. 265.10. 3860

3861

A			EDU DEPARTMENT OF EDUCATION			
B			General Revenue Fund			
C	GRF	200321	Operating Expenses	\$	15,153,032	\$ 16,565,951
D	GRF	200408	Early Childhood Education	\$	68,116,789	\$ 68,116,789
E	GRF	200420	Information Technology Development and Support	\$	4,004,299	\$ 4,026,960
F	GRF	200422	School Management Assistance	\$	2,385,580	\$ 2,408,711
G	GRF	200424	Policy Analysis	\$	458,232	\$ 457,676
H	GRF	200426	Ohio Educational Computer Network	\$	15,457,000	\$ 15,457,000
I	GRF	200427	Academic Standards	\$	4,434,215	\$ 4,483,525
J	GRF	200437	Student Assessment	\$	56,906,893	\$ 56,948,365
K	GRF	200439	Accountability/ Report Cards	\$	7,517,406	\$ 7,565,320

L	GRF	200442	Child Care Licensing	\$	2,156,322	\$	2,227,153
M	GRF	200446	Education Management Information System	\$	8,112,987	\$	8,174,415
N	GRF	200448	Educator Preparation	\$	11,785,384	\$	7,285,384
O	GRF	200455	Community Schools and Choice Programs	\$	4,867,763	\$	4,912,546
P	GRF	200465	Education Technology Resources	\$	5,179,664	\$	5,179,664
Q	GRF	200478	Industry- Recognized Credentials High School Students	\$	25,000,000	\$	25,000,000
R	GRF	200502	Pupil Transportation	\$	527,129,809	\$	527,129,809
S	GRF	200505	School Lunch Match	\$	8,963,500	\$	8,963,500
T	<u>GRF</u>	<u>200506</u>	<u>Autism</u> <u>Scholarship</u>	<u>\$</u>	<u>92,000,000</u>	<u>\$</u>	<u>97,000,000</u>

		<u>Program</u>				
U	GRF	200507	<u>Jon Peterson</u>	\$	<u>75,000,000</u>	\$ <u>87,000,000</u>
			<u>Special Needs</u>			
			<u>Scholarship</u>			
			<u>Program</u>			
V	GRF	200508	<u>EdChoice</u>	\$	<u>122,000,000</u>	\$ <u>129,000,000</u>
			<u>Scholarship</u>			
			<u>Program</u>			
W	GRF	200510	<u>Cleveland</u>	\$	<u>49,901,887</u>	\$ <u>49,901,887</u>
			<u>Scholarship</u>			
			<u>Program</u>			
X	GRF	200511	Auxiliary	\$	154,939,134	\$ 154,939,134
			Services			
Y	GRF	200512	<u>Community and</u>	\$	<u>874,000,000</u>	\$ <u>874,000,000</u>
			<u>STEM Schools</u>			
Z	GRF	200532	Nonpublic	\$	69,997,735	\$ 69,997,735
			Administrative			
			Cost			
			Reimbursement			
AA	GRF	200540	Special	\$	152,600,000	\$ 152,850,000
			Education			
			Enhancements			
AB	GRF	200545	Career-	\$	9,750,892	\$ 9,750,892
			Technical			
			Education			

			Enhancements			
AC GRF	200550	Foundation	\$	6,942,880,845	\$	6,774,618,845
		Funding		<u>5,760,978,958</u>		<u>5,592,716,958</u>
AD GRF	200566	Literacy	\$	1,452,876	\$	1,452,172
		Improvement				
AE GRF	200572	Adult Education	\$	10,207,674	\$	10,207,674
		Programs				
AF GRF	200573	EdChoice	\$	57,223,340	\$	121,017,418
		Expansion				
AG GRF	200574	Half-Mill	\$	18,849,207	\$	18,128,526
		Maintenance				
		Equalization				
AH GRF	200576	Adaptive Sports	\$	250,000	\$	250,000
		Program				
AI GRF	200597	Program and	\$	1,125,000	\$	625,000
		Project Support				
AJ GRF	657401	Medicaid in	\$	297,978	\$	297,978
		Schools				
AK TOTAL GRF		General Revenue	\$	8,187,203,556	\$	8,079,038,142
		Fund		<u>8,218,203,556</u>		<u>8,134,038,142</u>
AL		Dedicated Purpose Fund Group				
AM 4520	200638	Charges and	\$	1,000,000	\$	1,000,000

Reimbursements

AN 4550	200608	Commodity Foods	\$	1,000,000	\$	1,000,000
AO 4L20	200681	Teacher Certification and Licensure	\$	13,795,827	\$	14,000,000
AP 5980	200659	Auxiliary Services Reimbursement	\$	1,300,000	\$	1,300,000
AQ 5H30	200687	School District Solvency Assistance	\$	2,000,000	\$	2,000,000
AR 5KX0	200691	Ohio School Sponsorship Program	\$	1,250,000	\$	1,250,000
AS 5MM0	200677	Child Nutrition Refunds	\$	550,000	\$	550,000
AT 5U20	200685	National Education Statistics	\$	170,675	\$	175,000
AU 5VS0	200604	Student Wellness and Success	\$	275,000,000	\$	400,000,000
AV 5VU0	200663	School Bus Purchase	\$	0	\$	20,000,000

AW 6200 200615	Educational Improvement Grants	\$	594,443	\$	600,000
AX TOTAL DPF Dedicated Purpose Fund Group		\$	296,660,945	\$	441,875,000
AY Internal Service Activity Fund Group					
AZ 1380 200606	Information Technology Development and Support	\$	7,939,104	\$	8,047,645
BA 4R70 200695	Indirect Operational Support	\$	7,856,766	\$	7,856,766
BB 4V70 200633	Interagency Program Support	\$	5,497,938	\$	5,500,000
BC TOTAL ISA Internal Service Activity Fund Group		\$	21,293,808	\$	21,404,411
BD State Lottery Fund Group					
BE 7017 200602	School Climate Grants	\$	2,000,000	\$	2,000,000
BF 7017 200612	Foundation Funding	\$	1,081,400,000	\$	1,249,900,000
BG 7017 200614	Accelerate Great Schools	\$	1,500,000	\$	1,500,000

BH 7017 200631	Quality Community Schools Support	\$	30,000,000	\$	30,000,000
BI 7017 200636	Enrollment Growth Supplement	\$	15,500,000	\$	23,000,000
BJ 7017 200684	Community School Facilities	\$	20,600,000	\$	20,600,000
BK TOTAL SLF State Lottery Fund Group		\$	1,151,000,000	\$	1,327,000,000
BL Federal Fund Group					
BM 3670 200607	School Food Services	\$	11,469,730	\$	11,897,473
BN 3700 200624	Education of Exceptional Children	\$	2,000,000	\$	2,000,000
BO 3AF0 657601	Schools Medicaid Administrative Claims	\$	295,500	\$	295,500
BP 3AN0 200671	School Improvement Grants	\$	17,000,000	\$	17,000,000

BQ 3C50	200661	Early Childhood Education	\$	12,555,000	\$	12,555,000
BR 3EH0	200620	Migrant Education	\$	2,700,000	\$	2,700,000
BS 3EJ0	200622	Homeless Children Education	\$	3,295,203	\$	3,300,000
BT 3FE0	200669	Striving Readers	\$	12,507,905	\$	12,511,000
BU 3GE0	200674	Summer Food Service Program	\$	15,599,467	\$	16,342,299
BV 3GG0	200676	Fresh Fruit and Vegetable Program	\$	4,911,207	\$	5,145,074
BW 3HF0	200649	Federal Education Grants	\$	7,049,677	\$	7,056,327
BX 3HI0	200634	Student Support and Academic Enrichment	\$	40,042,720	\$	40,042,720
BY 3L60	200617	Federal School Lunch	\$	418,643,500	\$	430,837,000
BZ 3L70	200618	Federal School Breakfast	\$	158,726,966	\$	163,350,081

CA 3L80	200619	Child/Adult Food Programs	\$	110,121,168	\$	113,328,580
CB 3L90	200621	Career- Technical Education Basic Grant	\$	45,946,927	\$	46,000,000
CC 3M00	200623	ESEA Title 1A	\$	600,000,000	\$	600,000,000
CD 3M20	200680	Individuals with Disabilities Education Act	\$	454,770,591	\$	455,000,000
CE 3T40	200613	Public Charter Schools	\$	7,000,000	\$	7,000,000
CF 3Y20	200688	21st Century Community Learning Centers	\$	47,500,000	\$	47,500,000
CG 3Y60	200635	Improving Teacher Quality	\$	85,000,000	\$	85,000,000
CH 3Y70	200689	English Language Acquisition	\$	10,500,000	\$	10,500,000
CI 3Y80	200639	Rural and Low Income Technical	\$	3,600,000	\$	3,600,000

	Assistance				
CJ 3Z20 200690	State	\$	12,000,000	\$	12,000,000
	Assessments				
CK 3Z30 200645	Consolidated	\$	10,701,635	\$	10,900,000
	Federal Grant				
	Administration				
CL TOTAL FED	Federal Fund Group	\$	2,093,937,196	\$	2,115,861,054
CM TOTAL ALL BUDGET FUND GROUPS		\$	11,750,095,505	\$	11,985,178,607
			<u>11,781,095,505</u>		<u>12,040,178,607</u>

3862

Sec. 265.170. AUTISM SCHOLARSHIP PROGRAM

3863

The foregoing appropriation item 200506, Autism Scholarship Program, shall be used for payment of the Autism Scholarship Program pursuant to section 3310.41 of the Revised Code.

3864

3865

3866

3867

JON PETERSON SPECIAL NEEDS SCHOLARSHIP PROGRAM

3868

The foregoing appropriation item 200507, Jon Peterson Special Needs Scholarship Program, shall be used for payment of the Jon Peterson Special Needs Scholarship Program pursuant to section 3310.52 of the Revised Code.

3869

3870

3871

3872

EDCHOICE SCHOLARSHIP PROGRAM

3873

The foregoing appropriation item 200508, EdChoice Scholarship Program, shall be used for payment of the Educational Choice Scholarship Pilot Program pursuant to section 3310.08 of the Revised Code for students determined eligible

3874

3875

3876

3877

under section 3310.03 of the Revised Code. 3878

CLEVELAND SCHOLARSHIP PROGRAM 3879

The foregoing appropriation item 200510, Cleveland 3880
Scholarship Program, shall be used to operate the school choice 3881
program in the Cleveland Municipal School District under 3882
sections 3313.974 to 3313.979 of the Revised Code. 3883

Notwithstanding divisions (B) and (C) of section 3313.978 and 3884
division (C) of section 3313.979 of the Revised Code, up to 3885
\$1,000,000 in each fiscal year of this amount shall be used by 3886
the Cleveland Municipal School District to provide tutorial 3887
assistance as provided in division (H) of section 3313.974 of 3888
the Revised Code. The Cleveland Municipal School District shall 3889
report the use of these funds in the district's three-year 3890
continuous improvement plan as described in section 3302.04 of 3891
the Revised Code in a manner approved by the Department. 3892

AUXILIARY SERVICES 3893

Of the foregoing appropriation item 200511, Auxiliary 3894
Services, up to \$2,600,000 in each fiscal year may be used for 3895
payment of the College Credit Plus Program for nonpublic 3896
secondary school participants. The Department of Education shall 3897
distribute these funds according to rule 3333-1-65.8 of the 3898
Administrative Code, adopted by the Department of Higher 3899
Education pursuant to division (A) of section 3365.071 of the 3900
Revised Code. 3901

The remainder of the foregoing appropriation item 200511, 3902
Auxiliary Services, shall be used by the Department for the 3903
purpose of implementing sections 3317.06 and 3317.062 of the 3904
Revised Code. 3905

COMMUNITY AND STEM SCHOOLS 3906

The foregoing appropriation item 200512, Community and STEM Schools, shall be used to pay community schools and STEM schools in accordance with sections 3314.08, 3314.085, 3326.33, and 3326.41 of the Revised Code, and in accordance with the sections of H.B. 166 of the 133rd General Assembly entitled "FUNDING FOR COMMUNITY SCHOOLS" and "FUNDING FOR STEM SCHOOLS."

Sec. 265.210. FOUNDATION FUNDING

Of the foregoing appropriation item 200550, Foundation Funding, up to \$40,000,000 in each fiscal year shall be used to provide additional state aid to school districts, joint vocational school districts, community schools, and STEM schools for special education students under division (C) (3) of section 3314.08, section 3317.0214 and division (B) of section 3317.16 in accordance with the section of ~~this act~~ H.B. 166 of the 133rd General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 and 2021," and section 3326.34 of the Revised Code, except that the Controlling Board may increase these amounts if presented with such a request from the Department of Education at the final meeting of the fiscal year.

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

Of the foregoing appropriation item 200550, Foundation Funding, up to \$40,000,000 in each fiscal year shall be reserved to fund the state reimbursement of educational service centers

under the section of ~~this act~~ H.B. 166 of the 133rd General 3937
Assembly entitled "EDUCATIONAL SERVICE CENTERS FUNDING." 3938

Of the foregoing appropriation item 200550, Foundation 3939
Funding, up to \$3,500,000 in each fiscal year shall be 3940
distributed to educational service centers for School 3941
Improvement Initiatives and for the provision of technical 3942
assistance to schools and districts consistent with requirements 3943
of section 3312.01 of the Revised Code. The Department may 3944
distribute these funds through a competitive grant process. 3945

Of the foregoing appropriation item 200550, Foundation 3946
Funding, up to \$7,000,000 in each fiscal year shall be reserved 3947
for payments under section 3317.029 of the Revised Code, in 3948
accordance with the section of ~~this act~~ H.B. 166 of the 133rd 3949
General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 3950
2020 and 2021." If this amount is not sufficient, the 3951
Superintendent of Public Instruction may reallocate excess funds 3952
for other purposes supported by this appropriation item in order 3953
to fully pay the amounts required by that section, provided that 3954
the aggregate amount appropriated in appropriation item 200550, 3955
Foundation Funding, is not exceeded. 3956

~~Of the foregoing appropriation item 200550, Foundation~~ 3957
~~Funding, up to \$26,400,000 in each fiscal year shall be used to~~ 3958
~~support school choice programs.~~ 3959

~~Of the portion of the funds distributed to the Cleveland~~ 3960
~~Municipal School District under this section, up to \$23,501,887~~ 3961
~~in each fiscal year shall be used to operate the school choice~~ 3962
~~program in the Cleveland Municipal School District under~~ 3963
~~sections 3313.974 to 3313.979 of the Revised Code.~~ 3964
~~Notwithstanding divisions (B) and (C) of section 3313.978 and~~ 3965
~~division (C) of section 3313.979 of the Revised Code, up to~~ 3966

~~\$1,000,000 in each fiscal year of this amount shall be used by
the Cleveland Municipal School District to provide tutorial
assistance as provided in division (H) of section 3313.974 of
the Revised Code. The Cleveland Municipal School District shall
report the use of these funds in the district's three year
continuous improvement plan as described in section 3302.04 of
the Revised Code in a manner approved by the Department.~~

Of the foregoing appropriation item 200550, Foundation
Funding, up to \$2,000,000 in each fiscal year may be used for
payment of the College Credit Plus Program for students
instructed at home pursuant to section 3321.04 of the Revised
Code. An amount equal to the unexpended, unencumbered balance of
this earmark at the end of fiscal year 2020 is hereby
reappropriated for the same purpose for fiscal year 2021.

Of the foregoing appropriation item 200550, Foundation
Funding, an amount shall be available in each fiscal year to be
paid to joint vocational school districts in accordance with the
section of ~~this act~~ H.B. 166 of the 133rd General Assembly
entitled "FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS."

Of the foregoing appropriation item 200550, Foundation
Funding, up to \$700,000 in each fiscal year shall be used by the
Department for a program to pay for educational services for
youth who have been assigned by a juvenile court or other
authorized agency to any of the facilities described in division
(A) of the section of ~~this act~~ H.B. 166 of the 133rd General
Assembly entitled "PRIVATE TREATMENT FACILITY PROJECT."

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

~~Of the foregoing appropriation item 200550, Foundation 3997
Funding, a portion in each fiscal year shall be used to pay 3998
community schools and STEM schools the amounts calculated for 3999
the graduation and third grade reading bonuses under sections 4000
3314.085 and 3326.41 of the Revised Code, in accordance with the 4001
sections of this act entitled "FUNDING FOR COMMUNITY SCHOOLS" 4002
and "FUNDING FOR STEM SCHOOLS." 4003~~

Of the foregoing appropriation item 200550, Foundation 4004
Funding, up to \$1,172,000 in fiscal year 2020 and up to 4005
\$1,760,000 in fiscal year 2021 may be used by the Department for 4006
duties and activities related to the establishment of academic 4007
distress commissions under section 3302.10 of the Revised Code, 4008
to provide support and assistance to academic distress 4009
commissions to further their duties under Chapter 3302. of the 4010
Revised Code, and to provide technical assistance and tools to 4011
support districts subject to academic distress commissions. 4012

Of the foregoing appropriation item 200550, Foundation 4013
Funding, up to \$350,000 in fiscal year 2020 shall be used by the 4014
Department of Education to conduct return on investment studies 4015
for programming funded through student success and wellness 4016
funds and to provide technical assistance to school districts on 4017
implementing these strategies. 4018

Of the foregoing appropriation item 200550, Foundation 4019
Funding, up to \$100,000 in each fiscal year shall be used to 4020
make payments under section 3314.06 of the Revised Code to each 4021
community school that operates a program that uses the 4022
Montessori method endorsed by the American Montessori society, 4023
the Montessori Accreditation Council for Teacher Education, or 4024
the Association Montessori Internationale as its primary method 4025
of instruction for students younger than four years of age who 4026

are enrolled in the school. 4027

The remainder of the foregoing appropriation item 200550, 4028
Foundation Funding, shall be used to fund the payments included 4029
in the state funding allocation under division (A)(1) of the 4030
section of ~~this act~~ H.B. 166 of the 133rd General Assembly 4031
entitled "FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL 4032
DISTRICTS." 4033

Appropriation items 200502, Pupil Transportation, 200540, 4034
Special Education Enhancements, and 200550, Foundation Funding, 4035
other than specific set-asides, are collectively used in each 4036
fiscal year to pay state formula aid obligations for school 4037
districts, community schools, STEM schools, college preparatory 4038
boarding schools, and joint vocational school districts under 4039
~~this act~~ H.B. 166 of the 133rd General Assembly. The first 4040
priority of these appropriation items, with the exception of 4041
specific set-asides, is to fund state formula aid obligations. 4042
It may be necessary to reallocate funds among these 4043
appropriation items or use excess funds from other general 4044
revenue fund appropriation items in the Department of 4045
Education's budget, including appropriation item 200903, 4046
Property Tax Reimbursement - Education, in each fiscal year in 4047
order to meet state formula aid obligations. If it is determined 4048
that it is necessary to transfer funds among these appropriation 4049
items or to transfer funds from other General Revenue Fund 4050
appropriations in the Department's budget to meet state formula 4051
aid obligations, the Superintendent of Public Instruction shall 4052
seek approval from the Director of Budget and Management to 4053
transfer funds as needed. 4054

The Superintendent of Public Instruction shall make 4055
payments, transfers, and deductions, as authorized by Title 4056

XXXVIII of the Revised Code in amounts substantially equal to 4057
those made in the prior year, or otherwise, at the discretion of 4058
the Superintendent, until at least the effective date of the 4059
amendments and enactments made to Title XXXVIII by ~~this act~~H.B. 4060
166 of the 133rd General Assembly. Any funds paid to districts 4061
or schools under this section shall be credited toward the 4062
annual funds calculated for the district or school after the 4063
changes made to Title XXXVIII in ~~this act~~H.B. 166 of the 133rd 4064
General Assembly are effective. Upon the effective date of 4065
changes made to Title XXXVIII in ~~this act~~H.B. 166 of the 133rd 4066
General Assembly, funds shall be calculated as an annual amount. 4067

Sec. 265.220. FUNDING FOR CITY, LOCAL, AND EXEMPTED 4068
VILLAGE SCHOOL DISTRICTS 4069

(A) Subject to Section 265.227 of ~~this act~~H.B. 166 of the 4070
133rd General Assembly, for each of fiscal years 2020 and 2021, 4071
the Department of Education shall pay each city, local, and 4072
exempted village school district an amount equal to the sum of 4073
the following: 4074

(1) The district's payments for fiscal year 2019 under 4075
section 3317.022 of the Revised Code and Section 265.220 of Am. 4076
Sub. H.B. 49 of the 132nd General Assembly, minus the aggregate 4077
amount deducted from the district for fiscal year 2019 for 4078
students counted under divisions (A) (2) (a), (g), (h), and (i) of 4079
section 3317.03 of the Revised Code and, in the case of a pilot 4080
project school district as defined in section 3313.975 of the 4081
Revised Code, the funds deducted from the district under Section 4082
265.210 of H.B. 49 of the 132nd General Assembly to operate the 4083
pilot project scholarship program for fiscal year 2019 under 4084
sections 3313.974 to 3313.979 of the Revised Code; 4085

(2) The district's payments for fiscal year 2019 under 4086

section 3317.0212 ~~and division (D) (2) of section 3314.091~~ of the Revised Code. 4087
4088

(B) (1) For purposes of division (B) of this section: 4089

(a) "Eligible school district" means a city, local, or 4090
exempted village school district with an enrolled ADM greater 4091
than or equal to fifty. 4092

(b) "Enrolled ADM" has the same meaning as in section 4093
3317.0219 of the Revised Code as enacted by ~~this act~~ H.B. 166 of
the 133rd General Assembly. 4094
4095

(2) For each of fiscal years 2020 and 2021, the Department 4096
of Education shall pay each eligible school district an 4097
additional amount calculated as follows: 4098

(a) Determine the district's percentage of change in 4099
enrolled ADM between fiscal years 2016 and 2017, fiscal years 4100
2017 and 2018, and fiscal years 2018 and 2019; 4101

(b) Calculate the average of the percentage of changes in 4102
enrolled ADM determined for the district under division (B) (2) 4103
(a) of this section; 4104

(c) Compute the district's payment as follows: 4105

The district's average percentage calculated under division (B) 4106

(2) (b) of this section X 100 X the district's enrolled ADM for 4107
fiscal year 2019 X \$20, for fiscal year 2020, or \$30, for fiscal 4108
year 2021 4109

If the result of the calculation for a district under 4110
division (B) (2) (c) of this section is less than zero, the 4111
district shall not receive a payment under division (B) of this 4112
section. 4113

Sec. 265.230. FUNDING FOR COMMUNITY SCHOOLS 4114

(A) For each of fiscal years 2020 and 2021, the Department 4115
of Education shall make the ~~deductions and~~ payments for each 4116
student enrolled in a community school, established under 4117
Chapter 3314. of the Revised Code, in the manner prescribed by 4118
division (C) of section 3314.08 and division (D) of section 4119
3314.091 of the Revised Code, except that, for each of those 4120
fiscal years: 4121

(1) The "formula amount" shall equal the amount specified 4122
in division (F) (1) of the section of ~~this act~~ H.B. 166 of the 4123
133rd General Assembly entitled "OPERATING FUNDING FOR FISCAL 4124
YEARS 2020 and 2021." 4125

(2) ~~"State education aid" for a school district from which~~ 4126
~~a deduction is made shall mean the amount paid to the district~~ 4127
~~for that fiscal year under the section of this act entitled~~ 4128
~~"FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL~~ 4129
~~DISTRICTS."~~ 4130

~~(3) The per pupil amount deducted from a district and paid~~ 4131
to a community school under divisions (C) (1) (b) and (e) of 4132
section 3314.08 and division (D) of section 3314.091 of the 4133
Revised Code shall be the same respective per pupil amounts 4134
~~deducted and paid under those divisions for fiscal year 2019~~ 4135
under those divisions as they existed prior to the effective 4136
date of this amendment for a student from the resident district 4137
of the student for whom the payment is made. For purposes of 4138
division (A) (2) of this section, "resident district" has the 4139
same meaning as in section 3314.08 of the Revised Code. 4140

(B) For each of fiscal years 2020 and 2021, the Department 4141
shall pay each community school graduation and third grade 4142

reading bonuses in accordance with section 3314.085 of the 4143
Revised Code, except that, for each of those fiscal years, the 4144
"formula amount" shall equal the amount specified in division 4145
(F) (1) of the section of ~~this act~~ H.B. 166 of the 133rd General 4146
Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 AND 4147
2021." 4148

Sec. 265.235. FUNDING FOR STEM SCHOOLS 4149

(A) For each of fiscal years 2020 and 2021, the Department 4150
of Education shall make the ~~deductions and~~ payments for each 4151
student enrolled in a STEM school, established under Chapter 4152
3326. of the Revised Code, in the manner prescribed by section 4153
3326.33 of the Revised Code, except that, for each of those 4154
fiscal years: 4155

(1) The "formula amount" shall equal the amount specified 4156
in division (F) (1) of the section of ~~this act~~ H.B. 166 of the 4157
133rd General Assembly entitled "OPERATING FUNDING FOR FISCAL 4158
YEARS 2020 and 2021." 4159

(2) ~~"State education aid" for a school district from which~~ 4160
~~a deduction is made shall mean the amount paid to the district~~ 4161
~~for that fiscal year under the section of this act entitled~~ 4162
~~"FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL~~ 4163
~~DISTRICTS."~~ 4164

~~(3) The per pupil amount deducted from a district and paid~~ 4165
to a STEM school under divisions (B) and (E) of section 3326.33 4166
of the Revised Code shall be the same respective per pupil 4167
amount ~~deducted and paid under those divisions for fiscal year~~ 4168
2019 under those divisions as they existed prior to the 4169
effective date of this amendment for a student from the resident 4170
district of the student for whom the payment is made. For 4171

purposes of division (A) (2) of this section, "resident district" 4172
has the same meaning as in section 3326.31 of the Revised Code. 4173

(B) For each of fiscal years 2020 and 2021, the Department 4174
shall pay each STEM school graduation and third grade reading 4175
bonuses in accordance with section 3326.41 of the Revised Code, 4176
except that, for each of those fiscal years, the "formula 4177
amount" shall equal the amount specified in division (F) (1) of 4178
the section of ~~this act~~ H.B. 166 of the 133rd General Assembly 4179
entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 AND 2021." 4180

Section 5. That existing Sections 265.10, 265.170, 4181
265.210, 265.220, 265.230, and 265.235 of H.B. 166 of the 133rd 4182
General Assembly are hereby repealed. 4183

Section 6. Section 3302.20 of the Revised Code is 4184
presented in this act as a composite of the section as amended 4185
by both Section 101.01 and Section 120.10 of H.B. 59 of the 4186
130th General Assembly. The General Assembly, applying the 4187
principle stated in division (B) of section 1.52 of the Revised 4188
Code that amendments are to be harmonized if reasonably capable 4189
of simultaneous operation, finds that the composite is the 4190
resulting version of the section in effect prior to the 4191
effective date of the section as presented in this act. 4192