

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**S. B. No. 376**

**Senators Sykes, Lehner**

**Cosponsors: Senators Antonio, Craig, Eklund, Fedor, Hottinger, Kunze, Maharath,  
Manning, O'Brien, Schuring, Rulli, Thomas, Williams, Wilson, Yuko**

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**A BILL**

To amend sections 3301.0714, 3302.20, 3310.08, 1  
3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 2  
3313.98, 3313.981, 3314.08, 3314.084, 3314.087, 3  
3314.091, 3314.11, 3314.20, 3315.18, 3317.013, 4  
3317.014, 3317.016, 3317.02, 3317.021, 3317.022, 5  
3317.023, 3317.024, 3317.028, 3317.0212, 6  
3317.0213, 3317.0214, 3317.03, 3317.051, 7  
3317.16, 3317.20, 3317.25, 3317.60, 3319.57, 8  
3324.09, 3326.31, 3326.32, 3326.33, 3326.39, 9  
3326.40, 3326.51, 3327.01, 3328.32, 3328.34, and 10  
3365.01; to enact new sections 3314.085, 11  
3317.017, 3317.0215, 3317.0217, and 3317.0218 12  
and sections 3314.089, 3314.0810, 3317.011, 13  
3317.012, 3317.018, 3317.019, 3317.0110, 14  
3317.071, 3317.072, 3317.11, 3317.162, 3317.61, 15  
3317.62, 3317.63, 3317.64, 3326.43, and 16  
3327.016; and to repeal sections 3310.55, 17  
3314.085, 3314.53, 3317.017, 3317.0215, 18  
3317.0216, 3317.0217, 3317.0218, 3326.41, and 19  
3328.33 of the Revised Code to create a new 20  
school financing system for fiscal year 2022 and 21

each fiscal year thereafter, and to make an 22  
appropriation. 23

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

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

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

(1) Standards identifying and defining the types of data 44  
in the system in accordance with divisions (B) and (C) of this 45  
section; 46

(2) Procedures for annually collecting and reporting the 47

data to the state board in accordance with division (D) of this section;	48 49
(3) Procedures for annually compiling the data in accordance with division (G) of this section;	50 51
(4) Procedures for annually reporting the data to the public in accordance with division (H) of this section;	52 53
(5) Standards to provide strict safeguards to protect the confidentiality of personally identifiable student data.	54 55
(B) The guidelines adopted under this section shall require the data maintained in the education management information system to include at least the following:	56 57 58
(1) Student participation and performance data, for each grade in each school district as a whole and for each grade in each school building in each school district, that includes:	59 60 61
(a) The numbers of students receiving each category of instructional service offered by the school district, such as regular education instruction, vocational education instruction, specialized instruction programs or enrichment instruction that is part of the educational curriculum, instruction for gifted students, instruction for students with disabilities, and remedial instruction. The guidelines shall require instructional services under this division to be divided into discrete categories if an instructional service is limited to a specific subject, a specific type of student, or both, such as regular instructional services in mathematics, remedial reading instructional services, instructional services specifically for students gifted in mathematics or some other subject area, or instructional services for students with a specific type of disability. The categories of instructional services required by	62 63 64 65 66 67 68 69 70 71 72 73 74 75 76

the guidelines under this division shall be the same as the 77  
categories of instructional services used in determining cost 78  
units pursuant to division (C) (3) of this section. 79

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

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

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

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

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

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

(h) Expulsion rates; 102

(i) Suspension rates; 103

(j) Dropout rates; 104

(k) Rates of retention in grade;	105
(l) For pupils in grades nine through twelve, the average number of carnegie units, as calculated in accordance with state board of education rules;	106 107 108
(m) Graduation rates, to be calculated in a manner specified by the department of education that reflects the rate at which students who were in the ninth grade three years prior to the current year complete school and that is consistent with nationally accepted reporting requirements;	109 110 111 112 113
(n) Results of diagnostic assessments administered to kindergarten students as required under section 3301.0715 of the Revised Code to permit a comparison of the academic readiness of kindergarten students. However, no district shall be required to report to the department the results of any diagnostic assessment administered to a kindergarten student, except for the language and reading assessment described in division (A) (2) of section 3301.0715 of the Revised Code, if the parent of that student requests the district not to report those results.	114 115 116 117 118 119 120 121 122
(o) Beginning on July 1, 2018, for each disciplinary action which is required to be reported under division (B) (4) of this section, districts and schools also shall include an identification of the person or persons, if any, at whom the student's violent behavior that resulted in discipline was directed. The person or persons shall be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, but shall not be identified by name.	123 124 125 126 127 128 129 130 131
Division (B) (1) (o) of this section does not apply after the date that is two years following the submission of the	132 133

report required by Section 733.13 of H.B. 49 of the 132nd general assembly.	134 135
(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;	136 137 138
(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;	139 140 141
(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.	142 143 144 145
(2) Personnel and classroom enrollment data for each school district, including:	146 147
(a) The total numbers of licensed employees and nonlicensed employees and the numbers of full-time equivalent licensed employees and nonlicensed employees providing each category of instructional service, instructional support service, and administrative support service used pursuant to division (C) (3) of this section. The guidelines adopted under this section shall require these categories of data to be maintained for the school district as a whole and, wherever applicable, for each grade in the school district as a whole, for each school building as a whole, and for each grade in each school building.	148 149 150 151 152 153 154 155 156 157 158
(b) The total number of employees and the number of full- time equivalent employees providing each category of service used pursuant to divisions (C) (4) (a) and (b) of this section, and the total numbers of licensed employees and nonlicensed	159 160 161 162

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

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

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

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

(b) With respect to each student entering kindergarten, 189  
whether the student previously participated in a public 190  
preschool program, a private preschool program, or a head start 191  
program, and the number of years the student participated in 192

each of these programs.	193
(4) <u>The annual reports submitted by each school district</u>	194
<u>under section 3317.25 of the Revised Code describing the</u>	195
<u>initiative or initiatives on which the district's disadvantaged</u>	196
<u>pupil impact aid were spent;</u>	197
(5) <u>The cost for each school district to provide</u>	198
<u>transportation to students enrolled in community schools</u>	199
<u>established under Chapter 3314. of the Revised Code in</u>	200
<u>accordance with section 3327.01 of the Revised Code;</u>	201
(6) <u>The cost for each school district to provide</u>	202
<u>transportation to students enrolled in STEM schools established</u>	203
<u>under Chapter 3326. of the Revised Code in accordance with</u>	204
<u>section 3327.01 of the Revised Code;</u>	205
(7) <u>The cost for each school district to provide</u>	206
<u>transportation to students enrolled in nonpublic schools in</u>	207
<u>accordance with section 3327.01 of the Revised Code;</u>	208
(8) <u>Any data required to be collected pursuant to federal</u>	209
law.	210
(C) The education management information system shall	211
include cost accounting data for each district as a whole and	212
for each school building in each school district. The guidelines	213
adopted under this section shall require the cost data for each	214
school district to be maintained in a system of mutually	215
exclusive cost units and shall require all of the costs of each	216
school district to be divided among the cost units. The	217
guidelines shall require the system of mutually exclusive cost	218
units to include at least the following:	219
(1) Administrative costs for the school district as a	220
whole. The guidelines shall require the cost units under this	221



division (C) (1) to be designed so that each of them may be 222  
compiled and reported in terms of average expenditure per pupil 223  
in ~~formula~~-enrolled ADM in the school district, as determined 224  
pursuant to section 3317.03 of the Revised Code. 225

(2) Administrative costs for each school building in the 226  
school district. The guidelines shall require the cost units 227  
under this division (C) (2) to be designed so that each of them 228  
may be compiled and reported in terms of average expenditure per 229  
full-time equivalent pupil receiving instructional or support 230  
services in each building. 231

(3) Instructional services costs for each category of 232  
instructional service provided directly to students and required 233  
by guidelines adopted pursuant to division (B) (1) (a) of this 234  
section. The guidelines shall require the cost units under 235  
division (C) (3) of this section to be designed so that each of 236  
them may be compiled and reported in terms of average 237  
expenditure per pupil receiving the service in the school 238  
district as a whole and average expenditure per pupil receiving 239  
the service in each building in the school district and in terms 240  
of a total cost for each category of service and, as a breakdown 241  
of the total cost, a cost for each of the following components: 242

(a) The cost of each instructional services category 243  
required by guidelines adopted under division (B) (1) (a) of this 244  
section that is provided directly to students by a classroom 245  
teacher; 246

(b) The cost of the instructional support services, such 247  
as services provided by a speech-language pathologist, classroom 248  
aide, multimedia aide, or librarian, provided directly to 249  
students in conjunction with each instructional services 250  
category; 251

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

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

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

(b) The cost of each such services category provided 275  
directly to students by a nonlicensed employee, such as 276  
janitorial services, cafeteria services, or services of a sports 277  
trainer; 278

(c) The cost of the administrative services related to 279  
each services category in division (C) (4) (a) or (b) of this 280  
section, such as the cost of any licensed or nonlicensed 281

employees that develop, supervise, coordinate, or otherwise are 282  
involved in administering or aiding the delivery of each 283  
services category. 284

(D) (1) The guidelines adopted under this section shall 285  
require school districts to collect information about individual 286  
students, staff members, or both in connection with any data 287  
required by division (B) or (C) of this section or other 288  
reporting requirements established in the Revised Code. The 289  
guidelines may also require school districts to report 290  
information about individual staff members in connection with 291  
any data required by division (B) or (C) of this section or 292  
other reporting requirements established in the Revised Code. 293  
The guidelines shall not authorize school districts to request 294  
social security numbers of individual students. The guidelines 295  
shall prohibit the reporting under this section of a student's 296  
name, address, and social security number to the state board of 297  
education or the department of education. The guidelines shall 298  
also prohibit the reporting under this section of any personally 299  
identifiable information about any student, except for the 300  
purpose of assigning the data verification code required by 301  
division (D) (2) of this section, to any other person unless such 302  
person is employed by the school district or the information 303  
technology center operated under section 3301.075 of the Revised 304  
Code and is authorized by the district or technology center to 305  
have access to such information or is employed by an entity with 306  
which the department contracts for the scoring or the 307  
development of state assessments. The guidelines may require 308  
school districts to provide the social security numbers of 309  
individual staff members and the county of residence for a 310  
student. Nothing in this section prohibits the state board of 311  
education or department of education from providing a student's 312

county of residence to the department of taxation to facilitate 313  
the distribution of tax revenue. 314

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

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

(b) (i) Except as provided in sections 3301.941, 3310.11, 334  
3310.42, 3310.63, 3313.978, and 3317.20 of the Revised Code, and 335  
in division (D) (2) (b) (ii) of this section, at no time shall the 336  
state board or the department have access to information that 337  
would enable any data verification code to be matched to 338  
personally identifiable student data. 339

(ii) For the purpose of making per-pupil payments to 340  
community schools under division (C) of section 3314.08 of the 341  
Revised Code, the department shall have access to information 342

that would enable any data verification code to be matched to 343  
personally identifiable student data. 344

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

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

(E) The guidelines adopted under this section may require 361  
school districts to collect and report data, information, or 362  
reports other than that described in divisions (A), (B), and (C) 363  
of this section for the purpose of complying with other 364  
reporting requirements established in the Revised Code. The 365  
other data, information, or reports may be maintained in the 366  
education management information system but are not required to 367  
be compiled as part of the profile formats required under 368  
division (G) of this section or the annual statewide report 369  
required under division (H) of this section. 370

(F) Beginning with the school year that begins July 1, 371  
1991, the board of education of each school district shall 372

annually collect and report to the state board, in accordance 373  
with the guidelines established by the board, the data required 374  
pursuant to this section. A school district may collect and 375  
report these data notwithstanding section 2151.357 or 3319.321 376  
of the Revised Code. 377

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

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

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

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

(2) The state board shall, in accordance with the 397  
procedures it adopts, annually prepare an individual report for 398  
each school district and the general public that includes the 399  
profiles of each of the school buildings in that school district 400  
developed pursuant to division (G) of this section. Copies of 401

the report shall be sent to the superintendent of the district 402  
and to each member of the district board of education. 403

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

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

(J) As used in this section: 419

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

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

of the Revised Code. 431

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

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

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

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

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



plan in accordance with that division; 460

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

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

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

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

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

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

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

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

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

(viii) If the district is issued a report card under 484  
section 3302.03 of the Revised Code and incomplete or inaccurate 485  
data submitted by the district likely caused the district to 486

receive a higher performance rating than it deserved under that 487  
section, issue a revised report card for the district; 488

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

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

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

(5) Notwithstanding anything in this section to the 509  
contrary, the department may use its own staff or an outside 510  
entity to conduct an audit of a school district's data reporting 511  
practices any time the department has reason to believe the 512  
district has not made a good faith effort to report data as 513  
required by this section. If any audit conducted by an outside 514  
entity under division (L) (2) (d) (i) or (5) of this section 515  
confirms that a district has not made a good faith effort to 516

report data as required by this section, the district shall 517  
reimburse the department for the full cost of the audit. The 518  
department may withhold state funds due to the district for this 519  
purpose. 520

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

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

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

(9) In all cases of a disagreement between the department 544  
and a school district regarding the appropriateness of an action 545  
taken under division (L) (2) of this section, the burden of proof 546

shall be on the district to demonstrate that it made a good 547  
faith effort to report data as required by this section. 548

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

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

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

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

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

(Q) If the department cannot compile any of the 570  
information required by division (H) of section 3302.03 of the 571  
Revised Code based upon the data collected under this section, 572  
the department shall develop a plan and a reasonable timeline 573  
for the collection of any data necessary to comply with that 574  
division. 575

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

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

(B) (1) The department shall categorize all city, exempted 599  
village, and local school districts into not less than three nor 600  
more than five groups based primarily on average daily student 601  
enrollment as reported on the most recent report card issued for 602  
each district under section 3302.03 of the Revised Code. 603

(2) The department shall categorize all joint vocational 604  
school districts into not less than three nor more than five 605

groups based primarily on ~~formula~~-enrolled ADM as that term is 606  
defined in section 3317.02 of the Revised Code rounded to the 607  
nearest whole number. 608

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

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

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

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

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

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

(3) The average percentage for each of the categories of 632  
districts and schools established under division (B) of this 633  
section spent for classroom instructional purposes; 634

(4) The ranking of each district, community school, or STEM school within its respective category established under division (B) of this section according to the following:

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

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

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

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

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

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

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

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

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

(a) Among the twenty per cent of all joint vocational school districts statewide with the lowest total operating

expenditure per equivalent pupils;	662
(b) Among the twenty per cent of all joint vocational	663
school districts statewide with the highest report card scores	664
under section 3302.033 of the Revised Code.	665
(3) Within each category of community schools that are not	666
internet- or computer-based community schools, the department	667
shall denote each school that is:	668
(a) Among the twenty per cent of all such community	669
schools statewide with the lowest total operating expenditure	670
per equivalent pupils;	671
(b) Among the twenty per cent of all such community	672
schools statewide with the highest performance index scores,	673
excluding such community schools to which section 3314.017 of	674
the Revised Code applies.	675
(4) Within the category of internet- or computer-based	676
community schools, the department shall denote each school that	677
is:	678
(a) Among the twenty per cent of all such community	679
schools statewide with the lowest total operating expenditure	680
per equivalent pupils;	681
(b) Among the twenty per cent of all such community	682
schools statewide with the highest performance index scores,	683
excluding such community schools to which section 3314.017 of	684
the Revised Code applies.	685
(5) Within the category of STEM schools, the department	686
shall denote each school that is:	687
(a) Among the twenty per cent of all STEM schools	688
statewide with the lowest total operating expenditure per	689



equivalent pupils; 690

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

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

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

(F) As used in this section: 708

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

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

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

**Sec. 3310.08.** (A) As used in this section, "tuition 717

discount" means any deduction from the base tuition amount per 718  
student charged by the school, to which the student's family is 719  
entitled due to one or more of the following conditions: 720

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

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

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

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

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

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

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

(C) (1) The department of education shall pay to the parent 740  
of each eligible student for whom a scholarship is awarded under 741  
the program, or to the student if at least eighteen years of 742  
age, periodic partial payments of the scholarship. 743

(2) The department shall proportionately reduce or 744  
terminate the payments for any student who withdraws from a 745

chartered nonpublic school prior to the end of the school year. 746

~~(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.~~ 747  
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~~(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.~~ 760  
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**Sec. 3310.41.** (A) As used in this section: 768

(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: 769  
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(a) A school district that is not the school district in 774

which the child is entitled to attend school; 775

(b) A public entity other than a school district. 776

(2) "Entitled to attend school" means entitled to attend 777  
school in a school district under section 3313.64 or 3313.65 of 778  
the Revised Code. 779

(3) "Formula ADM" and ~~"category six special education ADM"~~ 780  
~~have~~has the same ~~meanings~~meaning as in section 3317.02 of the 781  
Revised Code. 782

(4) "Preschool child with a disability" and 783  
"individualized education program" have the same meanings as in 784  
section 3323.01 of the Revised Code. 785

(5) "Parent" has the same meaning as in section 3313.64 of 786  
the Revised Code, except that "parent" does not mean a parent 787  
whose custodial rights have been terminated. "Parent" also 788  
includes the custodian of a qualified special education child, 789  
when a court has granted temporary, legal, or permanent custody 790  
of the child to an individual other than either of the natural 791  
or adoptive parents of the child or to a government agency. 792

(6) ~~"Preschool scholarship ADM" means the number of~~ 793  
~~preschool children with disabilities certified under division~~ 794  
~~(B) (3) (h) of section 3317.03 of the Revised Code.~~ 795

~~(7)~~ "Qualified special education child" is a child for 796  
whom all of the following conditions apply: 797

(a) The school district in which the child is entitled to 798  
attend school has identified the child as autistic. A child who 799  
has been identified as having a "pervasive developmental 800  
disorder - not otherwise specified (PPD-NOS)" shall be 801  
considered to be an autistic child for purposes of this section. 802

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

(c) The child either:

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

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

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

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

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

and to pay for other services agreed to by the provider and the parent of a qualified special education child that are not included in the individualized education program but are associated with educating the child. Upon agreement with the parent of a qualified special education child, the alternative public provider or the registered private provider may modify the services provided to the child. Each scholarship shall be in an amount not to exceed the lesser of the tuition charged for the child by the special education program or twenty-seven thousand dollars. The purpose of the scholarship is to permit the parent of a qualified special education child the choice to send the child to a special education program, instead of the one operated by or for the school district in which the child is entitled to attend school, to receive the services prescribed in the child's individualized education program once the individualized education program is finalized and any other services agreed to by the provider and the parent of a qualified special education child. The services provided under the scholarship shall include an educational component or services designed to assist the child to benefit from the child's education.

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

and another school district or other public provider, or for a 863  
child to attend a community school established under Chapter 864  
3314. of the Revised Code. However, nothing in this section or 865  
in any rule adopted by the state board shall prohibit a parent 866  
whose child attends a public special education program under a 867  
contract, compact, or other bilateral agreement, or a parent 868  
whose child attends a community school, from applying for and 869  
accepting a scholarship under this section so that the parent 870  
may withdraw the child from that program or community school and 871  
use the scholarship for the child to attend a special education 872  
program for which the parent is required to pay for services for 873  
the child. 874

Except for development of the child's individualized 875  
education program, the school district in which a qualified 876  
special education child is entitled to attend school and the 877  
child's school district of residence, as defined in section 878  
3323.01 of the Revised Code, if different, are not obligated to 879  
provide the child with a free appropriate public education under 880  
Chapter 3323. of the Revised Code for as long as the child 881  
continues to attend the special education program operated by 882  
either an alternative public provider or a registered private 883  
provider for which a scholarship is awarded under the autism 884  
scholarship program. If at any time, the eligible applicant for 885  
the child decides no longer to accept scholarship payments and 886  
enrolls the child in the special education program of the school 887  
district in which the child is entitled to attend school, that 888  
district shall provide the child with a free appropriate public 889  
education under Chapter 3323. of the Revised Code. 890

A child attending a special education program with a 891  
scholarship under this section shall continue to be entitled to 892  
transportation to and from that program in the manner prescribed 893

by law. 894

(C) (1) As prescribed in ~~divisions~~ division (A) (2) (h), ~~(B)~~ 895  
~~(3) (g), and (B) (10)~~ of section 3317.03 of the Revised Code, a 896  
child who is not a preschool child with a disability for whom a 897  
scholarship is awarded under this section shall be counted in 898  
the formula ADM and the ~~category six special education ADM~~ of 899  
the district in which the child is entitled to attend school and 900  
not in the formula ADM and the ~~category six special education~~ 901  
~~ADM~~ of any other school district. ~~As prescribed in divisions (B)~~ 902  
~~(3) (h) and (B) (10) of section 3317.03 of the Revised Code, a~~ 903  
~~child who is a preschool child with a disability for whom a~~ 904  
~~scholarship is awarded under this section shall be counted in~~ 905  
~~the preschool scholarship ADM and category six special education~~ 906  
~~ADM of the school district in which the child is entitled to~~ 907  
~~attend school and not in the preschool scholarship ADM or~~ 908  
~~category six special education ADM of any other school district.~~ 909

(2) ~~In each fiscal year, the department shall deduct from~~ 910  
~~the amounts paid to each school district under Chapter 3317. of~~ 911  
~~the Revised Code, and, if necessary, sections 321.24 and 323.156-~~ 912  
~~of the Revised Code, the aggregate amount of scholarships~~ 913  
~~awarded under this section for qualified special education~~ 914  
~~children included in the formula ADM, or preschool scholarship~~ 915  
~~ADM, and in the category six special education ADM of that~~ 916  
~~school district as provided in division (C) (1) of this section.~~ 917

~~The scholarships deducted shall be considered as an~~ 918  
~~approved special education and related services expense of the~~ 919  
~~school district.~~ 920

~~(3)~~ From time to time, the department shall make a payment 921  
to the parent of each qualified special education child for whom 922  
a scholarship has been awarded under this section. The 923



scholarship amount shall be proportionately reduced in the case 924  
of any such child who is not enrolled in the special education 925  
program for which a scholarship was awarded under this section 926  
for the entire school year. The department shall make no 927  
payments to the parent of a child while any administrative or 928  
judicial mediation or proceedings with respect to the content of 929  
the child's individualized education program are pending. 930

(D) A scholarship shall not be paid to a parent for 931  
payment of tuition owed to a nonpublic entity unless that entity 932  
is a registered private provider. The department shall approve 933  
entities that meet the standards established by rule of the 934  
state board for the program established under this section. 935

(E) The state board shall adopt rules under Chapter 119. 936  
of the Revised Code prescribing procedures necessary to 937  
implement this section, including, but not limited to, 938  
procedures and deadlines for parents to apply for scholarships, 939  
standards for registered private providers, and procedures for 940  
approval of entities as registered private providers. 941

The rules also shall specify that intervention services 942  
under the autism scholarship program may be provided by a 943  
qualified, credentialed provider, including, but not limited to, 944  
all of the following: 945

(1) A behavior analyst certified by a nationally 946  
recognized organization that certifies behavior analysts; 947

(2) A psychologist licensed to practice in this state 948  
under Chapter 4732. of the Revised Code; 949

(3) A school psychologist licensed by the state board 950  
under section 3319.22 of the Revised Code; 951

(4) Any person employed by a licensed psychologist or 952

licensed school psychologist, while carrying out specific tasks, 953  
under the licensee's supervision, as an extension of the 954  
licensee's legal and ethical authority as specified under 955  
Chapter 4732. of the Revised Code who is ascribed as "psychology 956  
trainee," "psychology assistant," "psychology intern," or other 957  
appropriate term that clearly implies their supervised or 958  
training status; 959

(5) Unlicensed persons holding a doctoral degree in 960  
psychology or special education from a program approved by the 961  
state board; 962

(6) Any other qualified individual as determined by the 963  
state board. 964

(F) The department shall provide reasonable notice to all 965  
parents of children receiving a scholarship under the autism 966  
scholarship program, alternative public providers, and 967  
registered private providers of any amendment to a rule 968  
governing, or change in the administration of, the autism 969  
scholarship program. 970

**Sec. 3310.51.** As used in sections 3310.51 to 3310.64 of 971  
the Revised Code: 972

(A) "Alternative public provider" means either of the 973  
following providers that agrees to enroll a child in the 974  
provider's special education program to implement the child's 975  
individualized education program and to which the eligible 976  
applicant owes fees for the services provided to the child: 977

(1) A school district that is not the school district in 978  
which the child is entitled to attend school or the child's 979  
school district of residence, if different; 980

(2) A public entity other than a school district. 981

(B) "Child with a disability" and "individualized education program" have the same meanings as in section 3323.01 of the Revised Code.	982 983 984
(C) "Eligible applicant" means any of the following:	985
(1) Either of the natural or adoptive parents of a qualified special education child, except as otherwise specified in this division. When the marriage of the natural or adoptive parents of the student has been terminated by a divorce, dissolution of marriage, or annulment, or when the natural or adoptive parents of the student are living separate and apart under a legal separation decree, and a court has issued an order allocating the parental rights and responsibilities with respect to the child, "eligible applicant" means the residential parent as designated by the court. If the court issues a shared parenting decree, "eligible applicant" means either parent. "Eligible applicant" does not mean a parent whose custodial rights have been terminated.	986 987 988 989 990 991 992 993 994 995 996 997 998
(2) The custodian of a qualified special education child, when a court has granted temporary, legal, or permanent custody of the child to an individual other than either of the natural or adoptive parents of the child or to a government agency;	999 1000 1001 1002
(3) The guardian of a qualified special education child, when a court has appointed a guardian for the child;	1003 1004
(4) The grandparent of a qualified special education child, when the grandparent is the child's attorney in fact under a power of attorney executed under sections 3109.51 to 3109.62 of the Revised Code or when the grandparent has executed a <del>caregiver</del> <u>caretaker</u> authorization affidavit under sections 3109.65 to 3109.73 of the Revised Code;	1005 1006 1007 1008 1009 1010

(5) The surrogate parent appointed for a qualified special education child pursuant to division (B) of section 3323.05 and section 3323.051 of the Revised Code; 1011  
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(6) A qualified special education child, if the child does not have a custodian or guardian and the child is at least eighteen years of age. 1014  
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(D) "Entitled to attend school" means entitled to attend school in a school district under sections 3313.64 and 3313.65 of the Revised Code. 1017  
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(E) "Formula ADM" ~~and "formula amount" have~~ has the same ~~meanings~~ meaning as in section 3317.02 of the Revised Code. 1020  
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(F) "Qualified special education child" is a child for whom all of the following conditions apply: 1022  
1023

(1) The child is at least five years of age and less than twenty-two years of age. 1024  
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(2) The school district in which the child is entitled to attend school, or the child's school district of residence if different, has identified the child as a child with a disability. 1026  
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(3) The school district in which the child is entitled to attend school, or the child's school district of residence if different, has developed an individualized education program under Chapter 3323. of the Revised Code for the child. 1030  
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(4) The child either: 1034

(a) Was enrolled in the schools of the school district in which the child is entitled to attend school in any grade from kindergarten through twelve in the school year prior to the school year in which a scholarship is first sought for the 1035  
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1037  
1038

child; 1039

(b) Is eligible to enter school in any grade kindergarten 1040  
through twelve in the school district in which the child is 1041  
entitled to attend school in the school year in which a 1042  
scholarship is first sought for the child. 1043

(5) The department of education has not approved a 1044  
scholarship for the child under the educational choice 1045  
scholarship pilot program, under sections 3310.01 to 3310.17 of 1046  
the Revised Code, the autism scholarship program, under section 1047  
3310.41 of the Revised Code, or the pilot project scholarship 1048  
program, under sections 3313.974 to 3313.979 of the Revised Code 1049  
for the same school year in which a scholarship under the Jon 1050  
Peterson special needs scholarship program is sought. 1051

(6) The child and the child's parents are in compliance 1052  
with the state compulsory attendance law under Chapter 3321. of 1053  
the Revised Code. 1054

(G) "Registered private provider" means a nonpublic school 1055  
or other nonpublic entity that has been registered by the 1056  
superintendent of public instruction under section 3310.58 of 1057  
the Revised Code. 1058

(H) "Scholarship" means a scholarship awarded under the 1059  
Jon Peterson special needs scholarship program pursuant to 1060  
sections 3310.51 to 3310.64 of the Revised Code. 1061

(I) "School district of residence" has the same meaning as 1062  
in section 3323.01 of the Revised Code. A community school 1063  
established under Chapter 3314. of the Revised Code is not a 1064  
"school district of residence" for purposes of sections 3310.51 1065  
to 3310.64 of the Revised Code. 1066

(J) "School year" has the same meaning as in section 1067

3313.62 of the Revised Code. 1068

(K) "Special education program" means a school or facility 1069  
that provides special education and related services to children 1070  
with disabilities. 1071

**Sec. 3310.54.** A qualified special education child in any 1072  
of grades kindergarten through twelve for whom a scholarship is 1073  
awarded under the Jon Peterson special needs scholarship program 1074  
shall be counted in the formula ADM ~~and category one through six~~ 1075  
~~special education ADM, as appropriate,~~ of the school district in 1076  
which the child is entitled to attend school. A qualified 1077  
special education child shall not be counted in the formula ADM 1078  
~~or category one through six special education ADM~~ of any other 1079  
school district. 1080

**Sec. 3310.56.** (A) The amount of the scholarship awarded 1081  
and paid to an eligible applicant for services for a qualified 1082  
special education child under the Jon Peterson special needs 1083  
scholarship program in each school year shall be the least of 1084  
the amounts prescribed in divisions (A) (1), (2), and (3) of this 1085  
section, as follows: 1086

(1) The amount of fees charged for that school year by the 1087  
alternative public provider or registered private provider; 1088

(2) The sum of the amounts calculated under divisions (A) 1089  
(2) (a) and (b) of this section: 1090

(a) ~~The formula amount \$6,020;~~ 1091

(b) An amount prescribed for the child's disability as 1092  
follows: 1093

(i) For a student in category one, ~~the amount specified in~~ 1094  
~~division (A) of section 3317.013 of the Revised Code~~ \$1,578; 1095

- (ii) For a student in category two, ~~the amount specified in division (B) of section 3317.013 of the Revised Code \$4,005;~~ 1096  
1097
- (iii) For a student in category three, ~~the amount specified in division (C) of section 3317.013 of the Revised Code \$9,662;~~ 1098  
1099  
1100
- (iv) For a student in category four, ~~the amount specified in division (D) of section 3317.013 of the Revised Code \$12,841;~~ 1101  
1102
- (v) For a student in category five, ~~the amount specified in division (E) of section 3317.013 of the Revised Code \$17,390;~~ 1103  
1104
- (vi) For a student in category six, ~~the amount specified in division (F) of section 3317.013 of the Revised Code \$25,637.~~ 1105  
1106
- (3) Twenty-seven thousand dollars. 1107
- (B) As used in division (A) (2) (b) of this section, a child with a disability is in: 1108  
1109
- (1) "Category one" if the child is receiving special education services for a disability specified in division (A) of section 3317.013 of the Revised Code; 1110  
1111  
1112
- (2) "Category two" if the child is receiving special education services for a disability specified in division (B) of section 3317.013 of the Revised Code; 1113  
1114  
1115
- (3) "Category three" if the child is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code; 1116  
1117  
1118
- (4) "Category four" if the child is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code; 1119  
1120  
1121
- (5) "Category five" if the child is receiving special 1122

education services for a disability specified in division (E) of 1123  
section 3317.013 of the Revised Code; 1124

(6) "Category six" if the child is receiving special 1125  
education services for a disability specified in division (F) of 1126  
section 3317.013 of the Revised Code. 1127

**Sec. 3313.64.** (A) As used in this section and in section 1128  
3313.65 of the Revised Code: 1129

(1) (a) Except as provided in division (A) (1) (b) of this 1130  
section, "parent" means either parent, unless the parents are 1131  
separated or divorced or their marriage has been dissolved or 1132  
annulled, in which case "parent" means the parent who is the 1133  
residential parent and legal custodian of the child. When a 1134  
child is in the legal custody of a government agency or a person 1135  
other than the child's natural or adoptive parent, "parent" 1136  
means the parent with residual parental rights, privileges, and 1137  
responsibilities. When a child is in the permanent custody of a 1138  
government agency or a person other than the child's natural or 1139  
adoptive parent, "parent" means the parent who was divested of 1140  
parental rights and responsibilities for the care of the child 1141  
and the right to have the child live with the parent and be the 1142  
legal custodian of the child and all residual parental rights, 1143  
privileges, and responsibilities. 1144

(b) When a child is the subject of a power of attorney 1145  
executed under sections 3109.51 to 3109.62 of the Revised Code, 1146  
"parent" means the grandparent designated as attorney in fact 1147  
under the power of attorney. When a child is the subject of a 1148  
caretaker authorization affidavit executed under sections 1149  
3109.64 to 3109.73 of the Revised Code, "parent" means the 1150  
grandparent that executed the affidavit. 1151



(2) "Legal custody," "permanent custody," and "residual parental rights, privileges, and responsibilities" have the same meanings as in section 2151.011 of the Revised Code. 1152  
1153  
1154

(3) "School district" or "district" means a city, local, or exempted village school district and excludes any school operated in an institution maintained by the department of youth services. 1155  
1156  
1157  
1158

(4) Except as used in division (C)(2) of this section, "home" means a home, institution, foster home, group home, or other residential facility in this state that receives and cares for children, to which any of the following applies: 1159  
1160  
1161  
1162

(a) The home is licensed, certified, or approved for such purpose by the state or is maintained by the department of youth services. 1163  
1164  
1165

(b) The home is operated by a person who is licensed, certified, or approved by the state to operate the home for such purpose. 1166  
1167  
1168

(c) The home accepted the child through a placement by a person licensed, certified, or approved to place a child in such a home by the state. 1169  
1170  
1171

(d) The home is a children's home created under section 5153.21 or 5153.36 of the Revised Code. 1172  
1173

(5) "Agency" means all of the following: 1174

(a) A public children services agency; 1175

(b) An organization that holds a certificate issued by the Ohio department of job and family services in accordance with the requirements of section 5103.03 of the Revised Code and assumes temporary or permanent custody of children through 1176  
1177  
1178  
1179

commitment, agreement, or surrender, and places children in 1180  
family homes for the purpose of adoption; 1181

(c) Comparable agencies of other states or countries that 1182  
have complied with applicable requirements of section 2151.39 of 1183  
the Revised Code or as applicable, sections 5103.20 to 5103.22 1184  
or 5103.23 to 5103.237 of the Revised Code. 1185

(6) A child is placed for adoption if either of the 1186  
following occurs: 1187

(a) An agency to which the child has been permanently 1188  
committed or surrendered enters into an agreement with a person 1189  
pursuant to section 5103.16 of the Revised Code for the care and 1190  
adoption of the child. 1191

(b) The child's natural parent places the child pursuant 1192  
to section 5103.16 of the Revised Code with a person who will 1193  
care for and adopt the child. 1194

(7) "Preschool child with a disability" has the same 1195  
meaning as in section 3323.01 of the Revised Code. 1196

(8) "Child," unless otherwise indicated, includes 1197  
preschool children with disabilities. 1198

(9) "Active duty" means active duty pursuant to an 1199  
executive order of the president of the United States, an act of 1200  
the congress of the United States, or section 5919.29 or 5923.21 1201  
of the Revised Code. 1202

(B) Except as otherwise provided in section 3321.01 of the 1203  
Revised Code for admittance to kindergarten and first grade, a 1204  
child who is at least five but under twenty-two years of age and 1205  
any preschool child with a disability shall be admitted to 1206  
school as provided in this division. 1207

(1) A child shall be admitted to the schools of the school district in which the child's parent resides. 1208  
1209

(2) Except as provided in division (B) of section 2151.362 and section 3317.30 of the Revised Code, a child who does not reside in the district where the child's parent resides shall be admitted to the schools of the district in which the child resides if any of the following applies: 1210  
1211  
1212  
1213  
1214

(a) The child is in the legal or permanent custody of a government agency or a person other than the child's natural or adoptive parent. 1215  
1216  
1217

(b) The child resides in a home. 1218

(c) The child requires special education. 1219

(3) A child who is not entitled under division (B) (2) of this section to be admitted to the schools of the district where the child resides and who is residing with a resident of this state with whom the child has been placed for adoption shall be admitted to the schools of the district where the child resides unless either of the following applies: 1220  
1221  
1222  
1223  
1224  
1225

(a) The placement for adoption has been terminated. 1226

(b) Another school district is required to admit the child under division (B) (1) of this section. 1227  
1228

Division (B) of this section does not prohibit the board of education of a school district from placing a child with a disability who resides in the district in a special education program outside of the district or its schools in compliance with Chapter 3323. of the Revised Code. 1229  
1230  
1231  
1232  
1233

(C) A district shall not charge tuition for children admitted under division (B) (1) or (3) of this section. If the 1234  
1235

district admits a child under division (B) (2) of this section, 1236  
tuition shall be paid to the district that admits the child as 1237  
provided in divisions (C) (1) to (3) of this section, unless 1238  
division (C) (4) of this section applies to the child: 1239

(1) If the child receives special education in accordance 1240  
with Chapter 3323. of the Revised Code, the school district of 1241  
residence, as defined in section 3323.01 of the Revised Code, 1242  
shall pay tuition for the child in accordance with section 1243  
3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code 1244  
regardless of who has custody of the child or whether the child 1245  
resides in a home. 1246

(2) For a child that does not receive special education in 1247  
accordance with Chapter 3323. of the Revised Code, except as 1248  
otherwise provided in division (C) (2) (d) of this section, if the 1249  
child is in the permanent or legal custody of a government 1250  
agency or person other than the child's parent, tuition shall be 1251  
paid by: 1252

(a) The district in which the child's parent resided at 1253  
the time the court removed the child from home or at the time 1254  
the court vested legal or permanent custody of the child in the 1255  
person or government agency, whichever occurred first; 1256

(b) If the parent's residence at the time the court 1257  
removed the child from home or placed the child in the legal or 1258  
permanent custody of the person or government agency is unknown, 1259  
tuition shall be paid by the district in which the child resided 1260  
at the time the child was removed from home or placed in legal 1261  
or permanent custody, whichever occurred first; 1262

(c) If a school district cannot be established under 1263  
division (C) (2) (a) or (b) of this section, tuition shall be paid 1264

by the district determined as required by section 2151.362 of 1265  
the Revised Code by the court at the time it vests custody of 1266  
the child in the person or government agency; 1267

(d) If at the time the court removed the child from home 1268  
or vested legal or permanent custody of the child in the person 1269  
or government agency, whichever occurred first, one parent was 1270  
in a residential or correctional facility or a juvenile 1271  
residential placement and the other parent, if living and not in 1272  
such a facility or placement, was not known to reside in this 1273  
state, tuition shall be paid by the district determined under 1274  
division (D) of section 3313.65 of the Revised Code as the 1275  
district required to pay any tuition while the parent was in 1276  
such facility or placement; 1277

(e) If the department of education has determined, 1278  
pursuant to division (A) (2) of section 2151.362 of the Revised 1279  
Code, that a school district other than the one named in the 1280  
court's initial order, or in a prior determination of the 1281  
department, is responsible to bear the cost of educating the 1282  
child, the district so determined shall be responsible for that 1283  
cost. 1284

(3) If the child is not in the permanent or legal custody 1285  
of a government agency or person other than the child's parent 1286  
and the child resides in a home, tuition shall be paid by one of 1287  
the following: 1288

(a) The school district in which the child's parent 1289  
resides; 1290

(b) If the child's parent is not a resident of this state, 1291  
the home in which the child resides. 1292

(4) Division (C) (4) of this section applies to any child 1293

who is admitted to a school district under division (B) (2) of 1294  
this section, resides in a home that is not a foster home, a 1295  
home maintained by the department of youth services, a detention 1296  
facility established under section 2152.41 of the Revised Code, 1297  
or a juvenile facility established under section 2151.65 of the 1298  
Revised Code, and receives educational services at the home or 1299  
facility in which the child resides pursuant to a contract 1300  
between the home or facility and the school district providing 1301  
those services. 1302

If a child to whom division (C) (4) of this section applies 1303  
is a special education student, a district may choose whether to 1304  
receive a tuition payment for that child under division (C) (4) 1305  
of this section or to receive a payment for that child under 1306  
section 3323.14 of the Revised Code. If a district chooses to 1307  
receive a payment for that child under section 3323.14 of the 1308  
Revised Code, it shall not receive a tuition payment for that 1309  
child under division (C) (4) of this section. 1310

If a child to whom division (C) (4) of this section applies 1311  
is not a special education student, a district shall receive a 1312  
tuition payment for that child under division (C) (4) of this 1313  
section. 1314

In the case of a child to which division (C) (4) of this 1315  
section applies, the total educational cost to be paid for the 1316  
child shall be determined by a formula approved by the 1317  
department of education, which formula shall be designed to 1318  
calculate a per diem cost for the educational services provided 1319  
to the child for each day the child is served and shall reflect 1320  
the total actual cost incurred in providing those services. The 1321  
department shall certify the total educational cost to be paid 1322  
for the child to both the school district providing the 1323

educational services and, if different, the school district that 1324  
is responsible to pay tuition for the child. The department 1325  
shall deduct the certified amount from the state basic aid funds 1326  
payable under Chapter 3317. of the Revised Code to the district 1327  
responsible to pay tuition and shall pay that amount to the 1328  
district providing the educational services to the child. 1329

(D) Tuition required to be paid under divisions (C) (2) and 1330  
(3) (a) of this section shall be computed in accordance with 1331  
section 3317.08 of the Revised Code. Tuition required to be paid 1332  
under division (C) (3) (b) of this section shall be computed in 1333  
accordance with section 3317.081 of the Revised Code. If a home 1334  
fails to pay the tuition required by division (C) (3) (b) of this 1335  
section, the board of education providing the education may 1336  
recover in a civil action the tuition and the expenses incurred 1337  
in prosecuting the action, including court costs and reasonable 1338  
attorney's fees. If the prosecuting attorney or city director of 1339  
law represents the board in such action, costs and reasonable 1340  
attorney's fees awarded by the court, based upon the prosecuting 1341  
attorney's, director's, or one of their designee's time spent 1342  
preparing and presenting the case, shall be deposited in the 1343  
county or city general fund. 1344

(E) A board of education may enroll a child free of any 1345  
tuition obligation for a period not to exceed sixty days, on the 1346  
sworn statement of an adult resident of the district that the 1347  
resident has initiated legal proceedings for custody of the 1348  
child. 1349

(F) In the case of any individual entitled to attend 1350  
school under this division, no tuition shall be charged by the 1351  
school district of attendance and no other school district shall 1352  
be required to pay tuition for the individual's attendance. 1353

Notwithstanding division (B), (C), or (E) of this section: 1354

(1) All persons at least eighteen but under twenty-two 1355  
years of age who live apart from their parents, support 1356  
themselves by their own labor, and have not successfully 1357  
completed the high school curriculum or the individualized 1358  
education program developed for the person by the high school 1359  
pursuant to section 3323.08 of the Revised Code, are entitled to 1360  
attend school in the district in which they reside. 1361

(2) Any child under eighteen years of age who is married 1362  
is entitled to attend school in the child's district of 1363  
residence. 1364

(3) A child is entitled to attend school in the district 1365  
in which either of the child's parents is employed if the child 1366  
has a medical condition that may require emergency medical 1367  
attention. The parent of a child entitled to attend school under 1368  
division (F)(3) of this section shall submit to the board of 1369  
education of the district in which the parent is employed a 1370  
statement from the child's physician certifying that the child's 1371  
medical condition may require emergency medical attention. The 1372  
statement shall be supported by such other evidence as the board 1373  
may require. 1374

(4) Any child residing with a person other than the 1375  
child's parent is entitled, for a period not to exceed twelve 1376  
months, to attend school in the district in which that person 1377  
resides if the child's parent files an affidavit with the 1378  
superintendent of the district in which the person with whom the 1379  
child is living resides stating all of the following: 1380

(a) That the parent is serving outside of the state in the 1381  
armed services of the United States; 1382



(b) That the parent intends to reside in the district upon 1383  
returning to this state; 1384

(c) The name and address of the person with whom the child 1385  
is living while the parent is outside the state. 1386

(5) Any child under the age of twenty-two years who, after 1387  
the death of a parent, resides in a school district other than 1388  
the district in which the child attended school at the time of 1389  
the parent's death is entitled to continue to attend school in 1390  
the district in which the child attended school at the time of 1391  
the parent's death for the remainder of the school year, subject 1392  
to approval of that district board. 1393

(6) A child under the age of twenty-two years who resides 1394  
with a parent who is having a new house built in a school 1395  
district outside the district where the parent is residing is 1396  
entitled to attend school for a period of time in the district 1397  
where the new house is being built. In order to be entitled to 1398  
such attendance, the parent shall provide the district 1399  
superintendent with the following: 1400

(a) A sworn statement explaining the situation, revealing 1401  
the location of the house being built, and stating the parent's 1402  
intention to reside there upon its completion; 1403

(b) A statement from the builder confirming that a new 1404  
house is being built for the parent and that the house is at the 1405  
location indicated in the parent's statement. 1406

(7) A child under the age of twenty-two years residing 1407  
with a parent who has a contract to purchase a house in a school 1408  
district outside the district where the parent is residing and 1409  
who is waiting upon the date of closing of the mortgage loan for 1410  
the purchase of such house is entitled to attend school for a 1411

period of time in the district where the house is being 1412  
purchased. In order to be entitled to such attendance, the 1413  
parent shall provide the district superintendent with the 1414  
following: 1415

(a) A sworn statement explaining the situation, revealing 1416  
the location of the house being purchased, and stating the 1417  
parent's intent to reside there; 1418

(b) A statement from a real estate broker or bank officer 1419  
confirming that the parent has a contract to purchase the house, 1420  
that the parent is waiting upon the date of closing of the 1421  
mortgage loan, and that the house is at the location indicated 1422  
in the parent's statement. 1423

The district superintendent shall establish a period of 1424  
time not to exceed ninety days during which the child entitled 1425  
to attend school under division (F) (6) or (7) of this section 1426  
may attend without tuition obligation. A student attending a 1427  
school under division (F) (6) or (7) of this section shall be 1428  
eligible to participate in interscholastic athletics under the 1429  
auspices of that school, provided the board of education of the 1430  
school district where the student's parent resides, by a formal 1431  
action, releases the student to participate in interscholastic 1432  
athletics at the school where the student is attending, and 1433  
provided the student receives any authorization required by a 1434  
public agency or private organization of which the school 1435  
district is a member exercising authority over interscholastic 1436  
sports. 1437

(8) A child whose parent is a full-time employee of a 1438  
city, local, or exempted village school district, or of an 1439  
educational service center, may be admitted to the schools of 1440  
the district where the child's parent is employed, or in the 1441

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

(9) A child who is with the child's parent under the care 1454  
of a shelter for victims of domestic violence, as defined in 1455  
section 3113.33 of the Revised Code, is entitled to attend 1456  
school free in the district in which the child is with the 1457  
child's parent, and no other school district shall be required 1458  
to pay tuition for the child's attendance in that school 1459  
district. 1460

The enrollment of a child in a school district under this 1461  
division shall not be denied due to a delay in the school 1462  
district's receipt of any records required under section 1463  
3313.672 of the Revised Code or any other records required for 1464  
enrollment. Any days of attendance and any credits earned by a 1465  
child while enrolled in a school district under this division 1466  
shall be transferred to and accepted by any school district in 1467  
which the child subsequently enrolls. The state board of 1468  
education shall adopt rules to ensure compliance with this 1469  
division. 1470

(10) Any child under the age of twenty-two years whose 1471

parent has moved out of the school district after the 1472  
commencement of classes in the child's senior year of high 1473  
school is entitled, subject to the approval of that district 1474  
board, to attend school in the district in which the child 1475  
attended school at the time of the parental move for the 1476  
remainder of the school year and for one additional semester or 1477  
equivalent term. A district board may also adopt a policy 1478  
specifying extenuating circumstances under which a student may 1479  
continue to attend school under division (F)(10) of this section 1480  
for an additional period of time in order to successfully 1481  
complete the high school curriculum for the individualized 1482  
education program developed for the student by the high school 1483  
pursuant to section 3323.08 of the Revised Code. 1484

(11) As used in this division, "grandparent" means a 1485  
parent of a parent of a child. A child under the age of twenty- 1486  
two years who is in the custody of the child's parent, resides 1487  
with a grandparent, and does not require special education is 1488  
entitled to attend the schools of the district in which the 1489  
child's grandparent resides, provided that, prior to such 1490  
attendance in any school year, the board of education of the 1491  
school district in which the child's grandparent resides and the 1492  
board of education of the school district in which the child's 1493  
parent resides enter into a written agreement specifying that 1494  
good cause exists for such attendance, describing the nature of 1495  
this good cause, and consenting to such attendance. 1496

In lieu of a consent form signed by a parent, a board of 1497  
education may request the grandparent of a child attending 1498  
school in the district in which the grandparent resides pursuant 1499  
to division (F)(11) of this section to complete any consent form 1500  
required by the district, including any authorization required 1501  
by sections 3313.712, 3313.713, 3313.716, and 3313.718 of the 1502

Revised Code. Upon request, the grandparent shall complete any consent form required by the district. A school district shall not incur any liability solely because of its receipt of a consent form from a grandparent in lieu of a parent.

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

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

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

(b) The superintendents of both districts enter into a written agreement that consents to the attendance and specifies that the purpose of such attendance is to protect the student's physical or mental well-being or to deal with other extenuating circumstances deemed appropriate by the superintendents.

While an agreement is in effect under this division for a student who is not receiving special education under Chapter 3323. of the Revised Code and notwithstanding Chapter 3327. of

the Revised Code, the board of education of neither school 1532  
district involved in the agreement is required to provide 1533  
transportation for the student to and from the school where the 1534  
student attends. 1535

A student attending a school of a district pursuant to 1536  
this division shall be allowed to participate in all student 1537  
activities, including interscholastic athletics, at the school 1538  
where the student is attending on the same basis as any student 1539  
who has always attended the schools of that district while of 1540  
compulsory school age. 1541

(13) All school districts shall comply with the "McKinney- 1542  
Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et seq., for 1543  
the education of homeless children. Each city, local, and 1544  
exempted village school district shall comply with the 1545  
requirements of that act governing the provision of a free, 1546  
appropriate public education, including public preschool, to 1547  
each homeless child. 1548

When a child loses permanent housing and becomes a 1549  
homeless person, as defined in 42 U.S.C.A. 11481(5), or when a 1550  
child who is such a homeless person changes temporary living 1551  
arrangements, the child's parent or guardian shall have the 1552  
option of enrolling the child in either of the following: 1553

(a) The child's school of origin, as defined in 42 1554  
U.S.C.A. 11432(g) (3) (C); 1555

(b) The school that is operated by the school district in 1556  
which the shelter where the child currently resides is located 1557  
and that serves the geographic area in which the shelter is 1558  
located. 1559

(14) A child under the age of twenty-two years who resides 1560

with a person other than the child's parent is entitled to 1561  
attend school in the school district in which that person 1562  
resides if both of the following apply: 1563

(a) That person has been appointed, through a military 1564  
power of attorney executed under section 574(a) of the "National 1565  
Defense Authorization Act for Fiscal Year 1994," 107 Stat. 1674 1566  
(1993), 10 U.S.C. 1044b, or through a comparable document 1567  
necessary to complete a family care plan, as the parent's agent 1568  
for the care, custody, and control of the child while the parent 1569  
is on active duty as a member of the national guard or a reserve 1570  
unit of the armed forces of the United States or because the 1571  
parent is a member of the armed forces of the United States and 1572  
is on a duty assignment away from the parent's residence. 1573

(b) The military power of attorney or comparable document 1574  
includes at least the authority to enroll the child in school. 1575

The entitlement to attend school in the district in which 1576  
the parent's agent under the military power of attorney or 1577  
comparable document resides applies until the end of the school 1578  
year in which the military power of attorney or comparable 1579  
document expires. 1580

(G) A board of education, after approving admission, may 1581  
waive tuition for students who will temporarily reside in the 1582  
district and who are either of the following: 1583

(1) Residents or domiciliaries of a foreign nation who 1584  
request admission as foreign exchange students; 1585

(2) Residents or domiciliaries of the United States but 1586  
not of Ohio who request admission as participants in an exchange 1587  
program operated by a student exchange organization. 1588

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 1589

3323.04, 3327.04, and 3327.06 of the Revised Code, a child may attend school or participate in a special education program in a school district other than in the district where the child is entitled to attend school under division (B) of this section.

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

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

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

(2) At the beginning of the school year following the school year in which the child or the child's parent relocated



outside of the school district as described in division (I) (1) 1620  
of this section, the child is not entitled to attend school in 1621  
the school district under that division. 1622

(3) Any person or entity owing tuition to the school 1623  
district on behalf of the child at the end of the first full 1624  
week in October, as provided in division (C) of this section, 1625  
shall continue to owe such tuition to the district for the 1626  
child's attendance under division (I) (1) of this section for the 1627  
lesser of the balance of the school year or the balance of the 1628  
time that the child attends school in the district under 1629  
division (I) (1) of this section. 1630

(4) A pupil who may attend school in the district under 1631  
division (I) (1) of this section shall be entitled to 1632  
transportation services pursuant to an agreement between the 1633  
district and the district in which the child or child's parent 1634  
has relocated unless the districts have not entered into such 1635  
agreement, in which case the child shall be entitled to 1636  
transportation services in the same manner as a pupil attending 1637  
school in the district under interdistrict open enrollment as 1638  
described in division ~~(H)~~ (E) of section 3313.981 of the Revised 1639  
Code, regardless of whether the district has adopted an open 1640  
enrollment policy as described in division (B) (1) (b) or (c) of 1641  
section 3313.98 of the Revised Code. 1642

(J) This division does not apply to a child receiving 1643  
special education. 1644

A school district required to pay tuition pursuant to 1645  
division (C) (2) or (3) of this section or section 3313.65 of the 1646  
Revised Code shall have an amount deducted under division (C) of 1647  
section 3317.023 of the Revised Code equal to its own tuition 1648  
rate for the same period of attendance. A school district 1649

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

Upon receipt of the report the superintendent, pursuant to 1670  
division (C) of section 3317.023 of the Revised Code, shall 1671  
deduct each district's tuition obligations under divisions (C) 1672  
(2) and (3) of this section or section 3313.65 of the Revised 1673  
Code and pay to the district of attendance that amount plus any 1674  
amount required to be paid by the state. 1675

(K) In the event of a disagreement, the superintendent of 1676  
public instruction shall determine the school district in which 1677  
the parent resides. 1678

(L) Nothing in this section requires or authorizes, or 1679

shall be construed to require or authorize, the admission to a 1680  
public school in this state of a pupil who has been permanently 1681  
excluded from public school attendance by the superintendent of 1682  
public instruction pursuant to sections 3301.121 and 3313.662 of 1683  
the Revised Code. 1684

(M) In accordance with division (B)(1) of this section, a 1685  
child whose parent is a member of the national guard or a 1686  
reserve unit of the armed forces of the United States and is 1687  
called to active duty, or a child whose parent is a member of 1688  
the armed forces of the United States and is ordered to a 1689  
temporary duty assignment outside of the district, may continue 1690  
to attend school in the district in which the child's parent 1691  
lived before being called to active duty or ordered to a 1692  
temporary duty assignment outside of the district, as long as 1693  
the child's parent continues to be a resident of that district, 1694  
and regardless of where the child lives as a result of the 1695  
parent's active duty status or temporary duty assignment. 1696  
However, the district is not responsible for providing 1697  
transportation for the child if the child lives outside of the 1698  
district as a result of the parent's active duty status or 1699  
temporary duty assignment. 1700

**Sec. 3313.98.** Notwithstanding division (D) of section 1701  
3311.19 and division (D) of section 3311.52 of the Revised Code, 1702  
the provisions of this section and sections 3313.981 to 3313.983 1703  
of the Revised Code that apply to a city school district do not 1704  
apply to a joint vocational or cooperative education school 1705  
district unless expressly specified. 1706

(A) As used in this section and sections 3313.981 to 1707  
3313.983 of the Revised Code: 1708

(1) "Parent" means either of the natural or adoptive 1709

parents of a student, except under the following conditions:	1710
(a) When the marriage of the natural or adoptive parents	1711
of the student has been terminated by a divorce, dissolution of	1712
marriage, or annulment or the natural or adoptive parents of the	1713
student are living separate and apart under a legal separation	1714
decree and the court has issued an order allocating the parental	1715
rights and responsibilities with respect to the student,	1716
"parent" means the residential parent as designated by the court	1717
except that "parent" means either parent when the court issues a	1718
shared parenting decree.	1719
(b) When a court has granted temporary or permanent	1720
custody of the student to an individual or agency other than	1721
either of the natural or adoptive parents of the student,	1722
"parent" means the legal custodian of the child.	1723
(c) When a court has appointed a guardian for the student,	1724
"parent" means the guardian of the student.	1725
(2) "Native student" means a student entitled under	1726
section 3313.64 or 3313.65 of the Revised Code to attend school	1727
in a district adopting a resolution under this section.	1728
(3) "Adjacent district" means a city, exempted village, or	1729
local school district having territory that abuts the territory	1730
of a district adopting a resolution under this section.	1731
(4) "Adjacent district student" means a student entitled	1732
under section 3313.64 or 3313.65 of the Revised Code to attend	1733
school in an adjacent district.	1734
(5) "Adjacent district joint vocational student" means an	1735
adjacent district student who enrolls in a city, exempted	1736
village, or local school district pursuant to this section and	1737
who also enrolls in a joint vocational school district that does	1738

not contain the territory of the district for which that student 1739  
is a native student and does contain the territory of the city, 1740  
exempted village, or local district in which the student 1741  
enrolls. 1742

~~(6) "Formula amount" has the same meaning as in section-~~ 1743  
~~3317.02 of the Revised Code.~~ 1744

~~(7)~~ "Poverty line" means the poverty line established by 1745  
the director of the United States office of management and 1746  
budget as revised by the secretary of health and human services 1747  
in accordance with section 673(2) of the "Community Services 1748  
Block Grant Act," 95 Stat. 1609, 42 U.S.C.A. 9902, as amended. 1749

~~(8)~~ (7) "IEP" has the same meaning as in section 3323.01 1750  
of the Revised Code. 1751

~~(9)~~ (8) "Other district" means a city, exempted village, 1752  
or local school district having territory outside of the 1753  
territory of a district adopting a resolution under this 1754  
section. 1755

~~(10)~~ (9) "Other district student" means a student entitled 1756  
under section 3313.64 or 3313.65 of the Revised Code to attend 1757  
school in an other district. 1758

~~(11)~~ (10) "Other district joint vocational student" means 1759  
a student who is enrolled in any city, exempted village, or 1760  
local school district and who also enrolls in a joint vocational 1761  
school district that does not contain the territory of the 1762  
district for which that student is a native student in 1763  
accordance with a policy adopted under section 3313.983 of the 1764  
Revised Code. 1765

(B) (1) The board of education of each city, local, and 1766  
exempted village school district shall adopt a resolution 1767

establishing for the school district one of the following 1768  
policies: 1769

(a) A policy that entirely prohibits the enrollment of 1770  
students from adjacent districts or other districts, other than 1771  
students for whom tuition is paid in accordance with section 1772  
3317.08 of the Revised Code; 1773

(b) A policy that permits enrollment of students from all 1774  
adjacent districts in accordance with policy statements 1775  
contained in the resolution; 1776

(c) A policy that permits enrollment of students from all 1777  
other districts in accordance with policy statements contained 1778  
in the resolution. 1779

(2) A policy permitting enrollment of students from 1780  
adjacent or from other districts, as applicable, shall provide 1781  
for all of the following: 1782

(a) Application procedures, including deadlines for 1783  
application and for notification of students and the 1784  
superintendent of the applicable district whenever an adjacent 1785  
or other district student's application is approved. 1786

(b) Procedures for admitting adjacent or other district 1787  
applicants free of any tuition obligation to the district's 1788  
schools, including, but not limited to: 1789

(i) The establishment of district capacity limits by grade 1790  
level, school building, and education program; 1791

(ii) A requirement that all native students wishing to be 1792  
enrolled in the district will be enrolled and that any adjacent 1793  
or other district students previously enrolled in the district 1794  
shall receive preference over first-time applicants; 1795

(iii) Procedures to ensure that an appropriate racial balance is maintained in the district schools.	1796 1797
(C) Except as provided in section 3313.982 of the Revised Code, the procedures for admitting adjacent or other district students, as applicable, shall not include:	1798 1799 1800
(1) Any requirement of academic ability, or any level of athletic, artistic, or other extracurricular skills;	1801 1802
(2) Limitations on admitting applicants because of disability, except that a board may refuse to admit a student receiving services under Chapter 3323. of the Revised Code, if the services described in the student's IEP are not available in the district's schools;	1803 1804 1805 1806 1807
(3) A requirement that the student be proficient in the English language;	1808 1809
(4) Rejection of any applicant because the student has been subject to disciplinary proceedings, except that if an applicant has been suspended or expelled by the student's district for ten consecutive days or more in the term for which admission is sought or in the term immediately preceding the term for which admission is sought, the procedures may include a provision denying admission of such applicant.	1810 1811 1812 1813 1814 1815 1816
(D) (1) Each school board permitting only enrollment of adjacent district students shall provide information about the policy adopted under this section, including the application procedures and deadlines, to the superintendent and the board of education of each adjacent district and, upon request, to the parent of any adjacent district student.	1817 1818 1819 1820 1821 1822
(2) Each school board permitting enrollment of other district students shall provide information about the policy	1823 1824

adopted under this section, including the application procedures 1825  
and deadlines, upon request, to the board of education of any 1826  
other school district or to the parent of any student anywhere 1827  
in the state. 1828

(E) Any school board shall accept all credits toward 1829  
graduation earned in adjacent or other district schools by an 1830  
adjacent or other district student or a native student. 1831

(F) (1) No board of education may adopt a policy 1832  
discouraging or prohibiting its native students from applying to 1833  
enroll in the schools of an adjacent or any other district that 1834  
has adopted a policy permitting such enrollment, except that: 1835

(a) A district may object to the enrollment of a native 1836  
student in an adjacent or other district in order to maintain an 1837  
appropriate racial balance. 1838

(b) The board of education of a district receiving funds 1839  
under 64 Stat. 1100 (1950), 20 U.S.C.A. 236 et seq., as amended, 1840  
may adopt a resolution objecting to the enrollment of its native 1841  
students in adjacent or other districts if at least ten per cent 1842  
of its students are included in the determination of the United 1843  
States secretary of education made under section 20 U.S.C.A. 1844  
238(a). 1845

(2) If a board objects to enrollment of native students 1846  
under this division, any adjacent or other district shall refuse 1847  
to enroll such native students unless tuition is paid for the 1848  
students in accordance with section 3317.08 of the Revised Code. 1849  
An adjacent or other district enrolling such students may not 1850  
receive funding for those students in accordance with section 1851  
3313.981 of the Revised Code. 1852

(G) The state board of education shall monitor school 1853



districts to ensure compliance with this section and the 1854  
districts' policies. The board may adopt rules requiring uniform 1855  
application procedures, deadlines for application, notification 1856  
procedures, and record-keeping requirements for all school 1857  
boards that adopt policies permitting the enrollment of adjacent 1858  
or other district students, as applicable. If the state board 1859  
adopts such rules, no school board shall adopt a policy that 1860  
conflicts with those rules. 1861

(H) A resolution adopted by a board of education under 1862  
this section that entirely prohibits the enrollment of students 1863  
from adjacent and from other school districts does not abrogate 1864  
any agreement entered into under section 3313.841 or 3313.92 of 1865  
the Revised Code or any contract entered into under section 1866  
3313.90 of the Revised Code between the board of education 1867  
adopting the resolution and the board of education of any 1868  
adjacent or other district or prohibit these boards of education 1869  
from entering into any such agreement or contract. 1870

(I) Nothing in this section shall be construed to permit 1871  
or require the board of education of a city, exempted village, 1872  
or local school district to exclude any native student of the 1873  
district from enrolling in the district. 1874

**Sec. 3313.981.** (A) The state board of education shall 1875  
adopt rules requiring all of the following: 1876

(1) The board of education of each city, exempted village, 1877  
and local school district to annually report to the department 1878  
of education all of the following: 1879

(a) The number of adjacent district or other district 1880  
students in grades kindergarten through twelve, as applicable, 1881  
the number of adjacent district or other district students who 1882

are preschool children with disabilities, as applicable, and the 1883  
number of adjacent district or other district joint vocational 1884  
students, as applicable, enrolled in the district, in accordance 1885  
with a policy adopted under division (B) of section 3313.98 of 1886  
the Revised Code; 1887

(b) The number of native students in grades kindergarten 1888  
through twelve enrolled in adjacent or other districts and the 1889  
number of native students who are preschool children with 1890  
disabilities enrolled in adjacent or other districts, in 1891  
accordance with a policy adopted under division (B) of section 1892  
3313.98 of the Revised Code; 1893

(c) Each adjacent district or other district student's or 1894  
adjacent district or other district joint vocational student's 1895  
date of enrollment in the district; 1896

(d) The full-time equivalent number of adjacent district 1897  
or other district students enrolled in each of the categories of 1898  
career-technical education programs or classes described in 1899  
section 3317.014 of the Revised Code; 1900

(e) Each native student's date of enrollment in an 1901  
adjacent or other district. 1902

(2) The board of education of each joint vocational school 1903  
district to annually report to the department all of the 1904  
following: 1905

(a) The number of adjacent district or other district 1906  
joint vocational students, as applicable, enrolled in the 1907  
district; 1908

(b) The full-time equivalent number of adjacent district 1909  
or other district joint vocational students enrolled in each 1910  
category of career-technical education programs or classes 1911

described in section 3317.014 of the Revised Code; 1912

(c) For each adjacent district or other district joint 1913  
vocational student, the city, exempted village, or local school 1914  
district in which the student is also enrolled. 1915

(3) Prior to the end of each reporting period specified in 1916  
section 3317.03 of the Revised Code, the superintendent of each 1917  
city, local, or exempted village school district that admits 1918  
adjacent district or other district students who are in grades 1919  
kindergarten through twelve, adjacent district or other district 1920  
students who are preschool children with disabilities, or 1921  
adjacent district or other district joint vocational students in 1922  
accordance with a policy adopted under division (B) of section 1923  
3313.98 of the Revised Code to report to the department of 1924  
education each adjacent or other district's students and where 1925  
those students who are enrolled in the superintendent's district 1926  
under the policy are entitled to attend school under section 1927  
3313.64 or 3313.65 of the Revised Code. 1928

The rules shall provide for the method of counting 1929  
students who are enrolled for part of a school year in an 1930  
adjacent or other district or as an adjacent district or other 1931  
district joint vocational student. 1932

(B) From the payments made to a city, exempted village, or 1933  
local school district under Chapter 3317. of the Revised Code 1934  
and, if necessary, from the payments made to the district under 1935  
sections 321.24 and 323.156 of the Revised Code, the department 1936  
of education shall annually subtract ~~all of the following:~~ 1937

~~(1) An amount equal to the number of the district's native 1938  
students in grades kindergarten through twelve reported under 1939  
division (A) (1) of this section who are enrolled in adjacent or 1940~~

~~other school districts pursuant to policies adopted by such- 1941  
districts under division (B) of section 3313.98 of the Revised- 1942  
Code multiplied by the formula amount; 1943~~

~~(2) The excess costs computed in accordance with division- 1944  
(E) of this section for any such native students in grades- 1945  
kindergarten through twelve receiving special education and- 1946  
related services in adjacent or other school districts or as an- 1947  
adjacent district or other district joint vocational student; 1948~~

~~(3) For each of the district's native students reported- 1949  
under division (A) (1) (d) or (2) (b) of this section as enrolled- 1950  
in career technical education programs or classes described in- 1951  
section 3317.014 of the Revised Code, the per pupil amount- 1952  
prescribed by that section for the student's respective career- 1953  
technical category, on a full time equivalency basis; 1954~~

~~(4) For, for each native student who is a preschool child 1955  
with a disability reported under division (A) (1) of this section 1956  
who is enrolled in an adjacent or other district pursuant to 1957  
policies adopted by such a district under division (B) of 1958  
section 3313.98 of the Revised Code, \$4,000. 1959~~

~~(C) To the payments made to a city, exempted village, or 1960  
local school district under Chapter 3317. of the Revised Code, 1961  
the department of education shall annually add ~~all of the~~ 1962  
following: 1963~~

~~(1) An amount equal to the formula amount multiplied by- 1964  
the remainder obtained by subtracting the number of adjacent- 1965  
district or other district joint vocational students from the- 1966  
number of adjacent district or other district students in grades- 1967  
kindergarten through twelve enrolled in the district, as- 1968  
reported under division (A) (1) of this section; 1969~~

~~(2) The excess costs computed in accordance with division (E) of this section for any adjacent district or other district students in grades kindergarten through twelve, except for any adjacent or other district joint vocational students, receiving special education and related services in the district;~~ 1970  
1971  
1972  
1973  
1974

~~(3) For each of the adjacent or other district students who are not adjacent district or other district joint vocational students and are reported under division (A) (1) (d) of this section as enrolled in career technical education programs or classes described in section 3317.014 of the Revised Code, the per pupil amount prescribed by that section for the student's respective career technical category, on a full-time equivalency basis;~~ 1975  
1976  
1977  
1978  
1979  
1980  
1981  
1982

~~(4) An amount equal to the number of adjacent district or other district joint vocational students reported under division (A) (1) of this section multiplied by an amount equal to twenty per cent of the formula amount;~~ 1983  
1984  
1985  
1986

~~(5) For, for each adjacent district or other district student who is a preschool child with a disability reported under division (A) (1) of this section who is enrolled in the district, \$4,000.~~ 1987  
1988  
1989  
1990

~~(D) To the payments made to a joint vocational school district under Chapter 3317. of the Revised Code, the department of education shall add, for each adjacent district or other district joint vocational student reported under division (A) (2) of this section, both of the following:~~ 1991  
1992  
1993  
1994  
1995

~~(1) The formula amount;~~ 1996

~~(2) The per pupil amount for each of the students reported pursuant to division (A) (2) (b) of this section prescribed by~~ 1997  
1998

~~section 3317.014 of the Revised Code for the student's  
respective career technical category, on a full-time equivalency  
basis.~~ 1999  
2000  
2001

~~(E) (1) A city, exempted village, or local school board  
providing special education and related services to an adjacent  
or other district student in grades kindergarten through twelve  
in accordance with an IEP shall, pursuant to rules of the state  
board, compute the excess costs to educate such student as  
follows:~~ 2002  
2003  
2004  
2005  
2006  
2007

~~(a) Subtract the formula amount from the actual costs to  
educate the student;~~ 2008  
2009

~~(b) From the amount computed under division (E) (1) (a) of  
this section subtract the amount of any funds received by the  
district under Chapter 3317. of the Revised Code to provide  
special education and related services to the student.~~ 2010  
2011  
2012  
2013

~~(2) The board shall report the excess costs computed under  
this division to the department of education.~~ 2014  
2015

~~(3) If any student for whom excess costs are computed  
under division (E) (1) of this section is an adjacent or other  
district joint vocational student, the department of education  
shall add the amount of such excess costs to the payments made  
under Chapter 3317. of the Revised Code to the joint vocational  
school district enrolling the student.~~ 2016  
2017  
2018  
2019  
2020  
2021

~~(F) As provided in division (D) (1) (b) of section 3317.03  
of the Revised Code, no joint vocational school district shall  
count any adjacent or other district joint vocational student  
enrolled in the district in its enrollment certified under  
section 3317.03 of the Revised Code.~~ 2022  
2023  
2024  
2025  
2026

~~(G) No city, exempted village, or local school district~~ 2027

shall receive a payment under division (C) of this section for a student, ~~and no joint vocational school district shall receive a payment under division (D) of this section for a student,~~ if for the same school year that student is counted in the district's enrollment certified under section 3317.03 of the Revised Code.

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

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

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

(b) "Category two career-technical student" means a student who is receiving the career-technical education services described in division ~~(B)~~ (A) (2) of section 3317.014 of the

Revised Code.	2058
(c) "Category three career-technical student" means a student who is receiving the career-technical education services described in division <del>(C)</del> <u>(A) (3)</u> of section 3317.014 of the Revised Code.	2059 2060 2061 2062
(d) "Category four career-technical student" means a student who is receiving the career-technical education services described in division <del>(D)</del> <u>(A) (4)</u> of section 3317.014 of the Revised Code.	2063 2064 2065 2066
(e) "Category five career-technical education student" means a student who is receiving the career-technical education services described in division <del>(E)</del> <u>(A) (5)</u> of section 3317.014 of the Revised Code.	2067 2068 2069 2070
(2) (a) "Category one English learner" means an English learner described in division (A) of section 3317.016 of the Revised Code.	2071 2072 2073
(b) "Category two English learner" means an English learner described in division (B) of section 3317.016 of the Revised Code.	2074 2075 2076
(c) "Category three English learner" means an English learner described in division (C) of section 3317.016 of the Revised Code.	2077 2078 2079
(3) (a) "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.	2080 2081 2082 2083
(b) "Category two special education student" means a student who is receiving special education services for a	2084 2085



disability specified in division (B) of section 3317.013 of the Revised Code. 2086  
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(c) "Category three special education student" means a student who is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code. 2088  
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(d) "Category four special education student" means a student who is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code. 2092  
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(e) "Category five special education student" means a student who is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code. 2096  
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(f) "Category six special education student" means a student who is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code. 2100  
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(4) ~~"Formula amount" has the same meaning as in section 3317.02 of the Revised Code~~"Economically disadvantaged index for a community school" means the square of the quotient of the percentage of students enrolled in the school who are identified as economically disadvantaged as defined by the department of education, divided by the percentage of students in the statewide ADM identified as economically disadvantaged. For purposes of this calculation, the "statewide ADM" equals the "statewide ADM" for city, local, and exempted village school districts described in division (F) (1) of section 3317.02 of the Revised Code. 2104  
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(5) "Funding base" means the following: 2115

(a) For a community school that was in operation for the 2116  
entirety of fiscal year 2020, the amount paid to the school for 2117  
that fiscal year under divisions (C)(1)(a), (b), (c), (d), (f), 2118  
and (g) of this section as those divisions existed prior to the 2119  
effective date of this amendment in accordance with division (A) 2120  
of Section 265.230 of H.B. 166 of the 133rd general assembly and 2121  
the amount, if any, paid to the school for that fiscal year 2122  
under section 3314.085 of the Revised Code in accordance with 2123  
division (B) of Section 265.230 of H.B. 166 of the 133rd general 2124  
assembly; 2125

(b) For a community school that was in operation for part 2126  
of fiscal year 2020, the amount that would have been paid to the 2127  
school for that fiscal year under divisions (C)(1)(a), (b), (c), 2128  
(d), (f), and (g) of this section as those divisions existed 2129  
prior to the effective date of this amendment in accordance with 2130  
division (A) of Section 265.230 of H.B. 166 of the 133rd general 2131  
assembly if the school had been in operation for the entirety of 2132  
that fiscal year, as calculated by the department, and the 2133  
amount that would have been paid to the school for that fiscal 2134  
year under section 3314.085 of the Revised Code in accordance 2135  
with division (B) of Section 265.230 of H.B. 166 of the 133rd 2136  
general assembly, if any, if the school had been in operation 2137  
for the entirety of that fiscal year, as calculated by the 2138  
department; 2139

(c) For a community school that was not in operation for 2140  
fiscal year 2020, the amount that would have been paid to the 2141  
school if it was in operation for that school year under 2142  
divisions (C)(1)(a), (b), (c), (d), (f), and (g) of this section 2143  
as those divisions existed prior to the effective date of this 2144

amendment in accordance with division (A) of Section 265.230 of 2145  
H.B. 166 of the 133rd general assembly if the school had been in 2146  
operation for the entirety of that fiscal year, as calculated by 2147  
the department, and the amount that would have been paid to the 2148  
school for that fiscal year under section 3314.085 of the 2149  
Revised Code in accordance with division (B) of Section 265.230 2150  
of H.B. 166 of the 133rd general assembly, if any, if the school 2151  
had been in operation for the entirety of that fiscal year, as 2152  
calculated by the department. 2153

(6) "IEP" has the same meaning as in section 3323.01 of 2154  
the Revised Code. 2155

~~(6) "Resident district" means the school district in which~~ 2156  
~~a student is entitled to attend school under section 3313.64 or~~ 2157  
~~3313.65 of the Revised Code.~~ 2158

~~(7) "State education aid" has the same meaning as in~~ 2159  
~~section 5751.20 of the Revised Code~~A community school's "phase- 2160  
in percentage" for a fiscal year is equal to the phase-in 2161  
percentage for that fiscal year for city, local, exempted 2162  
village, and joint vocational school districts as defined in 2163  
section 3317.02 of the Revised Code. 2164

(8) "Statewide average base cost per pupil" and "statewide 2165  
average career-technical base cost per pupil" have the same 2166  
meanings as in section 3317.02 of the Revised Code. 2167

(B) The state board of education shall adopt rules 2168  
requiring both of the following: 2169

(1) The board of education of each city, exempted village, 2170  
and local school district to annually report the number of 2171  
students entitled to attend school in the district who are 2172  
enrolled in each grade kindergarten through twelve in a 2173

community school established under this chapter, and for each	2174
child, the community school in which the child is enrolled.	2175
(2) The governing authority of each community school	2176
established under this chapter to annually report all of the	2177
following:	2178
(a) The number of students enrolled in grades one through	2179
twelve and the full-time equivalent number of students enrolled	2180
in kindergarten in the school who are not receiving special	2181
education and related services pursuant to an IEP;	2182
(b) The number of enrolled students in grades one through	2183
twelve and the full-time equivalent number of enrolled students	2184
in kindergarten, who are receiving special education and related	2185
services pursuant to an IEP;	2186
(c) The number of students reported under division (B) (2)	2187
(b) of this section receiving special education and related	2188
services pursuant to an IEP for a disability described in each	2189
of divisions (A) to (F) of section 3317.013 of the Revised Code;	2190
(d) The full-time equivalent number of students reported	2191
under divisions (B) (2) (a) and (b) of this section who are	2192
enrolled in career-technical education programs or classes	2193
described in each of divisions (A) <u>(1)</u> to <del>(E)</del> <u>(5)</u> of section	2194
3317.014 of the Revised Code that are provided by the community	2195
school;	2196
(e) The number of students reported under divisions (B) (2)	2197
(a) and (b) of this section who are not reported under division	2198
(B) (2) (d) of this section but who are enrolled in career-	2199
technical education programs or classes described in each of	2200
divisions (A) <u>(1)</u> to <del>(E)</del> <u>(5)</u> of section 3317.014 of the Revised	2201
Code at a joint vocational school district or another district	2202

in the career-technical planning district to which the school is assigned;	2203 2204
(f) The number of students reported under divisions (B) (2) (a) and (b) of this section who are category one to three English learners described in each of divisions (A) to (C) of section 3317.016 of the Revised Code;	2205 2206 2207 2208
(g) The number of students reported under divisions (B) (2) (a) and (b) of this section who are economically disadvantaged, as defined by the department. A student shall not be categorically excluded from the number reported under division (B) (2) (g) of this section based on anything other than family income.	2209 2210 2211 2212 2213 2214
(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.	2215 2216 2217
(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.	2218 2219 2220 2221 2222
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.	2223 2224 2225 2226
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.	2227 2228 2229 2230
<del>(C) (1)</del> <u>(C) For each fiscal year, the department of</u>	2231

education shall pay to each community school established under 2232  
this chapter an amount calculated in accordance with section 2233  
3314.0810 of the Revised Code. 2234

(1) Except as provided in division (C) (2) of this section, 2235  
and subject to divisions (C) (3), and (4), (5), (6), and (7) of 2236  
this section, on a full-time equivalency basis, for each student 2237  
enrolled in a community school established under this chapter, 2238  
the department of education annually shall deduct from the state 2239  
education aid of a student's resident district and, if 2240  
necessary, from the payment made to the district under sections 2241  
321.24 and 323.156 of the Revised Code and pay to the community 2242  
school the sum calculate all of the following: 2243

(a) An opportunity grant in an amount equal to the formula 2244  
amount; The school's base cost per pupil for that fiscal year, 2245  
calculated as follows: 2246

The aggregate base cost calculated for the school for that 2247  
fiscal year under section 3314.085 of the Revised Code/ the 2248  
number of students enrolled in the school for that fiscal year 2249

(b) The per pupil amount of targeted assistance funds 2250  
calculated under division (A) of section 3317.0217 of the 2251  
Revised Code for the student's resident district, as determined 2252  
by the department, X 0.25; 2253

(c) Additional state aid for special education and related 2254  
services provided under Chapter 3323. of the Revised Code as 2255  
follows: 2256

(i) If the student is a category one special education 2257  
student, the amount multiple specified in division (A) of 2258  
section 3317.013 of the Revised Code X the statewide average 2259  
base cost per pupil for that fiscal year; 2260

(ii) If the student is a category two special education student, the <del>amount-multiple</del> specified in division (B) of section 3317.013 of the Revised Code <u>X the statewide average</u> base cost per pupil for that fiscal year;	2261 2262 2263 2264
(iii) If the student is a category three special education student, the <del>amount-multiple</del> specified in division (C) of section 3317.013 of the Revised Code <u>X the statewide average</u> base cost per pupil for that fiscal year;	2265 2266 2267 2268
(iv) If the student is a category four special education student, the <del>amount-multiple</del> specified in division (D) of section 3317.013 of the Revised Code <u>X the statewide average</u> base cost per pupil for that fiscal year;	2269 2270 2271 2272
(v) If the student is a category five special education student, the <del>amount-multiple</del> specified in division (E) of section 3317.013 of the Revised Code <u>X the statewide average</u> base cost per pupil for that fiscal year;	2273 2274 2275 2276
(vi) If the student is a category six special education student, the <del>amount-multiple</del> specified in division (F) of section 3317.013 of the Revised Code <u>X the statewide average</u> base cost per pupil for that fiscal year.	2277 2278 2279 2280
<del>(d) If the student is in kindergarten through third grade, an additional amount of \$320;</del>	2281 2282
<del>(e)</del> <u>(c)</u> If the student is economically disadvantaged, an additional amount <u>of disadvantaged pupil impact aid</u> equal to the following:	2283 2284 2285
<del>\$272-\$422</del> <u>X the resident district's school's</u> economically disadvantaged index	2286 2287
<del>(f)</del> <u>(d)</u> English learner funds as follows:	2288

(i) If the student is a category one English learner, the 2289  
~~amount multiple~~ specified in division (A) of section 3317.016 of 2290  
the Revised Code X the statewide average base cost per pupil for 2291  
that fiscal year; 2292

(ii) If the student is a category two English learner, the 2293  
~~amount multiple~~ specified in division (B) of section 3317.016 of 2294  
the Revised Code X the statewide average base cost per pupil for 2295  
that fiscal year; 2296

(iii) If the student is a category three English learner, 2297  
the ~~amount multiple~~ specified in division (C) of section 2298  
3317.016 of the Revised Code X the statewide average base cost 2299  
per pupil for that fiscal year. 2300

~~(g) If the student is reported under division (B) (2) (d) of~~ 2301  
~~this section, career technical education funds as follows:~~ 2302

~~(i) If the student is a category one career technical~~ 2303  
~~education student, the amount specified in division (A) of~~ 2304  
~~section 3317.014 of the Revised Code;~~ 2305

~~(ii) If the student is a category two career technical~~ 2306  
~~education student, the amount specified in division (B) of~~ 2307  
~~section 3317.014 of the Revised Code;~~ 2308

~~(iii) If the student is a category three career technical~~ 2309  
~~education student, the amount specified in division (C) of~~ 2310  
~~section 3317.014 of the Revised Code;~~ 2311

~~(iv) If the student is a category four career technical~~ 2312  
~~education student, the amount specified in division (D) of~~ 2313  
~~section 3317.014 of the Revised Code;~~ 2314

~~(v) If the student is a category five career technical~~ 2315  
~~education student, the amount specified in division (E) of~~ 2316



~~section 3317.014 of the Revised Code.~~ 2317

~~Deduction and payment of funds under division (C) (1) (g) of this section is subject to approval by the lead district of a career technical planning district or the department of education under section 3317.161 of the Revised Code.~~ 2318  
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(2) ~~When deducting from the state education aid of a student's resident district for students enrolled in~~ In the case of an internet- or computer-based community school and making payments to such school under this section, the department shall make the ~~deductions and payments~~ described in only divisions (C) (1) (a), ~~(e), and (g)~~ (b) of this section. 2322  
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No ~~deductions or payments~~ shall be made for a student enrolled in such school under division ~~(C) (1) (b), (C) (1) (c) or (d), (e), or (f)~~ of this section. 2328  
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(3) (a) If a community school's costs for a fiscal year for a student receiving special education and related services pursuant to an IEP for a disability described in divisions (B) to (F) of section 3317.013 of the Revised Code exceed the threshold catastrophic cost for serving the student as specified in division (B) of section 3317.0214 of the Revised Code, the school may submit to the superintendent of public instruction documentation, as prescribed by the superintendent, of all its costs for that student. Upon submission of documentation for a student of the type and in the manner prescribed, the department shall pay to the community school an amount equal to the school's costs for the student in excess of the threshold catastrophic costs. 2331  
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(b) The community school shall report under division (C) (3) (a) of this section, and the department shall pay for, only 2344  
2345

the costs of educational expenses and the related services 2346  
provided to the student in accordance with the student's 2347  
individualized education program. Any legal fees, court costs, 2348  
or other costs associated with any cause of action relating to 2349  
the student may not be included in the amount. 2350

~~(4) In any fiscal year, a community school receiving funds 2351  
under division (C)(1)(g) of this section shall spend those funds 2352  
only for the purposes that the department designates as approved 2353  
for career technical education expenses. Career technical 2354  
education expenses approved by the department shall include only 2355  
expenses connected to the delivery of career technical 2356  
programming to career technical students. The department shall 2357  
require the school to report data annually so that the 2358  
department may monitor the school's compliance with the 2359  
requirements regarding the manner in which funding received 2360  
under division (C)(1)(g) of this section may be spent. 2361~~

~~(5) Notwithstanding anything to the contrary in section 2362  
3313.90 of the Revised Code, except as provided in division (C) 2363  
(9) of this section, all funds received under division (C)(1)(g) 2364  
of this section shall be spent in the following manner: 2365~~

~~(a) At least seventy five per cent of the funds shall be 2366  
spent on curriculum development, purchase, and implementation; 2367  
instructional resources and supplies; industry based program 2368  
certification; student assessment, credentialing, and placement; 2369  
curriculum specific equipment purchases and leases; career 2370  
technical student organization fees and expenses; home and 2371  
agency linkages; work based learning experiences; professional 2372  
development; and other costs directly associated with career 2373  
technical education programs including development of new 2374  
programs. 2375~~

<del>(b) Not more than twenty five per cent of the funds shall</del>	2376
<del>be used for personnel expenditures.</del>	2377
<del>(6) A community school shall spend the funds it receives</del>	2378
<del>under division (C)(1)(e) (C)(1)(c) of this section in accordance</del>	2379
<del>with section 3317.25 of the Revised Code.</del>	2380
<del>(7) If the sum of the payments computed under divisions</del>	2381
<del>(C)(1) and (8)(a) of this section for the students entitled to</del>	2382
<del>attend school in a particular school district under sections</del>	2383
<del>3313.64 and 3313.65 of the Revised Code exceeds the sum of that</del>	2384
<del>district's state education aid and its payment under sections</del>	2385
<del>321.24 and 323.156 of the Revised Code, the department shall</del>	2386
<del>calculate and apply a proration factor to the payments to all</del>	2387
<del>community schools under that division for the students entitled</del>	2388
<del>to attend school in that district.</del>	2389
<del>(8)(a) Subject to division (C)(7) of this section, the</del>	2390
<del>department annually shall pay to each community school,</del>	2391
<del>including each internet or computer based community school, an</del>	2392
<del>amount equal to the following:</del>	2393
<del>(The number of students reported by the community school</del>	2394
<del>under division (B)(2)(c) of this section X the formula amount</del>	2395
<del>X .20)</del>	2396
<del>(b) For each payment made to a community school under</del>	2397
<del>division (C)(8)(a) of this section, the department shall deduct</del>	2398
<del>from the state education aid of each city, local, and exempted</del>	2399
<del>village school district and, if necessary, from the payment made</del>	2400
<del>to the district under sections 321.24 and 323.156 of the Revised</del>	2401
<del>Code an amount equal to the following:</del>	2402
<del>(The number of the district's students reported by the</del>	2403
<del>community school under division (B)(2)(c) of this section X the</del>	2404

~~formula amount X .20)~~ 2405

~~(9) The department may waive the requirement in division  
(C) (5) of this section for any community school that exclusively  
provides one or more career technical workforce development  
programs in arts and communications that are not equipment-  
intensive, as determined by the department.~~ 2406  
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(D) A board of education sponsoring a community school may 2411  
utilize local funds to make enhancement grants to the school or 2412  
may agree, either as part of the contract or separately, to 2413  
provide any specific services to the community school at no cost 2414  
to the school. 2415

(E) A community school may not levy taxes or issue bonds 2416  
secured by tax revenues. 2417

(F) No community school shall charge tuition for the 2418  
enrollment of any student who is a resident of this state. A 2419  
community school may charge tuition for the enrollment of any 2420  
student who is not a resident of this state. 2421

(G) (1) (a) A community school may borrow money to pay any 2422  
necessary and actual expenses of the school in anticipation of 2423  
the receipt of any portion of the payments to be received by the 2424  
school pursuant to division (C) of this section and section 2425  
3314.089 of the Revised Code. The school may issue notes to 2426  
evidence such borrowing. The proceeds of the notes shall be used 2427  
only for the purposes for which the anticipated receipts may be 2428  
lawfully expended by the school. 2429

(b) A school may also borrow money for a term not to 2430  
exceed fifteen years for the purpose of acquiring facilities. 2431

(2) Except for any amount guaranteed under section 3318.50 2432  
of the Revised Code, the state is not liable for debt incurred 2433

by the governing authority of a community school. 2434

(H) The department of education shall adjust the amounts 2435  
~~subtracted and paid~~ under division (C) of this section and 2436  
section 3314.089 of the Revised Code to reflect any enrollment 2437  
of students in community schools for less than the equivalent of 2438  
a full school year. The state board of education within ninety 2439  
days after April 8, 2003, shall adopt in accordance with Chapter 2440  
119. of the Revised Code rules governing the payments to 2441  
community schools under this section including initial payments 2442  
in a school year and adjustments and reductions made in 2443  
subsequent periodic payments to community schools ~~and~~ 2444  
~~corresponding deductions from school district accounts~~ as 2445  
provided under division (C) of this section and section 3314.089 2446  
of the Revised Code. For purposes of this section: 2447

(1) A student shall be considered enrolled in the 2448  
community school for any portion of the school year the student 2449  
is participating at a college under Chapter 3365. of the Revised 2450  
Code. 2451

(2) A student shall be considered to be enrolled in a 2452  
community school for the period of time beginning on the later 2453  
of the date on which the school both has received documentation 2454  
of the student's enrollment from a parent and the student has 2455  
commenced participation in learning opportunities as defined in 2456  
the contract with the sponsor, or thirty days prior to the date 2457  
on which the student is entered into the education management 2458  
information system established under section 3301.0714 of the 2459  
Revised Code. For purposes of applying this division and 2460  
divisions (H) (3) and (4) of this section to a community school 2461  
student, "learning opportunities" shall be defined in the 2462  
contract, which shall describe both classroom-based and non- 2463

classroom-based learning opportunities and shall be in 2464  
compliance with criteria and documentation requirements for 2465  
student participation which shall be established by the 2466  
department. Any student's instruction time in non-classroom- 2467  
based learning opportunities shall be certified by an employee 2468  
of the community school. A student's enrollment shall be 2469  
considered to cease on the date on which any of the following 2470  
occur: 2471

(a) The community school receives documentation from a 2472  
parent terminating enrollment of the student. 2473

(b) The community school is provided documentation of a 2474  
student's enrollment in another public or private school. 2475

(c) The community school ceases to offer learning 2476  
opportunities to the student pursuant to the terms of the 2477  
contract with the sponsor or the operation of any provision of 2478  
this chapter. 2479

Except as otherwise specified in this paragraph, beginning 2480  
in the 2011-2012 school year, any student who completed the 2481  
prior school year in an internet- or computer-based community 2482  
school shall be considered to be enrolled in the same school in 2483  
the subsequent school year until the student's enrollment has 2484  
ceased as specified in division (H) (2) of this section. The 2485  
department shall continue ~~subtracting and~~ paying amounts for the 2486  
student under division (C) of this section and section 3314.089 2487  
of the Revised Code without interruption at the start of the 2488  
subsequent school year. However, if the student without a 2489  
legitimate excuse fails to participate in the first seventy-two 2490  
consecutive hours of learning opportunities offered to the 2491  
student in that subsequent school year, the student shall be 2492  
considered not to have re-enrolled in the school for that school 2493

year and the department shall recalculate the payments to the 2494  
school for that school year to account for the fact that the 2495  
student is not enrolled. 2496

(3) The department shall determine each community school 2497  
student's percentage of full-time equivalency based on the 2498  
percentage of learning opportunities offered by the community 2499  
school to that student, reported either as number of hours or 2500  
number of days, is of the total learning opportunities offered 2501  
by the community school to a student who attends for the 2502  
school's entire school year. However, no internet- or computer- 2503  
based community school shall be credited for anytime a student 2504  
spends participating in learning opportunities beyond ten hours 2505  
within any period of twenty-four consecutive hours. Whether it 2506  
reports hours or days of learning opportunities, each community 2507  
school shall offer not less than nine hundred twenty hours of 2508  
learning opportunities during the school year. 2509

(4) With respect to the calculation of full-time 2510  
equivalency under division (H) (3) of this section, the 2511  
department shall waive the number of hours or days of learning 2512  
opportunities not offered to a student because the community 2513  
school was closed during the school year due to disease 2514  
epidemic, hazardous weather conditions, law enforcement 2515  
emergencies, inoperability of school buses or other equipment 2516  
necessary to the school's operation, damage to a school 2517  
building, or other temporary circumstances due to utility 2518  
failure rendering the school building unfit for school use, so 2519  
long as the school was actually open for instruction with 2520  
students in attendance during that school year for not less than 2521  
the minimum number of hours required by this chapter. The 2522  
department shall treat the school as if it were open for 2523  
instruction with students in attendance during the hours or days 2524

waived under this division. 2525

(I) The department of education shall reduce the amounts 2526  
paid under this section and section 3314.089 of the Revised Code 2527  
to reflect payments made to colleges under section 3365.07 of 2528  
the Revised Code. 2529

(J) (1) No student shall be considered enrolled in any 2530  
internet- or computer-based community school or, if applicable 2531  
to the student, in any community school that is required to 2532  
provide the student with a computer pursuant to division (C) of 2533  
section 3314.22 of the Revised Code, unless both of the 2534  
following conditions are satisfied: 2535

(a) The student possesses or has been provided with all 2536  
required hardware and software materials and all such materials 2537  
are operational so that the student is capable of fully 2538  
participating in the learning opportunities specified in the 2539  
contract between the school and the school's sponsor as required 2540  
by division (A) (23) of section 3314.03 of the Revised Code; 2541

(b) The school is in compliance with division (A) of 2542  
section 3314.22 of the Revised Code, relative to such student. 2543

(2) In accordance with policies adopted by the 2544  
superintendent of public instruction, in consultation with the 2545  
auditor of state, the department shall reduce the amounts 2546  
otherwise payable under division (C) of this section and section 2547  
3314.089 of the Revised Code to any community school that 2548  
includes in its program the provision of computer hardware and 2549  
software materials to any student, if such hardware and software 2550  
materials have not been delivered, installed, and activated for 2551  
each such student in a timely manner or other educational 2552  
materials or services have not been provided according to the 2553



contract between the individual community school and its 2554  
sponsor. 2555

The superintendent of public instruction and the auditor 2556  
of state shall jointly establish a method for auditing any 2557  
community school to which this division pertains to ensure 2558  
compliance with this section. 2559

The superintendent, auditor of state, and the governor 2560  
shall jointly make recommendations to the general assembly for 2561  
legislative changes that may be required to assure fiscal and 2562  
academic accountability for such schools. 2563

(K) (1) If the department determines that a review of a 2564  
community school's enrollment is necessary, such review shall be 2565  
completed and written notice of the findings shall be provided 2566  
to the governing authority of the community school and its 2567  
sponsor within ninety days of the end of the community school's 2568  
fiscal year, unless extended for a period not to exceed thirty 2569  
additional days for one of the following reasons: 2570

(a) The department and the community school mutually agree 2571  
to the extension. 2572

(b) Delays in data submission caused by either a community 2573  
school or its sponsor. 2574

(2) If the review results in a finding that additional 2575  
funding is owed to the school, such payment shall be made within 2576  
thirty days of the written notice. If the review results in a 2577  
finding that the community school owes moneys to the state, the 2578  
following procedure shall apply: 2579

(a) Within ten business days of the receipt of the notice 2580  
of findings, the community school may appeal the department's 2581  
determination to the state board of education or its designee. 2582

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

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

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

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

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

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

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

(3) Any student who was enrolled in the community school during the previous school year when assessments were administered under section 3301.0711 of the Revised Code but did not take one or more of the assessments required by that section and was not excused pursuant to division (C) (1) or (3) of that section, unless the superintendent of public instruction grants the student a waiver from the requirement to take the assessment

and a parent is not paying tuition for the student pursuant to 2612  
section 3314.26 of the Revised Code. The superintendent may 2613  
grant a waiver only for good cause in accordance with rules 2614  
adopted by the state board of education. 2615

(4) Any student who has attained the age of twenty-two 2616  
years, except for veterans of the armed services whose 2617  
attendance was interrupted before completing the recognized 2618  
twelve-year course of the public schools by reason of induction 2619  
or enlistment in the armed forces and who apply for enrollment 2620  
in a community school not later than four years after 2621  
termination of war or their honorable discharge. If, however, 2622  
any such veteran elects to enroll in special courses organized 2623  
for veterans for whom tuition is paid under federal law, or 2624  
otherwise, the department shall not ~~subtract from a school-~~ 2625  
~~district's state aid account and shall not pay~~ to a community 2626  
school under division (C) of this section and section 3314.089 2627  
of the Revised Code any amount for that veteran. 2628

**Sec. 3314.084.** (A) As used in this section: 2629

(1) "Formula ADM" has the same meaning as in section 2630  
3317.03 of the Revised Code. 2631

(2) "Home" has the same meaning as in section 3313.64 of 2632  
the Revised Code. 2633

(3) "School district of residence" has the same meaning as 2634  
in section 3323.01 of the Revised Code; however, a community 2635  
school established under this chapter is not a "school district 2636  
of residence" for purposes of this section. 2637

(B) Notwithstanding anything to the contrary in section 2638  
3314.08 or 3317.03 of the Revised Code, all of the following 2639  
apply in the case of a child who is enrolled in a community 2640

school and is also living in a home: 2641

(1) For purposes of the report required under division (B) 2642  
(1) of section 3314.08 of the Revised Code, the child's school 2643  
district of residence, and not the school district in which the 2644  
home that the child is living in is located, shall be considered 2645  
to be the school district in which the child is entitled to 2646  
attend school. That school district of residence, therefore, 2647  
shall make the report required under division (B) (1) of section 2648  
3314.08 of the Revised Code with respect to the child. 2649

(2) For purposes of the report required under division (B) 2650  
(2) of section 3314.08 of the Revised Code, the community school 2651  
shall report the name of the child's school district of 2652  
residence. 2653

(3) The child's school district of residence shall count 2654  
the child in that district's formula ADM. 2655

(4) The school district in which the home that the child 2656  
is living in is located shall not count the child in that 2657  
district's formula ADM. 2658

~~(5) The department of education shall deduct the~~ 2659  
~~applicable amounts prescribed under division (C) of section~~ 2660  
~~3314.08 of the Revised Code from the child's school district of~~ 2661  
~~residence and shall not deduct those amounts from the school~~ 2662  
~~district in which the home that the child is living in is~~ 2663  
~~located.~~ 2664

~~(6)~~The department shall make the payments prescribed in 2665  
division (C) of section 3314.08 of the Revised Code, as 2666  
applicable, to the community school. 2667

**Sec. 3314.085.** (A) As used in this section: 2668

(1) "Average teacher cost" for a fiscal year has the same meaning as in section 3317.011 of the Revised Code. 2669  
2670

(2) "Base cost enrolled ADM" has the same meaning as in section 3317.02 of the Revised Code. 2671  
2672

(B) When calculating a community school's aggregate base cost under this section, the department shall use data from fiscal year 2018 for the average teacher cost. 2673  
2674  
2675

(C) A community school's aggregate base cost for a fiscal year shall be equal to the following sum: 2676  
2677

The school's teacher base cost for that fiscal year computed under division (D) of this section + the school's student support base cost for that fiscal year computed under division (E) of this section + the school's leadership and accountability base cost for that fiscal year computed under division (F) of this section + the school's building leadership and operations base cost for that fiscal year computed under division (G) of this section 2678  
2679  
2680  
2681  
2682  
2683  
2684  
2685

(D) The department of education shall compute a community school's teacher base cost for a fiscal year as follows: 2686  
2687

(1) Calculate the school's classroom teacher cost for that fiscal year as follows: 2688  
2689

(a) Determine the full-time equivalency of students enrolled in the school for that fiscal year that are enrolled in kindergarten and divide that number by 20; 2690  
2691  
2692

(b) Determine the full-time equivalency of students enrolled in the school for that fiscal year that are enrolled in grades one through three and divide that number by 23; 2693  
2694  
2695

(c) Determine the full-time equivalency of students 2696

<u>enrolled in the school for that fiscal year that are enrolled in</u>	2697
<u>grades four through eight but are not enrolled in a career-</u>	2698
<u>technical education program or class described under section</u>	2699
<u>3317.014 of the Revised Code and divide that number by 25;</u>	2700
<u>(d) Determine the full-time equivalency of students</u>	2701
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2702
<u>grades nine through twelve but are not enrolled in a career-</u>	2703
<u>technical education program or class described under section</u>	2704
<u>3317.014 of the Revised Code and divide that number by 27;</u>	2705
<u>(e) Determine the full-time equivalency of students</u>	2706
<u>enrolled in the school for that fiscal year that are enrolled in</u>	2707
<u>a career-technical education program or class, as reported under</u>	2708
<u>division (B) (2) (d) of section 3314.08 of the Revised Code, and</u>	2709
<u>divide that number by 18;</u>	2710
<u>(f) Compute the sum of the quotients obtained under</u>	2711
<u>divisions (D) (1) (a), (b), (c), (d), and (e) of this section;</u>	2712
<u>(g) Compute the classroom teacher cost by multiplying the</u>	2713
<u>average teacher cost for that fiscal year by the sum computed</u>	2714
<u>under division (D) (1) (f) of this section.</u>	2715
<u>(2) Calculate the school's special teacher cost for that</u>	2716
<u>fiscal year as follows:</u>	2717
<u>(a) Divide the number of students enrolled in the school</u>	2718
<u>for that fiscal year by 150;</u>	2719
<u>(b) Compute the special teacher cost by multiplying the</u>	2720
<u>quotient obtained under division (D) (2) (a) of this section by</u>	2721
<u>the average teacher cost for that fiscal year.</u>	2722
<u>(3) Calculate the school's substitute teacher cost for</u>	2723
<u>that fiscal year in accordance with the following formula:</u>	2724

<u>(a) Compute the substitute teacher daily rate with</u>	2725
<u>benefits by multiplying the substitute teacher daily rate of \$90</u>	2726
<u>by 1.16;</u>	2727
<u>(b) Compute the substitute teacher cost in accordance with</u>	2728
<u>the following formula:</u>	2729
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	2730
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	2731
<u>the amount computed under division (D) (3) (a) of this section X 5</u>	2732
<u>(4) Calculate the school's professional development cost</u>	2733
<u>for that fiscal year in accordance with the following formula:</u>	2734
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	2735
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	2736
<u>[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of</u>	2737
<u>the Revised Code for that fiscal year)/180] X 4</u>	2738
<u>(5) Calculate the school's teacher base cost for that</u>	2739
<u>fiscal year, which equals the sum of divisions (D) (1), (2), (3),</u>	2740
<u>and (4) of this section.</u>	2741
<u>(E) The department shall compute a community school's</u>	2742
<u>student support base cost for a fiscal year as follows:</u>	2743
<u>The number of students enrolled in the school for that fiscal</u>	2744
<u>year X 0.90 X [(the sum of the student support base cost</u>	2745
<u>calculated for all city, local, and exempted village school</u>	2746
<u>districts in the state for that fiscal year under division (E)</u>	2747
<u>of section 3317.011 of the Revised Code - the sum of the</u>	2748
<u>athletic co-curricular activities cost calculated for all city,</u>	2749
<u>local, and exempted village school districts in the state for</u>	2750
<u>that fiscal year under division (E) (5) of section 3317.011 of</u>	2751
<u>the Revised Code)/ the sum of the base cost enrolled ADMs of all</u>	2752
<u>of the city, local, and exempted village school districts in the</u>	2753

state for that fiscal year] 2754

(F) The department shall compute a community school's 2755  
leadership and accountability base cost for a fiscal year as 2756  
follows: 2757

The number of students enrolled in the school for that fiscal 2758  
year X 0.90 X (the sum of the leadership and accountability base 2759  
cost calculated for all city, local, and exempted village school 2760  
districts in the state for that fiscal year under division (F) 2761  
of section 3317.011 of the Revised Code/ the sum of the base 2762  
cost enrolled ADMs of all of the city, local, and exempted 2763  
village school districts in the state for that fiscal year) 2764

(G) The department shall compute a community school's 2765  
building leadership and operations base cost for a fiscal year 2766  
as follows: 2767

The number of students enrolled in the school for that fiscal 2768  
year X 0.90 X (the sum of the building leadership and 2769  
accountability base cost calculated for all city, local, and 2770  
exempted village school districts in the state for that fiscal 2771  
year under division (G) of section 3317.011 of the Revised Code/ 2772  
the sum of the base cost enrolled ADMs of all of the city, 2773  
local, and exempted village school districts in the state for 2774  
that fiscal year) 2775

**Sec. 3314.087.** (A) As used in this section: 2776

(1) "Career-technical program" means career-technical 2777  
programs or classes described in division (A) (1), ~~(B)(2)~~, ~~(C)~~ 2778  
(3), ~~(D)(4)~~, or ~~(E)(5)~~ of section 3317.014 of the Revised Code 2779  
in which a student is enrolled. 2780

(2) ~~"Formula ADM," "category~~ Category one through five 2781  
career-technical education ADM," and "FTE basis" have the same 2782



meanings as in section 3317.02 of the Revised Code. 2783

(3) "Resident school district" means the city, exempted 2784  
village, or local school district in which a student is entitled 2785  
to attend school under section 3313.64 or 3313.65 of the Revised 2786  
Code. 2787

(B) Notwithstanding anything to the contrary in this 2788  
chapter or Chapter 3317. of the Revised Code, a student enrolled 2789  
in a community school may simultaneously enroll in the career- 2790  
technical program operated by the career-technical planning 2791  
district to which the student's resident district belongs. On an 2792  
FTE basis, the student's resident school district shall count 2793  
the student in the category one through five career-technical 2794  
education ADM for the proportion of the time the student is 2795  
enrolled in a career-technical program of the career-technical 2796  
planning district to which the student's resident district 2797  
belongs and, accordingly, the department of education shall 2798  
calculate funds under Chapter 3317. for the resident district 2799  
attributable to the student for the proportion of time the 2800  
student attends the career-technical program. The community 2801  
school shall count the student in its enrollment report under 2802  
section 3314.08 of the Revised Code and shall report to the 2803  
department the proportion of time that the student attends 2804  
classes at the community school. The department shall pay the 2805  
community school ~~and deduct from the student's resident school-~~ 2806  
~~district~~ the amount computed for the student under section 2807  
3314.08 of the Revised Code in proportion to the fraction of the 2808  
time on an FTE basis that the student attends classes at the 2809  
community school. "Full-time equivalency" for a community school 2810  
student, as defined in division (H) of section 3314.08 of the 2811  
Revised Code, does not apply to the student. 2812

Sec. 3314.089. (A) For each student enrolled in a 2813  
community school established under this chapter, including an 2814  
internet- or computer-based community school, and reported under 2815  
division (B) (2) of section 3314.08 of the Revised Code, on a 2816  
full-time equivalency basis, the department of education shall 2817  
pay career-technical education funds as follows: 2818

(1) If the student is a category one career-technical 2819  
education student, the multiple specified in division (A) (1) of 2820  
section 3317.014 of the Revised Code X the statewide average 2821  
career-technical base cost per pupil for that fiscal year; 2822

(2) If the student is a category two career-technical 2823  
education student, the multiple specified in division (A) (2) of 2824  
section 3317.014 of the Revised Code X the statewide average 2825  
career-technical base cost per pupil for that fiscal year; 2826

(3) If the student is a category three career-technical 2827  
education student, the multiple specified in division (A) (3) of 2828  
section 3317.014 of the Revised Code X the statewide average 2829  
career-technical base cost per pupil for that fiscal year; 2830

(4) If the student is a category four career-technical 2831  
education student, the multiple specified in division (A) (4) of 2832  
section 3317.014 of the Revised Code X the statewide average 2833  
career-technical base cost per pupil for that fiscal year; 2834

(5) If the student is a category five career-technical 2835  
education student, the multiple specified in division (A) (5) of 2836  
section 3317.014 of the Revised Code X the statewide average 2837  
career-technical base cost per pupil for that fiscal year. 2838

Payment of funds under division (A) of this section is 2839  
subject to approval by the lead district of a career-technical 2840  
planning district or the department of education under section 2841

3317.161 of the Revised Code. 2842

(B) Subject to division (I) of section 3317.023 of the 2843  
Revised Code, the department of education shall pay career- 2844  
technical associated services funds to each community school as 2845  
follows: 2846

The multiple for career-technical education associated services 2847  
specified under division (B) of section 3317.014 of the Revised 2848  
Code X the statewide average career-technical base cost per 2849  
pupil for that fiscal year X the number of the school's students 2850  
enrolled in career-technical education 2851

(C) Subject to division (I) of section 3317.023 of the 2852  
Revised Code, the department shall pay career awareness and 2853  
exploration funds to each community school as follows: 2854

The number of students enrolled in the community school X \$2.50, 2855  
for fiscal year 2022, \$5, for fiscal year 2023, \$7.50, for 2856  
fiscal year 2024, or \$10, for fiscal year 2025 and each fiscal 2857  
year thereafter 2858

(D) The department shall annually pay to each community 2859  
school, including each internet- or computer-based community 2860  
school, an amount equal to the following: 2861

(The number of students reported by the community school under 2862  
division (B) (2) (e) of section 3314.08 of the Revised Code X the 2863  
school's base cost per pupil as specified under division (C) (1) 2864  
(a) of section 3314.08 of the Revised Code X .20) 2865

(E) In any fiscal year, a community school receiving funds 2866  
under division (A) of this section shall spend those funds only 2867  
for the purposes that the department designates as approved for 2868  
career-technical education expenses. Career-technical education 2869  
expenses approved by the department shall include only expenses 2870

connected to the delivery of career-technical programming to 2871  
career-technical students. The department shall require the 2872  
school to report data annually so that the department may 2873  
monitor the school's compliance with the requirements regarding 2874  
the manner in which funding received under division (A) of this 2875  
section may be spent. 2876

(F) Notwithstanding anything to the contrary in section 2877  
3313.90 of the Revised Code, except as provided in division (G) 2878  
of this section, all funds received under division (A) of this 2879  
section shall be spent in the following manner: 2880

(1) At least seventy-five per cent of the funds shall be 2881  
spent on curriculum development, purchase, and implementation; 2882  
instructional resources and supplies; industry-based program 2883  
certification; student assessment, credentialing, and placement; 2884  
curriculum specific equipment purchases and leases; career- 2885  
technical student organization fees and expenses; home and 2886  
agency linkages; work-based learning experiences; professional 2887  
development; and other costs directly associated with career- 2888  
technical education programs including development of new 2889  
programs. 2890

(2) Not more than twenty-five per cent of the funds shall 2891  
be used for personnel expenditures. 2892

(G) The department may waive the requirements in division 2893  
(F) of this section for any community school that exclusively 2894  
provides one or more career-technical workforce development 2895  
programs in arts and communications that are not equipment- 2896  
intensive, as determined by the department. 2897

(H) In any fiscal year, a community school receiving funds 2898  
under division (H) of section 3317.014 of the Revised Code shall 2899

spend those funds only on the following purposes: 2900

(1) Delivery of career awareness programs to students 2901  
enrolled in grades kindergarten through twelve; 2902

(2) Provision of a common, consistent curriculum to 2903  
students throughout their primary and secondary education; 2904

(3) Assistance to teachers in providing a career 2905  
development curriculum to students; 2906

(4) Development of a career development plan for each 2907  
student that stays with that student for the duration of the 2908  
student's primary and secondary education; 2909

(5) Provision of opportunities for students to engage in 2910  
activities, such as career fairs, hands-on experiences, and job 2911  
shadowing, across all career pathways at each grade level. 2912

The department may deny payment under division (C) of this 2913  
section to any school that the department determines is using 2914  
funds paid under division (H) of section 3317.014 of the Revised 2915  
Code for other purposes. 2916

**Sec. 3314.0810.** For each fiscal year, the department of 2917  
education shall calculate for each community school established 2918  
under this chapter an amount equal to the lesser of the 2919  
following: 2920

(A) The following sum: 2921

The school's funding base + {[the sum of the per pupil amounts 2922  
calculated for the school for that fiscal year under divisions 2923  
(C) (1) (a), (b), and (d) of section 3314.08 of the Revised Code + 2924  
the sum of the per pupil amounts calculated for the school for 2925  
that fiscal year under division (A) of section 3314.089 of the 2926  
Revised Code + the amount calculated for the school for that 2927

fiscal year under division (B) of section 3314.089 of the 2928  
Revised Code) - the school's funding base] X the school's phase- 2929  
in percentage for that fiscal year} + the sum of the per pupil 2930  
amounts of disadvantaged pupil impact aid calculated for that 2931  
fiscal year under division (C) (1) (c) of section 3314.08 of the 2932  
Revised Code 2933

(B) The following sum: 2934

The sum of the per pupil amounts calculated for the school for 2935  
that fiscal year under division (C) (1) of section 3314.08 of the 2936  
Revised Code + the sum of the per pupil amounts calculated for 2937  
the school for that fiscal year under division (A) of section 2938  
3314.089 of the Revised Code + the amount calculated for the 2939  
school for that fiscal year under division (B) of section 2940  
3314.089 of the Revised Code 2941

**Sec. 3314.091.** (A) A school district is not required to 2942  
provide transportation for any native student enrolled in a 2943  
community school if the district board of education has entered 2944  
into an agreement with the community school's governing 2945  
authority that designates the community school as responsible 2946  
for providing or arranging for the transportation of the 2947  
district's native students to and from the community school. For 2948  
any such agreement to be effective, it must be certified by the 2949  
superintendent of public instruction as having met all of the 2950  
following requirements: 2951

(1) It is submitted to the department of education by a 2952  
deadline which shall be established by the department. 2953

(2) In accordance with divisions (C) (1) and (2) of this 2954  
section, it specifies qualifications, such as residing a minimum 2955  
distance from the school, for students to have their 2956

transportation provided or arranged. 2957

(3) The transportation provided by the community school is 2958  
subject to all provisions of the Revised Code and all rules 2959  
adopted under the Revised Code pertaining to pupil 2960  
transportation. 2961

(4) The sponsor of the community school also has signed 2962  
the agreement. 2963

(B) (1) For the school year that begins on July 1, 2007, a 2964  
school district is not required to provide transportation for 2965  
any native student enrolled in a community school, if the 2966  
community school during the previous school year transported the 2967  
students enrolled in the school or arranged for the students' 2968  
transportation, even if that arrangement consisted of having 2969  
parents transport their children to and from the school, but did 2970  
not enter into an agreement to transport or arrange for 2971  
transportation for those students under division (A) of this 2972  
section, and if the governing authority of the community school 2973  
by July 15, 2007, submits written notification to the district 2974  
board of education stating that the governing authority is 2975  
accepting responsibility for providing or arranging for the 2976  
transportation of the district's native students to and from the 2977  
community school. 2978

(2) Except as provided in division (B) (4) of this section, 2979  
for any school year subsequent to the school year that begins on 2980  
July 1, 2007, a school district is not required to provide 2981  
transportation for any native student enrolled in a community 2982  
school if the governing authority of the community school, by 2983  
the thirty-first day of January of the previous school year, 2984  
submits written notification to the district board of education 2985  
stating that the governing authority is accepting responsibility 2986

for providing or arranging for the transportation of the 2987  
district's native students to and from the community school. If 2988  
the governing authority of the community school has previously 2989  
accepted responsibility for providing or arranging for the 2990  
transportation of a district's native students to and from the 2991  
community school, under division (B)(1) or (2) of this section, 2992  
and has since relinquished that responsibility under division 2993  
(B)(3) of this section, the governing authority shall not accept 2994  
that responsibility again unless the district board consents to 2995  
the governing authority's acceptance of that responsibility. 2996

(3) A governing authority's acceptance of responsibility 2997  
under division (B)(1) or (2) of this section shall cover an 2998  
entire school year, and shall remain in effect for subsequent 2999  
school years unless the governing authority submits written 3000  
notification to the district board that the governing authority 3001  
is relinquishing the responsibility. However, a governing 3002  
authority shall not relinquish responsibility for transportation 3003  
before the end of a school year, and shall submit the notice 3004  
relinquishing responsibility by the thirty-first day of January, 3005  
in order to allow the school district reasonable time to prepare 3006  
transportation for its native students enrolled in the school. 3007

(4) (a) For any school year that begins on or after July 1, 3008  
2014, a school district is not required to provide 3009  
transportation for any native student enrolled in a community 3010  
school scheduled to open for operation in the current school 3011  
year, if the governing authority of the community school, by the 3012  
fifteenth day of April of the previous school year, submits 3013  
written notification to the district board of education stating 3014  
that the governing authority is accepting responsibility for 3015  
providing or arranging for the transportation of the district's 3016  
native students to and from the community school. 3017



(b) The governing authority of a community school that 3018  
accepts responsibility for transporting its students under 3019  
division (B) (4) (a) of this section shall comply with divisions 3020  
(B) (2) and (3) of this section to renew or relinquish that 3021  
authority for subsequent school years. 3022

(C) (1) A community school governing authority that enters 3023  
into an agreement under division (A) of this section, or that 3024  
accepts responsibility under division (B) of this section, shall 3025  
provide or arrange transportation free of any charge for each of 3026  
its enrolled students who is required to be transported under 3027  
section 3327.01 of the Revised Code. The governing authority 3028  
shall report to the department of education the number of 3029  
students transported or for whom transportation is arranged 3030  
under this section in accordance with rules adopted by the state 3031  
board of education. 3032

(2) The governing authority may provide or arrange 3033  
transportation for any other enrolled student who is not 3034  
eligible for transportation in accordance with division (C) (1) 3035  
of this section and may charge a fee for such service up to the 3036  
actual cost of the service. 3037

(3) Notwithstanding anything to the contrary in division 3038  
(C) (1) or (2) of this section, a community school governing 3039  
authority shall provide or arrange transportation free of any 3040  
charge for any disabled student enrolled in the school for whom 3041  
the student's individualized education program developed under 3042  
Chapter 3323. of the Revised Code specifies transportation. 3043

(D) (1) If a school district board and a community school 3044  
governing authority elect to enter into an agreement under 3045  
division (A) of this section, the department of education shall 3046  
make payments to the community school according to the terms of 3047

the agreement for each student actually transported under 3048  
division (C) (1) of this section. 3049

If a community school governing authority accepts 3050  
transportation responsibility under division (B) of this 3051  
section, the department shall make payments to the community 3052  
school for each student actually transported or for whom 3053  
transportation is arranged by the community school under 3054  
division (C) (1) of this section, calculated as follows: 3055

(a) For any fiscal year which the general assembly has 3056  
specified that transportation payments to school districts be 3057  
based on an across-the-board percentage of the district's 3058  
payment for the previous school year, the per pupil payment to 3059  
the community school shall be the following quotient: 3060

(i) The total amount calculated for the school district in 3061  
which the child is entitled to attend school for student 3062  
transportation other than transportation of children with 3063  
disabilities; divided by 3064

(ii) The number of students included in the district's 3065  
transportation ADM for the current fiscal year, as calculated 3066  
under section 3317.03 of the Revised Code, plus the number of 3067  
students enrolled in the community school not counted in the 3068  
district's transportation ADM who are transported under division 3069  
(B) (1) or (2) of this section. 3070

(b) For any fiscal year which the general assembly has 3071  
specified that the transportation payments to school districts 3072  
be calculated in accordance with section 3317.0212 of the 3073  
Revised Code and any rules of the state board of education 3074  
implementing that section, the payment to the community school 3075  
shall be ~~the amount so calculated on a per rider basis that~~ 3076

~~otherwise would be paid to the school district in which the~~ 3077  
~~student is entitled to attend school by the method of~~ 3078  
~~transportation the district would have used~~either of the 3079  
following: 3080

(i) If the school district in which the student is 3081  
entitled to attend school would have used a method of 3082  
transportation for the student for which payments are computed 3083  
and paid under division (E) of section 3317.0212 of the Revised 3084  
Code, 1.0 times the statewide transportation cost per student, 3085  
as calculated in division (C) of section 3317.0212 of the 3086  
Revised Code; 3087

(ii) If the school district in which the student is 3088  
entitled to attend school would have used a method of 3089  
transportation for the student for which payments are computed 3090  
and paid in a manner not described in division (D) (1) (b) (i) of 3091  
this section, the amount that would otherwise be computed for 3092  
and paid to the district. The 3093

The community school, however, is not required to use the 3094  
same method to transport that student. 3095

~~(c) Divisions (D) (1) (a) and (b) of this section do not~~ 3096  
~~apply to fiscal years 2012 and 2013. Rather, for each of those~~ 3097  
~~fiscal years, the per pupil payment to a community school for~~ 3098  
~~transporting a student shall be the total amount paid under~~ 3099  
~~former section 3306.12 of the Revised Code for fiscal year 2011~~ 3100  
~~to the school district in which the child is entitled to attend~~ 3101  
~~school divided by that district's "qualifying ridership," as~~ 3102  
~~defined in that section for fiscal year 2011.~~ 3103

As used in this division "entitled to attend school" means 3104  
entitled to attend school under section 3313.64 or 3313.65 of 3105

the Revised Code. 3106

~~(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 payment under sections 321.14 and 323.156 of the Revised Code, that is otherwise paid to the school district in which the student enrolled in the community school is entitled to attend school. The department shall include the number of the district's native students for whom payment is made to a community school under division (D) (1) of this section in the calculation of the district's transportation payment under section 3317.0212 of the Revised Code and the operating appropriations act.~~ 3107  
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~~(3)~~ A community school shall be paid under division (D) (1) of this section only for students who are eligible as specified in section 3327.01 of the Revised Code and division (C) (1) of this section, and whose transportation to and from school is actually provided, who actually utilized transportation arranged, or for whom a payment in lieu of transportation is made by the community school's governing authority. To qualify for the payments, the community school shall report to the department, in the form and manner required by the department, data on the number of students transported or whose transportation is arranged, the number of miles traveled, cost to transport, and any other information requested by the department. 3119  
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~~(4)~~ (3) A community school shall use payments received under this section solely to pay the costs of providing or arranging for the transportation of students who are eligible as specified in section 3327.01 of the Revised Code and division 3132  
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(C) (1) of this section, which may include payments to a parent, 3136  
guardian, or other person in charge of a child in lieu of 3137  
transportation. 3138

(E) Except when arranged through payment to a parent, 3139  
guardian, or person in charge of a child, transportation 3140  
provided or arranged for by a community school pursuant to an 3141  
agreement under this section is subject to all provisions of the 3142  
Revised Code, and all rules adopted under the Revised Code, 3143  
pertaining to the construction, design, equipment, and operation 3144  
of school buses and other vehicles transporting students to and 3145  
from school. The drivers and mechanics of the vehicles are 3146  
subject to all provisions of the Revised Code, and all rules 3147  
adopted under the Revised Code, pertaining to drivers and 3148  
mechanics of such vehicles. The community school also shall 3149  
comply with sections 3313.201, 3327.09, and 3327.10 of the 3150  
Revised Code, division (B) of section 3327.16 of the Revised 3151  
Code and, subject to division (C) (1) of this section, sections 3152  
3327.01 and 3327.02 of the Revised Code, as if it were a school 3153  
district. 3154

**Sec. 3314.11.** (A) The governing authority of each 3155  
community school established under this chapter monthly shall 3156  
review the residency records of students enrolled in that 3157  
community school. Upon the enrollment of each student and on an 3158  
annual basis, the governing authority shall verify to the 3159  
department of education the school district in which the student 3160  
is entitled to attend school under section 3313.64 or 3313.65 of 3161  
the Revised Code. 3162

The school district may review the determination made by 3163  
the community school under division (A) of this section. 3164

(B) (1) For purposes of its initial reporting of the school 3165

districts in which its students are entitled to attend school, 3166  
the governing authority of a community school shall adopt a 3167  
policy that prescribes the number of documents listed in 3168  
division (E) of this section required to verify a student's 3169  
residency. This policy shall supersede any policy concerning the 3170  
number of documents for initial residency verification adopted 3171  
by the district the student is entitled to attend. 3172

(2) For purposes of the annual reporting of the school 3173  
districts in which its students are entitled to attend school, 3174  
the governing authority of a community school shall adopt a 3175  
policy that prescribes the information required to verify a 3176  
student's residency. This information may be obtained through 3177  
any type of document, including any of the documents listed in 3178  
division (E) of this section, or any type of communication with 3179  
a government official authorized to provide such information. 3180

(C) For purposes of making the determinations required 3181  
under this section, the school district in which a parent or 3182  
child resides is the location the parent or student has 3183  
established as the primary residence and where substantial 3184  
family activity takes place. 3185

(D) If a community school's determination under division 3186  
(A) of this section of the school district a student is entitled 3187  
to attend under section 3313.64 or 3313.65 of the Revised Code 3188  
differs from a district's determination, the community school 3189  
that made the determination under division (A) of this section 3190  
shall provide the school district with documentation of the 3191  
student's residency and shall make a good faith effort to 3192  
accurately identify the correct residence of the student. 3193

(E) For purposes of this section, the following documents 3194  
may serve as evidence of primary residence: 3195

(1) A deed, mortgage, lease, current home owner's or	3196
renter's insurance declaration page, or current real property	3197
tax bill;	3198
(2) A utility bill or receipt of utility installation	3199
issued within ninety days of enrollment;	3200
(3) A paycheck or paystub issued to the parent or student	3201
within ninety days of the date of enrollment that includes the	3202
address of the parent's or student's primary residence;	3203
(4) The most current available bank statement issued to	3204
the parent or student that includes the address of the parent's	3205
or student's primary residence;	3206
(5) Any other official document issued to the parent or	3207
student that includes the address of the parent's or student's	3208
primary residence. The superintendent of public instruction	3209
shall develop guidelines for determining what qualifies as an	3210
"official document" under this division.	3211
(F) When a student loses permanent housing and becomes a	3212
homeless child or youth, as defined in 42 U.S.C. 11434a, or when	3213
a child who is such a homeless child or youth changes temporary	3214
living arrangements, the district in which the student is	3215
entitled to attend school shall be determined in accordance with	3216
division (F) (13) of section 3313.64 of the Revised Code and the	3217
"McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et	3218
seq.	3219
(G) In the event of a disagreement as to which school	3220
district a student is entitled to attend, the community school,	3221
after complying with division (D) of this section, but not more	3222
than sixty days after the monthly deadline established by the	3223
department of education for reporting of community school	3224

enrollment, may present the matter to the superintendent of 3225  
public instruction. Not later than thirty days after the 3226  
community school presents the matter, the state superintendent, 3227  
or the state superintendent's designee, shall determine which 3228  
district the student is entitled to attend and shall direct any 3229  
necessary adjustments to payments ~~and deductions~~ under section 3230  
3314.08 of the Revised Code based on that determination. 3231

**Sec. 3314.20.** (A) As used in this section: 3232

(1) "Base enrollment" for an internet- or computer-based 3233  
community school means either of the following: 3234

(a) If the school was open for instruction on the 3235  
effective date of this section, the number of students enrolled 3236  
in the school at the end of the 2012-2013 school year; 3237

(b) If the school opens for instruction after the 3238  
effective date of this section, one thousand students. 3239

(2) "Enrollment limit" for an internet- or computer-based 3240  
community school means the following: 3241

(a) For the 2014-2015 school year, the base enrollment 3242  
increased by the prescribed annual rate of growth, as calculated 3243  
by the department of education. 3244

(b) For the 2015-2016 school year and each school year 3245  
thereafter, the previous school year's enrollment limit 3246  
increased by the prescribed annual rate of growth, as calculated 3247  
by the department. 3248

(3) "Prescribed annual rate of growth" for an internet- or 3249  
computer-based community school means either of the following: 3250

(a) For a school with an enrollment limit equal to or 3251  
greater than three thousand students, fifteen per cent. 3252



(b) For a school with an enrollment limit of less than 3253  
three thousand students, twenty-five per cent. 3254

(B) Beginning in the 2014-2015 school year, no internet- 3255  
or computer-based community school shall enroll more students 3256  
than the number permitted by its enrollment limit. 3257

(C) If, in any school year, an internet- or computer-based 3258  
community school enrolls more students than permitted under the 3259  
enrollment limit, the department shall deduct from the community 3260  
school the amount of state funds credited to the community 3261  
school attributable to each student enrolled in excess of the 3262  
enrollment limit, as determined by the department. ~~The-~~ 3263  
~~department shall distribute the deducted amounts to the school-~~ 3264  
~~districts to which the students enrolled in the community school-~~ 3265  
~~are entitled to attend school under section 3313.64 or 3313.65-~~ 3266  
~~of the Revised Code. Such amounts shall be distributed on a pro-~~ 3267  
~~rata basis according to each district's share of the total-~~ 3268  
~~enrollment in the community school.~~ 3269

**Sec. 3315.18.** (A) The board of education of each city, 3270  
exempted village, local, and joint vocational school district 3271  
shall establish a capital and maintenance fund. Each board 3272  
annually shall deposit into that fund an amount derived from 3273  
revenues received by the district that would otherwise have been 3274  
deposited in the general fund that is equal to three per cent of 3275  
the ~~formula amount~~ statewide average base cost per pupil for the 3276  
preceding fiscal year, as defined in section 3317.02 of the 3277  
Revised Code, or another percentage if established by the 3278  
auditor of state under division (B) of this section, multiplied 3279  
by the district's student population for the preceding fiscal 3280  
year, except that money received from a permanent improvement 3281  
levy authorized by section 5705.21 of the Revised Code may 3282

replace general revenue moneys in meeting the requirements of 3283  
this section. Money in the fund shall be used solely for 3284  
acquisition, replacement, enhancement, maintenance, or repair of 3285  
permanent improvements, as that term is defined in section 3286  
5705.01 of the Revised Code. Any money in the fund that is not 3287  
used in any fiscal year shall carry forward to the next fiscal 3288  
year. 3289

(B) The state superintendent of public instruction and the 3290  
auditor of state jointly shall adopt rules in accordance with 3291  
Chapter 119. of the Revised Code defining what constitutes 3292  
expenditures permitted by division (A) of this section. The 3293  
auditor of state may designate a percentage, other than three 3294  
per cent, of the ~~formula amount~~ statewide average base cost per 3295  
pupil multiplied by the district's student population that must 3296  
be deposited into the fund. 3297

(C) Within its capital and maintenance fund, a school 3298  
district board of education may establish a separate account 3299  
solely for the purpose of depositing funds transferred from the 3300  
district's reserve balance account established under former 3301  
division (H) of section 5705.29 of the Revised Code. After April 3302  
10, 2001, a board may deposit all or part of the funds formerly 3303  
included in such reserve balance account in the separate account 3304  
established under this section. Funds deposited in this separate 3305  
account and interest on such funds shall be utilized solely for 3306  
the purpose of providing the district's portion of the basic 3307  
project costs of any project undertaken in accordance with 3308  
Chapter 3318. of the Revised Code. 3309

(D) (1) Notwithstanding division (A) of this section, in 3310  
any year a district is in fiscal emergency status as declared 3311  
pursuant to section 3316.03 of the Revised Code, the district 3312

may deposit an amount less than required by division (A) of this 3313  
section, or make no deposit, into the district capital and 3314  
maintenance fund for that year. 3315

(2) Notwithstanding division (A) of this section, in any 3316  
fiscal year that a school district is either in fiscal watch 3317  
status, as declared pursuant to section 3316.03 of the Revised 3318  
Code, or in fiscal caution status, as declared pursuant to 3319  
section 3316.031 of the Revised Code, the district may apply to 3320  
the superintendent of public instruction for a waiver from the 3321  
requirements of division (A) of this section, under which the 3322  
district may be permitted to deposit an amount less than 3323  
required by that division or permitted to make no deposit into 3324  
the district capital and maintenance fund for that year. The 3325  
superintendent may grant a waiver under division (D) (2) of this 3326  
section if the district demonstrates to the satisfaction of the 3327  
superintendent that compliance with division (A) of this section 3328  
that year will create an undue financial hardship on the 3329  
district. 3330

(3) Notwithstanding division (A) of this section, not more 3331  
often than one fiscal year in every three consecutive fiscal 3332  
years, any school district that does not satisfy the conditions 3333  
for the exemption described in division (D) (1) of this section 3334  
or the conditions to apply for the waiver described in division 3335  
(D) (2) of this section may apply to the superintendent of public 3336  
instruction for a waiver from the requirements of division (A) 3337  
of this section, under which the district may be permitted to 3338  
deposit an amount less than required by that division or 3339  
permitted to make no deposit into the district capital and 3340  
maintenance fund for that year. The superintendent may grant a 3341  
waiver under division (D) (3) of this section if the district 3342  
demonstrates to the satisfaction of the superintendent that 3343

compliance with division (A) of this section that year will 3344  
necessitate the reduction or elimination of a program currently 3345  
offered by the district that is critical to the academic success 3346  
of students of the district and that no reasonable alternatives 3347  
exist for spending reductions in other areas of operation within 3348  
the district that negate the necessity of the reduction or 3349  
elimination of that program. 3350

(E) Notwithstanding any provision to the contrary in 3351  
Chapter 4117. of the Revised Code, the requirements of this 3352  
section prevail over any conflicting provisions of agreements 3353  
between employee organizations and public employers entered into 3354  
after November 21, 1997. 3355

(F) As used in this section, "student population" means 3356  
the average, daily, full-time equivalent number of students in 3357  
kindergarten through twelfth grade receiving any educational 3358  
services from the school district during the first full school 3359  
week in October, excluding students enrolled in adult education 3360  
classes, but including all of the following: 3361

(1) Adjacent or other district students enrolled in the 3362  
district under an open enrollment policy pursuant to section 3363  
3313.98 of the Revised Code; 3364

(2) Students receiving services in the district pursuant 3365  
to a compact, cooperative education agreement, or a contract, 3366  
but who are entitled to attend school in another district 3367  
pursuant to section 3313.64 or 3313.65 of the Revised Code; 3368

(3) Students for whom tuition is payable pursuant to 3369  
sections 3317.081 and 3323.141 of the Revised Code. 3370

The department of education shall determine a district's 3371  
student population using data reported to it under section 3372

3317.03 of the Revised Code for the applicable fiscal year. 3373

Sec. 3317.011. (A) As used in this section: 3374

(1) "Average administrative assistant salary" means the 3375  
average salary of administrative assistants employed by city, 3376  
local, and exempted village school districts in this state with 3377  
salaries greater than \$20,000 but less than \$65,000 for the most 3378  
recent fiscal year for which data is available, as determined by 3379  
the department of education. 3380

(2) "Average bookkeeping and accounting employee salary" 3381  
means the average salary of bookkeeping employees and accounting 3382  
employees employed by city, local, and exempted village school 3383  
districts in this state with salaries greater than \$20,000 but 3384  
less than \$80,000 for the most recent fiscal year for which data 3385  
is available, as determined by the department. 3386

(3) "Average clerical staff salary" means the average 3387  
salary of clerical staff employed by city, local, and exempted 3388  
village school districts in this state with salaries greater 3389  
than \$15,000 but less than \$50,000 for the most recent fiscal 3390  
year for which data is available, as determined by the 3391  
department. 3392

(4) "Average counselor salary" means the average salary of 3393  
counselors employed by city, local, and exempted village school 3394  
districts in this state with salaries greater than \$30,000 but 3395  
less than \$95,000 for the most recent fiscal year for which data 3396  
is available, as determined by the department. 3397

(5) "Average education management information system 3398  
support employee salary" means the average salary of accounting 3399  
employees employed by city, local, and exempted village school 3400  
districts in this state with salaries greater than \$30,000 but 3401

less than \$90,000 for the most recent fiscal year for which data 3402  
is available, as determined by the department. 3403

(6) "Average librarian and media staff salary" means the 3404  
average salary of librarians and media staff employed by city, 3405  
local, and exempted village school districts in this state with 3406  
salaries greater than \$30,000 but less than \$95,000 for the most 3407  
recent fiscal year for which data is available, as determined by 3408  
the department. 3409

(7) "Average other district administrator salary" means 3410  
the average salary of all assistant superintendents and 3411  
directors employed by city, local, and exempted village school 3412  
districts in this state with salaries greater than \$50,000 but 3413  
less than \$135,000 for the most recent fiscal year for which 3414  
data is available, as determined by the department. 3415

(8) "Average principal salary" means the average salary of 3416  
all principals employed by city, local, and exempted village 3417  
school districts in this state with salaries greater than 3418  
\$50,000 but less than \$120,000 for the most recent fiscal year 3419  
for which data is available, as determined by the department. 3420

(9) "Average superintendent salary" means the average 3421  
salary of all superintendents employed by city, local, and 3422  
exempted village school districts in this state with salaries 3423  
greater than \$60,000 but less than \$180,000 for the most recent 3424  
fiscal year for which data is available, as determined by the 3425  
department. 3426

(10) "Average teacher cost" for a fiscal year is equal to 3427  
the sum of the following: 3428

(a) The average salary of teachers employed by city, 3429  
local, and exempted village school districts in this state with 3430

salaries greater than \$30,000 but less than \$95,000 for the most 3431  
recent fiscal year for which data is available, as determined by 3432  
the department; 3433

(b) An amount for teacher benefits equal to 0.16 times the 3434  
average salary calculated under division (A) (10) (a) of this 3435  
section; 3436

(c) An amount for district-paid insurance costs equal to 3437  
the following product: 3438

The statewide weighted average employer-paid monthly premium 3439  
based on data reported by city, local, and exempted village 3440  
school districts to the state employment relations board for the 3441  
health insurance survey conducted in accordance with divisions 3442  
(K) (5) and (6) of section 4117.02 of the Revised Code for the 3443  
most recent fiscal year for which data is available X 12 3444

(B) When calculating a district's aggregate base cost 3445  
under this section, the department shall use data from fiscal 3446  
year 2018 for all of the following: 3447

(1) The average salaries determined under divisions (A) 3448  
(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of this 3449  
section; 3450

(2) The amount for teacher benefits determined under 3451  
division (A) (10) (b) of this section; 3452

(3) The district-paid insurance costs determined under 3453  
division (A) (10) (c) of this section; 3454

(4) The spending determined under divisions (E) (4) (a), (E) 3455  
(5) (a), (E) (6) (a), and (E) (7) (a) of this section and the 3456  
corresponding student counts determined under divisions (E) (4) 3457  
(b), (E) (5) (b), (E) (6) (b), and (E) (7) (b) of this section; 3458

<u>(5) The information determined under division (G) (3) of</u>	3459
<u>this section.</u>	3460
<u>(C) A city, local, or exempted village school district's</u>	3461
<u>aggregate base cost for a fiscal year shall be equal to the</u>	3462
<u>following sum:</u>	3463
<u>The district's teacher base cost for that fiscal year computed</u>	3464
<u>under division (D) of this section + the district's student</u>	3465
<u>support base cost for that fiscal year computed under division</u>	3466
<u>(E) of this section + the district's leadership and</u>	3467
<u>accountability base cost for that fiscal year computed under</u>	3468
<u>division (F) of this section + the district's building</u>	3469
<u>leadership and operations base cost for that fiscal year</u>	3470
<u>computed under division (G) of this section</u>	3471
<u>(D) The department of education shall compute a district's</u>	3472
<u>teacher base cost for a fiscal year as follows:</u>	3473
<u>(1) Calculate the district's classroom teacher cost for</u>	3474
<u>that fiscal year as follows:</u>	3475
<u>(a) Determine the full-time equivalency of students in the</u>	3476
<u>district's base cost enrolled ADM for that fiscal year that are</u>	3477
<u>enrolled in kindergarten and divide that number by 20;</u>	3478
<u>(b) Determine the full-time equivalency of students in the</u>	3479
<u>district's base cost enrolled ADM for that fiscal year that are</u>	3480
<u>enrolled in grades one through three and divide that number by</u>	3481
<u>23;</u>	3482
<u>(c) Determine the full-time equivalency of students in the</u>	3483
<u>district's base cost enrolled ADM for that fiscal year that are</u>	3484
<u>enrolled in grades four through eight but are not enrolled in a</u>	3485
<u>career-technical education program or class described under</u>	3486
<u>section 3317.014 of the Revised Code and divide that number by</u>	3487



<u>25;</u>	3488
<u>(d) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in grades nine through twelve but are not enrolled in a career-technical education program or class described under section 3317.014 of the Revised Code and divide that number by</u>	3489 3490 3491 3492 3493
<u>27;</u>	3494
<u>(e) Determine the full-time equivalency of students in the district's base cost enrolled ADM for that fiscal year that are enrolled in a career-technical education program or class, as certified under divisions (B) (11), (12), (13), (14), and (15) of section 3317.03 of the Revised Code, and divide that number by</u>	3495 3496 3497 3498 3499
<u>18;</u>	3500
<u>(f) Compute the sum of the quotients obtained under divisions (D) (1) (a), (b), (c), (d), and (e) of this section;</u>	3501 3502
<u>(g) Compute the classroom teacher cost by multiplying the average teacher cost for that fiscal year by the sum computed under division (D) (1) (f) of this section.</u>	3503 3504 3505
<u>(2) Calculate the district's special teacher cost for that fiscal year as follows:</u>	3506 3507
<u>(a) Divide the district's base cost enrolled ADM for that fiscal year by 150;</u>	3508 3509
<u>(b) If the quotient obtained under division (D) (2) (a) of this section is greater than 6, the special teacher cost shall be equal to that quotient multiplied by the average teacher cost for that fiscal year.</u>	3510 3511 3512 3513
<u>(c) If the quotient obtained under division (D) (2) (a) of this section is less than or equal to 6, the special teacher</u>	3514 3515

cost shall be equal to 6 multiplied by the average teacher cost 3516  
for that fiscal year. 3517

(3) Calculate the district's substitute teacher cost for 3518  
that fiscal year in accordance with the following formula: 3519

(a) Compute the substitute teacher daily rate with 3520  
benefits by multiplying the substitute teacher daily rate of \$90 3521  
by 1.16; 3522

(b) Compute the substitute teacher cost in accordance with 3523  
the following formula: 3524

[The sum computed under division (D) (1) (f) of this section + 3525  
(the greater of the quotient obtained under division (D) (2) (a) 3526  
of this section and 6)] X the amount computed under division (D) 3527  
(3) (a) of this section X 5 3528

(4) Calculate the district's professional development cost 3529  
for that fiscal year in accordance with the following formula: 3530

[The sum computed under division (D) (1) (f) of this section + 3531  
(the greater of the quotient obtained under division (D) (2) (a) 3532  
of this section and 6)] X [(the sum of divisions (A) (10) (a) and 3533  
(b) of this section for that fiscal year)/180] X 4 3534

(5) Calculate the district's teacher base cost for that 3535  
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 3536  
and (4) of this section. 3537

(E) The department shall compute a district's student 3538  
support base cost for a fiscal year as follows: 3539

(1) Calculate the district's guidance counselor cost for 3540  
that fiscal year as follows: 3541

(a) Determine the number of students in the district's 3542

base cost enrolled ADM for that fiscal year that are enrolled in 3543  
grades nine through twelve and divide that number by 360; 3544

(b) Compute the counselor cost in accordance with the 3545  
following formula: 3546

(The greater of the quotient obtained under division (E) (1) (a) 3547  
of this section and 1) X [(the average counselor salary for that 3548  
fiscal year X 1.16) + the amount specified under division (A) 3549  
(10) (c) of this section for that fiscal year] 3550

(2) Calculate the district's librarian and media staff 3551  
cost for that fiscal year as follows: 3552

(a) Divide the district's base cost enrolled ADM for that 3553  
fiscal year by 1,000; 3554

(b) Compute the librarian and media staff cost in 3555  
accordance with the following formula: 3556

The quotient obtained under division (E) (2) (a) of this section X 3557  
[(the average librarian and media staff salary for that fiscal 3558  
year X 1.16) + the amount specified under division (A) (10) (c) of 3559  
this section for that fiscal year] 3560

(3) Calculate the district's staffing cost for student 3561  
social, emotional, and security support for that fiscal year as 3562  
follows: 3563

(a) Divide the district's base cost enrolled ADM for that 3564  
fiscal year by 250; 3565

(b) Compute the staffing cost for student social, 3566  
emotional, and security support in accordance with the following 3567  
formula: 3568

(The greater of the quotient obtained under division (E) (3) (a) 3569

of this section and 5) X [(the average counselor salary for that 3570  
fiscal year X 1.16) + the amount specified under division (A) 3571  
(10) (c) of this section for that fiscal year] 3572

(4) Calculate the district's academic co-curricular 3573  
activities cost for that fiscal year as follows: 3574

(a) Determine the total amount of spending for academic 3575  
co-curricular activities reported by city, local, and exempted 3576  
village school districts to the department for the most recent 3577  
fiscal year for which data is available; 3578

(b) Determine the sum of the enrolled ADM of every school 3579  
district in the state for the most recent fiscal year for which 3580  
the data specified under division (E) (4) (a) of this section is 3581  
available; 3582

(c) Compute the academic co-curricular activities cost in 3583  
accordance with the following formula: 3584

(The amount determined under division (E) (4) (a) of this section/ 3585  
the sum determined under division (E) (4) (b) of this section) X 3586  
the district's base cost enrolled ADM for the fiscal year for 3587  
which the academic co-curricular activities cost is computed 3588

(5) Calculate the district's athletic co-curricular 3589  
activities cost for that fiscal year as follows: 3590

(a) Determine the total amount of spending for athletic 3591  
co-curricular activities reported by city, local, and exempted 3592  
village school districts to the department for the most recent 3593  
fiscal year for which data is available; 3594

(b) Determine the sum of the enrolled ADM of every school 3595  
district in the state for the most recent fiscal year for which 3596  
the data specified under division (E) (5) (a) of this section is 3597

<u>available;</u>	3598
<u>(c) Compute the athletic co-curricular activities cost in</u>	3599
<u>accordance with the following formula:</u>	3600
<u>(The amount determined under division (E) (5) (a) of this section/</u>	3601
<u>the sum determined under division (E) (5) (b) of this section) X</u>	3602
<u>the district's base cost enrolled ADM for the fiscal year for</u>	3603
<u>which the athletic co-curricular activities cost is computed</u>	3604
<u>(6) Calculate the district's building safety and security</u>	3605
<u>cost for that fiscal year as follows:</u>	3606
<u>(a) Determine the total amount of spending for building</u>	3607
<u>safety and security reported by city, local, and exempted</u>	3608
<u>village school districts to the department for the most recent</u>	3609
<u>fiscal year for which data is available;</u>	3610
<u>(b) Determine the sum of the enrolled ADM of every school</u>	3611
<u>district in the state that reported the data specified under</u>	3612
<u>division (E) (6) (a) of this section for the most recent fiscal</u>	3613
<u>year for which the data is available;</u>	3614
<u>(c) Compute the building safety and security cost in</u>	3615
<u>accordance with the following formula:</u>	3616
<u>(The amount determined under division (E) (6) (a) of this section/</u>	3617
<u>the sum determined under division (E) (6) (b) of this section) X</u>	3618
<u>the district's base cost enrolled ADM for the fiscal year for</u>	3619
<u>which the building safety and security cost is computed</u>	3620
<u>(7) Calculate the district's supplies and academic content</u>	3621
<u>cost for that fiscal year as follows:</u>	3622
<u>(a) Determine the total amount of spending for supplies</u>	3623
<u>and academic content, excluding supplies for transportation and</u>	3624
<u>maintenance, reported by city, local, and exempted village</u>	3625

school districts to the department for the most recent fiscal 3626  
year for which data is available; 3627

(b) Determine the sum of the enrolled ADM of every school 3628  
district in the state for the most recent fiscal year for which 3629  
the data specified under division (E) (7) (a) of this section is 3630  
available; 3631

(c) Compute the supplies and academic content cost in 3632  
accordance with the following formula: 3633

(The amount determined under division (E) (7) (a) of this section/ 3634  
the sum determined under division (E) (7) (b) of this section) X 3635  
the district's base cost enrolled ADM for the fiscal year for 3636  
which the supplies and academic content cost is computed 3637

(8) Calculate the district's technology cost for that 3638  
fiscal year in accordance with the following formula: 3639

\$37.50 X the district's base cost enrolled ADM for that fiscal 3640  
year 3641

(9) Calculate the district's student support base cost for 3642  
that fiscal year, which equals the sum of divisions (E) (1), (2), 3643  
(3), (4), (5), (6), (7), and (8) of this section. 3644

(F) The department shall compute a district's leadership 3645  
and accountability base cost for a fiscal year as follows: 3646

(1) Calculate the district's superintendent cost for that 3647  
fiscal year as follows: 3648

(a) If the district's base cost enrolled ADM for that 3649  
fiscal year is greater than 4,000, then the district's 3650  
superintendent cost shall be equal to [(\$160,000 X 1.16) + the 3651  
amount specified under division (A) (10) (c) of this section for 3652  
that fiscal year]. 3653

(b) If the district's base cost enrolled ADM for that 3654  
fiscal year is less than or equal to 4,000 but greater than or 3655  
equal to 500, the district's superintendent cost shall be equal 3656  
to the sum of the following: 3657

(i) (The district's base cost enrolled ADM for that fiscal 3658  
year - 500) X {[((\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500}; 3659

(ii) (\$80,000 X 1.16) + the amount specified under 3660  
division (A) (10) (c) of this section for that fiscal year. 3661

(c) If the district's base cost enrolled ADM is less than 3662  
500, then the district's superintendent cost shall be equal to 3663  
[((\$80,000 X 1.16) + the amount specified under division (A) (10) 3664  
(c) of this section for that fiscal year]. 3665

(2) Calculate the district's treasurer cost for that 3666  
fiscal year as follows: 3667

(a) If the district's base cost enrolled ADM for that 3668  
fiscal year is greater than 4,000, then the district's treasurer 3669  
cost shall be equal to [(\$130,000 X 1.16) + the amount specified 3670  
under division (A) (10) (c) of this section for that fiscal year]. 3671

(b) If the district's base cost enrolled ADM for that 3672  
fiscal year is less than or equal to 4,000 but greater than or 3673  
equal to 500, the district's treasurer cost shall be equal to 3674  
the sum of the following: 3675

(i) (The district's base cost enrolled ADM for that fiscal 3676  
year - 500) X {[((\$130,000 X 1.16) - (\$60,000 X 1.16)]/3500}; 3677

(ii) (\$60,000 X 1.16) + the amount specified under 3678  
division (A) (10) (c) of this section for that fiscal year. 3679

(c) If the district's base cost enrolled ADM is less than 3680  
500, then the district's treasurer cost shall be equal to 3681

<u>[((\$60,000 X 1.16) + the amount specified under division (A) (10)</u>	3682
<u>(c) of this section for that fiscal year].</u>	3683
<u>(3) Calculate the district's other district administrator</u>	3684
<u>cost for that fiscal year as follows:</u>	3685
<u>(a) Divide the average other district administrator salary</u>	3686
<u>for that fiscal year by the average superintendent salary for</u>	3687
<u>that fiscal year;</u>	3688
<u>(b) Divide the district's base cost enrolled ADM for that</u>	3689
<u>fiscal year by 750;</u>	3690
<u>(c) Compute the other district administrator cost in</u>	3691
<u>accordance with the following formula:</u>	3692
<u>{[(The district's superintendent cost for that fiscal year</u>	3693
<u>calculated under division (F) (1) of this section - the amount</u>	3694
<u>specified under division (A) (10) (c) of this section for that</u>	3695
<u>fiscal year) X the quotient obtained under division (F) (3) (a) of</u>	3696
<u>this section] + the amount specified under division (A) (10) (c)</u>	3697
<u>of this section} X (the greater of the quotient obtained under</u>	3698
<u>division (F) (3) (b) of this section and 2)</u>	3699
<u>(4) Calculate the district's fiscal support cost for that</u>	3700
<u>fiscal year as follows:</u>	3701
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3702
<u>fiscal year by 850;</u>	3703
<u>(b) Determine the lesser of the following:</u>	3704
<u>(i) The maximum of the quotient obtained under division</u>	3705
<u>(F) (4) (a) of this section and 2;</u>	3706
<u>(ii) 35.</u>	3707
<u>(c) Compute the fiscal support cost in accordance with the</u>	3708



following formula: 3709

The number obtained under division (F) (4) (b) of this section X 3710  
[(the average bookkeeping and accounting employee salary for 3711  
that fiscal year X 1.16) + the amount specified under division 3712  
(A) (10) (c) of this section for that fiscal year] 3713

(5) Calculate the district's education management 3714  
information system support cost for that fiscal year as follows: 3715

(a) Divide the district's base cost enrolled ADM for that 3716  
fiscal year by 5,000; 3717

(b) Compute the education management information system 3718  
support cost in accordance with the following formula: 3719

(The greater of the quotient obtained under division (F) (5) (a) 3720  
of this section and 1) X [(the average education management 3721  
information system support employee salary for that fiscal year 3722  
X 1.16) + the amount specified under division (A) (10) (c) of this 3723  
section for that fiscal year] 3724

(6) Calculate the district's leadership support cost for 3725  
that fiscal year as follows: 3726

(a) Determine the greater of the quotient obtained under 3727  
division (F) (3) (b) of this section and 2, and add 1 to that 3728  
number; 3729

(b) Divide the number obtained under division (F) (6) (a) of 3730  
this section by 3; 3731

(c) Compute the leadership support cost in accordance with 3732  
the following formula: 3733

(The greater of the quotient obtained under division (F) (6) (b) 3734  
of this section and 1) X [(the average administrative assistant 3735

salary for that fiscal year X 1.16) + the amount specified under 3736  
division (A) (10) (c) of this section for that fiscal year] 3737

(7) Calculate the district's information technology center 3738  
support cost for that fiscal year in accordance with the 3739  
following formula: 3740

\$31 X the district's base cost enrolled ADM for that fiscal year 3741

(8) Calculate the district's district leadership and 3742  
accountability base cost for that fiscal year, which equals the 3743  
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 3744  
this section. 3745

(G) The department shall compute a district's building 3746  
leadership and operations base cost for a fiscal year as 3747  
follows: 3748

(1) Calculate the district's building leadership cost for 3749  
that fiscal year as follows: 3750

(a) Divide the average principal salary for that fiscal 3751  
year by the average superintendent salary for that fiscal year; 3752

(b) Divide the district's base cost enrolled ADM for that 3753  
fiscal year by 450; 3754

(c) Compute the building leadership cost in accordance 3755  
with the following formula: 3756

{[(The district's superintendent cost for that fiscal year 3757  
calculated under division (F) (1) of this section - the amount 3758  
specified under division (A) (10) (c) of this section for that 3759  
fiscal year) X the quotient obtained under division (G) (1) (a) of 3760  
this section] + the amount specified under division (A) (10) (c) 3761  
of this section for that fiscal year} X the quotient obtained 3762  
under division (G) (1) (b) of this section 3763

<u>(2) Calculate the district's building leadership support</u>	3764
<u>cost for that fiscal year as follows:</u>	3765
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3766
<u>fiscal year by 400;</u>	3767
<u>(b) Determine the number of school buildings in the</u>	3768
<u>district for that fiscal year;</u>	3769
<u>(c) Compute the building leadership support cost in</u>	3770
<u>accordance with the following formula:</u>	3771
<u>(i) If the quotient obtained under division (G) (2) (a) of</u>	3772
<u>this section is less than the number obtained under division (G)</u>	3773
<u>(2) (b) of this section, then the district's building leadership</u>	3774
<u>support cost shall be equal to {the number obtained under</u>	3775
<u>division (G) (2) (b) of this section for that fiscal year X [(the</u>	3776
<u>average clerical staff salary for that fiscal year X 1.16) + the</u>	3777
<u>amount specified under division (A) (10) (c) of this section for</u>	3778
<u>that fiscal year]}.</u>	3779
<u>(ii) If the quotient obtained under division (G) (2) (a) of</u>	3780
<u>this section is greater than or equal to the number obtained</u>	3781
<u>under division (G) (2) (b) of this section, then the district's</u>	3782
<u>building leadership support cost shall be equal to {[the lesser</u>	3783
<u>of (the number obtained under division (G) (2) (b) of this section</u>	3784
<u>X 3) and the quotient obtained under division (G) (2) (a) of this</u>	3785
<u>section] X [(the average clerical staff salary for that fiscal</u>	3786
<u>year X 1.16) + the amount specified under division (A) (10) (c) of</u>	3787
<u>this section for that fiscal year]}.</u>	3788
<u>(3) Calculate the district's building operations cost for</u>	3789
<u>that fiscal year as follows:</u>	3790
<u>(a) Using data for the six most recent fiscal years for</u>	3791
<u>which data is available, determine both of the following:</u>	3792

(i) The six-year average of the average building square feet per pupil for all city, local, and exempted village school district buildings in the state; 3793  
3794  
3795

(ii) The six-year average cost per square foot for all city, local, and exempted village school district buildings in the state. 3796  
3797  
3798

(b) Compute the building operations cost in accordance with the following formula: 3799  
3800

The district's base cost enrolled ADM for that fiscal year X [(the number determined under division (G) (3) (a) (i) of this section X the number determined under division (G) (3) (a) (ii) of this section) - (the amount determined under division (E) (6) (a) of this section for that fiscal year/ the sum determined under division (E) (6) (b) of this section for that fiscal year)] 3801  
3802  
3803  
3804  
3805  
3806

(4) Calculate the district's building leadership and operations base cost for that fiscal year, which equals the sum of divisions (G) (1), (2), and (3) of this section. 3807  
3808  
3809

**Sec. 3317.012.** (A) As used in this section, "average administrative assistant salary," "average bookkeeping and accounting employee salary," "average clerical staff salary," "average counselor salary," "average education management information system support employee salary," "average librarian and media staff salary," "average other district administrator salary," "average principal salary," "average superintendent salary," and "average teacher cost" have the same meanings as in section 3317.011 of the Revised Code. 3810  
3811  
3812  
3813  
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3818

(B) When calculating a district's aggregate base cost under this section, the department shall use data from fiscal year 2018 for all of the following: 3819  
3820  
3821

<u>(1) The average salaries determined under divisions (A)</u>	3822
<u>(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of</u>	3823
<u>section 3317.011 of the Revised Code;</u>	3824
<u>(2) The amount for teacher benefits determined under</u>	3825
<u>division (A) (10) (b) of section 3317.011 of the Revised Code;</u>	3826
<u>(3) The district-paid insurance costs determined under</u>	3827
<u>division (A) (10) (c) of section 3317.011 of the Revised Code;</u>	3828
<u>(4) The spending determined under division (E) (4) of this</u>	3829
<u>section;</u>	3830
<u>(5) The spending determined under divisions (E) (5) (a) and</u>	3831
<u>(6) (a) of this section and the corresponding student counts</u>	3832
<u>determined under divisions (E) (5) (b) and (6) (b) of section</u>	3833
<u>3317.011 of the Revised Code;</u>	3834
<u>(6) The information determined under division (G) (3) of</u>	3835
<u>this section.</u>	3836
<u>(C) A joint vocational school district's aggregate base</u>	3837
<u>cost for a fiscal year shall be equal to the following sum:</u>	3838
<u>The district's teacher base cost for that fiscal year computed</u>	3839
<u>under division (D) of this section + the district's student</u>	3840
<u>support base cost for that fiscal year computed under division</u>	3841
<u>(E) of this section + the district's leadership and</u>	3842
<u>accountability base cost for that fiscal year computed under</u>	3843
<u>division (F) of this section + the district's building</u>	3844
<u>leadership and operations base cost for that fiscal year</u>	3845
<u>computed under division (G) of this section</u>	3846
<u>(D) The department of education shall compute a district's</u>	3847
<u>teacher base cost for a fiscal year as follows:</u>	3848
<u>(1) Calculate the district's classroom teacher cost for</u>	3849

that fiscal year as follows: 3850

(a) Determine the full-time equivalency of students in the 3851  
district's base cost enrolled ADM for that fiscal year that are 3852  
enrolled in a career-technical education program or class, as 3853  
certified under divisions (D) (2) (h), (i), (j), (k), and (l) of 3854  
section 3317.03 of the Revised Code, and divide that number by 3855  
18; 3856

(b) Determine the full-time equivalency of students in the 3857  
district's base cost enrolled ADM for that fiscal year that are 3858  
enrolled in grades six through eight but are not enrolled in a 3859  
career-technical education program or class described under 3860  
section 3317.014 of the Revised Code and divide that number by 3861  
25; 3862

(c) Determine the full-time equivalency of students in the 3863  
district's base cost enrolled ADM for that fiscal year that are 3864  
enrolled in grades nine through twelve but are not enrolled in a 3865  
career-technical education program or class described under 3866  
section 3317.014 of the Revised Code and divide that number by 3867  
27; 3868

(d) Compute the sum of the quotients obtained under 3869  
divisions (D) (1) (a), (b), and (c) of this section; 3870

(e) Compute the classroom teacher base cost by multiplying 3871  
the average teacher cost for that fiscal year by the sum 3872  
computed under division (D) (1) (d) of this section. 3873

(2) Calculate the district's cost for that fiscal year for 3874  
teachers providing health and physical education, instruction 3875  
regarding employability and soft skills, development and 3876  
coordination of internships and job placements, career-technical 3877  
student organization activities, pre-apprenticeship and 3878

apprenticeship coordination, and any assessment related to 3879  
career-technical education, including any nationally recognized 3880  
job skills or end-of-course assessment, as follows: 3881

(a) Divide the district's base cost enrolled ADM for that 3882  
fiscal year by 150; 3883

(b) If the quotient obtained under division (D) (2) (a) of 3884  
this section is greater than 6, the teacher cost shall be equal 3885  
to that quotient multiplied by the average teacher cost for that 3886  
fiscal year. 3887

(c) If the quotient obtained under division (D) (2) (a) of 3888  
this section is less than or equal to 6, the teacher cost shall 3889  
be equal to 6 multiplied by the average teacher cost for that 3890  
fiscal year. 3891

(3) Calculate the district's substitute teacher cost for 3892  
that fiscal year in accordance with the following formula: 3893

(a) Compute the substitute teacher daily rate with 3894  
benefits by multiplying the substitute teacher daily rate of \$90 3895  
by 1.16; 3896

(b) Compute the substitute teacher cost in accordance with 3897  
the following formula: 3898

[The sum computed under division (D) (1) (d) of this section + 3899  
(the greater of the quotient obtained under division (D) (2) (a) 3900  
of this section and 6)] X the amount computed under division (D) 3901  
(3) (a) of this section X 5 3902

(4) Calculate the district's professional development cost 3903  
for that fiscal year in accordance with the following formula: 3904

[The sum computed under division (D) (1) (d) of this section + 3905  
(the greater of the quotient obtained under division (D) (2) (a) 3906

of this section and 6)] X [(the sum of divisions (A) (10) (a) and 3907  
(b) of section 3317.011 of the Revised Code for that fiscal 3908  
year)/180] X 4 3909

(5) Calculate the district's teacher base cost for that 3910  
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 3911  
and (4) of this section. 3912

(E) The department shall compute a district's student 3913  
support base cost for a fiscal year as follows: 3914

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

(a) Determine the number of students in the district's 3917  
base cost enrolled ADM for that fiscal year that are enrolled in 3918  
grades nine through twelve and divide that number by 360; 3919

(b) Compute the counselor cost in accordance with the 3920  
following formula: 3921

(The greater of the quotient obtained under division (E) (1) (a) 3922  
of this section and 1) X [(the average counselor salary for that 3923  
fiscal year X 1.16) + the amount specified under division (A) 3924  
(10) (c) of section 3317.011 of the Revised Code for that fiscal 3925  
year] 3926

(2) Calculate the district's librarian and media staff 3927  
cost for that fiscal year as follows: 3928

(a) Divide the district's base cost enrolled ADM for that 3929  
fiscal year by 1,000; 3930

(b) Compute the librarian and media staff cost in 3931  
accordance with the following formula: 3932

The quotient obtained under division (E) (2) (a) of this section X 3933



[(the average librarian and media staff salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of section 3317.011 of the Revised Code for that fiscal year] 3934  
3935  
3936

(3) Calculate the district's staffing cost for student social, emotional, and security support for that fiscal year as follows: 3937  
3938  
3939

(a) Divide the district's base cost enrolled ADM for that fiscal year by 250; 3940  
3941

(b) Compute the staffing cost for student social, emotional, and security support in accordance with the following formula: 3942  
3943  
3944

The quotient obtained under division (E) (3) (a) of this section X [(the average counselor salary for that fiscal year X 1.16) + the amount specified under division (A) (10) (c) of section 3317.011 of the Revised Code for that fiscal year] 3945  
3946  
3947  
3948

(4) Calculate the district's cost for that fiscal year for career-technical curriculum specialists and coordinators, career assessment and program placement, recruitment and orientation, student success coordination, analysis of test results, development of intervention and remediation plans and monitoring of those plans, and satellite program coordination in accordance with the following formula: 3949  
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[(The amount determined under division (E) (4) (a) of section 3317.011 of the Revised Code for that fiscal year/ the sum determined under division (E) (4) (b) of section 3317.011 of the Revised Code) + (the amount determined under division (E) (5) (a) of section 3317.011 of the Revised Code for that fiscal year/ the sum determined under division (E) (5) (b) of section 3317.011 of the Revised Code)] X the district's base cost enrolled ADM 3956  
3957  
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3962

<u>for the fiscal year for which the district's cost under this</u>	3963
<u>division is computed</u>	3964
<u>(5) Compute the district's building safety and security</u>	3965
<u>cost for that fiscal year in accordance with the following</u>	3966
<u>formula:</u>	3967
<u>(The amount determined under division (E) (6) (a) of section</u>	3968
<u>3317.011 of the Revised Code for that fiscal year/ the sum</u>	3969
<u>determined under division (E) (6) (b) of section 3317.011 of the</u>	3970
<u>Revised Code) X the district's base cost enrolled ADM for the</u>	3971
<u>fiscal year for which the building safety and security cost is</u>	3972
<u>computed</u>	3973
<u>(6) Compute the district's supplies and academic content</u>	3974
<u>cost for that fiscal year in accordance with the following</u>	3975
<u>formula:</u>	3976
<u>(The amount determined under division (E) (7) (a) of section</u>	3977
<u>3317.011 of the Revised Code for that fiscal year/ the sum</u>	3978
<u>determined under division (E) (7) (b) of section 3317.011 of the</u>	3979
<u>Revised Code) X the district's base cost enrolled ADM for the</u>	3980
<u>fiscal year for which the supplies and academic content cost is</u>	3981
<u>computed</u>	3982
<u>(7) Calculate the district's technology cost for that</u>	3983
<u>fiscal year in accordance with the following formula:</u>	3984
<u>\$37.50 X the district's base cost enrolled ADM for that fiscal</u>	3985
<u>year</u>	3986
<u>(8) Calculate the district's student support base cost for</u>	3987
<u>that fiscal year, which equals the sum of divisions (E) (1), (2),</u>	3988
<u>(3), (4), (5), (6), and (7) of this section.</u>	3989
<u>(F) The department shall compute a district's leadership</u>	3990

and accountability base cost for a fiscal year as follows: 3991

(1) Calculate the district's superintendent cost for that 3992  
fiscal year as follows: 3993

(a) If the district's base cost enrolled ADM for that 3994  
fiscal year is greater than 4,000, then the district's 3995  
superintendent cost shall be equal to [(\$160,000 X 1.16) + the 3996  
amount specified under division (A) (10) (c) of section 3317.011 3997  
of the Revised Code for that fiscal year]. 3998

(b) If the district's base cost enrolled ADM for that 3999  
fiscal year is less than or equal to 4,000 but greater than or 4000  
equal to 500, the district's superintendent cost shall be equal 4001  
to the sum of the following: 4002

(i) (The district's base cost enrolled ADM for that fiscal 4003  
year - 500) X { [(\$160,000 X 1.16) - (\$80,000 X 1.16)] / 3500 }; 4004

(ii) (\$80,000 X 1.16) + the amount specified under 4005  
division (A) (10) (c) of section 3317.011 of the Revised Code for 4006  
that fiscal year. 4007

(c) If the district's base cost enrolled ADM is less than 4008  
500, then the district's superintendent cost shall be equal to 4009  
[(\$80,000 X 1.16) + the amount specified under division (A) (10) 4010  
(c) of section 3317.011 of the Revised Code for that fiscal 4011  
year]. 4012

(2) Calculate the district's treasurer cost for that 4013  
fiscal year as follows: 4014

(a) If the district's base cost enrolled ADM for that 4015  
fiscal year is greater than 4,000, then the district's treasurer 4016  
cost shall be equal to [(\$130,000 X 1.16) + the amount specified 4017  
under division (A) (10) (c) of section 3317.011 of the Revised 4018

Code for that fiscal year]. 4019

(b) If the district's base cost enrolled ADM for that 4020  
fiscal year is less than or equal to 4,000 but greater than or 4021  
equal to 500, the district's treasurer cost shall be equal to 4022  
the sum of the following: 4023

(i) (The district's base cost enrolled ADM for that fiscal 4024  
year - 500) X {[((\$130,000 X 1.16) - (\$60,000 X 1.16)]/3500}; 4025

(ii) (\$60,000 X 1.16) + the amount specified under 4026  
division (A) (10) (c) of section 3317.011 of the Revised Code for 4027  
that fiscal year. 4028

(c) If the district's base cost enrolled ADM is less than 4029  
500, then the district's treasurer cost shall be equal to 4030  
[((\$60,000 X 1.16) + the amount specified under division (A) (10) 4031  
(c) of section 3317.011 of the Revised Code for that fiscal 4032  
year]. 4033

(3) Calculate the district's other district administrator 4034  
cost for that fiscal year as follows: 4035

(a) Divide the average other district administrator salary 4036  
for that fiscal year by the average superintendent salary for 4037  
that fiscal year; 4038

(b) Divide the district's base cost enrolled ADM for that 4039  
fiscal year by 750; 4040

(c) Compute the other district administrator cost in 4041  
accordance with the following formula: 4042

{[(The district's superintendent cost for that fiscal year 4043  
calculated under division (F) (1) of this section - the amount 4044  
specified under division (A) (10) (c) of section 3317.011 of the 4045  
Revised Code for that fiscal year) X the quotient obtained under 4046

division (F) (3) (a) of this section] + the amount specified under 4047  
division (A) (10) (c) of section 3317.011 of the Revised Code} X 4048  
(the greater of the quotient obtained under division (F) (3) (b) 4049  
of this section and 2) 4050

(4) Calculate the district's fiscal support cost for that 4051  
fiscal year as follows: 4052

(a) Divide the district's base cost enrolled ADM for that 4053  
fiscal year by 850; 4054

(b) Determine the lesser of the following: 4055

(i) The maximum of the quotient obtained under division 4056  
(F) (4) (a) of this section and 2; 4057

(ii) 35. 4058

(c) Compute the fiscal support cost in accordance with the 4059  
following formula: 4060

The number obtained under division (F) (4) (b) of this section X 4061  
[(the average bookkeeping and accounting employee salary for 4062  
that fiscal year X 1.16) + the amount specified under division 4063  
(A) (10) (c) of section 3317.011 of the Revised Code for that 4064  
fiscal year] 4065

(5) Calculate the district's education management 4066  
information system support cost for that fiscal year as follows: 4067

(a) Divide the district's base cost enrolled ADM for that 4068  
fiscal year by 5,000; 4069

(b) Compute the education management information system 4070  
support cost in accordance with the following formula: 4071

(The greater of the quotient obtained under division (F) (5) (a) 4072  
of this section and 1) X [(the average education management 4073

information system support employee salary for that fiscal year 4074  
X 1.16) + the amount specified under division (A) (10) (c) of 4075  
section 3317.011 of the Revised Code for that fiscal year] 4076

(6) Calculate the district's leadership support cost for 4077  
that fiscal year as follows: 4078

(a) Determine the greater of the quotient obtained under 4079  
division (F) (3) (b) of this section and 2 and add 1 to that 4080  
number; 4081

(b) Divide the number obtained under division (F) (6) (a) of 4082  
this section by 3; 4083

(c) Compute the leadership support cost in accordance with 4084  
the following formula: 4085

(The greater of the quotient obtained under division (F) (6) (b) 4086  
of this section and 1) X [(the average administrative assistant 4087  
salary for that fiscal year X 1.16) + the amount specified under 4088  
division (A) (10) (c) of section 3317.011 of the Revised Code for 4089  
that fiscal year] 4090

(7) Calculate the district's information technology center 4091  
support cost for that fiscal year in accordance with the 4092  
following formula: 4093

\$31 X the district's base cost enrolled ADM for that fiscal year 4094

(8) Calculate the district's district leadership and 4095  
accountability base cost for that fiscal year, which equals the 4096  
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 4097  
this section; 4098

(G) The department shall compute a district's building 4099  
leadership and operations base cost for a fiscal year as 4100  
follows: 4101

(1) Calculate the district's building leadership cost for that fiscal year as follows: 4102  
4103

(a) Divide the average principal salary for that fiscal year by the average superintendent salary for that fiscal year; 4104  
4105

(b) Divide the district's base cost enrolled ADM for that fiscal year by 450; 4106  
4107

(c) Compute the building leadership cost in accordance with the following formula: 4108  
4109

{[(The district's superintendent cost for that fiscal year calculated under division (F) (1) of this section - the amount specified under division (A) (10) (c) of section 3317.011 of the Revised Code for that fiscal year) X the quotient obtained under division (G) (1) (a) of this section] + the amount specified under division (A) (10) (c) of section 3317.011 of the Revised Code for that fiscal year} X the quotient obtained under division (G) (1) (b) of this section 4110  
4111  
4112  
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4117

(2) Calculate the district's building leadership support cost for that fiscal year as follows: 4118  
4119

(a) Divide the district's base cost enrolled ADM for that fiscal year by 400; 4120  
4121

(b) Determine the number of school buildings in the district for that fiscal year; 4122  
4123

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

(i) If the quotient obtained under division (G) (2) (a) of this section is less than the number obtained under division (G) (2) (b) of this section, then the district's building leadership support cost shall be equal to {the number obtained under 4126  
4127  
4128  
4129

division (G) (2) (b) of this section X [(the average clerical  
staff salary X 1.16) + the amount specified under division (A)  
(10) (c) of section 3317.011 of the Revised Code for that fiscal  
year]}. 4130  
4131  
4132  
4133

(ii) If the quotient obtained under division (G) (2) (a) of  
this section is greater than or equal to the number obtained  
under division (G) (2) (b) of this section, then the district's  
building leadership support cost shall be equal to {[the lesser  
of (the number obtained under division (G) (2) (b) of this section  
X 3) and the quotient obtained under division (G) (2) (a) of this  
section] X [(the average clerical staff salary for that fiscal  
year X 1.16) + the amount specified under division (A) (10) (c) of  
section 3317.011 of the Revised Code for that fiscal year]}. 4134  
4135  
4136  
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4141  
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(3) Compute the district's building operations cost for  
that fiscal year in accordance with the following formula: 4143  
4144

The district's base cost enrolled ADM for that fiscal year X  
[(the number determined under division (G) (3) (a) (i) of section  
3317.011 of the Revised Code X the number determined under  
division (G) (3) (a) (ii) of section 3317.011 of the Revised Code)  
- (the amount determined under division (E) (6) (a) of section  
3317.011 of the Revised Code for that fiscal year/ the sum  
determined under division (E) (6) (b) of section 3317.011 of the  
Revised Code for that fiscal year)] 4145  
4146  
4147  
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4149  
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4152

(4) Calculate the district's building leadership and  
operations base cost for that fiscal year, which equals the sum  
of divisions (G) (1), (2), and (3) of this section. 4153  
4154  
4155

**Sec. 3317.013.** The amounts—multiples for the following  
categories of special education programs, as these programs are  
defined for purposes of Chapter 3323. of the Revised Code, are 4156  
4157  
4158



as follows: 4159

(A) ~~An amount of \$1,578~~ A multiple of 0.2434 for each ~~student~~ students whose primary or only identified disability is 4160  
a speech and language disability, as this term is defined 4161  
pursuant to Chapter 3323. of the Revised Code; 4162  
4163

(B) ~~An amount of \$4,005~~ A multiple of 0.6178 for each ~~student~~ students identified as specific learning disabled or 4164  
developmentally disabled, as these terms are defined pursuant to 4165  
Chapter 3323. of the Revised Code, identified as having an other 4166  
health impairment-minor, or identified as a preschool child who 4167  
is developmentally delayed; 4168  
4169

(C) ~~An amount of \$9,622~~ A multiple of 1.4843 for each ~~student~~ students identified as hearing disabled or severe 4170  
behavior disabled, as these terms are defined pursuant to 4171  
Chapter 3323. of the Revised Code; 4172  
4173

(D) ~~An amount of \$12,841~~ A multiple of 1.9809 for each ~~student~~ students identified as vision impaired, as this term is 4174  
defined pursuant to Chapter 3323. of the Revised Code, or as 4175  
having an other health impairment-major; 4176  
4177

(E) ~~An amount of \$17,390~~ A multiple of 2.6826 for each ~~student~~ students identified as orthopedically disabled or as 4178  
having multiple disabilities, as these terms are defined 4179  
pursuant to Chapter 3323. of the Revised Code; 4180  
4181

(F) ~~An amount of \$25,637~~ A multiple of 3.9548 for each ~~student~~ students identified as autistic, having traumatic brain 4182  
injuries, or as both visually and hearing impaired, as these 4183  
terms are defined pursuant to Chapter 3323. of the Revised Code. 4184  
4185

**Sec. 3317.014.** (A) ~~The career-technical education-~~ 4186  
~~additional amount per pupil for each student enrolled in-~~ 4187

multiples for the following categories of career-technical 4188  
education programs approved by the department of education under 4189  
section 3317.161 of the Revised Code shall be as follows: 4190

~~(A) An amount of \$5,192~~ (1) A multiple of 0.6231 for each 4191  
~~student~~ students enrolled in career-technical education 4192  
workforce development programs in agricultural and environmental 4193  
systems, construction technologies, engineering and science 4194  
technologies, finance, health science, information technology, 4195  
and manufacturing technologies, each of which shall be defined 4196  
by the department in consultation with the governor's office of 4197  
workforce transformation; 4198

~~(B) An amount of \$4,921~~ (2) A multiple of 0.5906 for each 4199  
~~student~~ students enrolled in workforce development programs in 4200  
business and administration, hospitality and tourism, human 4201  
services, law and public safety, transportation systems, and 4202  
arts and communications, each of which shall be defined by the 4203  
department in consultation with the governor's office of 4204  
workforce transformation; 4205

~~(C) An amount of \$1,795~~ (3) A multiple of 0.2154 for 4206  
students enrolled in career-based intervention programs, which 4207  
shall be defined by the department in consultation with the 4208  
governor's office of workforce transformation; 4209

~~(D) An amount of \$1,525~~ (4) A multiple of 0.1830 for 4210  
students enrolled in workforce development programs in education 4211  
and training, marketing, workforce development academics, public 4212  
administration, and career development, each of which shall be 4213  
defined by the department of education in consultation with the 4214  
governor's office of workforce transformation; 4215

~~(E) An amount of \$1,308~~ (5) A multiple of 0.1570 for 4216

students enrolled in family and consumer science programs, which 4217  
shall be defined by the department of education in consultation 4218  
with the governor's office of workforce transformation. 4219

(B) The amount multiple for career-technical education 4220  
associated services, as defined by the department, shall be 4221  
~~\$2450.0294.~~ 4222

(C) The department of education shall calculate career- 4223  
technical education funds for each city, local, exempted 4224  
village, and joint vocational school district as the sum of the 4225  
following: 4226

(1) The district's category one career-technical education 4227  
ADM X the multiple specified in division (A) (1) of this section 4228  
X the statewide average career-technical base cost per pupil for 4229  
that fiscal year X the district's state share percentage; 4230

(2) The district's category two career-technical education 4231  
ADM X the multiple specified in division (A) (2) of this section 4232  
X the statewide average career-technical base cost per pupil for 4233  
that fiscal year X the district's state share percentage; 4234

(3) The district's category three career-technical 4235  
education ADM X the multiple specified in division (A) (3) of 4236  
this section X the statewide average career-technical base cost 4237  
per pupil for that fiscal year X the district's state share 4238  
percentage; 4239

(4) The district's category four career-technical 4240  
education ADM X the multiple specified in division (A) (4) of 4241  
this section X the statewide average career-technical base cost 4242  
per pupil for that fiscal year X the district's state share 4243  
percentage; 4244

(5) The district's category five career-technical 4245

education ADM X the multiple specified in division (A) (5) of 4246  
this section X the statewide average career-technical base cost 4247  
per pupil for that fiscal year X the district's state share 4248  
percentage. 4249

Payment of funds calculated under division (C) of this 4250  
section is subject to approval under section 3317.161 of the 4251  
Revised Code. 4252

(D) The department shall calculate career-technical 4253  
associated services funds for each city, local, exempted 4254  
village, and joint vocational school district as follows: 4255

The district's state share percentage X the multiple for career- 4256  
technical education associated services specified under division 4257

(B) of this section X the statewide average career-technical 4258  
base cost per pupil for that fiscal year X the sum of the 4259  
district's categories one through five career-technical 4260  
education ADM 4261

(E) The department shall pay career awareness and 4262  
exploration funds to city, local, exempted village, and joint 4263  
vocational school districts calculated as follows: 4264

The district's enrolled ADM X \$2.50, for fiscal year 2022, \$5, 4265  
for fiscal year 2023, \$7.50, for fiscal year 2024, or \$10, for 4266  
fiscal year 2025 and each fiscal year thereafter 4267

(F) (1) In any fiscal year, a school district receiving 4268  
funds calculated under division (C) of this section shall spend 4269  
those funds only for the purposes that the department designates 4270  
as approved for career-technical education expenses. Career- 4271  
technical education expenses approved by the department shall 4272  
include only expenses connected to the delivery of career- 4273  
technical programming to career-technical students. The 4274

department shall require the school district to report data 4275  
annually so that the department may monitor the district's 4276  
compliance with the requirements regarding the manner in which 4277  
funding calculated under division (C) of this section may be 4278  
spent. 4279

(2) All funds received under division (C) of this section 4280  
shall be spent in the following manner: 4281

(a) At least seventy-five per cent of the funds shall be 4282  
spent on curriculum development, purchase, and implementation; 4283  
instructional resources and supplies; industry-based program 4284  
certification; student assessment, credentialing, and placement; 4285  
curriculum specific equipment purchases and leases; career- 4286  
technical student organization fees and expenses; home and 4287  
agency linkages; work-based learning experiences; professional 4288  
development; and other costs directly associated with career- 4289  
technical education programs including development of new 4290  
programs. 4291

(b) Not more than twenty-five per cent of the funds shall 4292  
be used for personnel expenditures. 4293

(G) In any fiscal year, a school district receiving funds 4294  
calculated under division (D) of this section, or through a 4295  
transfer of funds pursuant to division (I) of section 3317.023 4296  
of the Revised Code, shall spend those funds only for the 4297  
purposes that the department designates as approved for career- 4298  
technical education associated services expenses, which may 4299  
include such purposes as apprenticeship coordinators, 4300  
coordinators for other career-technical education services, 4301  
career-technical evaluation, and other purposes designated by 4302  
the department. The department may deny payment of funds 4303  
calculated under division (D) of this section to any district 4304

that the department determines is not operating those services 4305  
or is using funds calculated under division (D) of this section, 4306  
or through a transfer of funds pursuant to division (I) of 4307  
section 3317.023 of the Revised Code, for other purposes. 4308

(H) In any fiscal year, a lead district of a career- 4309  
technical planning district receiving funds under division (E) 4310  
of this section, or through a transfer of funds pursuant to 4311  
division (I) of section 3317.023 of the Revised Code, shall 4312  
disperse those funds to school districts, community schools, and 4313  
STEM schools receiving services from that district that provide 4314  
plans for the use of those funds that are consistent with the 4315  
career-technical planning district's plan that is on file with 4316  
the department of education. A district or school that receives 4317  
funds under this division shall spend those funds only for the 4318  
following purposes: 4319

(1) Delivery of career awareness programs to students 4320  
enrolled in grades kindergarten through twelve; 4321

(2) Provision of a common, consistent curriculum to 4322  
students throughout their primary and secondary education; 4323

(3) Assistance to teachers in providing a career 4324  
development curriculum to students; 4325

(4) Development of a career development plan for each 4326  
student that stays with that student for the duration of the 4327  
student's primary and secondary education; 4328

(5) Provision of opportunities for students to engage in 4329  
activities, such as career fairs, hands-on experiences, and job 4330  
shadowing, across all career pathways at each grade level. 4331

The department may deny payment under this division to any 4332  
district or school that the department determines is using funds 4333

paid under this division for other purposes. 4334

**Sec. 3317.016.** The ~~amounts~~ multiples for English learners 4335  
shall be as follows: 4336

(A) ~~An amount of \$1,515~~ A multiple of 0.2103 for each 4337  
student who has been enrolled in schools in the United States 4338  
for 180 school days or less and was not previously exempted from 4339  
taking the spring administration of either of the state's 4340  
English language arts assessments prescribed by section 4341  
3301.0710 of the Revised Code (reading or writing). 4342

(B) ~~An amount of \$1,136~~ A multiple of 0.1577 for each 4343  
student who has been enrolled in schools in the United States 4344  
for more than 180 school days ~~or was previously exempted from~~ 4345  
~~taking~~ until the student achieves a score on the spring 4346  
administration of either of the state's English language arts 4347  
assessments prescribed by section 3301.0710 of the Revised Code 4348  
(reading or writing) that falls within the levels of achievement 4349  
specified in divisions (A)(2)(a) to (c) of that section. 4350

(C) ~~An amount of \$758~~ A multiple of 0.1052 for each 4351  
student who ~~does not qualify for inclusion under division (A) or~~ 4352  
~~(B) of this section and is in a trial-mainstream period, as~~ 4353  
~~defined by the department~~ achieves a score on the spring 4354  
administration of either of the state's English language arts 4355  
assessments prescribed by section 3301.0710 of the Revised Code 4356  
(reading or writing) that falls within the levels of achievement 4357  
specified in divisions (A)(2)(a) to (c) of that section, for the 4358  
two school years following the school year in which the student 4359  
achieved that level of achievement. 4360

**Sec. 3317.017.** (A) The department of education shall 4361  
compute a city, local, or exempted village school district's 4362

<u>per-pupil local capacity amount for a fiscal year as follows:</u>	4363
<u>(1) Calculate the district's valuation per pupil for that</u>	4364
<u>fiscal year as follows:</u>	4365
<u>(a) Determine the minimum of the district's three-year</u>	4366
<u>average valuation for the fiscal year for which the calculation</u>	4367
<u>is made and the district's taxable value for the most recent tax</u>	4368
<u>year for which data is available;</u>	4369
<u>(b) Divide the amount determined under division (A) (1) (a)</u>	4370
<u>of this section by the district's base cost enrolled ADM for the</u>	4371
<u>fiscal year for which the calculation is made.</u>	4372
<u>(2) Calculate the district's local share federal adjusted</u>	4373
<u>gross income per pupil for that fiscal year as follows:</u>	4374
<u>(a) Determine the minimum of the following:</u>	4375
<u>(i) The average of the total federal adjusted gross income</u>	4376
<u>of the district's residents for the three most recent tax years</u>	4377
<u>for which data is available, as certified under section 3317.021</u>	4378
<u>of the Revised Code;</u>	4379
<u>(ii) The total federal adjusted gross income of the</u>	4380
<u>district's residents for the most recent tax year for which data</u>	4381
<u>is available, as certified under section 3317.021 of the Revised</u>	4382
<u>Code.</u>	4383
<u>(b) Divide the amount determined under division (A) (2) (a)</u>	4384
<u>of this section by the district's base cost enrolled ADM for the</u>	4385
<u>fiscal year for which the calculation is made.</u>	4386
<u>(3) Calculate the district's adjusted local share federal</u>	4387
<u>adjusted gross income per pupil for that fiscal year as follows:</u>	4388
<u>(a) Determine both of the following:</u>	4389



(i) The median federal adjusted gross income of the 4390  
district's residents for the most recent tax year for which data 4391  
is available, as certified under section 3317.021 of the Revised 4392  
Code; 4393

(ii) The number of state tax returns filed by taxpayers 4394  
residing in the district for the most recent tax year for which 4395  
data is available, as certified under section 3317.021 of the 4396  
Revised Code. 4397

(b) Compute the product of divisions (A) (3) (a) (i) and (ii) 4398  
of this section; 4399

(c) Divide the amount determined under division (A) (3) (b) 4400  
of this section by the district's base cost enrolled ADM for the 4401  
fiscal year for which the calculation is made. 4402

(4) Calculate the district's per-pupil local capacity 4403  
percentage as follows: 4404

(a) Determine the median of the median federal adjusted 4405  
gross incomes determined for all districts statewide under 4406  
division (A) (3) (a) (i) of this section for that fiscal year; 4407

(b) Divide the district's median federal adjusted gross 4408  
income for that fiscal year determined under division (A) (3) (a) 4409  
(i) of this section by the median federal adjusted gross income 4410  
for all districts statewide determined under division (A) (4) (a) 4411  
of this section; 4412

(c) Rank all school districts in order of the ratios 4413  
calculated under division (A) (4) (b) of this section, from the 4414  
district with the highest ratio calculated under division (A) (4) 4415  
(b) of this section to the district with the lowest ratio 4416  
calculated under division (A) (4) (b) of this section; 4417

(d) Determine the district's per-pupil local capacity 4418  
percentage as follows: 4419

(i) If the ratio calculated for the district under 4420  
division (A) (4) (b) of this section is greater than or equal to 4421  
the ratio calculated under division (A) (4) (b) of this section 4422  
for the district with the fortieth highest ratio as determined 4423  
under division (A) (4) (c) of this section, the district's per- 4424  
pupil local capacity percentage shall be equal to 0.025. 4425

(ii) If the ratio calculated for the district under 4426  
division (A) (4) (b) of this section is less than the ratio 4427  
calculated under division (A) (4) (b) of this section for the 4428  
district with the fortieth highest ratio as determined under 4429  
division (A) (4) (c) of this section but greater than 1.0, the 4430  
district's per-pupil local capacity percentage shall be equal to 4431  
an amount calculated as follows: 4432

{[(The ratio calculated for the district under division (A) (4) 4433  
(b) of this section - 1) X 0.0025]/ (the ratio calculated under 4434  
division (A) (4) (b) of this section for the district with the 4435  
fortieth highest ratio as determined under division (A) (4) (c) of 4436  
this section - 1)} + 0.0225 4437

(iii) If the ratio calculated for the district under 4438  
division (A) (4) (b) of this section is less than or equal to 1.0, 4439  
the district's per-pupil local capacity percentage shall be 4440  
equal to the amount calculated under division (A) (4) (b) of this 4441  
section times 0.0225. 4442

(5) Calculate the district's per-pupil local capacity 4443  
amount for that fiscal year as follows: 4444

(The district's valuation per pupil calculated under division 4445  
(A) (1) of this section for that fiscal year X the district's 4446

per-pupil local capacity percentage calculated under division 4447  
(A) (4) of this section X 0.60) + (the district's local share 4448  
adjusted federal gross income per pupil calculated under 4449  
division (A) (2) of this section for that fiscal year X the 4450  
district's per-pupil local capacity percentage calculated under 4451  
division (A) (4) of this section X 0.20) + (the district's 4452  
adjusted local share federal adjusted gross income per pupil 4453  
calculated under division (A) (3) of this section for that fiscal 4454  
year X the district's per-pupil local capacity percentage 4455  
calculated under division (A) (4) of this section X 0.20) 4456

(B) The department shall compute a city, local, or 4457  
exempted village school district's state share for a fiscal year 4458  
as follows: 4459

(1) If the district's per-pupil local capacity amount for 4460  
that fiscal year divided by the district's base cost per pupil 4461  
for that fiscal year is greater than 0.95, then the district's 4462  
state share shall be equal to (the district's base cost per 4463  
pupil for that fiscal year X 0.05 X the district's enrolled ADM 4464  
for that fiscal year). 4465

(2) If the district's per-pupil local capacity amount for 4466  
that fiscal year divided by the district's base cost per pupil 4467  
for that fiscal year is less than or equal to 0.95, then the 4468  
district's state share for that fiscal year shall be equal to 4469  
[(the district's base cost per pupil for that fiscal year - the 4470  
district's per-pupil local capacity amount for that fiscal year) 4471  
X the district's enrolled ADM for that fiscal year]. 4472

(C) The department shall compute a city, local, or 4473  
exempted village school district's state share percentage for a 4474  
fiscal year as follows: 4475

The district's state share calculated under division (B) of this 4476  
section for that fiscal year/ the aggregate base cost calculated 4477  
for the district for that fiscal year under section 3317.011 of 4478  
the Revised Code 4479

**Sec. 3317.018.** (A) The statewide average base cost per 4480  
pupil shall be determined as follows: 4481

(1) For fiscal year 2022, the statewide average base cost 4482  
per pupil shall be equal to the sum of the aggregate base cost 4483  
calculated for all city, local, and exempted village school 4484  
districts in the state for that fiscal year under section 4485  
3317.011 of the Revised Code divided by the sum of the base cost 4486  
enrolled ADMs of all of the city, local, and exempted village 4487  
school districts in the state for that fiscal year. 4488

(2) For fiscal years 2023, 2024, 2025, 2026, and 2027, the 4489  
statewide average base cost per pupil shall be equal to the 4490  
amount calculated under division (A)(1) of this section. 4491

(3) For fiscal year 2028 and for each fiscal year 4492  
thereafter, the statewide average base cost per pupil shall be 4493  
equal to the sum of the aggregate base cost calculated for all 4494  
city, local, and exempted village school districts in the state 4495  
under section 3317.011 of the Revised Code for that fiscal year 4496  
divided by the sum of the base cost enrolled ADMs of all of the 4497  
city, local, and exempted village school districts in the state 4498  
for that fiscal year. 4499

(B) The statewide average career-technical base cost per 4500  
pupil shall be determined as follows: 4501

(1) For fiscal year 2022, the statewide average career- 4502  
technical base cost per pupil shall be equal to the sum of the 4503  
aggregate base cost calculated for all joint vocational school 4504

districts in the state for that fiscal year under section 4505  
3317.012 of the Revised Code divided by the sum of the base cost 4506  
enrolled ADMs of all of the joint vocational school districts in 4507  
the state for that fiscal year. 4508

(2) For fiscal years 2023, 2024, 2025, 2026, and 2027, the 4509  
statewide average career-technical base cost per pupil shall be 4510  
equal to the amount calculated under division (B)(1) of this 4511  
section. 4512

(3) For fiscal year 2028 and for each fiscal year 4513  
thereafter, the statewide average career-technical base cost per 4514  
pupil shall be equal to the sum of the aggregate base cost 4515  
calculated for all joint vocational school districts in the 4516  
state under section 3317.012 of the Revised Code for that fiscal 4517  
year divided by the sum of the base cost enrolled ADMs of all of 4518  
the joint vocational school districts in the state for that 4519  
fiscal year. 4520

**Sec. 3317.019.** (A)(1) Subject to division (D) of this 4521  
section, for fiscal years 2022 and 2023, the department of 4522  
education shall pay temporary transitional aid to each city, 4523  
local, and exempted village school district according to the 4524  
following formula: 4525

(The district's funding base, as that term is defined in section 4526  
3317.02 of the Revised Code) + [(the amount paid to the district 4527  
under division (A)(5) of section 3317.022 of the Revised Code, 4528  
as that division existed prior to the effective date of this 4529  
amendment, for fiscal year 2019) - (the amounts deducted from 4530  
the district and paid to a community school under division (C) 4531  
(1)(e) of section 3314.08 of the Revised Code or a science, 4532  
technology, engineering, and mathematics school under division 4533  
(E) of section 3326.33 of the Revised Code as those divisions 4534

existed prior to the effective date of this amendment for fiscal 4535  
year 2020 in accordance with division (A) of Section 265.235 of 4536  
H.B. 166 of the 133rd general assembly] - (the district's 4537  
payment under section 3317.022 of the Revised Code for the 4538  
fiscal year for which the payment is computed) 4539

If the computation made under division (A)(1) of this 4540  
section results in a negative number, the district's funding 4541  
under division (A)(1) of this section shall be zero. 4542

(2) For fiscal years 2022 and 2023, the department shall 4543  
pay temporary transitional transportation aid to that district 4544  
according to the following formula: 4545

(The amount calculated for the district for fiscal year 2020 4546  
under division (A)(2) of Section 265.220 of H.B. 166 of the 4547  
133rd general assembly, prior to any funding reductions 4548  
authorized by Executive Order 2020-19D, "Implementing Additional 4549  
Spending Controls to Balance the State Budget" issued on May 7, 4550  
2020) - (the district's payment for fiscal year 2019 under 4551  
division (D)(2) of section 3314.091 of the Revised Code as that 4552  
division existed prior to the effective date of this amendment) 4553  
- (the district's payment under section 3317.0212 of the Revised 4554  
Code for the fiscal year for which the payment is computed) 4555

If the computation made under division (A)(2) of this 4556  
section results in a negative number, the district's funding 4557  
under division (A)(2) of this section shall be zero. 4558

(B) Subject to division (D) of this section, for fiscal 4559  
year 2024 and for each fiscal year thereafter, the department 4560  
shall pay temporary transitional aid to each city, local, and 4561  
exempted village school district according to the following 4562  
formula: 4563

(The district's guaranteed funding for the third preceding 4564  
fiscal year/ the average of the district's enrolled ADM for the 4565  
third, fourth, and fifth preceding fiscal years) - (the 4566  
district's payment under section 3317.022 of the Revised Code 4567  
for the fiscal year for which the payment is calculated/ the 4568  
district's enrolled ADM for the fiscal year for which the 4569  
payment is calculated) X the district's enrolled ADM for the 4570  
fiscal year for which the payment is calculated 4571

If the computation made under this division results in a 4572  
negative number, the district's funding under this division 4573  
shall be zero. 4574

For purposes of this computation, a district's "guaranteed 4575  
funding" means the following: 4576

(1) For fiscal year 2021, the sum of the following: 4577

(a) The district's funding base, as that term is defined 4578  
in section 3317.02 of the Revised Code; 4579

(b) The following difference: 4580

(The amount paid to the district under division (A) (5) of 4581  
section 3317.022 of the Revised Code, as that division existed 4582  
prior to the effective date of this amendment, for fiscal year 4583  
2019) - (the amounts deducted from the district and paid to a 4584  
community school under division (C) (1) (e) of section 3314.08 of 4585  
the Revised Code or a science, technology, engineering, and 4586  
mathematics school under division (E) of section 3326.33 of the 4587  
Revised Code as those divisions existed prior to the effective 4588  
date of this amendment in accordance with division (A) of 4589  
Section 265.235 of H.B. 166 of the 133rd general assembly) 4590

(2) For fiscal years 2022 and 2023, the district's payment 4591  
for that fiscal year under section 3317.022 of the Revised Code 4592

plus the district's payment for that fiscal year under division 4593  
(A) (1) of this section; 4594

(3) For fiscal year 2024 and for each fiscal year 4595  
thereafter, the district's payment for that fiscal year under 4596  
section 3317.022 of the Revised Code plus the district's payment 4597  
for that fiscal year under division (B) of this section. 4598

(C) If a local school district participates in the 4599  
establishment of a joint vocational school district that begins 4600  
receiving payments under section 3317.16 of the Revised Code for 4601  
fiscal year 2022 or for any fiscal year thereafter, but does not 4602  
receive payments for the fiscal year immediately preceding that 4603  
fiscal year, the department shall adjust, as necessary, the 4604  
following according to the amounts received by the district in 4605  
the immediately preceding fiscal year for career-technical 4606  
education students who attend the newly established joint 4607  
vocational school district: 4608

(1) For purposes of division (A) (1) of this section: 4609

(a) The district's funding base, as that term is defined 4610  
in section 3317.02 of the Revised Code; 4611

(b) The following difference: 4612

[(The amount paid to the district under division (A) (5) of 4613  
section 3317.022 of the Revised Code, as that division existed 4614  
prior to the effective date of this amendment, for fiscal year 4615  
2019) - (the amounts deducted from the district and paid to a 4616  
community school under division (C) (1) (e) of section 3314.08 of 4617  
the Revised Code or a science, technology, engineering, and 4618  
mathematics school under division (E) of section 3326.33 of the 4619  
Revised Code as those divisions existed prior to the effective 4620  
date of this amendment for fiscal year 2020 in accordance with 4621



division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly] 4622  
4623

(2) For purposes of division (B) of this section, the district's guaranteed funding. 4624  
4625

(D) (1) For purposes of division (D) of this section, a district's "decrease threshold" for a fiscal year is the greater of the following: 4626  
4627  
4628

(a) Twenty; 4629

(b) Ten per cent of the number of the district's students counted under division (A) (1) (b) of section 3317.03 of the Revised Code for the previous fiscal year. 4630  
4631  
4632

(2) For any fiscal year for which the phase-in percentage is less than one hundred per cent, if a district has fewer students counted under division (A) (1) (b) of section 3317.03 of the Revised Code for that fiscal year than for the previous fiscal year and the positive difference between those two student counts is greater than or equal to the district's decrease threshold for that fiscal year, the amount paid to the district under division (A) or (B) of this section shall be reduced by the following amount: 4633  
4634  
4635  
4636  
4637  
4638  
4639  
4640  
4641

The statewide average base cost per pupil X [(the positive difference between the number of the district's students counted under division (A) (1) (b) of section 3317.03 of the Revised Code for that fiscal year and the number of the district's students counted under that division for the previous fiscal year) - the district's decrease threshold for that fiscal year] 4642  
4643  
4644  
4645  
4646  
4647

At no time, however, shall the amount paid to a district under division (A) or (B) of this section be less than zero. 4648  
4649

Sec. 3317.0110. (A) Notwithstanding any provision to the 4650  
contrary in sections 3301.0714, 3302.20, 3310.08, 3310.41, 4651  
3310.51, 3310.54, 3310.56, 3313.64, 3313.98, 3313.981, 3315.18, 4652  
3319.57, 3324.09, 3327.01, 3327.016, and 3365.01 and Chapters 4653  
3314., 3317., 3326., and 3328. of the Revised Code, city, local, 4654  
exempted village, and joint vocational school districts, 4655  
community schools, science, technology, engineering, and 4656  
mathematics schools, and educational service centers shall be 4657  
funded as follows: 4658

(1) On July 1, 2022, and on the first day of July of each 4659  
of the succeeding five years thereafter, the director of budget 4660  
and management shall transfer the unexpended, unencumbered 4661  
balances in the general revenue fund at the end of the previous 4662  
fiscal year to appropriation item 200550, foundation funding, 4663  
and the department of education shall use that amount 4664  
exclusively to fund disadvantaged pupil impact aid under 4665  
sections 3314.08, 3317.022, 3317.16, and 3326.33 of the Revised 4666  
Code. 4667

(2) After disadvantaged pupil impact aid is fully funded 4668  
in accordance with division (A)(1) of this section, on July 1, 4669  
2022, and on the first day of July of each of the succeeding 4670  
five years thereafter, the director of budget and management 4671  
shall transfer the unexpended, unencumbered balances in the 4672  
general revenue fund at the end of the previous fiscal year to 4673  
appropriation item 200550, foundation funding, and the 4674  
department shall use that amount exclusively to fund educational 4675  
service centers under section 3317.11 of the Revised Code. 4676

(3) After disadvantaged pupil impact aid and educational 4677  
service centers are fully funded in accordance with divisions 4678  
(A)(1) and (2) of this section, the remainder of the payments to 4679

school districts, community schools, and science, technology, 4680  
engineering, and mathematics schools under Chapters 3314., 4681  
3317., and 3326. of the Revised Code, the educational choice 4682  
scholarship pilot program established under sections 3310.01 to 4683  
3310.17 of the Revised Code, the autism scholarship program 4684  
established under section 3310.41 of the Revised Code, the Jon 4685  
Peterson special needs scholarship program established under 4686  
sections 3310.51 to 3310.64 of the Revised Code, and the pilot 4687  
project scholarship program established under sections 3313.974 4688  
to 3313.979 of the Revised Code shall be funded using the 4689  
general revenue fund and nongeneral revenue fund appropriation 4690  
items in the department's budget. For this purpose, nongeneral 4691  
revenue fund appropriation items shall include both federal and 4692  
state nongeneral revenue fund appropriation items, provided the 4693  
money disbursed from those appropriation items is not restricted 4694  
to certain purposes. If the amount available is insufficient, 4695  
the department shall prorate the payments so that the amount 4696  
allocated in this division is not exceeded. 4697

(B) It is the intent of the general assembly that an 4698  
amount equal to the estimated increase in revenues in the 4699  
general revenue fund that is determined as part of the 4700  
development of the main operating budget for fiscal years 2022 4701  
and 2023 first be used to fund disadvantaged pupil impact aid 4702  
under sections 3314.08, 3317.022, 3317.16, and 3326.33 of the 4703  
Revised Code. 4704

**Sec. 3317.02.** As used in this chapter: 4705

(A) ~~(1)~~ A district's "base cost enrolled ADM" for a fiscal 4706  
year means the greater of the following: 4707

(1) The district's enrolled ADM for the previous fiscal 4708  
year; 4709

(2) The average of the district's enrolled ADM for the 4710  
previous three fiscal years. 4711

(B)(1) "Base cost per pupil" for a fiscal year means, for 4712  
a city, local, or exempted village school district, the 4713  
aggregate base cost calculated for that district for that fiscal 4714  
year under section 3317.011 of the Revised Code divided by the 4715  
district's base cost enrolled ADM for that fiscal year. 4716

(2) "Base cost per pupil" for a fiscal year means, for a 4717  
joint vocational school district, the aggregate base cost 4718  
calculated for that district for that fiscal year under section 4719  
3317.012 of the Revised Code divided by the district's base cost 4720  
enrolled ADM for that fiscal year. 4721

(C)(1) "Category one career-technical education ADM" means 4722  
the enrollment of students during the school year on a full-time 4723  
equivalency basis in career-technical education programs 4724  
described in division (A)(1) of section 3317.014 of the Revised 4725  
Code and certified under division (B)(11) or (D)(2)(h) of 4726  
section 3317.03 of the Revised Code. 4727

(2) "Category two career-technical education ADM" means 4728  
the enrollment of students during the school year on a full-time 4729  
equivalency basis in career-technical education programs 4730  
described in division ~~(B)~~(A)(2) of section 3317.014 of the 4731  
Revised Code and certified under division (B)(12) or (D)(2)(i) 4732  
of section 3317.03 of the Revised Code. 4733

(3) "Category three career-technical education ADM" means 4734  
the enrollment of students during the school year on a full-time 4735  
equivalency basis in career-technical education programs 4736  
described in division ~~(C)~~(A)(3) of section 3317.014 of the 4737  
Revised Code and certified under division (B)(13) or (D)(2)(j) 4738

of section 3317.03 of the Revised Code. 4739

(4) "Category four career-technical education ADM" means 4740  
the enrollment of students during the school year on a full-time 4741  
equivalency basis in career-technical education programs 4742  
described in division ~~(D)~~(A) (4) of section 3317.014 of the 4743  
Revised Code and certified under division (B) (14) or (D) (2) (k) 4744  
of section 3317.03 of the Revised Code. 4745

(5) "Category five career-technical education ADM" means 4746  
the enrollment of students during the school year on a full-time 4747  
equivalency basis in career-technical education programs 4748  
described in division ~~(E)~~(A) (5) of section 3317.014 of the 4749  
Revised Code and certified under division (B) (15) or (D) (2) (l) 4750  
of section 3317.03 of the Revised Code. 4751

~~(B) (1)~~(D) (1) "Category one English learner ADM" means the 4752  
full-time equivalent number of English learners described in 4753  
division (A) of section 3317.016 of the Revised Code and 4754  
certified under division (B) (16) or (D) (2) (m) of section 3317.03 4755  
of the Revised Code. 4756

(2) "Category two English learner ADM" means the full-time 4757  
equivalent number of English learners described in division (B) 4758  
of section 3317.016 of the Revised Code and certified under 4759  
division (B) (17) or (D) (2) (n) of section 3317.03 of the Revised 4760  
Code. 4761

(3) "Category three English learner ADM" means the full- 4762  
time equivalent number of English learners described in division 4763  
(C) of section 3317.016 of the Revised Code and certified under 4764  
division (B) (18) or (D) (2) (o) of section 3317.03 of the Revised 4765  
Code. 4766

~~(C) (1)~~(E) (1) "Category one special education ADM" means 4767

the full-time equivalent number of children with disabilities 4768  
receiving special education services for the disability 4769  
specified in division (A) of section 3317.013 of the Revised 4770  
Code and certified under division (B) (5) or (D) (2) (b) of section 4771  
3317.03 of the Revised Code. 4772

(2) "Category two special education ADM" means the full- 4773  
time equivalent number of children with disabilities receiving 4774  
special education services for those disabilities specified in 4775  
division (B) of section 3317.013 of the Revised Code and 4776  
certified under division (B) (6) or (D) (2) (c) of section 3317.03 4777  
of the Revised Code. 4778

(3) "Category three special education ADM" means the full- 4779  
time equivalent number of students receiving special education 4780  
services for those disabilities specified in division (C) of 4781  
section 3317.013 of the Revised Code, and certified under 4782  
division (B) (7) or (D) (2) (d) of section 3317.03 of the Revised 4783  
Code. 4784

(4) "Category four special education ADM" means the full- 4785  
time equivalent number of students receiving special education 4786  
services for those disabilities specified in division (D) of 4787  
section 3317.013 of the Revised Code and certified under 4788  
division (B) (8) or (D) (2) (e) of section 3317.03 of the Revised 4789  
Code. 4790

(5) "Category five special education ADM" means the full- 4791  
time equivalent number of students receiving special education 4792  
services for the disabilities specified in division (E) of 4793  
section 3317.013 of the Revised Code and certified under 4794  
division (B) (9) or (D) (2) (f) of section 3317.03 of the Revised 4795  
Code. 4796

(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. 4797  
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4799  
4800  
4801  
4802

~~(D)~~ (F) "Economically disadvantaged index for a school district" means the square of the quotient of that district's percentage of students in its ~~total~~ enrolled ADM 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: 4803  
4804  
4805  
4806  
4807  
4808  
4809

(1) For a city, local, or exempted village school district, the "statewide ~~total~~ ADM" equals the sum of the ~~total~~ following: 4810  
4811  
4812

(a) The enrolled ADM for all city, local, and exempted village school districts combined; 4813  
4814

(b) The statewide enrollment of students in community schools established under Chapter 3314. of the Revised Code; 4815  
4816

(c) The statewide enrollment of students in science, technology, engineering, and mathematics schools established under Chapter 3326. of the Revised Code. 4817  
4818  
4819

(2) For a joint vocational school district, the "statewide ~~total~~ ADM" equals the sum of the ~~formula~~ enrolled ADM for all joint vocational school districts combined. 4820  
4821  
4822

~~(E)(1)~~ (G)(1) "Enrolled ADM" means, for a city, local, or exempted village school district, the enrollment reported under division (A) of section 3317.03 of the Revised Code, as verified 4823  
4824  
4825

by the superintendent of public instruction and adjusted if so 4826  
ordered under division (K) of that section, and as further 4827  
adjusted by the department of education, as follows: 4828

(a) Add the students described in division (A)(1)(b) of 4829  
section 3317.03 of the Revised Code; 4830

(b) Subtract the students counted under divisions (A)(2) 4831  
(a), (b), (d), (g), (h), (i), and (j) of section 3317.03 of the 4832  
Revised Code; 4833

(c) Count only twenty per cent of the number of joint 4834  
vocational school district students counted under division (A) 4835  
(3) of section 3317.03 of the Revised Code; 4836

(d) Add twenty per cent of the number of students who are 4837  
entitled to attend school in the district under section 3313.64 4838  
or 3313.65 of the Revised Code and are enrolled in another 4839  
school district under a career-technical education compact. 4840

(2) "Enrolled ADM" means, for a joint vocational school 4841  
district, the final number verified by the superintendent of 4842  
public instruction, based on the enrollment reported and 4843  
certified under division (D) of section 3317.03 of the Revised 4844  
Code, as adjusted, if so ordered, under division (K) of that 4845  
section, and as further adjusted by the department of education 4846  
by adding the students described in division (D)(1)(b) of 4847  
section 3317.03 of the Revised Code. 4848

(H)(1) "Formula ADM" means, for a city, local, or exempted 4849  
village school district, the enrollment reported under division 4850  
(A) of section 3317.03 of the Revised Code, as verified by the 4851  
superintendent of public instruction and adjusted if so ordered 4852  
under division (K) of that section, and as further adjusted by 4853  
the department of education, as follows: 4854



(a) Count only twenty per cent of the number of joint 4855  
vocational school district students counted under division (A) 4856  
(3) of section 3317.03 of the Revised Code; 4857

(b) Add twenty per cent of the number of students who are 4858  
entitled to attend school in the district under section 3313.64 4859  
or 3313.65 of the Revised Code and are enrolled in another 4860  
school district under a career-technical education compact. 4861

(2) "Formula ADM" means, for a joint vocational school 4862  
district, the final number verified by the superintendent of 4863  
public instruction, based on the enrollment reported and 4864  
certified under division (D) of section 3317.03 of the Revised 4865  
Code, as adjusted, if so ordered, under division (K) of that 4866  
section. 4867

~~(F) "Formula amount" means \$6,010, for fiscal year 2018,~~ 4868  
~~and \$6,020, for fiscal year 2019.~~ 4869

~~(G)-(I) "FTE basis" means a count of students based on~~ 4870  
~~full-time equivalency, in accordance with rules adopted by the~~ 4871  
~~department of education pursuant to section 3317.03 of the~~ 4872  
~~Revised Code. In adopting its rules under this division, the~~ 4873  
~~department shall provide for counting any student in category~~ 4874  
~~one, two, three, four, five, or six special education ADM or in~~ 4875  
~~category one, two, three, four, or five career-technical~~ 4876  
~~education ADM in the same proportion the student is counted in~~ 4877  
~~formula-enrolled ADM.~~ 4878

~~(H)-(J) "Funding base" means, for a city, local, or~~ 4879  
~~exempted village school district, the amount calculated by the~~ 4880  
~~department as follows:~~ 4881

(1) Compute the sum of the following: 4882

(a) The amount calculated for the district for fiscal year 4883

2020 under division (A) (1) of Section 265.220 of H.B. 166 of the 4884  
133rd general assembly after any adjustments required under 4885  
Section 265.227 of H.B. 166 of the 133rd general assembly and 4886  
prior to any funding reductions authorized by Executive Order 4887  
2020-19D, "Implementing Additional Spending Controls to Balance 4888  
the State Budget" issued on May 7, 2020; 4889

(b) The district's payments for fiscal year 2020 under 4890  
divisions (C) (1), (2), (3), and (4) of section 3313.981 of the 4891  
Revised Code as those divisions existed prior to the effective 4892  
date of this amendment. 4893

(2) Subtract from the amount calculated in division (J) (1) 4894  
of this section the sum of the following: 4895

(a) The following difference: 4896

(The amount paid to the district under division (A) (5) of 4897  
section 3317.022 of the Revised Code, as that division existed 4898  
prior to the effective date of this amendment, for fiscal year 4899  
2019) - (the amounts deducted from the district and paid to a 4900  
community school under division (C) (1) (e) of section 3314.08 of 4901  
the Revised Code or a science, technology, engineering, and 4902  
mathematics school under division (E) of section 3326.33 of the 4903  
Revised Code as those divisions existed prior to the effective 4904  
date of this amendment for fiscal year 2020 in accordance with 4905  
division (A) of Section 265.235 of H.B. 166 of the 133rd general 4906  
assembly). 4907

(b) The payments deducted from the district and paid to a 4908  
community school for fiscal year 2020 under divisions (C) (1) (a), 4909  
(b), (c), (d), (e), (f), and (g) of section 3314.08 of the 4910  
Revised Code as those divisions existed prior to the effective 4911  
date of this amendment in accordance with division (A) of 4912

Section 265.230 of H.B. 166 of the 133rd general assembly; 4913

(c) The payments deducted from the district and paid to a 4914  
science, technology, engineering, and mathematics school for 4915  
fiscal year 2020 under divisions (A), (B), (C), (D), (E), (F), 4916  
and (G) of section 3326.33 of the Revised Code as those 4917  
divisions existed prior to the effective date of this amendment 4918  
in accordance with division (A) of Section 265.235 of H.B. 166 4919  
of the 133rd general assembly; 4920

(d) The payments deducted from the district under division 4921  
(C) of section 3310.08 of the Revised Code as that division 4922  
existed prior to the effective date of this amendment, division 4923  
(C) (2) of section 3310.41 of the Revised Code as that division 4924  
existed prior to the effective date of this amendment, and 4925  
former section 3310.55 of the Revised Code for fiscal year 2020 4926  
and, in the case of a pilot project school district as defined 4927  
in section 3313.975 of the Revised Code, the funds deducted from 4928  
the district under Section 265.210 of H.B. 166 of the 133rd 4929  
general assembly to operate the pilot project scholarship 4930  
program for fiscal year 2020 under sections 3313.974 to 3313.979 4931  
of the Revised Code; 4932

(e) The payments subtracted from the district for fiscal 4933  
year 2020 under divisions (B) (1) and (2) of section 3313.981 of 4934  
the Revised Code as those divisions existed prior to the 4935  
effective date of this amendment. 4936

(K) "Funding base" means, for a joint vocational school 4937  
district, the amount calculated by the department as follows: 4938

(1) Compute the sum of the following: 4939

(a) The district's payments for fiscal year 2020 under 4940  
Section 265.225 of H.B. 166 of the 133rd general assembly after 4941

any adjustments required under Section 265.227 of H.B. 166 of 4942  
the 133rd general assembly; 4943

(b) The district's payments for fiscal year 2019 under 4944  
divisions (D) (1), (2), and (E) (3) of section 3313.981 of the 4945  
Revised Code as those divisions existed prior to the effective 4946  
date of this amendment. 4947

(2) Subtract from the amount calculated in division (K) (1) 4948  
of this section the amount paid to the district under division 4949  
(A) (3) of section 3317.16 of the Revised Code, as that division 4950  
existed prior to the effective date of this amendment, for 4951  
fiscal year 2019. 4952

(L) "Internet- or computer-based community school" has the 4953  
same meaning as in section 3314.02 of the Revised Code. 4954

~~(I)~~ (M) "Medically fragile child" means a child to whom 4955  
all of the following apply: 4956

(1) The child requires the services of a doctor of 4957  
medicine or osteopathic medicine at least once a week due to the 4958  
instability of the child's medical condition. 4959

(2) The child requires the services of a registered nurse 4960  
on a daily basis. 4961

(3) The child is at risk of institutionalization in a 4962  
hospital, skilled nursing facility, or intermediate care 4963  
facility for individuals with intellectual disabilities. 4964

~~(J) (1)~~ (N) (1) A child may be identified as having an 4965  
"other health impairment-major" if the child's condition meets 4966  
the definition of "other health impaired" established in rules 4967  
previously adopted by the state board of education and if either 4968  
of the following apply: 4969

(a) The child is identified as having a medical condition 4970  
that is among those listed by the superintendent of public 4971  
instruction as conditions where a substantial majority of cases 4972  
fall within the definition of "medically fragile child." 4973

(b) The child is determined by the superintendent of 4974  
public instruction to be a medically fragile child. A school 4975  
district superintendent may petition the superintendent of 4976  
public instruction for a determination that a child is a 4977  
medically fragile child. 4978

(2) A child may be identified as having an "other health 4979  
impairment-minor" if the child's condition meets the definition 4980  
of "other health impaired" established in rules previously 4981  
adopted by the state board of education but the child's 4982  
condition does not meet either of the conditions specified in 4983  
division ~~(J)(1)(a)~~ (N)(1)(a) or (b) of this section. 4984

~~(K)~~ (O) A city, local, exempted village, or joint 4985  
vocational school district's "phase-in percentage" is equal to 4986  
the percentage for that fiscal year that is determined by the 4987  
general assembly. It is the intent of the general assembly that 4988  
this percentage shall increase to one hundred per cent over the 4989  
course of not more than six fiscal years, beginning with fiscal 4990  
year 2022. 4991

(P) "Preschool child with a disability" means a child with 4992  
a disability, as defined in section 3323.01 of the Revised Code, 4993  
who is at least age three but is not of compulsory school age, 4994  
as defined in section 3321.01 of the Revised Code, and who is 4995  
not currently enrolled in kindergarten. 4996

~~(I)~~ (Q) "Preschool scholarship ADM" means the number of 4997  
preschool children with disabilities certified under division 4998

(B) (3) (h) of section 3317.03 of the Revised Code.	4999
<del>(M)</del> <u>(R)</u> "Related services" includes:	5000
(1) Child study, special education supervisors and coordinators, speech and hearing services, adaptive physical development services, occupational or physical therapy, teacher assistants for children with disabilities whose disabilities are described in division (B) of section 3317.013 or division (B) (3) of this section, behavioral intervention, interpreter services, work study, nursing services, and specialized integrative services as those terms are defined by the department;	5001 5002 5003 5004 5005 5006 5007 5008
(2) Speech and language services provided to any student with a disability, including any student whose primary or only disability is a speech and language disability;	5009 5010 5011
(3) Any related service not specifically covered by other state funds but specified in federal law, including but not limited to, audiology and school psychological services;	5012 5013 5014
(4) Any service included in units funded under former division (O) (1) of section 3317.024 of the Revised Code;	5015 5016
(5) Any other related service needed by children with disabilities in accordance with their individualized education programs.	5017 5018 5019
<del>(N)</del> <u>(S)</u> "School district," unless otherwise specified, means city, local, and exempted village school districts.	5020 5021
<del>(O)</del> <u>(T)</u> "State education aid" has the same meaning as in section 5751.20 of the Revised Code.	5022 5023
<del>(P)</del> <u>(U)</u> (1) "State share <del>index</del> percentage" means, <u>for a city, local, or exempted village school district</u> , the state share <del>index</del> percentage calculated <del>for a district</del> under section	5024 5025 5026

3317.017 of the Revised Code. 5027

~~(Q)~~ (2) "State share percentage" means, for a joint 5028  
vocational school district, the percentage calculated in 5029  
accordance with the following formula: 5030

The amount computed for the district under division (A) (1) of 5031  
section 3317.16 of the Revised Code for that fiscal year/ the 5032  
aggregate base cost calculated for the district for that fiscal 5033  
year under section 3317.012 of the Revised Code 5034

(V) "Statewide average base cost per pupil" for a fiscal 5035  
year means the statewide average base cost per pupil calculated 5036  
under division (A) of section 3317.018 of the Revised Code. 5037

(W) "Statewide average career-technical base cost per 5038  
pupil" for a fiscal year means the statewide average career- 5039  
technical base cost per pupil calculated under division (B) of 5040  
section 3317.018 of the Revised Code. 5041

(X) "Taxes charged and payable" means the taxes charged 5042  
and payable against real and public utility property after 5043  
making the reduction required by section 319.301 of the Revised 5044  
Code, plus the taxes levied against tangible personal property. 5045

~~(R) (1)~~ (Y) For purposes of ~~section~~ sections 3317.017 and 5046  
3317.16 of the Revised Code, "three-year average valuation" for 5047  
a fiscal year means the average of total taxable value for ~~tax-~~ 5048  
years 2014, 2015, and 2016 the three most recent tax years for 5049  
which data is available, as certified under section 3317.021 of 5050  
the Revised Code. 5051

~~(2) For purposes of sections 3317.0217, 3317.0218, and~~ 5052  
~~3317.16 of the Revised Code, "three year average valuation"~~ 5053  
~~means the following:—~~ 5054

~~(a) For fiscal year 2018, the average of total taxable value for tax years 2014, 2015, and 2016;~~ 5055  
5056

~~(b) For fiscal year 2019, the average of total taxable value for tax years 2015, 2016, and 2017.~~ 5057  
5058

~~(S)~~ (Z) "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, as verified by the superintendent of public instruction and adjusted if so ordered under division (K) of that section. 5059  
5060  
5061  
5062  
5063

~~(T)~~ (AA) "Total special education ADM" means the sum of categories one through six special education ADM. 5064  
5065

~~(U)~~ (BB) "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. 5066  
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5068  
5069

**Sec. 3317.021.** (A) On or before the first day of June of each year, the tax commissioner shall certify to the department of education and the office of budget and management the information described in divisions (A)(1) to (5) of this section for each city, exempted village, and local school district, and the information required by divisions (A)(1) and (2) of this section for each joint vocational school district, and it shall be used, along with the information certified under division (B) of this section, in making the computations for the district under this chapter. 5070  
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5079

(1) The taxable value of real and public utility real property in the school district subject to taxation in the preceding tax year, by class and by county of location. 5080  
5081  
5082

(2) The taxable value of tangible personal property, 5083



including public utility personal property, subject to taxation	5084
by the district for the preceding tax year.	5085
(3) (a) The total property tax rate and total taxes charged	5086
and payable for the current expenses for the preceding tax year	5087
and the total property tax rate and the total taxes charged and	5088
payable to a joint vocational district for the preceding tax	5089
year that are limited to or to the extent apportioned to current	5090
expenses.	5091
(b) The portion of the amount of taxes charged and payable	5092
reported for each city, local, and exempted village school	5093
district under division (A) (3) (a) of this section attributable	5094
to a joint vocational school district.	5095
(4) The value of all real and public utility real property	5096
in the school district exempted from taxation minus both of the	5097
following:	5098
(a) The value of real and public utility real property in	5099
the district owned by the United States government and used	5100
exclusively for a public purpose;	5101
(b) The value of real and public utility real property in	5102
the district exempted from taxation under Chapter 725. or 1728.	5103
or section 3735.67, 5709.40, 5709.41, 5709.45, 5709.57, 5709.62,	5104
5709.63, 5709.632, 5709.73, or 5709.78 of the Revised Code.	5105
(5) The total federal adjusted gross income of the	5106
residents of the school district, based on tax returns filed by	5107
the residents of the district, for the most recent year for	5108
which this information is available, and the median Ohio	5109
adjusted gross income of the residents of the school district	5110
determined on the basis of tax returns filed for the second	5111
preceding tax year by the residents of the district.	5112

(6) The number of state tax returns filed by the residents 5113  
of the district for the most recent year for which this 5114  
information is available. 5115

(B) On or before the first day of May each year, the tax 5116  
commissioner shall certify to the department of education and 5117  
the office of budget and management the total taxable real 5118  
property value of railroads and, separately, the total taxable 5119  
tangible personal property value of all public utilities for the 5120  
preceding tax year, by school district and by county of 5121  
location. 5122

(C) If on the basis of the information certified under 5123  
division (A) of this section, the department determines that any 5124  
district fails in any year to meet the qualification requirement 5125  
specified in division (A) of section 3317.01 of the Revised 5126  
Code, the department shall immediately request the tax 5127  
commissioner to determine the extent to which any school 5128  
district income tax levied by the district under Chapter 5748. 5129  
of the Revised Code shall be included in meeting that 5130  
requirement. Within five days of receiving such a request from 5131  
the department, the tax commissioner shall make the 5132  
determination required by this division and report the quotient 5133  
obtained under division (C) (3) of this section to the department 5134  
and the office of budget and management. This quotient 5135  
represents the number of mills that the department shall include 5136  
in determining whether the district meets the qualification 5137  
requirement of division (A) of section 3317.01 of the Revised 5138  
Code. 5139

The tax commissioner shall make the determination required 5140  
by this division as follows: 5141

(1) Multiply one mill times the total taxable value of the 5142

district as determined in divisions (A) (1) and (2) of this 5143  
section; 5144

(2) Estimate the total amount of tax liability for the 5145  
current tax year under taxes levied by Chapter 5748. of the 5146  
Revised Code that are apportioned to current operating expenses 5147  
of the district, excluding any income tax receipts allocated for 5148  
the project cost, debt service, or maintenance set-aside 5149  
associated with a state-assisted classroom facilities project as 5150  
authorized by section 3318.052 of the Revised Code; 5151

(3) Divide the amount estimated under division (C) (2) of 5152  
this section by the product obtained under division (C) (1) of 5153  
this section. 5154

**Sec. 3317.022.** ~~(A)~~—The department of education shall 5155  
compute and distribute state core foundation funding to each 5156  
eligible school district for the fiscal year, using the 5157  
information obtained under section 3317.021 of the Revised Code 5158  
in the calendar year in which the fiscal year begins, ~~as~~ 5159  
~~prescribed in the following divisions in accordance with the~~ 5160  
following formula: 5161

The district's funding base + [(the district's state core 5162  
foundation funding components for that fiscal year calculated 5163  
under divisions (A) (1), (2), (3), (5), (6), (7), and (8) of this 5164  
section - the district's funding base) X the district's phase-in 5165  
percentage for that fiscal year] + the district's disadvantaged 5166  
pupil impact aid for that fiscal year calculated under division 5167  
(A) (4) of this section 5168

(A) A district's state core foundation funding components 5169  
shall be all of the following: 5170

(1) ~~An opportunity grant~~ The district's state share 5171

calculated ~~according to the following formula:~~ 5172

~~The formula amount X (formula ADM + preschool scholarship~~ 5173  
~~ADM) X the district's state share index under division (B) of~~ 5174  
~~section 3317.017 of the Revised Code;~~ 5175

(2) Targeted assistance funds calculated under ~~divisions~~ 5176  
~~(A) and (B) of~~ section 3317.0217 of the Revised Code; 5177

(3) Additional state aid for special education and related 5178  
services provided under Chapter 3323. of the Revised Code 5179  
calculated as the sum of the following: 5180

(a) The district's category one special education ADM X 5181  
the ~~amount~~ multiple specified in division (A) of section 5182  
3317.013 of the Revised Code X the statewide average base cost 5183  
per pupil for that fiscal year X the district's state share 5184  
~~index~~percentage; 5185

(b) The district's category two special education ADM X 5186  
the ~~amount~~ multiple specified in division (B) of section 5187  
3317.013 of the Revised Code X the statewide average base cost 5188  
per pupil for that fiscal year X the district's state share 5189  
~~index~~percentage; 5190

(c) The district's category three special education ADM X 5191  
the ~~amount~~ multiple specified in division (C) of section 5192  
3317.013 of the Revised Code X the statewide average base cost 5193  
per pupil for that fiscal year X the district's state share 5194  
~~index~~percentage; 5195

(d) The district's category four special education ADM X 5196  
the ~~amount~~ multiple specified in division (D) of section 5197  
3317.013 of the Revised Code X the statewide average base cost 5198  
per pupil for that fiscal year X the district's state share 5199  
~~index~~percentage; 5200

(e) The district's category five special education ADM X 5201  
the ~~amount~~ multiple specified in division (E) of section 5202  
3317.013 of the Revised Code X the statewide average base cost 5203  
per pupil for that fiscal year X the district's state share 5204  
index percentage; 5205

(f) The district's category six special education ADM X 5206  
the ~~amount~~ multiple specified in division (F) of section 5207  
3317.013 of the Revised Code X the statewide average base cost 5208  
per pupil for that fiscal year X the district's state share 5209  
index percentage. 5210

~~(4) Kindergarten through third grade literacy funds—~~ 5211  
~~calculated according to the following formula:—~~ 5212

~~(\$193 X formula ADM for grades kindergarten through three—~~ 5213  
~~X the district's state share index) + (\$127 X formula ADM for~~ 5214  
~~grades kindergarten through three)—~~ 5215

~~For purposes of this calculation, the department shall—~~ 5216  
~~subtract from a district's formula ADM for grades kindergarten—~~ 5217  
~~through three the number of students reported under division (B)~~ 5218  
~~(3)(e) of section 3317.03 of the Revised Code as enrolled in an—~~ 5219  
~~internet or computer based community school who are in grades—~~ 5220  
~~kindergarten through three.—~~ 5221

~~(5) Economically disadvantaged funds—~~ Disadvantaged pupil 5222  
impact aid calculated according to the following formula: 5223

~~\$272—~~ \$422 X (the district's economically disadvantaged 5224  
index) X the number of students who are economically 5225  
disadvantaged as certified under division (B) (21) of section 5226  
3317.03 of the Revised Code 5227

~~(6)—~~ (5) English learner funds calculated as the sum of the 5228  
following: 5229

(a) The district's category one English learner ADM X the 5230  
~~amount multiple~~ specified in division (A) of section 3317.016 of 5231  
the Revised Code X the statewide average base cost per pupil for 5232  
that fiscal year X the district's state share ~~index~~percentage; 5233

(b) The district's category two English learner ADM X the 5234  
~~amount multiple~~ specified in division (B) of section 3317.016 of 5235  
the Revised Code X the statewide average base cost per pupil for 5236  
that fiscal year X the district's state share ~~index~~percentage; 5237

(c) The district's category three English learner ADM X 5238  
the ~~amount multiple~~ specified in division (C) of section 5239  
3317.016 of the Revised Code X the district's state share 5240  
~~index~~percentage. 5241

~~(7)(a)~~ (6)(a) Gifted identification funds calculated 5242  
according to the following formula: 5243

~~\$5.05-\$24~~ X the district's ~~formula~~ enrolled ADM for grades 5244  
kindergarten through six X the district's state share percentage 5245

(b) Gifted referral funds calculated according to the 5246  
following formula: 5247

\$2.50 X the district's enrolled ADM X the district's state 5248  
share percentage 5249

(c) Gifted professional development funds calculated 5250  
according to the following formula: 5251

(The greater of the number of gifted students enrolled in the 5252  
district as certified under division (B) (22) of section 3317.03 5253  
of the Revised Code and ten per cent of the district's enrolled 5254  
ADM) X the district's state share percentage X \$7, for fiscal 5255  
year 2022, \$14, for fiscal year 2023, \$21, for fiscal year 2024, 5256  
or \$28, for fiscal year 2025 5257

<u>The department shall make no payments under division (A)</u>	5258
<u>(6) (c) of this section for fiscal year 2026 or for each fiscal</u>	5259
<u>year thereafter.</u>	5260
<u>(d) Gifted unit funding calculated under section 3317.051</u>	5261
of the Revised Code.	5262
<del>(8) (7) Career-technical education funds calculated as the</del>	5263
<del>sum of the following:—</del>	5264
<del>(a) The district's category one career technical education</del>	5265
<del>ADM X the amount specified in division (A) of section 3317.014</del>	5266
<del>of the Revised Code X the district's state share index;—</del>	5267
<del>(b) The district's category two career technical education</del>	5268
<del>ADM X the amount specified in division (B) of section 3317.014</del>	5269
<del>of the Revised Code X the district's state share index;—</del>	5270
<del>(c) The district's category three career technical</del>	5271
<del>education ADM X the amount specified in division (C) of section</del>	5272
<del>3317.014 of the Revised Code X the district's state share index;—</del>	5273
<del>(d) The district's category four career technical</del>	5274
<del>education ADM X the amount specified in division (D) of section</del>	5275
<del>3317.014 of the Revised Code X the district's state share index;—</del>	5276
<del>(e) The district's category five career technical</del>	5277
<del>education ADM X the amount specified in division (E) of section</del>	5278
<del>3317.014 of the Revised Code X the district's state share index.</del>	5279
<del>Payment of funds under division (A) (8) of this section is</del>	5280
<del>subject to approval under section 3317.161 of the Revised Code.</del>	5281
<del>(9) under division (C) of section 3317.014 of the Revised</del>	5282
<del>Code.</del>	5283
<u>(8) Career-technical education associated services funds</u>	5284

calculated according to the following formula:— 5285

~~The district's state share index X the amount for career- 5286~~  
~~technical education associated services specified in section 5287~~  
~~3317.014 of the Revised Code X the sum of categories one through 5288~~  
~~five career technical education ADM— 5289~~

~~(10) Capacity aid funds calculated under section 3317.0218— 5290~~  
~~of the Revised Code;— 5291~~

~~(11) A graduation bonus calculated under section 3317.0215— 5292~~  
~~of the Revised Code;— 5293~~

~~(12) A third grade reading bonus calculated under section— 5294~~  
~~3317.0216 of the Revised Code under division (D) of section 5295~~  
~~3317.014 of the Revised Code. 5296~~

(B) In any fiscal year, a school district shall spend for 5297  
purposes that the department designates as approved for special 5298  
education and related services expenses at least the amount 5299  
calculated as follows: 5300

~~(The formula amount base cost per pupil calculated for the 5301~~  
~~district for that fiscal year X the total special education ADM) 5302~~  
~~+ (the district's category one special education ADM X the 5303~~  
~~amount multiple specified in division (A) of section 3317.013 of 5304~~  
~~the Revised Code X the statewide average base cost per pupil for 5305~~  
~~that fiscal year) + (the district's category two special 5306~~  
~~education ADM X the amount multiple specified in division (B) of 5307~~  
~~section 3317.013 of the Revised Code X the statewide average 5308~~  
~~base cost per pupil for that fiscal year) + (the district's 5309~~  
~~category three special education ADM X the amount multiple 5310~~  
~~specified in division (C) of section 3317.013 of the Revised 5311~~  
~~Code X the statewide average base cost per pupil for that fiscal 5312~~  
~~year) + (the district's category four special education ADM X 5313~~



the ~~amount-multiple~~ specified in division (D) of section 5314  
3317.013 of the Revised Code X the statewide average base cost 5315  
per pupil for that fiscal year) + (the district's category five 5316  
special education ADM X the ~~amount-multiple~~ specified in 5317  
division (E) of section 3317.013 of the Revised Code X the 5318  
statewide average base cost per pupil for that fiscal year) + 5319  
(the district's category six special education ADM X the ~~amount-~~ 5320  
~~multiple~~ specified in division (F) of section 3317.013 of the 5321  
Revised Code X the statewide average base cost per pupil for 5322  
that fiscal year) 5323

The purposes approved by the department for special 5324  
education expenses shall include, but shall not be limited to, 5325  
identification of children with disabilities, compliance with 5326  
state rules governing the education of children with 5327  
disabilities and prescribing the continuum of program options 5328  
for children with disabilities, provision of speech language 5329  
pathology services, and the portion of the school district's 5330  
overall administrative and overhead costs that are attributable 5331  
to the district's special education student population. 5332

~~The scholarships deducted from the school district's~~ 5333  
~~account under sections 3310.41 and 3310.55 of the Revised Code~~ 5334  
~~shall be considered to be an approved special education and~~ 5335  
~~related services expense for the purpose of the school~~ 5336  
~~district's compliance with this division.~~ 5337

~~(C) In any fiscal year, a school district receiving funds~~ 5338  
~~under division (A)(8) of this section shall spend those funds~~ 5339  
~~only for the purposes that the department designates as approved~~ 5340  
~~for career technical education expenses. Career technical~~ 5341  
~~education expenses approved by the department shall include only~~ 5342  
~~expenses connected to the delivery of career technical~~ 5343

~~programming to career technical students. The department shall  
require the school district to report data annually so that the  
department may monitor the district's compliance with the  
requirements regarding the manner in which funding received  
under division (A) (8) of this section may be spent.~~

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

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

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

~~technical education programs including development of new  
programs.~~ 5374  
5375

~~(2) Not more than twenty-five per cent of the funds shall  
be used for personnel expenditures.~~ 5376  
5377

~~(F)~~ A school district shall spend the funds it receives 5378  
under division ~~(A) (5)~~ (A) (4) of this section in accordance with 5379  
section 3317.25 of the Revised Code. 5380

**Sec. 3317.023.** (A) The amounts required to be paid to a 5381  
district under this chapter shall be adjusted by the amount of 5382  
the computations made under divisions (B) to (K) of this 5383  
section. 5384

As used in this section: 5385

(1) "Career-technical planning district" or "CTPD" means a 5386  
school district or group of school districts designated by the 5387  
department of education as being responsible for the planning 5388  
for and provision of career-technical education services to 5389  
students within the district or group. A community school 5390  
established under Chapter 3314. of the Revised Code or a STEM 5391  
school established under Chapter 3326. of the Revised Code that 5392  
is serving students in any of grades seven through twelve shall 5393  
be assigned to a career-technical planning district by the 5394  
department. 5395

(2) "Lead district" means a school district, including a 5396  
joint vocational school district, designated by the department 5397  
as a CTPD, or designated to provide primary career-technical 5398  
education leadership within a CTPD composed of a group of 5399  
districts, community schools assigned to the CTPD, and STEM 5400  
schools assigned to the CTPD. 5401

(B) If a local, city, or exempted village school district 5402

to which a governing board of an educational service center 5403  
provides services pursuant to an agreement entered into under 5404  
section 3313.843 of the Revised Code, deduct the amount of the 5405  
payment required for the reimbursement of the governing board 5406  
under that section. 5407

(C) (1) If the district is required to pay to or entitled 5408  
to receive tuition from another school district under division 5409  
(C) (2) or (3) of section 3313.64 or section 3313.65 of the 5410  
Revised Code, or if the superintendent of public instruction is 5411  
required to determine the correct amount of tuition and make a 5412  
deduction or credit under section 3317.08 of the Revised Code, 5413  
deduct and credit such amounts as provided in division (J) of 5414  
section 3313.64 or section 3317.08 of the Revised Code. 5415

(2) For each child for whom the district is responsible 5416  
for tuition or payment under division (A) (1) of section 3317.082 5417  
or section 3323.091 of the Revised Code, deduct the amount of 5418  
tuition or payment for which the district is responsible. 5419

(D) If the district has been certified by the 5420  
superintendent of public instruction under section 3313.90 of 5421  
the Revised Code as not in compliance with the requirements of 5422  
that section, deduct an amount equal to ten per cent of the 5423  
amount computed for the district under this chapter. 5424

(E) If the district has received a loan from a commercial 5425  
lending institution for which payments are made by the 5426  
superintendent of public instruction pursuant to division (E) (3) 5427  
of section 3313.483 of the Revised Code, deduct an amount equal 5428  
to such payments. 5429

(F) (1) If the district is a party to an agreement entered 5430  
into under division (D), (E), or (F) of section 3311.06 or 5431

division (B) of section 3311.24 of the Revised Code and is 5432  
obligated to make payments to another district under such an 5433  
agreement, deduct an amount equal to such payments if the 5434  
district school board notifies the department in writing that it 5435  
wishes to have such payments deducted. 5436

(2) If the district is entitled to receive payments from 5437  
another district that has notified the department to deduct such 5438  
payments under division (F)(1) of this section, add the amount 5439  
of such payments. 5440

(G) If the district is required to pay an amount of funds 5441  
to a cooperative education district pursuant to a provision 5442  
described by division (B)(4) of section 3311.52 or division (B) 5443  
(8) of section 3311.521 of the Revised Code, deduct such amounts 5444  
as provided under that provision and credit those amounts to the 5445  
cooperative education district for payment to the district under 5446  
division (B)(1) of section 3317.19 of the Revised Code. 5447

(H)(1) If a district is educating a student entitled to 5448  
attend school in another district pursuant to a shared education 5449  
contract, compact, or cooperative education agreement other than 5450  
an agreement entered into pursuant to section 3313.842 of the 5451  
Revised Code, credit to that educating district on an FTE basis 5452  
both of the following: 5453

(a) An amount equal to the ~~formula amount~~statewide average 5454  
base cost per pupil. 5455

(b) Any amount applicable to the student pursuant to 5456  
section 3317.013 or 3317.014 of the Revised Code. 5457

(2) Deduct any amount credited pursuant to division (H)(1) 5458  
of this section from amounts paid to the school district in 5459  
which the student is entitled to attend school pursuant to 5460

section 3313.64 or 3313.65 of the Revised Code. 5461

(3) If the district is required by a shared education 5462  
contract, compact, or cooperative education agreement to make 5463  
payments to an educational service center, deduct the amounts 5464  
from payments to the district and add them to the amounts paid 5465  
to the service center. 5466

(I) (1) If a district, including a joint vocational school 5467  
district, is a lead district of a CTPD, credit to that district 5468  
the amount calculated for each school district within that CTPD 5469  
under ~~division (A) (9) divisions (D) and (E) of section 3317.022-~~ 5470  
3317.014 of the Revised Code or division (A) (6) of section- 5471  
3317.16 of the Revised Code, as applicable and for each community 5472  
school and STEM school assigned to the CTPD under divisions (B) 5473  
and (C) of section 3314.088 and division (B) and (C) of section 5474  
3326.39 of the Revised Code. 5475

(2) Deduct from each appropriate district that is not a 5476  
lead district, or from the appropriate community school or STEM 5477  
school, the amount attributable to that district or school that 5478  
is credited to a lead district under division (I) (1) of this 5479  
section. 5480

(J) If the department pays a joint vocational school 5481  
district under division (C) (3) of section 3317.16 of the Revised 5482  
Code for excess costs of providing special education and related 5483  
services to a student with a disability, as calculated under 5484  
division (C) (1) of that section, the department shall deduct the 5485  
amount of that payment from the city, local, or exempted village 5486  
school district that is responsible as specified in that section 5487  
for the excess costs. 5488

(K) (1) If the district reports an amount of excess cost 5489

for special education services for a child under division (C) of 5490  
section 3323.14 of the Revised Code, the department shall pay 5491  
that amount to the district. 5492

(2) If the district reports an amount of excess cost for 5493  
special education services for a child under division (C) of 5494  
section 3323.14 of the Revised Code, the department shall deduct 5495  
that amount from the district of residence of that child. 5496

**Sec. 3317.024.** The following shall be distributed monthly, 5497  
quarterly, or annually as may be determined by the state board 5498  
of education: 5499

(A) An amount for each island school district and each 5500  
joint state school district for the operation of each high 5501  
school and each elementary school maintained within such 5502  
district and for capital improvements for such schools. Such 5503  
amounts shall be determined on the basis of standards adopted by 5504  
the state board of education. However, for fiscal years 2012 and 5505  
2013, an island district shall receive the lesser of its actual 5506  
cost of operation, as certified to the department of education, 5507  
or ninety-three per cent of the amount the district received in 5508  
state operating funding for fiscal year 2011. If an island 5509  
district received no funding for fiscal year 2011, it shall 5510  
receive no funding for either of fiscal year 2012 or 2013. 5511

(B) An amount for each school district required to pay 5512  
tuition for a child in an institution maintained by the 5513  
department of youth services pursuant to section 3317.082 of the 5514  
Revised Code, provided the child was not included in the 5515  
calculation of the district's formula ADM, as that term is 5516  
defined in section 3317.02 of the Revised Code, for the 5517  
preceding school year. 5518

(C) An amount for the approved cost of transporting 5519  
eligible pupils with disabilities attending a special education 5520  
program approved by the department of education whom it is 5521  
impossible or impractical to transport by regular school bus in 5522  
the course of regular route transportation provided by the 5523  
school district or educational service center. In the case of a 5524  
school district, this amount shall be equal to the actual costs 5525  
incurred by the district when transporting those students, as 5526  
reported to the department, times the percentage determined for 5527  
the district for that fiscal year under divisions (E) (3) (a) to 5528  
(f) of section 3317.0212 of the Revised Code. No district or 5529  
service center is eligible to receive a payment under this 5530  
division for the cost of transporting any pupil whom it 5531  
transports by regular school bus and who is included in the 5532  
district's transportation ADM. The state board of education 5533  
shall establish standards and guidelines for use by the 5534  
department of education in determining the approved cost of such 5535  
transportation for each ~~district or~~ service center. The state 5536  
board shall also establish the deadline for each district to 5537  
report its actual costs for transporting these students. Costs 5538  
reported by each district under this division shall be subject 5539  
to periodic, random audits by the department. 5540

(D) An amount to each school district, including each 5541  
cooperative education school district, pursuant to section 5542  
3313.81 of the Revised Code to assist in providing free lunches 5543  
to needy children. The amounts shall be determined on the basis 5544  
of rules adopted by the state board of education. 5545

(E) (1) An amount for auxiliary services to each school 5546  
district, for each pupil attending a chartered nonpublic 5547  
elementary or high school within the district that is either of 5548  
the following: 5549



(a) A school affiliated with a religious order, sect, church, or denomination or has a curriculum or mission that contains religious content, religious courses, devotional exercises, religious training, or any other religious activity;

(b) A school not described in division (E) (1) (a) of this section that has not elected to receive funds under division (E) (2) of this section.

(2) An amount for auxiliary services paid directly to each chartered nonpublic school that has elected to receive funds under division (E) (2) of this section for each pupil attending the school. To elect to receive funds under division (E) (2) of this section, a school, by the first day of April of each odd-numbered year, shall notify the department and the school district in which the school is located of the election and shall submit to the department an affidavit certifying that the school is not affiliated with a religious order, sect, church, or denomination and does not have a curriculum or mission that contains religious content, religious courses, devotional exercises, religious training, or any other religious activity. The election shall take effect the following first day of July, unless the department determines that the school meets the criteria in division (E) (1) (a) of this section. The school subsequently may rescind its election, but it may do so only in an odd-numbered year by notifying the department and the school district in which the school is located of the rescission not later than the first day of April of that year. Beginning the following first day of July after the rescission, the school shall receive funds under division (E) (1) of this section.

The amount paid under divisions (E) (1) and (2) of this section shall equal the total amount appropriated for the

implementation of sections 3317.06 and 3317.062 of the Revised Code divided by the average daily membership in grades kindergarten through twelve in chartered nonpublic elementary and high schools within the state as determined as of the last day of October of each school year.

(F) An amount for each county board of developmental disabilities, distributed on the basis of standards adopted by the state board of education, for the approved cost of transportation required for children attending special education programs operated by the county board under section 3323.09 of the Revised Code;

(G) An amount to each institution defined under section 3317.082 of the Revised Code providing elementary or secondary education to children other than children receiving special education under section 3323.091 of the Revised Code. This amount for any institution in any fiscal year shall equal the total of all tuition amounts required to be paid to the institution under division (A) (1) of section 3317.082 of the Revised Code.

The state board of education or any other board of education or governing board may provide for any resident of a district or educational service center territory any educational service for which funds are made available to the board by the United States under the authority of public law, whether such funds come directly or indirectly from the United States or any agency or department thereof or through the state or any agency, department, or political subdivision thereof.

**Sec. 3317.028.** (A) On or before May 15, 2007, and the fifteenth day of May in each calendar year thereafter, the tax commissioner shall determine for each school district whether

the taxable value of all utility tangible personal property 5610  
subject to taxation by the district in the preceding tax year 5611  
was less than the taxable value of such property during the 5612  
second preceding tax year. If any decrease exceeds ten per cent 5613  
of the district's tangible personal property taxable value 5614  
included in the total taxable value used in the district's state 5615  
aid computation for the fiscal year that ends in the current 5616  
calendar year, the tax commissioner shall certify all of the 5617  
following to the department of education and the office of 5618  
budget and management: 5619

(1) The district's total taxable value for the preceding 5620  
tax year; 5621

(2) The change in taxes charged and payable on the 5622  
district's total taxable value for the preceding tax year and 5623  
the second preceding tax year; 5624

(3) The taxable value of the utility tangible personal 5625  
property decrease, which shall be considered a change in 5626  
valuation; 5627

(4) The change in taxes charged and payable on such change 5628  
in taxable value calculated in the same manner as in division 5629  
(A) (3) of section 3317.021 of the Revised Code. 5630

(B) Upon receipt of a certification specified in this 5631  
section, the department of education shall replace the three- 5632  
year average valuations that were used in computing the 5633  
district's state education aid for the fiscal year that ends in 5634  
the current calendar year with the taxable value certified under 5635  
division (A) (1) of this section and shall recompute the state 5636  
education aid for such fiscal year ~~without applying any funding~~ 5637  
~~limitations enacted by the general assembly to the computation.~~ 5638

The department shall pay to the district an amount equal to the 5639  
lesser of the following: 5640

(1) The positive difference between the district's state 5641  
education aid prior to the recomputation under this section and 5642  
the district's recomputed state education aid; 5643

(2) The absolute value of the amount certified under 5644  
division (A) (2) of this section. 5645

The payment date shall be determined by the director of 5646  
budget and management. The director shall select a payment date 5647  
that is not earlier than the first day of June of the current 5648  
fiscal year and not later than the thirty-first day of July of 5649  
the following fiscal year. The department of education shall not 5650  
pay the district under this section prior to approval by the 5651  
director of budget and management to make that payment. 5652

(C) If a school district received a grant from the 5653  
catastrophic expenditures account pursuant to division (C) of 5654  
section 3316.20 of the Revised Code on the basis of the same 5655  
circumstances for which a recomputation is made under this 5656  
section, the amount of the recomputation shall be reduced and 5657  
transferred in accordance with division (C) of section 3316.20 5658  
of the Revised Code. 5659

**Sec. 3317.0212.** (A) As used in this section: 5660

(1) "Assigned bus" means a school bus used to transport 5661  
qualifying riders. 5662

(2) "Density" means the total riders per square mile of a 5663  
school district. 5664

(3) "Nontraditional ridership" means the average number of 5665  
qualifying riders who are enrolled in a community school 5666

established under Chapter 3314. of the Revised Code, in a STEM 5667  
school established under Chapter 3326. of the Revised Code, or 5668  
in a nonpublic school and are provided school bus service by a 5669  
school district during the first full week of October. 5670

(4) "Qualifying riders" means resident students enrolled 5671  
in regular education in preschool and grades kindergarten to 5672  
twelve who are provided school bus service by a school district 5673  
and who live more than one mile from the school they attend, 5674  
including students with dual enrollment in a joint vocational 5675  
school district or a cooperative education school district, and 5676  
students enrolled in a community school, STEM school, or 5677  
nonpublic school. 5678

~~(2)-(5)~~ (5) "Qualifying ridership" means the greater of the 5679  
average number of qualifying riders counted in the morning or 5680  
counted in the afternoon who are provided school bus service by 5681  
a school district during the first full week of October. 5682

~~(3)-(6)~~ (6) "Rider density" means the total ADM per square 5683  
mile of a school district following quotient: 5684

A school district's total number of qualifying riders/ the 5685  
number of square miles in the district 5686

~~(4)-(7)~~ (7) "Riders" means students enrolled in regular and 5687  
special education in grades kindergarten through twelve who are 5688  
provided school bus service by a school district, including 5689  
students with dual enrollment in a joint vocational school 5690  
district or a cooperative education school district, and 5691  
students enrolled in a community school, STEM school, or 5692  
nonpublic school. 5693

(8) "School bus service" means a school district's 5694  
transportation of qualifying riders in any of the following 5695

types of vehicles: 5696

(a) School buses owned or leased by the district; 5697

(b) School buses operated by a private contractor hired by  
the district; 5698  
5699

(c) School buses operated by another school district or  
entity with which the district has contracted, either as part of 5700  
5701  
a consortium for the provision of transportation or otherwise. 5702

(B) Not later than the ~~fifteenth day of October~~ first day  
of November each year, each city, local, and exempted village 5703  
5704  
school district shall report to the department of education its 5705  
qualifying ridership and any other information requested by the 5706  
department. Subsequent adjustments to the reported numbers shall 5707  
be made only in accordance with rules adopted by the department. 5708

(C) The department shall calculate the statewide 5709  
transportation cost per student as follows: 5710

(1) Determine each city, local, and exempted village 5711  
school district's transportation cost per student by dividing 5712  
the average of the district's total costs for school bus service 5713  
in the previous three fiscal year-years for students counted in 5714  
its qualifying ridership who were enrolled in the district by 5715  
the average of the number of students counted in its qualifying 5716  
ridership in the previous three fiscal ~~year~~ years who were 5717  
enrolled in the district. 5718

(2) After excluding districts that do not provide school 5719  
bus service and the ten districts with the highest 5720  
transportation costs per student and the ten districts with the 5721  
lowest transportation costs per student, divide the aggregate 5722  
~~cost of the average cost for school bus service for the~~ 5723  
remaining districts in the previous fiscal year calculated under 5724

division (C) (1) of this section by the aggregate average 5725  
qualifying ridership of those districts ~~in the previous fiscal~~ 5726  
~~year~~ calculated under division (C) (1) of this section. 5727

(D) The department shall calculate the statewide 5728  
transportation cost per mile as follows: 5729

(1) Determine each city, local, and exempted village 5730  
school district's transportation cost per mile by dividing the 5731  
district's total costs for school bus service in the previous 5732  
fiscal year by its total number of miles driven for school bus 5733  
service in the previous fiscal year. 5734

(2) After excluding districts that do not provide school 5735  
bus service and the ten districts with the highest 5736  
transportation costs per mile and the ten districts with the 5737  
lowest transportation costs per mile, divide the aggregate cost 5738  
for school bus service for the remaining districts in the 5739  
previous fiscal year by the aggregate miles driven for school 5740  
bus service in those districts in the previous fiscal year. 5741

(E) The department shall calculate each city, local, and 5742  
exempted village school district's transportation base payment 5743  
as follows: 5744

(1) ~~Multiply~~ Calculate the sum of the following: 5745

(a) The product of the statewide transportation cost per 5746  
student ~~by~~ and the number of students counted in the district's 5747  
qualifying ridership for the current fiscal year who are 5748  
enrolled in the district; 5749

(b) 1.5 times the statewide transportation cost per 5750  
student times the number of students counted in the district's 5751  
qualifying ridership for the current fiscal year who are 5752  
enrolled in community schools established under Chapter 3314. of 5753

the Revised Code or STEM schools established under Chapter 3326. 5754  
of the Revised Code; 5755

(c) 2.0 times the statewide transportation cost per 5756  
student times the number of students counted in the district's 5757  
qualifying ridership for the current fiscal year who are 5758  
enrolled in nonpublic schools. 5759

(2) Multiply the statewide transportation cost per mile by 5760  
the district's total number of miles driven for school bus 5761  
service in the current fiscal year. 5762

(3) Multiply the greater of the amounts calculated under 5763  
divisions (E) (1) and (2) of this section by the following: 5764

(a) For fiscal year ~~2019~~2022, the greater of ~~thirty-seven~~ 5765  
~~and one-half~~twenty-nine and one-sixth per cent or the 5766  
district's state share ~~index~~percentage, as defined in section 5767  
3317.02 of the Revised Code; 5768

(b) For fiscal year ~~2019~~2023, the greater of ~~twenty-five~~ 5769  
~~thirty-three~~and one-third per cent or the district's state 5770  
share ~~index~~percentage; 5771

(c) For fiscal year 2024, the greater of thirty-seven and 5772  
one-half per cent or the district's state share percentage; 5773

(d) For fiscal year 2025, the greater of forty-one and 5774  
two-thirds per cent or the district's state share percentage; 5775

(e) For fiscal year 2026, the greater of forty-five and 5776  
five-sixths per cent or the district's state share percentage; 5777

(f) For fiscal year 2027 and for each fiscal year 5778  
thereafter, the greater of fifty per cent or the district's 5779  
state share percentage. 5780



(F) (1) The department annually shall establish a target number of qualifying riders per assigned bus for each city, local, and exempted village school district. The department shall use the most recently available data in establishing the target number. The target number shall be based on the statewide median number of riders per assigned bus as adjusted to reflect the district's density in comparison to the density of all other districts. The department shall post on the department's web site each district's target number of riders per assigned bus and a description of how the target number was determined. 5781  
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5788  
5789  
5790

(2) The department shall determine each school district's efficiency index by dividing the district's number of riders per assigned bus by its target number of riders per assigned bus. 5791  
5792  
5793

(3) The department shall determine each city, local, and exempted village school district's efficiency adjustment payment as follows: 5794  
5795  
5796

(a) If the district's efficiency index is equal to or greater than 1.5, the efficiency adjustment payment shall be calculated according to the following formula: 5797  
5798  
5799

0.15 X the district's transportation base payment calculated under division (E) of this section 5800  
5801

(b) If the district's efficiency index is less than 1.5 but greater than or equal to 1.0, the efficiency adjustment payment shall be calculated according to the following formula: 5802  
5803  
5804

{[(The district's efficiency index - 1) X 0.15] / 0.5} X the district's transportation base payment calculated under division (E) of this section 5805  
5806  
5807

(c) If the district's efficiency index is less than 1.0, the efficiency adjustment payment shall be zero. 5808  
5809

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

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

$$\frac{5028 - \text{the district's rider density}}{100}$$

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

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

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

**Sec. 3317.0213.** (A) The department of education shall  
compute and pay in accordance with this section additional state  
aid for preschool children with disabilities to each city,  
local, and exempted village school district and to each  
institution, as defined in section 3323.091 of the Revised Code.  
Funding shall be provided for children who are not enrolled in  
kindergarten and who are under age six on the thirtieth day of  
September of the academic year, or on the first day of August of

the academic year if the school district in which the child is 5839  
enrolled has adopted a resolution under division (A) (3) of 5840  
section 3321.01 of the Revised Code, but not less than age three 5841  
on the first day of December of the academic year. 5842

The additional state aid shall be calculated under the 5843  
following formula: 5844

(\$4,000 X the number of students who are preschool 5845  
children with disabilities) + the sum of the following: 5846

(1) The district's or institution's category one special 5847  
education students who are preschool children with disabilities 5848  
X the ~~amount~~ multiple specified in division (A) of section 5849  
3317.013 of the Revised Code X the statewide average base cost 5850  
per pupil for that fiscal year X the district's state share 5851  
~~index~~ percentage X 0.50; 5852

(2) The district's or institution's category two special 5853  
education students who are preschool children with disabilities 5854  
X the ~~amount~~ multiple specified in division (B) of section 5855  
3317.013 of the Revised Code X the statewide average base cost 5856  
per pupil for that fiscal year X the district's state share 5857  
~~index~~ percentage X 0.50; 5858

(3) The district's or institution's category three special 5859  
education students who are preschool children with disabilities 5860  
X the ~~amount~~ multiple specified in division (C) of section 5861  
3317.013 of the Revised Code X the statewide average base cost 5862  
per pupil for that fiscal year X the district's state share 5863  
~~index~~ percentage X 0.50; 5864

(4) The district's or institution's category four special 5865  
education students who are preschool children with disabilities 5866  
X the ~~amount~~ multiple specified in division (D) of section 5867

3317.013 of the Revised Code X the statewide average base cost 5868  
per pupil for that fiscal year X the district's state share 5869  
~~index percentage~~ X 0.50; 5870

(5) The district's or institution's category five special 5871  
education students who are preschool children with disabilities 5872  
X the ~~amount multiple~~ specified in division (E) of section 5873  
3317.013 of the Revised Code X the statewide average base cost 5874  
per pupil for that fiscal year X the district's state share 5875  
~~index percentage~~ X 0.50; 5876

(6) The district's or institution's category six special 5877  
education students who are preschool children with disabilities 5878  
X the ~~amount multiple~~ specified in division (F) of section 5879  
3317.013 of the Revised Code X the statewide average base cost 5880  
per pupil for that fiscal year X the district's state share 5881  
~~index percentage~~ X 0.50. 5882

The special education disability categories for preschool 5883  
children used in this section are the same categories prescribed 5884  
in section 3317.013 of the Revised Code. 5885

As used in division (A) of this section, the state share 5886  
~~index percentage~~ of a student enrolled in an institution is the 5887  
state share ~~index percentage~~ of the school district in which the 5888  
student is entitled to attend school under section 3313.64 or 5889  
3313.65 of the Revised Code. 5890

(B) If an educational service center is providing services 5891  
to students who are preschool children with disabilities under 5892  
agreement with the city, local, or exempted village school 5893  
district in which the students are entitled to attend school, 5894  
that district may authorize the department to transfer funds 5895  
computed under this section to the service center providing 5896

those services. 5897

(C) If a county DD board is providing services to students 5898  
who are preschool children with disabilities under agreement 5899  
with the city, local, or exempted village school district in 5900  
which the students are entitled to attend school, the department 5901  
shall deduct from the district's payment computed under division 5902  
(A) of this section the total amount of those funds that are 5903  
attributable to the students served by the county DD board and 5904  
pay that amount to that board. 5905

**Sec. 3317.0214.** (A) The department shall compute and pay 5906  
in accordance with this section additional state aid to school 5907  
districts for students in categories two through six special 5908  
education ADM. If a district's costs for the fiscal year for a 5909  
student in its categories two through six special education ADM 5910  
exceed the threshold catastrophic cost for serving the student, 5911  
the district may submit to the superintendent of public 5912  
instruction documentation, as prescribed by the superintendent, 5913  
of all its costs for that student. Upon submission of 5914  
documentation for a student of the type and in the manner 5915  
prescribed, the department shall pay to the district an amount 5916  
equal to the sum of the following: 5917

(1) One-half of the district's costs for the student in 5918  
excess of the threshold catastrophic cost; 5919

(2) The product of one-half of the district's costs for 5920  
the student in excess of the threshold catastrophic cost 5921  
multiplied by the district's state share ~~index~~percentage. 5922

(B) For purposes of division (A) of this section, the 5923  
threshold catastrophic cost for serving a student equals: 5924

(1) For a student in the school district's category two, 5925

three, four, or five special education ADM, twenty-seven 5926  
thousand three hundred seventy-five dollars; 5927

(2) For a student in the district's category six special 5928  
education ADM, thirty-two thousand eight hundred fifty dollars. 5929

(C) The district shall report under division (A) of this 5930  
section, and the department shall pay for, only the costs of 5931  
educational expenses and the related services provided to the 5932  
student in accordance with the student's individualized 5933  
education program. Any legal fees, court costs, or other costs 5934  
associated with any cause of action relating to the student may 5935  
not be included in the amount. 5936

Sec. 3317.0215. (A) The department of education shall 5937  
withhold from the aggregate amount paid for a fiscal year to 5938  
each city, local, exempted village, and joint vocational school 5939  
district, community school established under Chapter 3314. of 5940  
the Revised Code, and science, technology, engineering, and 5941  
mathematics school established under Chapter 3326. of the 5942  
Revised Code an amount equal to the following: 5943

(1) In the case of a city, local, exempted village, or 5944  
joint vocational school district, an amount calculated as 5945  
follows: 5946

0.10 X [(the district's category one special education ADM X the 5947  
multiple specified in division (A) of section 3317.013 of the 5948  
Revised Code X the statewide average base cost per pupil for 5949  
that fiscal year X the district's state share percentage) + (the 5950  
district's category two special education ADM X the multiple 5951  
specified in division (B) of section 3317.013 of the Revised 5952  
Code X the statewide average base cost per pupil for that fiscal 5953  
year X the district's state share percentage) + (the district's 5954

category three special education ADM X the multiple specified in 5955  
division (C) of section 3317.013 of the Revised Code X the 5956  
statewide average base cost per pupil for that fiscal year X the 5957  
district's state share percentage) + (the district's category 5958  
four special education ADM X the multiple specified in division 5959  
(D) of section 3317.013 of the Revised Code X the statewide 5960  
average base cost per pupil for that fiscal year X the 5961  
district's state share percentage) + (the district's category 5962  
five special education ADM X the multiple specified in division 5963  
(E) of section 3317.013 of the Revised Code X the statewide 5964  
average base cost per pupil for that fiscal year X the 5965  
district's state share percentage) + (the district's category 5966  
six special education ADM X the multiple specified in division 5967  
(F) of section 3317.013 of the Revised Code X the statewide 5968  
average base cost per pupil for that fiscal year X the 5969  
district's state share percentage)] 5970

(2) In the case of a community school, the aggregate 5971  
amount of special education funding paid to the school under 5972  
section 3314.08 of the Revised Code times 0.10. 5973

(3) In the case of a science, technology, engineering, or 5974  
mathematics school, the aggregate amount of special education 5975  
funding paid to the school under section 3326.33 of the Revised 5976  
Code times 0.10. 5977

(B) The department shall use the amount of funds withheld 5978  
under division (A) of this section for purposes of division (C) 5979  
(3) of section 3314.08 of the Revised Code, section 3317.0214 of 5980  
the Revised Code, division (B) of section 3317.16 of the Revised 5981  
Code, and section 3326.34 of the Revised Code. 5982

Sec. 3317.0217. Payment of the amount calculated for a 5983  
school district under this section shall be made under division 5984

(A) of section 3317.022 of the Revised Code. 5985

(A) For each fiscal year, the department of education shall compute targeted assistance funds for city, local, and exempted village school districts, in accordance with the following formula: 5986  
5987  
5988  
5989

A district's capacity amount for that fiscal year calculated under division (B) of this section + a district's wealth amount for that fiscal year calculated under division (C) of this section 5990  
5991  
5992  
5993

(B) The department shall calculate each district's capacity amount for a fiscal year as follows: 5994  
5995

(1) Calculate each district's weighted wealth for that fiscal year, which equals the following sum: 5996  
5997

(The amount determined for the district for that fiscal year under division (A) (1) (a) of section 3317.017 of the Revised Code X 0.6) + (the amount determined for the district for that fiscal year under division (A) (2) (a) of section 3317.017 of the Revised Code X 0.4) 5998  
5999  
6000  
6001  
6002

(2) Determine the median weighted wealth of all school districts in this state for that fiscal year; 6003  
6004

(3) Compute each district's capacity index for that fiscal year by dividing the median weighted wealth of all school districts in this state for that fiscal year by the district's weighted wealth for that fiscal year; 6005  
6006  
6007  
6008

(4) Compute each district's capacity amount for that fiscal year as follows: 6009  
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(a) The district's capacity amount shall be zero if the district satisfies either of the following criteria for that 6011  
6012



fiscal year: 6013

(i) The district's capacity index is less than 1. 6014

(ii) The district's enrolled ADM is less than 200. 6015

(b) If the district does not satisfy either of the 6016  
criteria specified in division (B) (4) (a) of this section for 6017  
that fiscal year, the district's capacity amount for that fiscal 6018  
year shall be calculated as follows: 6019

(i) Compute the following amount for the district: 6020

(The median weighted wealth of all school districts in this 6021  
state for that fiscal year X 0.008) - (the district's weighted 6022  
wealth for that fiscal year X 0.008) 6023

(ii) If the district's enrolled ADM for that fiscal year 6024  
is greater than or equal to 200 but less than or equal to 400, 6025  
the district's capacity amount for that fiscal year shall be 6026  
equal to 0.05 X the amount computed under division (B) (4) (b) (i) 6027  
of this section. 6028

(iii) If the district's enrolled ADM for that fiscal year 6029  
is greater than 400 and less than 600, the district's capacity 6030  
amount for that fiscal year shall be calculated in accordance 6031  
with the following formula: 6032

{[0.95 X (the district's enrolled ADM for that fiscal year - 6033  
400)/200] + 0.05} X the amount computed under division (B) (4) (b) 6034  
(i) of this section 6035

(iv) If the district's enrolled ADM for that fiscal year 6036  
is greater than or equal to 600, the district's capacity amount 6037  
for that fiscal year shall be equal to the amount computed under 6038  
division (B) (4) (b) (i) of this section. 6039

(C) The department shall calculate each district's wealth amount for a fiscal year as follows: 6040  
6041

(1) Calculate each district's weighted wealth per pupil for that fiscal year, which equals the following quotient: 6042  
6043

The district's weighted wealth for that fiscal year calculated under division (B) (1) of this section/ (the district's enrolled ADM for that fiscal year - the students described in division (A) (1) (b) of section 3317.03 of the Revised Code + the students described in division (A) (2) (d) of section 3317.03 of the Revised Code) 6044  
6045  
6046  
6047  
6048  
6049

(2) Determine the median weighted wealth per pupil of all school districts in this state for that fiscal year; 6050  
6051

(3) Compute each district's wealth index for that fiscal year by dividing the median weighted wealth per pupil of all school districts in this state for that fiscal year by the district's weighted wealth per pupil for that fiscal year; 6052  
6053  
6054  
6055

(4) Compute each district's wealth amount for that fiscal year, as follows: 6056  
6057

(a) If the district's wealth index computed under division (C) (3) of this section for that fiscal year is less than 0.8, the district's wealth amount for that fiscal year shall be zero. 6058  
6059  
6060

(b) If the district's wealth index computed under division (C) (3) of this section for that fiscal year is greater than or equal to 0.8, the district's wealth amount for that fiscal year shall be calculated in accordance with the following formula: 6061  
6062  
6063  
6064

[(The median weighted wealth per pupil of all school districts in this state for that fiscal year X 0.014) - (the district's weighted wealth per pupil for that fiscal year X 0.0112)] X the 6065  
6066  
6067

district's enrolled ADM for that fiscal year 6068

Sec. 3317.0218. For each fiscal year, the department of 6069  
education shall compute and pay supplemental targeted assistance 6070  
to each city, local, and exempted village school district as 6071  
follows: 6072

(A) Determine if the district satisfies both of the 6073  
following criteria: 6074

(1) The wealth index calculated for the district for 6075  
fiscal year 2019 under division (A) (4) of former section 6076  
3317.0217 of the Revised Code as it existed prior to the 6077  
effective date of this section is greater than 1.6; 6078

(2) The district's enrolled ADM for fiscal year 2019 is 6079  
less than eighty-eight per cent of the district's total ADM for 6080  
fiscal year 2019. 6081

(B) Determine the maximum of the wealth indices calculated 6082  
under division (A) (4) of former section 3317.0217 of the Revised 6083  
Code as it existed prior to the effective date of this section 6084  
for all districts that satisfy both of the criteria specified 6085  
under division (A) of this section; 6086

(C) If the district satisfies both of the criteria 6087  
specified under division (A) of this section, compute the 6088  
district's supplemental amount as the product of the following: 6089

(1) {[ (The number specified under division (A) (1) of this 6090  
section - 1.6) / (the number determined under division (B) of 6091  
this section - 1.6) ] X 675} + 75; 6092

(2) The district's enrolled ADM. 6093

(D) If the district does not satisfy both of the criteria 6094  
specified under division (A) of this section, the district's 6095

supplemental amount shall be equal to zero.

6096

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

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(1) The enrollment reported by the superintendent during the reporting period shall consist of the number of students in grades kindergarten through twelve receiving any educational services from the district, except that the following categories of students shall not be included in the determination:

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(a) Students enrolled in adult education classes;

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

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6120

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

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6123

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(d) Students for whom tuition is payable pursuant to 6125  
sections 3317.081 and 3323.141 of the Revised Code; 6126

(e) Students receiving services in the district through a 6127  
scholarship awarded under either section 3310.41 or sections 6128  
3310.51 to 3310.64 of the Revised Code. 6129

When reporting students under division (A) (1) of this 6130  
section, the superintendent also shall report the district where 6131  
each student is entitled to attend school pursuant to sections 6132  
3313.64 and 3313.65 of the Revised Code. 6133

(2) The department of education shall compile a list of 6134  
all students reported to be enrolled in a district under 6135  
division (A) (1) of this section and of the students entitled to 6136  
attend school in the district pursuant to section 3313.64 or 6137  
3313.65 of the Revised Code on an FTE basis but receiving 6138  
educational services in grades kindergarten through twelve from 6139  
one or more of the following entities: 6140

(a) A community school pursuant to Chapter 3314. of the 6141  
Revised Code, including any participation in a college pursuant 6142  
to Chapter 3365. of the Revised Code while enrolled in such 6143  
community school; 6144

(b) An alternative school pursuant to sections 3313.974 to 6145  
3313.979 of the Revised Code ~~as described in division (I) (2) (a)~~ 6146  
~~or (b) of this section;~~ 6147

(c) A college pursuant to Chapter 3365. of the Revised 6148  
Code, except when the student is enrolled in the college while 6149  
also enrolled in a community school pursuant to Chapter 3314., a 6150  
science, technology, engineering, and mathematics school 6151  
established under Chapter 3326., or a college-preparatory 6152  
boarding school established under Chapter 3328. of the Revised 6153

Code; 6154

(d) An adjacent or other school district under an open 6155  
enrollment policy adopted pursuant to section 3313.98 of the 6156  
Revised Code; 6157

(e) An educational service center or cooperative education 6158  
district; 6159

(f) Another school district under a cooperative education 6160  
agreement, compact, or contract; 6161

(g) A chartered nonpublic school with a scholarship paid 6162  
under section 3310.08 of the Revised Code, if the students 6163  
qualified for the scholarship under section 3310.03 of the 6164  
Revised Code; 6165

(h) An alternative public provider or a registered private 6166  
provider with a scholarship awarded under either section 3310.41 6167  
or sections 3310.51 to 3310.64 of the Revised Code. 6168

As used in this section, "alternative public provider" and 6169  
"registered private provider" have the same meanings as in 6170  
section 3310.41 or 3310.51 of the Revised Code, as applicable. 6171

(i) A science, technology, engineering, and mathematics 6172  
school established under Chapter 3326. of the Revised Code, 6173  
including any participation in a college pursuant to Chapter 6174  
3365. of the Revised Code while enrolled in the school; 6175

(j) A college-preparatory boarding school established 6176  
under Chapter 3328. of the Revised Code, including any 6177  
participation in a college pursuant to Chapter 3365. of the 6178  
Revised Code while enrolled in the school. 6179

(3) The department also shall compile a list of the 6180  
students entitled to attend school in the district under section 6181

3313.64 or 3313.65 of the Revised Code who are enrolled in a 6182  
joint vocational school district or under a career-technical 6183  
education compact, excluding any students so entitled to attend 6184  
school in the district who are enrolled in another school 6185  
district through an open enrollment policy as reported under 6186  
division (A) (2) (d) of this section and then enroll in a joint 6187  
vocational school district or under a career-technical education 6188  
compact. 6189

The department shall provide each city, local, and 6190  
exempted village school district with an opportunity to review 6191  
the list of students compiled under divisions (A) (2) and (3) of 6192  
this section to ensure that the students reported accurately 6193  
reflect the enrollment of students in the district. 6194

(B) To enable the department of education to obtain the 6195  
data needed to complete the calculation of payments pursuant to 6196  
this chapter, each superintendent shall certify from the reports 6197  
provided by the department under division (A) of this section 6198  
all of the following: 6199

(1) The total student enrollment in regular learning day 6200  
classes included in the report under division (A) (1) or (2) of 6201  
this section for each of the individual grades kindergarten 6202  
through twelve in schools under the superintendent's 6203  
supervision; 6204

(2) The unduplicated count of the number of preschool 6205  
children with disabilities enrolled in the district for whom the 6206  
district is eligible to receive funding under section 3317.0213 6207  
of the Revised Code adjusted for the portion of the year each 6208  
child is so enrolled, in accordance with the disability 6209  
categories prescribed in section 3317.013 of the Revised Code; 6210

(3) The number of children entitled to attend school in	6211
the district pursuant to section 3313.64 or 3313.65 of the	6212
Revised Code who are:	6213
(a) Participating in a pilot project scholarship program	6214
established under sections 3313.974 to 3313.979 of the Revised	6215
Code as described in division (I)(2)(a) or (b) of this section;	6216
(b) Enrolled in a college under Chapter 3365. of the	6217
Revised Code, except when the student is enrolled in the college	6218
while also enrolled in a community school pursuant to Chapter	6219
3314. of the Revised Code, a science, technology, engineering,	6220
and mathematics school established under Chapter 3326., or a	6221
college-preparatory boarding school established under Chapter	6222
3328. of the Revised Code;	6223
(c) Enrolled in an adjacent or other school district under	6224
section 3313.98 of the Revised Code;	6225
(d) Enrolled in a community school established under	6226
Chapter 3314. of the Revised Code that is not an internet- or	6227
computer-based community school as defined in section 3314.02 of	6228
the Revised Code, including any participation in a college	6229
pursuant to Chapter 3365. of the Revised Code while enrolled in	6230
such community school;	6231
(e) Enrolled in an internet- or computer-based community	6232
school, as defined in section 3314.02 of the Revised Code,	6233
including any participation in a college pursuant to Chapter	6234
3365. of the Revised Code while enrolled in the school;	6235
(f) Enrolled in a chartered nonpublic school with a	6236
scholarship paid under section 3310.08 of the Revised Code and	6237
who qualified for the scholarship under section 3310.03 of the	6238
Revised Code;	6239



(g) Enrolled in kindergarten through grade twelve in an alternative public provider or a registered private provider with a scholarship awarded under section 3310.41 of the Revised Code;	6240 6241 6242 6243
(h) Enrolled as a preschool child with a disability in an alternative public provider or a registered private provider with a scholarship awarded under section 3310.41 of the Revised Code;	6244 6245 6246 6247
(i) Participating in a program operated by a county board of developmental disabilities or a state institution;	6248 6249
(j) Enrolled in a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;	6250 6251 6252 6253 6254
(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;	6255 6256 6257 6258
(l) 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.	6259 6260 6261
(4) The total enrollment of pupils in joint vocational schools;	6262 6263
(5) The combined enrollment of children with disabilities reported under division (A) (1) or (2) of this section, <u>including any student described in division (A) (1) (b) of this section and excluding any student reported under divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this section,</u> receiving special	6264 6265 6266 6267 6268

education services for the category one disability described in 6269  
division (A) of section 3317.013 of the Revised Code, including 6270  
children attending a special education program operated by an 6271  
alternative public provider or a registered private provider 6272  
with a scholarship awarded under sections 3310.51 to 3310.64 of 6273  
the Revised Code; 6274

(6) The combined enrollment of children with disabilities 6275  
reported under division (A)(1) or (2) of this section, including 6276  
any student described in division (A)(1)(b) of this section and 6277  
excluding any student reported under divisions (A)(2)(a), (b), 6278  
(d), (g), (h), (i), and (j) of this section, receiving special 6279  
education services for category two disabilities described in 6280  
division (B) of section 3317.013 of the Revised Code, including 6281  
children attending a special education program operated by an 6282  
alternative public provider or a registered private provider 6283  
with a scholarship awarded under sections 3310.51 to 3310.64 of 6284  
the Revised Code; 6285

(7) The combined enrollment of children with disabilities 6286  
reported under division (A)(1) or (2) of this section, including 6287  
any student described in division (A)(1)(b) of this section and 6288  
excluding any student reported under divisions (A)(2)(a), (b), 6289  
(d), (g), (h), (i), and (j) of this section, receiving special 6290  
education services for category three disabilities described in 6291  
division (C) of section 3317.013 of the Revised Code, including 6292  
children attending a special education program operated by an 6293  
alternative public provider or a registered private provider 6294  
with a scholarship awarded under sections 3310.51 to 3310.64 of 6295  
the Revised Code; 6296

(8) The combined enrollment of children with disabilities 6297  
reported under division (A)(1) or (2) of this section, including 6298

any student described in division (A) (1) (b) of this section and 6299  
excluding any student reported under divisions (A) (2) (a), (b), 6300  
(d), (g), (h), (i), and (j) of this section, receiving special 6301  
education services for category four disabilities described in 6302  
division (D) of section 3317.013 of the Revised Code, including 6303  
children attending a special education program operated by an 6304  
alternative public provider or a registered private provider 6305  
with a scholarship awarded under sections 3310.51 to 3310.64 of 6306  
the Revised Code; 6307

(9) The combined enrollment of children with disabilities 6308  
reported under division (A) (1) or (2) of this section, including 6309  
any student described in division (A) (1) (b) of this section and 6310  
excluding any student reported under divisions (A) (2) (a), (b), 6311  
(d), (g), (h), (i), and (j) of this section, receiving special 6312  
education services for the category five disabilities described 6313  
in division (E) of section 3317.013 of the Revised Code, 6314  
including children attending a special education program 6315  
operated by an alternative public provider or a registered 6316  
private provider with a scholarship awarded under sections 6317  
3310.51 to 3310.64 of the Revised Code; 6318

(10) The combined enrollment of children with disabilities 6319  
reported under division (A) (1) or (2) and under division (B) (3) 6320  
(h) of this section, including any student described in division 6321  
(A) (1) (b) of this section and excluding any student reported 6322  
under divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of 6323  
this section, receiving special education services for category 6324  
six disabilities described in division (F) of section 3317.013 6325  
of the Revised Code, including children attending a special 6326  
education program operated by an alternative public provider or 6327  
a registered private provider with a scholarship awarded under 6328  
either section 3310.41 or sections 3310.51 to 3310.64 of the 6329

Revised Code; 6330

(11) The enrollment of pupils reported under division (A) 6331  
(1) or (2) of this section on a full-time equivalency basis, 6332  
including any student described in division (A)(1)(b) of this 6333  
section and excluding any student reported under divisions (A) 6334  
(2)(a), (b), (d), (g), (h), (i), and (j) of this section, in 6335  
category one career-technical education programs or classes, 6336  
described in division (A)(1) of section 3317.014 of the Revised 6337  
Code, operated by the school district or by another district 6338  
that is a member of the district's career-technical planning 6339  
district, other than a joint vocational school district, or by 6340  
an educational service center, notwithstanding division ~~(G)~~(I) 6341  
of section 3317.02 of the Revised Code and division (C)(3) of 6342  
this section; 6343

(12) The enrollment of pupils reported under division (A) 6344  
(1) or (2) of this section on a full-time equivalency basis, 6345  
including any student described in division (A)(1)(b) of this 6346  
section and excluding any student reported under divisions (A) 6347  
(2)(a), (b), (d), (g), (h), (i), and (j) of this section, in 6348  
category two career-technical education programs or services, 6349  
described in division ~~(B)~~(A)(2) of section 3317.014 of the 6350  
Revised Code, operated by the school district or another school 6351  
district that is a member of the district's career-technical 6352  
planning district, other than a joint vocational school 6353  
district, or by an educational service center, notwithstanding 6354  
division ~~(G)~~(I) of section 3317.02 of the Revised Code and 6355  
division (C)(3) of this section; 6356

(13) The enrollment of pupils reported under division (A) 6357  
(1) or (2) of this section on a full-time equivalency basis, 6358  
including any student described in division (A)(1)(b) of this 6359

section and excluding any student reported under divisions (A) 6360  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6361  
category three career-technical education programs or services, 6362  
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 6363  
Revised Code, operated by the school district or another school 6364  
district that is a member of the district's career-technical 6365  
planning district, other than a joint vocational school 6366  
district, or by an educational service center, notwithstanding 6367  
division ~~(G)~~ (I) of section 3317.02 of the Revised Code and 6368  
division (C) (3) of this section; 6369

(14) The enrollment of pupils reported under division (A) 6370  
(1) or (2) of this section on a full-time equivalency basis, 6371  
including any student described in division (A) (1) (b) of this 6372  
section and excluding any student reported under divisions (A) 6373  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6374  
category four career-technical education programs or services, 6375  
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 6376  
Revised Code, operated by the school district or another school 6377  
district that is a member of the district's career-technical 6378  
planning district, other than a joint vocational school 6379  
district, or by an educational service center, notwithstanding 6380  
division ~~(G)~~ (I) of section 3317.02 of the Revised Code and 6381  
division (C) (3) of this section; 6382

(15) The enrollment of pupils reported under division (A) 6383  
(1) or (2) of this section on a full-time equivalency basis, 6384  
including any student described in division (A) (1) (b) of this 6385  
section and excluding any student reported under divisions (A) 6386  
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6387  
category five career-technical education programs or services, 6388  
described in division ~~(E)~~ (A) (5) of section 3317.014 of the 6389  
Revised Code, operated by the school district or another school 6390

district that is a member of the district's career-technical 6391  
planning district, other than a joint vocational school 6392  
district, or by an educational service center, notwithstanding 6393  
division ~~(C)~~(I) of section 3317.02 of the Revised Code and 6394  
division (C) (3) of this section; 6395

(16) The enrollment of pupils reported under division (A) 6396  
(1) or (2) of this section who are English learners described in 6397  
division (A) of section 3317.016 of the Revised Code, including 6398  
any student described in division (A) (1) (b) of this section and 6399  
excluding any student reported under ~~division (B) (3) (e)~~ 6400  
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6401  
~~section as enrolled in an internet or computer based community~~ 6402  
~~school;~~ 6403

(17) The enrollment of pupils reported under division (A) 6404  
(1) or (2) of this section who are English learners described in 6405  
division (B) of section 3317.016 of the Revised Code, including 6406  
any student described in division (A) (1) (b) of this section and 6407  
excluding any student reported under ~~division (B) (3) (e)~~ 6408  
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6409  
~~section as enrolled in an internet or computer based community~~ 6410  
~~school;~~ 6411

(18) The enrollment of pupils reported under division (A) 6412  
(1) or (2) of this section who are English learners described in 6413  
division (C) of section 3317.016 of the Revised Code, including 6414  
any student described in division (A) (1) (b) of this section and 6415  
excluding any student reported under ~~division (B) (3) (e)~~ 6416  
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6417  
~~section as enrolled in an internet or computer based community~~ 6418  
~~school;~~ 6419

(19) The average number of children transported during the 6420

reporting period by the school district on board-owned or 6421  
contractor-owned and -operated buses, reported in accordance 6422  
with rules adopted by the department of education; 6423

(20) (a) The number of children, other than preschool 6424  
children with disabilities, the district placed with a county 6425  
board of developmental disabilities in fiscal year 1998. 6426  
Division (B) (20) (a) of this section does not apply after fiscal 6427  
year 2013. 6428

(b) The number of children with disabilities, other than 6429  
preschool children with disabilities, placed with a county board 6430  
of developmental disabilities in the current fiscal year to 6431  
receive special education services for the category one 6432  
disability described in division (A) of section 3317.013 of the 6433  
Revised Code; 6434

(c) The number of children with disabilities, other than 6435  
preschool children with disabilities, placed with a county board 6436  
of developmental disabilities in the current fiscal year to 6437  
receive special education services for category two disabilities 6438  
described in division (B) of section 3317.013 of the Revised 6439  
Code; 6440

(d) The number of children with disabilities, other than 6441  
preschool children with disabilities, placed with a county board 6442  
of developmental disabilities in the current fiscal year to 6443  
receive special education services for category three 6444  
disabilities described in division (C) of section 3317.013 of 6445  
the Revised Code; 6446

(e) The number of children with disabilities, other than 6447  
preschool children with disabilities, placed with a county board 6448  
of developmental disabilities in the current fiscal year to 6449

receive special education services for category four 6450  
disabilities described in division (D) of section 3317.013 of 6451  
the Revised Code; 6452

(f) The number of children with disabilities, other than 6453  
preschool children with disabilities, placed with a county board 6454  
of developmental disabilities in the current fiscal year to 6455  
receive special education services for the category five 6456  
disabilities described in division (E) of section 3317.013 of 6457  
the Revised Code; 6458

(g) The number of children with disabilities, other than 6459  
preschool children with disabilities, placed with a county board 6460  
of developmental disabilities in the current fiscal year to 6461  
receive special education services for category six disabilities 6462  
described in division (F) of section 3317.013 of the Revised 6463  
Code. 6464

(21) The enrollment of students who are economically 6465  
disadvantaged, as defined by the department, including any 6466  
student described in divisions (A)(1)(b) of this section and 6467  
excluding any student reported under ~~division (B)(3)(c)~~ 6468  
divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of this 6469  
section as enrolled in an internet or computer based community 6470  
school. A student shall not be categorically excluded from the 6471  
number reported under division (B)(21) of this section based on 6472  
anything other than family income. 6473

(22) The enrollment of students identified as gifted under 6474  
division (A), (B), (C), or (D) of section 3324.03 of the Revised 6475  
Code. 6476

(C)(1) The state board of education shall adopt rules 6477  
necessary for implementing divisions (A), (B), and (D) of this 6478



section. 6479

(2) A student enrolled in a community school established 6480  
under Chapter 3314., a science, technology, engineering, and 6481  
mathematics school established under Chapter 3326., or a 6482  
college-preparatory boarding school established under Chapter 6483  
3328. of the Revised Code shall be counted in the formula ADM 6484  
~~and, if applicable, the category one, two, three, four, five, or~~ 6485  
~~six special education ADM~~ of the school district in which the 6486  
student is entitled to attend school under section 3313.64 or 6487  
3313.65 of the Revised Code for the same proportion of the 6488  
school year that the student is counted in the enrollment of the 6489  
community school, the science, technology, engineering, and 6490  
mathematics school, or the college-preparatory boarding school 6491  
for purposes of section 3314.08, 3326.33, or 3328.24 of the 6492  
Revised Code. Notwithstanding the enrollment of students 6493  
certified pursuant to division (B) (3) (d), (e), (j), or (k) of 6494  
this section, the department may adjust the formula ADM of a 6495  
school district to account for students entitled to attend 6496  
school in the district under section 3313.64 or 3313.65 of the 6497  
Revised Code who are enrolled in a community school, a science, 6498  
technology, engineering, and mathematics school, or a college- 6499  
preparatory boarding school for only a portion of the school 6500  
year. 6501

(3) No child shall be counted as more than a total of one 6502  
child in the sum of the enrollment of students of a school 6503  
district under division (A), divisions (B) (1) to (22), or 6504  
division (D) of this section, except as follows: 6505

(a) (i) A child with a disability described in section 6506  
3317.013 of the Revised Code may be counted both in formula ADM 6507  
and in category one, two, three, four, five, or six special 6508

education ADM and, if applicable, in category one, two, three, 6509  
four, or five career-technical education ADM. As provided in 6510  
division ~~(C)~~ (I) of section 3317.02 of the Revised Code, such a 6511  
child shall be counted in category one, two, three, four, five, 6512  
or six special education ADM in the same proportion that the 6513  
child is counted in formula ADM. 6514

(ii) A child with a disability described in section 6515  
3317.03 of the Revised Code may be counted both in enrolled ADM 6516  
and in category one, two, three, four, five, or six special 6517  
education ADM and, if applicable, in category one, two, three, 6518  
four, or five career-technical education ADM. As provided in 6519  
division (I) of section 3317.02 of the Revised Code, such a 6520  
child shall be counted in category one, two, three, four, five, 6521  
or six special education ADM in the same proportion that the 6522  
child is counted in enrolled ADM. 6523

(b) (i) A child enrolled in career-technical education 6524  
programs or classes described in section 3317.014 of the Revised 6525  
Code may be counted both in formula ADM and category one, two, 6526  
three, four, or five career-technical education ADM and, if 6527  
applicable, in category one, two, three, four, five, or six 6528  
special education ADM. Such a child shall be counted in category 6529  
one, two, three, four, or five career-technical education ADM in 6530  
the same proportion as the percentage of time that the child 6531  
spends in the career-technical education programs or classes. 6532

(ii) A child enrolled in career-technical education 6533  
programs or classes described in section 3317.014 of the Revised 6534  
Code may be counted both in enrolled ADM and category one, two, 6535  
three, four, or five career-technical education ADM and, if 6536  
applicable, in category one, two, three, four, five, or six 6537  
special education ADM. Such a child shall be counted in category 6538

one, two, three, four, or five career-technical education ADM in 6539  
the same proportion as the percentage of time that the child 6540  
spends in the career-technical education programs or classes. 6541

(4) Based on the information reported under this section, 6542  
the department of education shall determine the total student 6543  
count, as defined in section 3301.011 of the Revised Code, for 6544  
each school district. 6545

(D) (1) The superintendent of each joint vocational school 6546  
district shall report and certify to the superintendent of 6547  
public instruction as of the last day of October, March, and 6548  
June of each year the enrollment of students receiving services 6549  
from schools under the superintendent's supervision so that the 6550  
department can calculate the district's enrolled ADM, formula 6551  
ADM, total ADM, category one through five career-technical 6552  
education ADM, category one through three English learner ADM, 6553  
category one through six special education ADM, and for purposes 6554  
of provisions of law outside of Chapter 3317. of the Revised 6555  
Code, average daily membership. 6556

The enrollment reported and certified by the 6557  
superintendent, except as otherwise provided in this division, 6558  
shall consist of the number of students in grades six through 6559  
twelve receiving any educational services from the district, 6560  
except that the following categories of students shall not be 6561  
included in the determination: 6562

(a) Students enrolled in adult education classes; 6563

(b) Adjacent or other district joint vocational students 6564  
enrolled in the district under an open enrollment policy 6565  
pursuant to section 3313.98 of the Revised Code; 6566

(c) Students receiving services in the district pursuant 6567

to a compact, cooperative education agreement, or a contract, 6568  
but who are entitled to attend school in a city, local, or 6569  
exempted village school district whose territory is not part of 6570  
the territory of the joint vocational district; 6571

(d) Students for whom tuition is payable pursuant to 6572  
sections 3317.081 and 3323.141 of the Revised Code. 6573

(2) To enable the department of education to obtain the 6574  
data needed to complete the calculation of payments pursuant to 6575  
this chapter, each superintendent shall certify from the report 6576  
provided under division (D)(1) of this section the enrollment 6577  
for each of the following categories of students: 6578

(a) Students enrolled in each individual grade included in 6579  
the joint vocational district schools, including any student 6580  
described in division (D)(1)(b) of this section; 6581

(b) Children with disabilities receiving special education 6582  
services for the category one disability described in division 6583  
(A) of section 3317.013 of the Revised Code, including any 6584  
student described in division (D)(1)(b) of this section; 6585

(c) Children with disabilities receiving special education 6586  
services for the category two disabilities described in division 6587  
(B) of section 3317.013 of the Revised Code, including any 6588  
student described in division (D)(1)(b) of this section; 6589

(d) Children with disabilities receiving special education 6590  
services for category three disabilities described in division 6591  
(C) of section 3317.013 of the Revised Code, including any 6592  
student described in division (D)(1)(b) of this section; 6593

(e) Children with disabilities receiving special education 6594  
services for category four disabilities described in division 6595  
(D) of section 3317.013 of the Revised Code, including any 6596

<u>student described in division (D) (1) (b) of this section;</u>	6597
(f) Children with disabilities receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6598 6599 6600 6601
(g) Children with disabilities receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6602 6603 6604 6605
(h) Students receiving category one career-technical education services, described in division (A) <u>(1)</u> of section 3317.014 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6606 6607 6608 6609
(i) Students receiving category two career-technical education services, described in division <del>(B)</del> <u>(A) (2)</u> of section 3317.014 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6610 6611 6612 6613
(j) Students receiving category three career-technical education services, described in division <del>(C)</del> <u>(A) (3)</u> of section 3317.014 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6614 6615 6616 6617
(k) Students receiving category four career-technical education services, described in division <del>(D)</del> <u>(A) (4)</u> of section 3317.014 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6618 6619 6620 6621
(l) Students receiving category five career-technical education services, described in division <del>(E)</del> <u>(A) (5)</u> of section 3317.014 of the Revised Code, <u>including any student described in division (D) (1) (b) of this section;</u>	6622 6623 6624 6625

(m) English learners described in division (A) of section 6626  
3317.016 of the Revised Code, including any student described in 6627  
division (D) (1) (b) of this section; 6628

(n) English learners described in division (B) of section 6629  
3317.016 of the Revised Code, including any student described in 6630  
division (D) (1) (b) of this section; 6631

(o) English learners described in division (C) of section 6632  
3317.016 of the Revised Code, including any student described in 6633  
division (D) (1) (b) of this section; 6634

(p) Students who are economically disadvantaged, as 6635  
defined by the department, including any student described in 6636  
division (D) (1) (b) of this section. A student shall not be 6637  
categorically excluded from the number reported under division 6638  
(D) (2) (p) of this section based on anything other than family 6639  
income. 6640

The superintendent of each joint vocational school 6641  
district shall also indicate the city, local, or exempted 6642  
village school district in which each joint vocational district 6643  
pupil is entitled to attend school pursuant to section 3313.64 6644  
or 3313.65 of the Revised Code. 6645

(E) In each school of each city, local, exempted village, 6646  
joint vocational, and cooperative education school district 6647  
there shall be maintained a record of school enrollment, which 6648  
record shall accurately show, for each day the school is in 6649  
session, the actual enrollment in regular day classes. For the 6650  
purpose of determining the enrollment of students, the 6651  
enrollment figure of any school shall not include any pupils 6652  
except those pupils described by division (A) or (D) of this 6653  
section. The record of enrollment for each school shall be 6654

maintained in such manner that no pupil shall be counted as 6655  
enrolled prior to the actual date of entry in the school and 6656  
also in such manner that where for any cause a pupil permanently 6657  
withdraws from the school that pupil shall not be counted as 6658  
enrolled from and after the date of such withdrawal. There shall 6659  
not be included in the enrollment of any school any of the 6660  
following: 6661

(1) Any pupil who has graduated from the twelfth grade of 6662  
a public or nonpublic high school; 6663

(2) Any pupil who is not a resident of the state; 6664

(3) Any pupil who was enrolled in the schools of the 6665  
district during the previous school year when assessments were 6666  
administered under section 3301.0711 of the Revised Code but did 6667  
not take one or more of the assessments required by that section 6668  
and was not excused pursuant to division (C) (1) or (3) of that 6669  
section; 6670

(4) Any pupil who has attained the age of twenty-two 6671  
years, except for veterans of the armed services whose 6672  
attendance was interrupted before completing the recognized 6673  
twelve-year course of the public schools by reason of induction 6674  
or enlistment in the armed forces and who apply for reenrollment 6675  
in the public school system of their residence not later than 6676  
four years after termination of war or their honorable 6677  
discharge; 6678

(5) Any pupil who has a certificate of high school 6679  
equivalence as defined in section 5107.40 of the Revised Code. 6680

If, however, any veteran described by division (E) (4) of 6681  
this section elects to enroll in special courses organized for 6682  
veterans for whom tuition is paid under the provisions of 6683

federal laws, or otherwise, that veteran shall not be included 6684  
in the enrollment of students determined under this section. 6685

Notwithstanding division (E) (3) of this section, the 6686  
enrollment of any school may include a pupil who did not take an 6687  
assessment required by section 3301.0711 of the Revised Code if 6688  
the superintendent of public instruction grants a waiver from 6689  
the requirement to take the assessment to the specific pupil and 6690  
a parent is not paying tuition for the pupil pursuant to section 6691  
3313.6410 of the Revised Code. The superintendent may grant such 6692  
a waiver only for good cause in accordance with rules adopted by 6693  
the state board of education. 6694

The enrolled ADM, formula ADM, total ADM, category one 6695  
through five career-technical education ADM, category one 6696  
through three English learner ADM, category one through six 6697  
special education ADM, preschool scholarship ADM, transportation 6698  
ADM, and, for purposes of provisions of law outside of Chapter 6699  
3317. of the Revised Code, average daily membership of any 6700  
school district shall be determined in accordance with rules 6701  
adopted by the state board of education. 6702

(F) (1) If a student attending a community school under 6703  
Chapter 3314., a science, technology, engineering, and 6704  
mathematics school established under Chapter 3326., or a 6705  
college-preparatory boarding school established under Chapter 6706  
3328. of the Revised Code is not included in the formula ADM 6707  
calculated for the school district in which the student is 6708  
entitled to attend school under section 3313.64 or 3313.65 of 6709  
the Revised Code, the department of education shall adjust the 6710  
formula ADM of that school district to include the student in 6711  
accordance with division (C) (2) of this section, ~~and shall~~ 6712  
~~recalculate the school district's payments under this chapter~~ 6713



~~for the entire fiscal year on the basis of that adjusted formula-~~ 6714  
~~ADM.~~ 6715

(2) If a student awarded an educational choice scholarship 6716  
is not included in the formula ADM of the school district ~~from-~~ 6717  
~~in which the department deducts funds for the scholarship under-~~ 6718  
~~section 3310.08 of the Revised Code~~student resides, the 6719  
department shall adjust the formula ADM of that school district 6720  
to include the student ~~to the extent necessary to account for-~~ 6721  
~~the deduction, and shall recalculate the school district's-~~ 6722  
~~payments under this chapter for the entire fiscal year on the-~~ 6723  
~~basis of that adjusted formula ADM.~~ 6724

(3) If a student awarded a scholarship under the Jon 6725  
Peterson special needs scholarship program is not included in 6726  
the formula ADM of the school district ~~from~~in which the 6727  
~~department deducts funds for the scholarship under section-~~ 6728  
~~3310.55 of the Revised Code~~student resides, the department shall 6729  
adjust the formula ADM of that school district to include the 6730  
student ~~to the extent necessary to account for the deduction,-~~ 6731  
~~and shall recalculate the school district's payments under this-~~ 6732  
~~chapter for the entire fiscal year on the basis of that adjusted-~~ 6733  
~~formula ADM.~~ 6734

(G) (1) (a) The superintendent of an institution operating a 6735  
special education program pursuant to section 3323.091 of the 6736  
Revised Code shall, for the programs under such superintendent's 6737  
supervision, certify to the state board of education, in the 6738  
manner prescribed by the superintendent of public instruction, 6739  
both of the following: 6740

(i) The unduplicated count of the number of all children 6741  
with disabilities other than preschool children with 6742  
disabilities receiving services at the institution for each 6743

category of disability described in divisions (A) to (F) of 6744  
section 3317.013 of the Revised Code adjusted for the portion of 6745  
the year each child is so enrolled; 6746

(ii) The unduplicated count of the number of all preschool 6747  
children with disabilities in classes or programs for whom the 6748  
district is eligible to receive funding under section 3317.0213 6749  
of the Revised Code adjusted for the portion of the year each 6750  
child is so enrolled, reported according to the categories 6751  
prescribed in section 3317.013 of the Revised Code. 6752

(b) The superintendent of an institution with career- 6753  
technical education units approved under section 3317.05 of the 6754  
Revised Code shall, for the units under the superintendent's 6755  
supervision, certify to the state board of education the 6756  
enrollment in those units, in the manner prescribed by the 6757  
superintendent of public instruction. 6758

(2) The superintendent of each county board of 6759  
developmental disabilities that maintains special education 6760  
classes under section 3317.20 of the Revised Code or provides 6761  
services to preschool children with disabilities pursuant to an 6762  
agreement between the county board and the appropriate school 6763  
district shall do both of the following: 6764

(a) Certify to the state board, in the manner prescribed 6765  
by the board, the enrollment in classes under section 3317.20 of 6766  
the Revised Code for each school district that has placed 6767  
children in the classes; 6768

(b) Certify to the state board, in the manner prescribed 6769  
by the board, the unduplicated count of the number of all 6770  
preschool children with disabilities enrolled in classes for 6771  
which the board is eligible to receive funding under section 6772

3317.0213 of the Revised Code adjusted for the portion of the 6773  
year each child is so enrolled, reported according to the 6774  
categories prescribed in section 3317.013 of the Revised Code, 6775  
and the number of those classes. 6776

(H) Except as provided in division (I) of this section, 6777  
when any city, local, or exempted village school district 6778  
provides instruction for a nonresident pupil whose attendance is 6779  
unauthorized attendance as defined in section 3327.06 of the 6780  
Revised Code, that pupil's enrollment shall not be included in 6781  
that district's enrollment figure used in calculating the 6782  
district's payments under this chapter. The reporting official 6783  
shall report separately the enrollment of all pupils whose 6784  
attendance in the district is unauthorized attendance, and the 6785  
enrollment of each such pupil shall be credited to the school 6786  
district in which the pupil is entitled to attend school under 6787  
division (B) of section 3313.64 or section 3313.65 of the 6788  
Revised Code as determined by the department of education. 6789

(I) ~~(1)~~ This division shall not apply on or after the 6790  
effective date of this amendment. 6791

(1) A city, local, exempted village, or joint vocational 6792  
school district admitting a scholarship student of a pilot 6793  
project district pursuant to division (C) of section 3313.976 of 6794  
the Revised Code may count such student in its enrollment. 6795

(2) In any year for which funds are appropriated for pilot 6796  
project scholarship programs, a school district implementing a 6797  
state-sponsored pilot project scholarship program that year 6798  
pursuant to sections 3313.974 to 3313.979 of the Revised Code 6799  
may count in its enrollment: 6800

(a) All children residing in the district and utilizing a 6801

scholarship to attend kindergarten in any alternative school, as 6802  
defined in section 3313.974 of the Revised Code; 6803

(b) All children who were enrolled in the district in the 6804  
preceding year who are utilizing a scholarship to attend an 6805  
alternative school. 6806

(J) The superintendent of each cooperative education 6807  
school district shall certify to the superintendent of public 6808  
instruction, in a manner prescribed by the state board of 6809  
education, the applicable enrollments for all students in the 6810  
cooperative education district, also indicating the city, local, 6811  
or exempted village district where each pupil is entitled to 6812  
attend school under section 3313.64 or 3313.65 of the Revised 6813  
Code. 6814

(K) If the superintendent of public instruction determines 6815  
that a component of the enrollment certified or reported by a 6816  
district superintendent, or other reporting entity, is not 6817  
correct, the superintendent of public instruction may order that 6818  
the ~~formula ADM used for the purposes of payments under any~~ 6819  
~~section of Title XXXIII of the Revised Code~~ district's enrolled 6820  
ADM, formula ADM, or both be adjusted in the amount of the 6821  
error. 6822

**Sec. 3317.051.** (A) ~~As used in this section, "gifted unit-~~ 6823  
~~ADM" means a school district's formula ADM minus the number of~~ 6824  
~~students reported by a district under divisions (A) (2) (a) and~~ 6825  
~~(i) of section 3317.03 of the Revised Code.~~ 6826

~~(B)~~The department of education shall compute and pay to a 6827  
school district funds based on units for services to students 6828  
identified as gifted under Chapter 3324. of the Revised Code as 6829  
prescribed by this section. 6830

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

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

(2) One kindergarten through eighth grade gifted intervention specialist unit shall be allocated for every ~~1,100-140~~ 140 gifted students in a district's ~~gifted unit~~ ADM enrolled in grades kindergarten through eight in the district, as certified under division (B) (22) of section 3317.03 of the Revised Code, with a minimum of 0.3 units allocated for the district.

~~(D)~~ (3) One ninth through twelfth grade gifted intervention specialist unit shall be allocated for every 140 gifted students enrolled in grades nine through twelve in the district, as certified under division (B) (22) of section 3317.03 of the Revised Code, with a minimum of 0.3 units allocated for the district.

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

~~\$37,370~~ multiplied by ~~(~~ \$85,776 X the number of units allocated to a school district under division ~~(C)~~ (B) (1) of this section X the district's state share percentage) + (\$89,378 X the number of units allocated to a school district under division (B) (2) of this section X the district's state share percentage) + (\$80,974 X the number of units allocated to a school district under division (B) (3) of this section X the district's state share percentage)

~~(E)~~ (D) A school district may assign gifted unit funding

that it receives under division ~~(D)~~(C) of this section to 6860  
another school district, an educational service center, a 6861  
community school, or a STEM school as part of an arrangement to 6862  
provide services to the district. 6863

Sec. 3317.071. For fiscal year 2021 and for each fiscal 6864  
year thereafter, the department of education shall implement the 6865  
program to provide school bus purchase assistance described in 6866  
the report that was submitted by the department to the general 6867  
assembly under Section 265.324 of H.B. 166 of the 133rd general 6868  
assembly. 6869

Sec. 3317.072. (A) The transportation collaboration fund 6870  
is hereby created in the state treasury. The fund shall consist 6871  
of money appropriated for this purpose by the general assembly. 6872  
The department of education shall use money in the fund for 6873  
grants awarded under this section. 6874

(B)(1) The department shall award transportation 6875  
collaboration grants each fiscal year to city, local, and 6876  
exempted village school districts for efforts that lead to 6877  
shared resource management, routing consolidation, regional 6878  
collaboration, or other activities that have the potential to 6879  
reduce transportation operating costs. 6880

(2) The department shall determine the amount of each 6881  
grant awarded, but no grant shall exceed \$10,000 for any fiscal 6882  
year. 6883

(3) The department shall adopt rules regarding all of the 6884  
following: 6885

(a) The process for city, local, and exempted village 6886  
school districts to submit applications for grants awarded under 6887  
this section, including the deadline for those applications to 6888

<u>be submitted;</u>	6889
<u>(b) The application form for grants awarded under this section;</u>	6890 6891
<u>(c) The requirements and process for grant recipients to be eligible to renew their grants in future fiscal years;</u>	6892 6893
<u>(d) Any other rules necessary to implement the provisions of this section.</u>	6894 6895
<b><u>Sec. 3317.11. (A) As used in this section:</u></b>	6896
<u>(1) "Base amount" is equal to \$356,250.</u>	6897
<u>(2) "Student count" means the count calculated under division (G) (1) of section 3313.843 of the Revised Code.</u>	6898 6899
<u>(B) For each fiscal year, the department of education shall pay the governing board of each educational service center an amount equal to the following:</u>	6900 6901 6902
<u>(1) If the educational service center has a student count of 5,000 students or less, the base amount.</u>	6903 6904
<u>(2) If the educational service center has a student count greater than 5,000 students but less than or equal to 35,000 students, the following sum:</u>	6905 6906 6907
<u>The base amount + [(the educational service center's student count - 5,000) X \$24.72]</u>	6908 6909
<u>(3) If the educational service center has a student count greater than 35,000 students, the following sum:</u>	6910 6911
<u>The base amount + (30,000 X \$24.72) + [(the educational service center's student count - 35,000) X \$30.90]</u>	6912 6913
<b><u>Sec. 3317.16. <del>(A)</del>The department of education shall</u></b>	6914

compute and distribute state core foundation funding to each 6915  
joint vocational school district for the fiscal year ~~as~~ 6916  
~~prescribed in the following divisions~~ in accordance with the 6917  
following formula: 6918

The district's funding base + [(the district's state core 6919  
foundation funding components for that fiscal year calculated 6920  
under divisions (A) (1), (2), (4), (5), and (6) of this section - 6921  
the district's funding base) X the district's phase-in 6922  
percentage for that fiscal year] + the district's disadvantaged 6923  
pupil impact aid for that fiscal year calculated under division 6924  
(A) (3) of this section 6925

(A) A district's state core foundation funding components 6926  
shall be all of the following: 6927

(1) ~~An opportunity grant~~ The district's state share of the 6928  
base cost calculated according to the following formula: 6929

~~(The formula amount X formula ADM~~ district's base cost calculated 6930  
under section 3317.012 of the Revised Code) - (0.0005 X the 6931  
lesser of the district's three-year average valuation or the 6932  
district's most recent valuation) 6933

However, no district shall receive an ~~opportunity grant~~ 6934  
amount under division (A) (1) of this section that is less than 6935  
0.05 times the ~~formula amount times formula ADM~~ base cost 6936  
calculated for the district under section 3317.012 of the 6937  
Revised Code. 6938

(2) Additional state aid for special education and related 6939  
services provided under Chapter 3323. of the Revised Code 6940  
calculated as the sum of the following: 6941

(a) The district's category one special education ADM X 6942  
the ~~amount~~ multiple specified in division (A) of section 6943



3317.013 of the Revised Code X the statewide average base cost 6944  
per pupil for that fiscal year X the district's state share 6945  
percentage; 6946

(b) The district's category two special education ADM X 6947  
the ~~amount~~ multiple specified in division (B) of section 6948  
3317.013 of the Revised Code X the statewide average base cost 6949  
per pupil for that fiscal year X the district's state share 6950  
percentage; 6951

(c) The district's category three special education ADM X 6952  
the ~~amount~~ multiple specified in division (C) of section 6953  
3317.013 of the Revised Code X the statewide average base cost 6954  
per pupil for that fiscal year X the district's state share 6955  
percentage; 6956

(d) The district's category four special education ADM X 6957  
the ~~amount~~ multiple specified in division (D) of section 6958  
3317.013 of the Revised Code X the statewide average base cost 6959  
per pupil for that fiscal year X the district's state share 6960  
percentage; 6961

(e) The district's category five special education ADM X 6962  
the ~~amount~~ multiple specified in division (E) of section 6963  
3317.013 of the Revised Code X the statewide average base cost 6964  
per pupil for that fiscal year X the district's state share 6965  
percentage; 6966

(f) The district's category six special education ADM X 6967  
the ~~amount~~ multiple specified in division (F) of section 6968  
3317.013 of the Revised Code X the statewide average base cost 6969  
per pupil for that fiscal year X the district's state share 6970  
percentage. 6971

(3) ~~Economically disadvantaged funds~~ Disadvantaged pupil 6972

impact aid calculated according to the following formula: 6973

~~\$272-\$422~~ X the district's economically disadvantaged index X 6974  
the number of students who are economically disadvantaged as 6975  
certified under division (D) (2) (p) of section 3317.03 of the 6976  
Revised Code 6977

(4) English learner funds calculated as the sum of the 6978  
following: 6979

(a) The district's category one English learner ADM X the 6980  
~~amount multiple~~ specified in division (A) of section 3317.016 of 6981  
the Revised Code X the statewide average base cost per pupil for 6982  
that fiscal year X the district's state share percentage; 6983

(b) The district's category two English learner ADM X the 6984  
~~amount multiple~~ specified in division (B) of section 3317.016 of 6985  
the Revised Code X the statewide average base cost per pupil for 6986  
that fiscal year X the district's state share percentage; 6987

(c) The district's category three English learner ADM X 6988  
the ~~amount multiple~~ specified in division (C) of section 6989  
3317.016 of the Revised Code X the statewide average base cost 6990  
per pupil for that fiscal year X the district's state share 6991  
percentage; ~~—~~. 6992

(5) Career-technical education funds calculated ~~as the sum~~ 6993  
~~of the following:~~ 6994

~~(a) The district's category one career technical education~~ 6995  
~~ADM X the amount specified in division (A) of section 3317.014~~ 6996  
~~of the Revised Code X the district's state share percentage;~~ 6997

~~(b) The district's category two career technical education~~ 6998  
~~ADM X the amount specified in division (B) of section 3317.014~~ 6999  
~~of the Revised Code X the district's state share percentage;~~ 7000

~~(c) The district's category three career technical education ADM X the amount specified in division (C) of section 3317.014 of the Revised Code X the district's state share percentage;~~ 7001  
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~~(d) The district's category four career technical education ADM X the amount specified in division (D) of section 3317.014 of the Revised Code X the district's state share percentage;~~ 7005  
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~~(e) The district's category five career technical education ADM X the amount specified in division (E) of section 3317.014 of the Revised Code X the district's state share percentage.~~ 7009  
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7012

~~Payment of funds under division (A) (5) of this section is subject to approval under section 3317.161 of the Revised Code under division (C) of section 3317.014 of the Revised Code.~~ 7013  
7014  
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~~(6) Career-technical education associated services funds calculated under the following formula:~~ 7016  
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~~The district's state share percentage X the amount for career technical education associated services specified in section 3317.014 of the Revised Code X the sum of categories one through five career technical education ADM~~ 7018  
7019  
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~~(7) A graduation bonus calculated according to the following formula:~~ 7022  
7023

~~The district's graduation rate as reported on its most recent report card issued by the department under section 3302.033 of the Revised Code X 0.075 X the formula amount X the number of the district's students who received high school or honors high school diplomas as reported by the district to the department, in accordance with the guidelines adopted under section~~ 7024  
7025  
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~~3301.0714 of the Revised Code, for the same school year for~~ 7030  
~~which the most recent report card was issued X the district's~~ 7031  
~~state share percentage division (D) of section 3317.014 of the~~ 7032  
Revised Code. 7033

(B) (1) If a joint vocational school district's costs for a 7034  
fiscal year for a student in its categories two through six 7035  
special education ADM exceed the threshold catastrophic cost for 7036  
serving the student, as specified in division (B) of section 7037  
3317.0214 of the Revised Code, the district may submit to the 7038  
superintendent of public instruction documentation, as 7039  
prescribed by the superintendent, of all of its costs for that 7040  
student. Upon submission of documentation for a student of the 7041  
type and in the manner prescribed, the department shall pay to 7042  
the district an amount equal to the sum of the following: 7043

(a) One-half of the district's costs for the student in 7044  
excess of the threshold catastrophic cost; 7045

(b) The product of one-half of the district's costs for 7046  
the student in excess of the threshold catastrophic cost 7047  
multiplied by the district's state share percentage. 7048

(2) The district shall report under division (B) (1) of 7049  
this section, and the department shall pay for, only the costs 7050  
of educational expenses and the related services provided to the 7051  
student in accordance with the student's individualized 7052  
education program. Any legal fees, court costs, or other costs 7053  
associated with any cause of action relating to the student may 7054  
not be included in the amount. 7055

(C) (1) For each student with a disability receiving 7056  
special education and related services under an individualized 7057  
education program, as defined in section 3323.01 of the Revised 7058

Code, at a joint vocational school district, the resident 7059  
district or, if the student is enrolled in a community school, 7060  
the community school shall be responsible for the amount of any 7061  
costs of providing those special education and related services 7062  
to that student that exceed the sum of the amount calculated for 7063  
those services attributable to that student under division (A) 7064  
of this section. 7065

Those excess costs shall be calculated using a formula 7066  
approved by the department. 7067

(2) The board of education of the joint vocational school 7068  
district may report the excess costs calculated under division 7069  
(C) (1) of this section to the department of education. 7070

(3) If the board of education of the joint vocational 7071  
school district reports excess costs under division (C) (2) of 7072  
this section, the department shall pay the amount of excess cost 7073  
calculated under division (C) (2) of this section to the joint 7074  
vocational school district and shall deduct that amount as 7075  
provided in division (C) (3) (a) or (b) of this section, as 7076  
applicable: 7077

(a) If the student is not enrolled in a community school, 7078  
the department shall deduct the amount from the account of the 7079  
student's resident district pursuant to division (J) of section 7080  
3317.023 of the Revised Code. 7081

(b) If the student is enrolled in a community school, the 7082  
department shall deduct the amount from the account of the 7083  
community school pursuant to section 3314.083 of the Revised 7084  
Code. 7085

~~(D) (1) In any fiscal year, a school district receiving 7086  
funds under division (A) (5) of this section shall spend those 7087~~

~~funds only for the purposes that the department designates as approved for career technical education expenses. Career technical education expenses approved by the department shall include only expenses connected to the delivery of career technical programming to career technical students. The department shall require the school district to report data annually so that the department may monitor the district's compliance with the requirements regarding the manner in which funding received under division (A) (5) of this section may be spent.~~ 7088  
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~~(2) All funds received under division (A) (5) of this section shall be spent in the following manner:~~ 7098  
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~~(a) At least seventy five per cent of the funds shall be spent on curriculum development, purchase, and implementation; instructional resources and supplies; industry based program certification; student assessment, credentialing, and placement; curriculum specific equipment purchases and leases; career technical student organization fees and expenses; home and agency linkages; work based learning experiences; professional development; and other costs directly associated with career technical education programs including development of new programs.~~ 7100  
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~~(b) Not more than twenty five per cent of the funds shall be used for personnel expenditures.~~ 7110  
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~~(E) In any fiscal year, a school district receiving funds under division (A) (6) of this section, or through a transfer of funds pursuant to division (I) of section 3317.023 of the Revised Code, shall spend those funds only for the purposes that the department designates as approved for career technical education associated services expenses, which may include such~~ 7112  
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~~purposes as apprenticeship coordinators, coordinators for other 7118  
career-technical education services, career-technical 7119  
evaluation, and other purposes designated by the department. The 7120  
department may deny payment under division (A) (6) of this 7121  
section to any district that the department determines is not 7122  
operating those services or is using funds paid under division 7123  
(A) (6) of this section, or through a transfer of funds pursuant 7124  
to division (I) of section 3317.023 of the Revised Code, for 7125  
other purposes. 7126~~

~~(F)~~ A joint vocational school district shall spend the 7127  
funds it receives under division (A) (3) of this section in 7128  
accordance with section 3317.25 of the Revised Code. 7129

~~(G)~~ (E) As used in this section: 7130

(1) "Community school" means a community school 7131  
established under Chapter 3314. of the Revised Code. 7132

(2) "Resident district" means the city, local, or exempted 7133  
village school district in which a student is entitled to attend 7134  
school under section 3313.64 or 3313.65 of the Revised Code. 7135

~~(3) "State share percentage" is equal to the following: 7136~~

~~The amount computed under division (A) (1) of this section/ (the 7137  
formula amount X formula ADM) 7138~~

**Sec. 3317.162.** (A) For fiscal years 2022 and 2023, the 7139  
department of education shall pay temporary transitional aid to 7140  
each joint vocational school district according to the following 7141  
formula: 7142

(The district's funding base, as that term is defined in section 7143  
3317.02 of the Revised Code + the amount paid to the district 7144  
under division (A) (3) of section 3317.16 of the Revised Code, as 7145

that division existed prior to the effective date of this 7146  
amendment, for fiscal year 2019) - (the district's payment under 7147  
section 3317.16 of the Revised Code for the fiscal year for 7148  
which the payment is computed) 7149

If the computation made under division (A) of this section 7150  
results in a negative number, the district's funding under 7151  
division (A) of this section shall be zero. 7152

(B) For fiscal year 2024 and for each fiscal year 7153  
thereafter, the department shall pay temporary transitional aid 7154  
to each joint vocational school district according to the 7155  
following formula: 7156

(The district's guaranteed funding for the third preceding 7157  
fiscal year/ the average of the district's enrolled ADM for the 7158  
third, fourth, and fifth preceding fiscal years) - (the 7159  
district's payment under section 3317.16 of the Revised Code for 7160  
the fiscal year for which the payment is calculated/ the 7161  
district's enrolled ADM for the fiscal year for which the 7162  
payment is calculated) X the district's enrolled ADM for the 7163  
fiscal year for which the payment is calculated 7164

If the computation made under this division results in a 7165  
negative number, the district's funding under this division 7166  
shall be zero. 7167

For purposes of this computation, a district's "guaranteed 7168  
funding" means the following: 7169

(1) For fiscal year 2021, the sum of the district's 7170  
funding base, as that term is defined in section 3317.02 of the 7171  
Revised Code, and the amount paid to the district under division 7172  
(A) (3) of section 3317.16 of the Revised Code, as that division 7173  
existed prior to the effective date of this amendment, for 7174



<u>fiscal year 2019;</u>	7175
<u>(2) For fiscal years 2022 and 2023, the district's payment</u>	7176
<u>for that fiscal year under section 3317.16 of the Revised Code</u>	7177
<u>plus the district's payment for that fiscal year under division</u>	7178
<u>(A) of this section;</u>	7179
<u>(3) For fiscal year 2024 and for each fiscal year</u>	7180
<u>thereafter, the district's payment for that fiscal year under</u>	7181
<u>section 3317.16 of the Revised Code plus the district's payment</u>	7182
<u>for that fiscal year under division (B) of this section.</u>	7183
<u>(C) If a joint vocational school district begins receiving</u>	7184
<u>payments under section 3317.16 of the Revised Code for fiscal</u>	7185
<u>year 2022 or for any fiscal year thereafter but does not receive</u>	7186
<u>payments for the fiscal year immediately preceding that fiscal</u>	7187
<u>year, the department shall establish the following as an amount</u>	7188
<u>equal to the absolute value of the sum of the associated</u>	7189
<u>adjustments of any local school district's funding base under</u>	7190
<u>division (C) of section 3317.019 of the Revised Code:</u>	7191
<u>(1) For purposes of division (A) of this section:</u>	7192
<u>(a) The district's funding base, as that term is defined</u>	7193
<u>in section 3317.02 of the Revised Code;</u>	7194
<u>(b) The amount paid to the district under division (A) (3)</u>	7195
<u>of section 3317.16 of the Revised Code, as that division existed</u>	7196
<u>prior to the effective date of this amendment, for fiscal year</u>	7197
<u>2019.</u>	7198
<u>(2) For purposes of division (B) of this section, the</u>	7199
<u>district's guaranteed funding.</u>	7200
<b>Sec. 3317.20.</b> This section does not apply to preschool	7201
children with disabilities.	7202

- (A) As used in this section: 7203
- (1) "Applicable special education amount" means the amount 7204  
specified in section 3317.013 of the Revised Code for a 7205  
disability described in that section. 7206
- (2) "Child's school district" means the school district in 7207  
which a child is entitled to attend school pursuant to section 7208  
3313.64 or 3313.65 of the Revised Code. 7209
- (3) "State share ~~index~~percentage" means the state share 7210  
~~index~~percentage of the child's school district. 7211
- (B) The department shall annually pay each county board of 7212  
developmental disabilities for each child with a disability, 7213  
other than a preschool child with a disability, for whom the 7214  
county board provides special education and related services an 7215  
amount equal to the ~~formula amount~~ statewide average base cost 7216  
per pupil + (state share ~~index~~percentage X the applicable 7217  
special education ~~amount~~weight X the statewide average base cost 7218  
per pupil). 7219
- (C) Each county board of developmental disabilities shall 7220  
report to the department, in the manner specified by the 7221  
department, the name of each child for whom the county board of 7222  
developmental disabilities provides special education and 7223  
related services and the child's school district. 7224
- (D) (1) For the purpose of verifying the accuracy of the 7225  
payments under this section, the department may request from 7226  
either of the following entities the data verification code 7227  
assigned under division (D) (2) of section 3301.0714 of the 7228  
Revised Code to any child who is placed with a county board of 7229  
developmental disabilities: 7230
- (a) The child's school district; 7231

(b) The independent contractor engaged to create and maintain data verification codes. 7232  
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(2) Upon a request by the department under division (D) (1) of this section for the data verification code of a child, the child's school district shall submit that code to the department in the manner specified by the department. If the child has not been assigned a code, the district shall assign a code to that child and submit the code to the department by a date specified by the department. If the district does not assign a code to the child by the specified date, the department shall assign a code to the child. 7234  
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The department annually shall submit to each school district the name and data verification code of each child residing in the district for whom the department has assigned a code under this division. 7243  
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(3) The department shall not release any data verification code that it receives under division (D) of this section to any person except as provided by law. 7247  
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(E) Any document relative to special education and related services provided by a county board of developmental disabilities that the department holds in its files that contains both a student's name or other personally identifiable information and the student's data verification code shall not be a public record under section 149.43 of the Revised Code. 7250  
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**Sec. 3317.25.** (A) As used in this section, "~~economically disadvantaged funds~~disadvantaged pupil impact aid" means the following: 7256  
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(1) For a city, local, or exempted village school district, the funds received under division ~~(A) (5)~~ (A) (4) of 7259  
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section 3317.022 of the Revised Code;	7261
(2) For a joint vocational school district, the funds received under division (A) (3) of section 3317.16 of the Revised Code;	7262 7263 7264
(3) For a community school established under Chapter 3314. of the Revised Code, the funds received under division <del>(C) (1) (e)</del> <u>(C) (1) (c)</u> of section 3314.08 of the Revised Code;	7265 7266 7267
(4) For a STEM school established under Chapter 3326. of the Revised Code, the funds received under division <del>(E)</del> <u>(B) (3)</u> of section 3326.33 of the Revised Code.	7268 7269 7270
(B) In any fiscal year, a city, local, exempted village, or joint vocational school district, community school, or STEM school shall spend the <del>economically disadvantaged funds</del> <u>disadvantaged pupil impact aid</u> it receives for any of the following initiatives or a combination of any of the following initiatives:	7271 7272 7273 7274 7275 7276
(1) Extended school day and school year;	7277
(2) Reading improvement and intervention;	7278
(3) Instructional technology or blended learning;	7279
(4) Professional development in reading instruction for teachers of students in kindergarten through third grade;	7280 7281
(5) Dropout prevention;	7282
(6) School safety and security measures;	7283
(7) Community learning centers that address barriers to learning;	7284 7285
(8) Academic interventions for students in any of grades six through twelve;	7286 7287

(9) Employment of an individual who has successfully completed the bright new leaders for Ohio schools program as a principal or an assistant principal under section 3319.272 of the Revised Code;	7288 7289 7290 7291
<u>(10) Reduced class size;</u>	7292
<u>(11) One year of quality preschool for every child who is four years of age and identified as economically disadvantaged;</u>	7293 7294
<u>(12) Student mentoring programs;</u>	7295
<u>(13) Family engagement pertinent to enhanced student educational success;</u>	7296 7297
<u>(14) District-wide professional development to provide greater insight into the needs, culture, and perspective of disadvantaged populations and enhanced ability to recognize and address those needs;</u>	7298 7299 7300 7301
<u>(15) Mental health services;</u>	7302
<u>(16) Services for homeless youth;</u>	7303
<u>(17) Services for child welfare involving youth;</u>	7304
<u>(18) Community liaisons;</u>	7305
<u>(19) Physical health care services;</u>	7306
<u>(20) Mentoring programs;</u>	7307
<u>(21) Family engagement and support services;</u>	7308
<u>(22) City connects programming;</u>	7309
<u>(23) Professional development regarding the provision of trauma informed care;</u>	7310 7311
<u>(24) Professional development regarding cultural</u>	7312

competence; 7313

(25) Student services provided prior to or after the 7314  
regularly scheduled school day or any time school is not in 7315  
session. 7316

(C) At the end of each fiscal year, each city, local, 7317  
exempted village, or joint vocational school district, community 7318  
school, and STEM school shall submit a report to the department 7319  
of education ~~describing through the education management~~ 7320  
information system established under section 3301.0714 of the 7321  
Revised Code that describes the initiative or initiatives on 7322  
which the district's or school's ~~economically disadvantaged-~~ 7323  
~~funds-disadvantaged pupil impact aid~~ were spent during that 7324  
fiscal year. 7325

(D) Starting in 2015, the department shall submit a report 7326  
of the information it receives under division (C) of this 7327  
section to the General Assembly not later than the first day of 7328  
December of each odd-numbered year in accordance with section 7329  
101.68 of the Revised Code. 7330

**Sec. 3317.60.** (A) (1) The department of education shall 7331  
conduct a study that does both of the following: 7332

(a) Reviews the criteria used in the current school 7333  
funding formula to define "economically disadvantaged students" 7334  
in order to determine the effectiveness of the criteria; 7335

(b) Researches how other states define "economically 7336  
disadvantaged students" and how "economically disadvantaged 7337  
students" are addressed in other states' school funding 7338  
formulas. 7339

The department shall submit a report of its findings to 7340  
the individuals prescribed in division (B) of this section not 7341

later than December 31, ~~2020~~2022. 7342

(2) The department of education, in consultation with the 7343  
department of job and family services and stakeholder groups 7344  
determined appropriate by the department, shall prepare a report 7345  
including both of the following: 7346

(a) A review of early child initiatives in Ohio, including 7347  
preschool, head start, and other early learning opportunities 7348  
for young children; 7349

(b) Information regarding how other states support early 7350  
learning opportunities for young children. 7351

The department of education shall submit the report to the 7352  
individuals prescribed in division (B) of this section not later 7353  
than December 31, ~~2020~~2022. 7354

(B) The reports prepared under division (A) of this 7355  
section shall be submitted to all of the following: 7356

(1) The president and minority leader of the senate; 7357

(2) The speaker and minority leader of the house of 7358  
representatives; 7359

(3) The members of the standing committees of the house of 7360  
representatives and the senate that consider legislation 7361  
regarding primary and secondary education; 7362

(4) The school funding oversight commission created in 7363  
section 3317.64 of the Revised Code. 7364

**Sec. 3317.61.** (A) (1) (a) The office of budget and 7365  
management shall, in consultation with the department of 7366  
education, create an inventory of all state budget line items 7367  
that, in the office's determination, provide funding services to 7368

<u>children that includes all of the following information:</u>	7369
<u>(i) The fiscal year 2019 funding for each line item;</u>	7370
<u>(ii) A brief description of services provided by each line item;</u>	7371
<u>(iii) Estimates of funding and program descriptions of all line items that are also used to fund other types of programs, including a description explaining how those different programs interact and for whom they are provided;</u>	7372
<u>(iv) A preliminary analysis of policy implications regarding the potential creation and funding of "wrap-around services," as defined by the office, including health clinics provided in educational settings.</u>	7373
<u>(b) The data shall be disaggregated into three categories based on students' age ranges as follows:</u>	7374
<u>(i) Students receiving special education services for a disability specified in divisions (A) to (F) of section 3317.013 of the Revised Code between zero and twenty-one years of age;</u>	7375
<u>(ii) Students not described by division (A) (1) (b) (i) of this section between zero and four years of age; and</u>	7376
<u>(iii) Students not described in division (A) (1) (b) (i) of this section between five and eighteen years of age.</u>	7377
<u>Additionally, the data shall be disaggregated into service categories that may be provided by multiple agencies, funds, and line items, such as children's mental health, children's physical health, child nutrition, early childhood education, primary and secondary education, special education, juvenile detention services, and any other categories that receive significant state and federal funding.</u>	7378
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(c) The office shall submit the inventory to the individuals prescribed in division (B) of this section not later than December 31, 2022. 7397  
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(2) The department of education shall conduct an evaluation of all of the following topics regarding special education: 7400  
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(a) The categories of special education students specified under section 3317.013 of the Revised Code and the funding amounts corresponding to those categories; 7403  
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(b) Best practices for providing education to special education students; 7406  
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(c) Protocols for providing treatment to special education students; 7408  
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(d) Technology to enhance the provision of special education; 7410  
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(e) Costs of providing special education; 7412

(f) Transportation of special education students. 7413

The department shall submit a report of its findings and recommendations to the individuals prescribed in division (B) of this section not later than December 31, 2022. 7414  
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(3) The department of education shall, in collaboration with the auditor of state and a workgroup established by the department that consists of educators, auditors, and employees of the department, review the funding reporting protocols and requirements for gifted services with the intention of recommending improvements regarding accountability for the spending of gifted funds paid to city, local, and exempted village school districts under section 3317.022 of the Revised 7417  
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Code. The department shall submit a report of its findings and recommendations to the individuals prescribed in division (B) of this section not later than December 31, 2022. 7425  
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(4) The department of education shall develop recommendations for an incentive program for school districts in rural areas of the state that provide services to students identified as gifted under division (A), (B), (C), or (D) of section 3324.03 of the Revised Code and submit a report of its findings to the individuals prescribed in division (B) of this section not later than December 31, 2022. 7428  
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(5) The department of education shall, in collaboration with the auditor of state and the Ohio educational service center association, conduct an evaluation of educational service centers, including all of the following: 7435  
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(a) Services provided; 7439

(b) Cost of existing services; 7440

(c) The ability to generate revenue for providing nonmandatory services and offset fixed costs with that revenue; 7441  
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(d) The average operating cost per pupil; 7443

(e) The effectiveness and efficiency of all educational service centers. 7444  
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The department shall submit a report of its findings and a recommendation for a funding formula for educational service centers to the individuals prescribed in division (B) of this section not later than December 31, 2022. 7446  
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(6) The department of education shall evaluate the current funding amounts and required services for all categories of English learners described in section 3317.016 of the Revised 7450  
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Code. The department shall submit a report of its findings to 7453  
the individuals prescribed in division (B) of this section not 7454  
later than December 31, 2022. 7455

(7) The department of education shall conduct a study of 7456  
the cost to educate students enrolled in internet- or computer- 7457  
based community schools and shall consult with these schools 7458  
while conducting this study. The department shall submit a 7459  
result of its findings to the individuals prescribed in division 7460  
(B) of this section not later than December 31, 2022. 7461

(B) Reports prepared under divisions (A) (1), (2), (3), 7462  
(4), (5), (6), and (7) of this section shall be submitted to all 7463  
of the following: 7464

(1) The chair, vice chair, and ranking minority member of 7465  
the finance committees of the house of representatives and the 7466  
senate; 7467

(2) The chair, vice chair, and ranking minority member of 7468  
the finance subcommittees regarding primary and secondary 7469  
education of the house of representatives and the senate; 7470

(3) The chair, vice chair, and ranking minority member of 7471  
the standing committees of the house of representatives and the 7472  
senate that consider legislation regarding primary and secondary 7473  
education; 7474

(4) The superintendent of public instruction; 7475

(5) The president of the state board of education; 7476

(6) The school funding oversight commission created in 7477  
section 3317.64 of the Revised Code. 7478

(C) It is the intent of the general assembly that the 7479  
recommendations developed under division (A) (5) of this section 7480

be the basis of legislation enacted by the general assembly in 7481  
order to take effect for fiscal year 2023 and that the 7482  
recommendations developed under divisions (A) (2), (3), (4), (6), 7483  
and (7) of this section be the basis of legislation enacted by 7484  
the general assembly in order to take effect for fiscal year 7485  
2024. 7486

Sec. 3317.62. (A) The department of education, in 7487  
consultation with community school governing authorities and 7488  
other appropriate stakeholders, shall evaluate the cost of 7489  
operating community schools on a per-pupil or other reasonable 7490  
basis as a replacement for the discontinuance of a fixed per- 7491  
pupil formula amount. 7492

(B) Not later than December 31, 2022, the department shall 7493  
submit its findings to all of the following: 7494

(1) The chair, vice chair, and ranking minority member of 7495  
the finance committees of the house of representatives and the 7496  
senate; 7497

(2) The chair, vice chair, and ranking minority member of 7498  
the finance subcommittees regarding primary and secondary 7499  
education of the house of representatives and the senate; 7500

(3) The chair, vice chair, and ranking minority member of 7501  
the standing committees of the house of representatives and the 7502  
senate that consider legislation regarding primary and secondary 7503  
education; 7504

(4) The superintendent of public instruction; 7505

(5) The president of the state board of education; 7506

(6) The school funding oversight commission created in 7507  
section 3317.64 of the Revised Code. 7508

Sec. 3317.63. (A) A joint legislative task force to 7509  
examine transportation of community school and nonpublic school 7510  
students is hereby established and shall consist of six members, 7511  
three of whom shall be appointed by the speaker of the house of 7512  
representatives and three of whom shall be appointed by the 7513  
president of the senate. The speaker of the house of 7514  
representatives and president of the senate shall appoint a 7515  
chairperson and vice-chairperson or co-chairpersons for the task 7516  
force. 7517

(B) The task force, in consultation with the 7518  
superintendent of public instruction, the auditor of state, and 7519  
other stakeholders, shall study the transportation of such 7520  
students and determine methods to create greater efficiency and 7521  
minimize costs in transporting such students. The task force 7522  
shall report its findings and a recommendation for a funding 7523  
formula for the transportation of such students to the speaker 7524  
of the house of representatives, the president of the senate, 7525  
and the school funding oversight commission created in section 7526  
3317.64 of the Revised Code not later than December 31, 2022. 7527

Sec. 3317.64. (A) The school funding oversight commission 7528  
is hereby created. The commission shall do all of the following: 7529

(1) Evaluate and analyze the manner in which the funding 7530  
requirements of H.B. 305 of the 133rd general assembly are being 7531  
implemented and make recommendations to the general assembly to 7532  
ensure that, if at all possible, the funding priorities 7533  
specified in H.B. 305 of the 133rd general assembly are 7534  
implemented as directed and that all other provisions are funded 7535  
as equitably and evenly as possible as additional funding 7536  
becomes available; 7537

(2) Analyze and make recommendations to the general 7538

assembly regarding any appropriate adjustments to the provisions 7539  
of H.B. 305 of the 133rd general assembly for inflation, 7540  
technology developments, changes in instructional methodology, 7541  
or the use of databases; 7542

(3) Review and analyze the findings or implications of any 7543  
of the studies authorized in section 3317.60, 3317.61, 3317.62, 7544  
or 3317.63 of the Revised Code as amended or enacted by H.B. 305 7545  
of the 133rd general assembly, as those studies become 7546  
available, or any other school funding studies authorized in 7547  
related legislation and make appropriate recommendations to the 7548  
general assembly; 7549

(4) Upon the implementation of the provisions of H.B. 305 7550  
of the 133rd general assembly, assess the impact of its 7551  
calculations and other basic concepts and make recommendations 7552  
to the general assembly regarding appropriate modifications to 7553  
those calculations and other basic concepts; 7554

(5) Generally monitor the implementation of the provisions 7555  
of H.B. 305 of the 133rd general assembly to ensure that they 7556  
are implemented in a timely and effective manner that is 7557  
consistent with the intent of the general assembly at the time 7558  
those provisions were enacted and make recommendations to the 7559  
general assembly regarding its implementation. 7560

(B) The school funding oversight commission shall consist 7561  
of the following members: 7562

(1) Four members of the house of representatives, 7563  
appointed by the speaker of the house of representatives, and 7564  
four members of the senate, appointed by the president of the 7565  
senate. Not more than five of the members appointed under 7566  
division (B) (1) of this section shall be of the same political 7567

party. 7568

(2) Four school district superintendents, appointed by the 7569  
superintendent of public instruction with advice from those 7570  
statewide organizations that represent school district 7571  
superintendents, and four school district treasurers, appointed 7572  
by the superintendent of public instruction with advice from 7573  
those statewide organizations that represent school district 7574  
treasurers. The superintendent of public instruction shall 7575  
attempt to ensure that the school district superintendents and 7576  
treasurers appointed under division (B) (2) of this section 7577  
represent a combination of urban, suburban, and rural school 7578  
districts. 7579

(3) Eight parents, four of whom shall be male and four of 7580  
whom shall be female, appointed by the governor. In making 7581  
appointments under division (B) (3) of this section, the governor 7582  
shall attempt to ensure that the parents appointed are a 7583  
combination of parents of students who are enrolled in, will 7584  
enroll in, or were enrolled in urban, suburban, and rural school 7585  
districts. 7586

(C) All members of the commission shall be appointed prior 7587  
to the commission's first meeting as prescribed in division (D) 7588  
of this section. Half of the members appointed under each of 7589  
divisions (B) (1), (2), and (3) of this section shall be 7590  
appointed for two-year terms, and half of the members appointed 7591  
under each of divisions (B) (1), (2), and (3) of this section 7592  
shall be appointed for four-year terms. Thereafter, all members 7593  
shall be appointed for four-year terms. No member shall be 7594  
eligible for reappointment except for those members appointed 7595  
for initial two-year terms. 7596

(D) Not later than one year after the effective date of 7597

this section, the superintendent of public instruction shall 7598  
call the first meeting of the school funding oversight 7599  
commission. At that meeting, the members of the commission shall 7600  
select a chair and vice-chair of the commission. Thereafter, the 7601  
commission shall meet at least once every six months at the call 7602  
of the chair. 7603

**Sec. 3319.57.** (A) A grant program is hereby established 7604  
under which the department of education shall award grants to 7605  
assist certain schools in a city, exempted village, local, or 7606  
joint vocational school district in implementing one of the 7607  
following innovations: 7608

(1) The use of instructional specialists to mentor and 7609  
support classroom teachers; 7610

(2) The use of building managers to supervise the 7611  
administrative functions of school operation so that a school 7612  
principal can focus on supporting instruction, providing 7613  
instructional leadership, and engaging teachers as part of the 7614  
instructional leadership team; 7615

(3) The reconfiguration of school leadership structure in 7616  
a manner that allows teachers to serve in leadership roles so 7617  
that teachers may share the responsibility for making and 7618  
implementing school decisions; 7619

(4) The adoption of new models for restructuring the 7620  
school day or school year, such as including teacher planning 7621  
and collaboration time as part of the school day; 7622

(5) The creation of smaller schools or smaller units 7623  
within larger schools for the purpose of facilitating teacher 7624  
collaboration to improve and advance the professional practice 7625  
of teaching; 7626



(6) The implementation of "grow your own" recruitment strategies that are designed to assist individuals who show a commitment to education become licensed teachers, to assist experienced teachers obtain licensure in subject areas for which there is need, and to assist teachers in becoming principals;	7627 7628 7629 7630 7631
(7) The provision of better conditions for new teachers, such as reduced teaching load and reduced class size;	7632 7633
(8) The provision of incentives to attract qualified mathematics, science, or special education teachers;	7634 7635
(9) The development and implementation of a partnership with teacher preparation programs at colleges and universities to help attract teachers qualified to teach in shortage areas;	7636 7637 7638
(10) The implementation of a program to increase the cultural competency of both new and veteran teachers;	7639 7640
(11) The implementation of a program to increase the subject matter competency of veteran teachers.	7641 7642
(B) To qualify for a grant to implement one of the innovations described in division (A) of this section, a school must meet both of the following criteria:	7643 7644 7645
(1) Be hard to staff, as defined by the department.	7646
(2) Use existing school district funds for the implementation of the innovation in an amount equal to the grant amount multiplied by (1 - the district's state share <del>index</del> <u>percentage</u> for the fiscal year in which the grant is awarded).	7647 7648 7649 7650
For purposes of division (B) (2) of this section, "state share <del>index</del> <u>percentage</u> " has the same meaning as in section 3317.02 of the Revised Code.	7651 7652 7653

(C) The amount and number of grants awarded under this section shall be determined by the department based on any appropriations made by the general assembly for grants under this section.

(D) The state board of education shall adopt rules for the administration of this grant program.

**Sec. 3324.09.** Not later than the thirtieth day of October of each year, the department of education shall publish on its web site each school district's expenditures for the previous fiscal year of funds received under division (A) ~~(7)~~ (6) of section 3317.022 of the Revised Code for the identification of and services provided to the district's gifted students.

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

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

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

(3) "Category three career-technical student" means a student who is receiving the career-technical education services described in division ~~(C)~~ (A) (3) of section 3317.014 of the Revised Code.

(4) "Category four career-technical student" means a student who is receiving the career-technical education services described in division ~~(D)~~ (A) (4) of section 3317.014 of the

Revised Code.	7683
(5) "Category five career-technical education student"	7684
means a student who is receiving the career-technical education	7685
services described in division <del>(E)</del> <u>(A) (5)</u> of section 3317.014 of	7686
the Revised Code.	7687
(B) (1) "Category one English learner" means an English	7688
learner described in division (A) of section 3317.016 of the	7689
Revised Code.	7690
(2) "Category two English learner" means an English	7691
learner described in division (B) of section 3317.016 of the	7692
Revised Code.	7693
(3) "Category three English learner" means an English	7694
learner described in division (C) of section 3317.016 of the	7695
Revised Code.	7696
(C) (1) "Category one special education student" means a	7697
student who is receiving special education services for a	7698
disability specified in division (A) of section 3317.013 of the	7699
Revised Code.	7700
(2) "Category two special education student" means a	7701
student who is receiving special education services for a	7702
disability specified in division (B) of section 3317.013 of the	7703
Revised Code.	7704
(3) "Category three special education student" means a	7705
student who is receiving special education services for a	7706
disability specified in division (C) of section 3317.013 of the	7707
Revised Code.	7708
(4) "Category four special education student" means a	7709
student who is receiving special education services for a	7710

disability specified in division (D) of section 3317.013 of the Revised Code. 7711  
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(5) "Category five special education student" means a student who is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code. 7713  
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(6) "Category six special education student" means a student who is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code. 7717  
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(D) ~~"Formula amount" has the same meaning as in section 3317.02 of the Revised Code.~~ "Economically disadvantaged index for a science, technology, engineering, and mathematics school" means the square of the quotient of the percentage of students enrolled in the school who are identified as economically disadvantaged as defined by the department of education, divided by the percentage of students in the statewide ADM identified as economically disadvantaged. For purposes of this calculation, the "statewide ADM" equals the "statewide ADM" for city, local, and exempted village school districts described in division (F) (1) of section 3317.02 of the Revised Code. 7721  
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(E) "Funding base" means the following: 7732

(a) For a science, technology, engineering, and mathematics school that was in operation for the entirety of fiscal year 2020, the amount paid to the school for that fiscal year under divisions (A), (B), (C), (D), (F), and (G) of section 3326.33 of the Revised Code as those divisions existed prior to the effective date of this amendment in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly 7733  
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and the amount, if any, paid to the school for that fiscal year 7740  
under section 3326.41 of the Revised Code in accordance with 7741  
division (B) of Section 265.235 of H.B. 166 of the 133rd general 7742  
assembly; 7743

(b) For a science, technology, engineering, and 7744  
mathematics school that was in operation for part of fiscal year 7745  
2020, the amount that would have been paid to the school for 7746  
that fiscal year under divisions (A), (B), (C), (D), (F), and 7747  
(G) of section 3326.33 of the Revised Code as those divisions 7748  
existed prior to the effective date of this amendment in 7749  
accordance with division (A) of Section 265.235 of H.B. 166 of 7750  
the 133rd general assembly if the school had been in operation 7751  
for the entirety of that fiscal year, as calculated by the 7752  
department, and the amount that would have been paid to the 7753  
school for that fiscal year under section 3326.41 of the Revised 7754  
Code in accordance with division (B) of Section 265.235 of H.B. 7755  
166 of the 133rd general assembly, if any, if the school had 7756  
been in operation for the entirety of that fiscal year, as 7757  
calculated by the department; 7758

(c) For a science, technology, engineering, and 7759  
mathematics school that was not in operation for fiscal year 7760  
2020, the amount that would have been paid to the school if it 7761  
was in operation for that school year under divisions (A), (B), 7762  
(C), (D), (F), and (G) of section 3326.33 of the Revised Code as 7763  
those divisions existed prior to the effective date of this 7764  
amendment in accordance with division (A) of Section 265.235 of 7765  
H.B. 166 of the 133rd general assembly if the school had been in 7766  
operation for the entirety of that fiscal year, as calculated by 7767  
the department, and the amount that would have been paid to the 7768  
school for that fiscal year under section 3326.41 of the Revised 7769  
Code in accordance with division (B) of Section 265.235 of H.B. 7770

166 of the 133rd general assembly, if any, if the school had 7771  
been in operation for the entirety of that fiscal year, as 7772  
calculated by the department. 7773

(E) "IEP" means an individualized education program as 7774  
defined in section 3323.01 of the Revised Code. 7775

~~(F)~~ (G) A science, technology, engineering, and 7776  
mathematics school's "phase-in percentage" for a fiscal year is 7777  
equal to the phase-in percentage for that fiscal year for city, 7778  
local, exempted village, and joint vocational school districts 7779  
as defined in section 3317.02 of the Revised Code. 7780

(H) "Resident district" means the school district in which 7781  
a student is entitled to attend school under section 3313.64 or 7782  
3313.65 of the Revised Code. 7783

~~(G) "State education aid" has the same meaning as in~~ 7784  
~~section 5751.20 of the Revised Code.~~ (I) "Statewide average base 7785  
cost per pupil" and "statewide average career-technical base 7786  
cost per pupil" have the same meanings as in section 3317.02 of 7787  
the Revised Code. 7788

**Sec. 3326.32.** Each science, technology, engineering, and 7789  
mathematics school shall report to the department of education, 7790  
in the form and manner required by the department, all of the 7791  
following information: 7792

(A) The total number of students enrolled in the school 7793  
who are residents of this state; 7794

(B) The number of students reported under division (A) of 7795  
this section who are receiving special education and related 7796  
services pursuant to an IEP; 7797

(C) For each student reported under division (B) of this 7798

section, which category specified in divisions (A) to (F) of	7799
section 3317.013 of the Revised Code applies to the student;	7800
(D) The full-time equivalent number of students reported	7801
under division (A) of this section who are enrolled in career-	7802
technical education programs or classes described in each of	7803
divisions (A) <u>(1)</u> , <del>(B) (2)</del> , <del>(C) (3)</del> , <del>(D) (4)</del> , and <del>(E) (5)</del> of section	7804
3317.014 of the Revised Code that are provided by the STEM	7805
school;	7806
(E) The number of students reported under division (A) of	7807
this section who are English learners and which category	7808
specified in divisions (A) to (C) of section 3317.016 of the	7809
Revised Code applies to each student;	7810
(F) The number of students reported under division (A) of	7811
this section who are economically disadvantaged, as defined by	7812
the department. A student shall not be categorically excluded	7813
from the number reported under division (F) of this section	7814
based on anything other than family income.	7815
(G) The resident district of each student reported under	7816
division (A) of this section;	7817
(H) The total number of students enrolled in the school	7818
who are not residents of this state and any additional	7819
information regarding these students that the department	7820
requires the school to report. The school shall not receive any	7821
payments under this chapter for students reported under this	7822
division.	7823
(I) Any additional information the department determines	7824
necessary to make payments under this chapter.	7825
<b>Sec. 3326.33.</b> <u>(A) For each fiscal year, the department of</u>	7826
<u>education shall pay to each science, technology, engineering,</u>	7827

and mathematics school established under this chapter or, if the 7828  
school is part of a group of STEM schools under section 3326.031 7829  
of the Revised Code, to the governing body of that group an 7830  
amount equal to the lesser of the following: 7831

(1) The following sum: 7832

The school's funding base + {(the sum of the per pupil amounts 7833  
calculated for the school for that fiscal year under divisions 7834  
(B) (1), (2), and (4) of this section + the sum of the per pupil 7835  
amounts calculated for the school for that fiscal year under 7836  
division (A) of section 3326.39 of the Revised Code + the amount 7837  
calculated for the school for that fiscal year under division 7838  
(B) of section 3326.39 of the Revised Code) - the school's 7839  
funding base] X the school's phase-in percentage for that fiscal 7840  
year} + the sum of the per pupil amounts of disadvantaged pupil 7841  
impact aid calculated for that fiscal year under division (B) (3) 7842  
of this section 7843

(2) The following sum: 7844

The sum of the per pupil amounts calculated for the school for 7845  
that fiscal year under division (B) of this section + the sum of 7846  
the per pupil amounts calculated for the school for that fiscal 7847  
year under division (A) of section 3326.39 of the Revised Code + 7848  
the amount calculated for the school for that fiscal year under 7849  
division (B) of section 3326.39 of the Revised Code 7850

(B) For each student enrolled in a science, technology, 7851  
engineering, and mathematics school established under this 7852  
chapter, on a full-time equivalency basis, the department of 7853  
education annually shall deduct from the state education aid of 7854  
a student's resident school district and, if necessary, from the 7855  
payment made to the district under sections 321.24 and 323.156 7856



~~of the Revised Code and pay to the school or, if the student is-~~ 7857  
~~enrolled in a school that is part of a group of STEM schools-~~ 7858  
~~under section 3326.031 of the Revised Code, to the governing-~~ 7859  
~~body of that group the sum calculate all of the following:~~ 7860

~~(A) An opportunity grant in an amount equal to the formula-~~ 7861  
~~amount;~~ (1) The school's base cost per pupil for that fiscal 7862  
year, calculated as follows: 7863

The aggregate base cost calculated for the school for that 7864  
fiscal year under section 3326.43 of the Revised Code/ the 7865  
number of students enrolled in the school for that fiscal year 7866

~~(B) The per pupil amount of targeted assistance funds-~~ 7867  
~~calculated under division (A) of section 3317.0217 of the-~~ 7868  
~~Revised Code for the student's resident district, as determined-~~ 7869  
~~by the department, X 0.25;~~ 7870

~~(C) (2) Additional state aid for special education and~~ 7871  
~~related services provided under Chapter 3323. of the Revised~~ 7872  
~~Code as follows:~~ 7873

~~(1) (a) If the student is a category one special education~~ 7874  
~~student, the amount-multiple specified in division (A) of~~ 7875  
~~section 3317.013 of the Revised Code X the statewide average~~ 7876  
~~base cost per pupil for that fiscal year;~~ 7877

~~(2) (b) If the student is a category two special education~~ 7878  
~~student, the amount-multiple specified in division (B) of~~ 7879  
~~section 3317.013 of the Revised Code X the statewide average~~ 7880  
~~base cost per pupil for that fiscal year;~~ 7881

~~(3) (c) If the student is a category three special~~ 7882  
~~education student, the amount-multiple specified in division (C)~~ 7883  
~~of section 3317.013 of the Revised Code X the statewide average~~ 7884  
~~base cost per pupil for that fiscal year;~~ 7885

<del>(4)</del> <u>(d)</u> If the student is a category four special education student, the <del>amount</del> <u>multiple</u> specified in division (D) of section 3317.013 of the Revised Code <u>X the statewide average base cost per pupil for that fiscal year;</u>	7886 7887 7888 7889
<del>(5)</del> <u>(e)</u> If the student is a category five special education student, the <del>amount</del> <u>multiple</u> specified in division (E) of section 3317.013 of the Revised Code <u>X the statewide average base cost per pupil for that fiscal year;</u>	7890 7891 7892 7893
<del>(6)</del> <u>(f)</u> If the student is a category six special education student, the <del>amount</del> <u>multiple</u> specified in division (F) of section 3317.013 of the Revised Code <u>X the statewide average base cost per pupil for that fiscal year.</u>	7894 7895 7896 7897
<del>(D) If the student is in kindergarten through third grade, \$320;</del>	7898 7899
<del>(E)</del> <u>(3)</u> If the student is economically disadvantaged, an amount <u>of disadvantaged pupil impact aid equal to the following:</u>	7900 7901
<del>\$272</del> <u>\$422</u> X the <del>resident district's</del> <u>school's</u> economically disadvantaged index	7902 7903
<del>(F)</del> <u>(4)</u> English learner funds, as follows:	7904
<del>(1)</del> <u>(a)</u> If the student is a category one English learner, the <del>amount</del> <u>multiple</u> specified in division (A) of section 3317.016 of the Revised Code <u>X the statewide average base cost per pupil for that fiscal year;</u>	7905 7906 7907 7908
<del>(2)</del> <u>(b)</u> If the student is a category two English learner, the <del>amount</del> <u>multiple</u> specified in division (B) of section 3317.016 of the Revised Code <u>X the statewide average base cost per pupil for that fiscal year;</u>	7909 7910 7911 7912
<del>(3)</del> <u>(c)</u> If the student is a category three English	7913

learner, the ~~amount-multiple~~ specified in division (C) of 7914  
section 3317.016 of the Revised Code X the statewide average 7915  
base cost per pupil for that fiscal year. 7916

~~(G) Career technical education funds as follows:—~~ 7917

~~(1) If the student is a category one career technical 7918  
education student, the amount specified in division (A) of 7919  
section 3317.014 of the Revised Code;—~~ 7920

~~(2) If the student is a category two career technical 7921  
education student, the amount specified in division (B) of 7922  
section 3317.014 of the Revised Code;—~~ 7923

~~(3) If the student is a category three career technical 7924  
education student, the amount specified in division (C) of 7925  
section 3317.014 of the Revised Code;—~~ 7926

~~(4) If the student is a category four career technical 7927  
education student, the amount specified in division (D) of 7928  
section 3317.014 of the Revised Code;—~~ 7929

~~(5) If the student is a category five career technical 7930  
education student, the amount specified in division (E) of 7931  
section 3317.014 of the Revised Code.—~~ 7932

~~Deduction and payment of funds under division (G) of this 7933  
section is subject to approval under section 3317.161 of the 7934  
Revised Code.—~~ 7935

**Sec. 3326.39.** (A) For each student enrolled in a science, 7936  
technology, engineering, and mathematics school established 7937  
under this chapter, on a full-time equivalency basis, the 7938  
department of education shall pay career-technical education 7939  
funds as follows: 7940

(1) If the student is a category one career-technical 7941

education student, the multiple specified in division (A) (1) of 7942  
section 3317.014 of the Revised Code X the statewide average 7943  
career-technical base cost per pupil for that fiscal year; 7944

(2) If the student is a category two career-technical 7945  
education student, the multiple specified in division (A) (2) of 7946  
section 3317.014 of the Revised Code X the statewide average 7947  
career-technical base cost per pupil for that fiscal year; 7948

(3) If the student is a category three career-technical 7949  
education student, the multiple specified in division (A) (3) of 7950  
section 3317.014 of the Revised Code X the statewide average 7951  
career-technical base cost per pupil for that fiscal year; 7952

(4) If the student is a category four career-technical 7953  
education student, the multiple specified in division (A) (4) of 7954  
section 3317.014 of the Revised Code X the statewide average 7955  
career-technical base cost per pupil for that fiscal year; 7956

(5) If the student is a category five career-technical 7957  
education student, the multiple specified in division (A) (5) of 7958  
section 3317.014 of the Revised Code X the statewide average 7959  
career-technical base cost per pupil for that fiscal year. 7960

Payment of funds under division (A) of this section is 7961  
subject to approval under section 3317.161 of the Revised Code. 7962

(B) Subject to division (I) of section 3317.023 of the 7963  
Revised Code, the department of education shall pay career- 7964  
technical associated services funds to each science, technology, 7965  
engineering, and mathematics school as follows: 7966

The multiple for career-technical education associated services 7967  
specified under division (B) of section 3317.014 of the Revised 7968  
Code X the statewide average career-technical base cost per 7969  
pupil for that fiscal year X the number of the school's students 7970

enrolled in career-technical education 7971

(C) Subject to division (I) of section 3317.023 of the 7972  
Revised Code, the department shall pay career awareness and 7973  
exploration funds to each science, technology, engineering, and 7974  
mathematics school as follows: 7975

The number of students enrolled in the science, technology, 7976  
engineering, and mathematics school X \$2.50, for fiscal year 7977  
2020, \$5, for fiscal year 2021, \$7.50, for fiscal year 2022, or 7978  
\$10, for fiscal year 2023 and each fiscal year thereafter 7979

(D) In any fiscal year, a STEM school receiving funds 7980  
under division ~~(G)~~ (A) of this section ~~3326.33~~ of the ~~Revised~~ 7981  
Code shall spend those funds only for the purposes that the 7982  
department designates as approved for career-technical education 7983  
expenses. Career-technical ~~educational~~ education expenses 7984  
approved by the department shall include only expenses connected 7985  
to the delivery of career-technical programming to career- 7986  
technical students. The department shall require the school to 7987  
report data annually so that the department may monitor the 7988  
school's compliance with the requirements regarding the manner 7989  
in which funding received under division ~~(G)~~ (A) of this section 7990  
~~3326.33~~ of the ~~Revised Code~~ may be spent. 7991

~~(B)~~ (E) All funds received under division ~~(G)~~ (A) of this 7992  
section ~~3326.33~~ of the ~~Revised Code~~ shall be spent in the 7993  
following manner: 7994

(1) At least seventy-five per cent of the funds shall be 7995  
spent on curriculum development, purchase, and implementation; 7996  
instructional resources and supplies; industry-based program 7997  
certification; student assessment, credentialing, and placement; 7998  
curriculum specific equipment purchases and leases; career- 7999

technical student organization fees and expenses; home and 8000  
agency linkages; work-based learning experiences; professional 8001  
development; and other costs directly associated with career- 8002  
technical education programs including development of new 8003  
programs. 8004

(2) Not more than twenty-five per cent of the funds shall 8005  
be used for personnel expenditures. 8006

(F) In any fiscal year, a science, technology, 8007  
engineering, and mathematics school receiving funds under 8008  
division (H) of section 3317.014 of the Revised Code shall spend 8009  
those funds only for the following purposes: 8010

(1) Delivery of career awareness programs to students 8011  
enrolled in grades kindergarten through twelve; 8012

(2) Provision of a common, consistent curriculum to 8013  
students throughout their primary and secondary education; 8014

(3) Assistance to teachers in providing a career 8015  
development curriculum to students; 8016

(4) Development of a career development plan for each 8017  
student that stays with that student for the duration of the 8018  
student's primary and secondary education; 8019

(5) Provision of opportunities for students to engage in 8020  
activities, such as career fairs, hands-on experiences, and job 8021  
shadowing, across all career pathways at each grade level. 8022

The department may deny payment under division (C) of this 8023  
section to any school that the department determines is using 8024  
funds paid under division (H) of section 3317.014 of the Revised 8025  
Code for other purposes. 8026

**Sec. 3326.40.** A STEM school shall spend the funds it 8027

receives under division ~~(E)~~ (B) (3) of section 3326.33 of the 8028  
Revised Code in accordance with section 3317.25 of the Revised 8029  
Code. 8030

**Sec. 3326.43.** (A) As used in this section: 8031

(1) "Average teacher cost" for a fiscal year has the same 8032  
meaning as in section 3317.011 of the Revised Code. 8033

(2) "Base cost enrolled ADM" has the same meaning as in 8034  
section 3317.02 of the Revised Code. 8035

(B) When calculating a science, technology, engineering, 8036  
and mathematics school's aggregate base cost under this section,  
the department shall use data from fiscal year 2018 for the 8037  
average teacher cost. 8038  
8039

(C) A science, technology, engineering, and mathematics 8040  
school's aggregate base cost for a fiscal year shall be equal to 8041  
the following sum: 8042

The school's teacher base cost for that fiscal year computed 8043  
under division (D) of this section + the school's student 8044  
support base cost for that fiscal year computed under division 8045  
(E) of this section + the school's leadership and accountability 8046  
base cost for that fiscal year computed under division (F) of 8047  
this section + the school's building leadership and operations 8048  
base cost for that fiscal year computed under division (G) of 8049  
this section 8050

(D) The department of education shall compute a science, 8051  
technology, engineering, and mathematics school's teacher base 8052  
cost for a fiscal year as follows: 8053

(1) Calculate the school's classroom teacher cost for that 8054  
fiscal year as follows: 8055

<u>(a) Determine the full-time equivalency of students</u>	8056
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8057
<u>kindergarten and divide that number by 20;</u>	8058
<u>(b) Determine the full-time equivalency of students</u>	8059
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8060
<u>grades one through three and divide that number by 23;</u>	8061
<u>(c) Determine the full-time equivalency of students</u>	8062
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8063
<u>grades four through eight but are not enrolled in a career-</u>	8064
<u>technical education program or class described under section</u>	8065
<u>3317.014 of the Revised Code and divide that number by 25;</u>	8066
<u>(d) Determine the full-time equivalency of students</u>	8067
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8068
<u>grades nine through twelve but are not enrolled in a career-</u>	8069
<u>technical education program or class described under section</u>	8070
<u>3317.014 of the Revised Code and divide that number by 27;</u>	8071
<u>(e) Determine the full-time equivalency of students</u>	8072
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8073
<u>a career-technical education program or class, as reported under</u>	8074
<u>division (B) (2) (d) of section 3314.08 of the Revised Code, and</u>	8075
<u>divide that number by 18;</u>	8076
<u>(f) Compute the sum of the quotients obtained under</u>	8077
<u>divisions (D) (1) (a), (b), (c), (d), and (e) of this section;</u>	8078
<u>(g) Compute the classroom teacher cost by multiplying the</u>	8079
<u>average teacher cost for that fiscal year by the sum computed</u>	8080
<u>under division (D) (1) (f) of this section.</u>	8081
<u>(2) Calculate the school's special teacher cost for that</u>	8082
<u>fiscal year as follows:</u>	8083



<u>(a) Divide the number of students enrolled in the school</u>	8084
<u>for that fiscal year by 150;</u>	8085
<u>(b) Compute the special teacher cost by multiplying the</u>	8086
<u>quotient obtained under division (D) (2) (a) of this section by</u>	8087
<u>the average teacher cost for that fiscal year.</u>	8088
<u>(3) Calculate the school's substitute teacher cost for</u>	8089
<u>that fiscal year in accordance with the following formula:</u>	8090
<u>(a) Compute the substitute teacher daily rate with</u>	8091
<u>benefits by multiplying the substitute teacher daily rate of \$90</u>	8092
<u>by 1.16;</u>	8093
<u>(b) Compute the substitute teacher cost in accordance with</u>	8094
<u>the following formula:</u>	8095
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	8096
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	8097
<u>the amount computed under division (D) (3) (a) of this section X 5</u>	8098
<u>(4) Calculate the school's professional development cost</u>	8099
<u>for that fiscal year in accordance with the following formula:</u>	8100
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	8101
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	8102
<u>[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of</u>	8103
<u>the Revised Code for that fiscal year)/180] X 4</u>	8104
<u>(5) Calculate the school's teacher base cost for that</u>	8105
<u>fiscal year, which equals the sum of divisions (D) (1), (2), (3),</u>	8106
<u>and (4) of this section.</u>	8107
<u>(E) The department shall compute a science, technology,</u>	8108
<u>engineering, and mathematics school's student support base cost</u>	8109
<u>for a fiscal year as follows:</u>	8110

The number of students enrolled in the school for that fiscal 8111  
year X 0.90 X [(the sum of the student support base cost 8112  
calculated for all city, local, and exempted village school 8113  
districts in the state for that fiscal year under division (E) 8114  
of section 3317.011 of the Revised Code - the sum of the 8115  
athletic co-curricular activities cost calculated for all city, 8116  
local, and exempted village school districts in the state for 8117  
that fiscal year under division (E) (5) of section 3317.011 of 8118  
the Revised Code)/ the sum of the base cost enrolled ADMs of all 8119  
of the city, local, and exempted village school districts in the 8120  
state for that fiscal year] 8121

(F) The department shall compute a science, technology, 8122  
engineering, and mathematics school's leadership and 8123  
accountability base cost for a fiscal year as follows: 8124

The number of students enrolled in the school for that fiscal 8125  
year X 0.90 X (the sum of the leadership and accountability base 8126  
cost calculated for all city, local, and exempted village school 8127  
districts in the state for that fiscal year under division (F) 8128  
of section 3317.011 of the Revised Code/ the sum of the base 8129  
cost enrolled ADMs of all of the city, local, and exempted 8130  
village school districts in the state for that fiscal year) 8131

(G) The department shall compute a science, technology, 8132  
engineering, and mathematics school's building leadership and 8133  
operations base cost for a fiscal year as follows: 8134

The number of students enrolled in the school for that fiscal 8135  
year X 0.90 X (the sum of the building leadership and 8136  
accountability base cost calculated for all city, local, and 8137  
exempted village school districts in the state for that fiscal 8138  
year under division (G) of section 3317.011 of the Revised Code/ 8139  
the sum of the base cost enrolled ADMs of all of the city, 8140

local, and exempted village school districts in the state for 8141  
that fiscal year) 8142

**Sec. 3326.51.** (A) As used in this section: 8143

(1) "Resident district" has the same meaning as in section 8144  
3326.31 of the Revised Code. 8145

(2) "STEM school sponsoring district" means a municipal, 8146  
city, local, exempted village, or joint vocational school 8147  
district that governs and controls a STEM school pursuant to 8148  
this section. 8149

(B) Notwithstanding any other provision of this chapter to 8150  
the contrary: 8151

(1) If a proposal for a STEM school submitted under 8152  
section 3326.03 of the Revised Code proposes that the governing 8153  
body of the school be the board of education of a municipal, 8154  
city, local, exempted village, or joint vocational school 8155  
district that is one of the partners submitting the proposal, 8156  
and the STEM committee approves that proposal, that school 8157  
district board shall govern and control the STEM school as one 8158  
of the schools of its district. 8159

(2) The STEM school sponsoring district shall maintain a 8160  
separate accounting for the STEM school as a separate and 8161  
distinct operational unit within the district's finances. The 8162  
auditor of state, in the course of an annual or biennial audit 8163  
of the school district serving as the STEM school sponsoring 8164  
district, shall audit that school district for compliance with 8165  
the financing requirements of this section. 8166

(3) With respect to students enrolled in a STEM school 8167  
whose resident district is the STEM school sponsoring district: 8168

(a) The department of education shall make ~~no deductions~~ 8169  
~~under section 3326.33~~ payments to the school in accordance with 8170  
sections 3326.31 to 3326.49 of the Revised Code from the STEM 8171  
school sponsoring district's state payments. 8172

(b) ~~The STEM school sponsoring district shall ensure that~~ 8173  
~~it allocates to the STEM school funds equal to or exceeding the~~ 8174  
~~amount that would be calculated pursuant to division (B) of~~ 8175  
~~section 3313.981 of the Revised Code for the students attending~~ 8176  
~~the school whose resident district is the STEM school sponsoring~~ 8177  
~~district.~~ 8178

~~(e)~~ The STEM school sponsoring district is responsible for 8179  
providing children with disabilities with a free appropriate 8180  
public education under Chapter 3323. of the Revised Code. 8181

~~(d)~~ (c) The STEM school sponsoring district shall provide 8182  
student transportation in accordance with laws and policies 8183  
generally applicable to the district. 8184

(4) With respect to students enrolled in the STEM school 8185  
whose resident district is another school district, the 8186  
department shall ~~make no payments or deductions under sections~~ 8187  
~~3326.31 to 3326.49 of the Revised Code. Instead,~~ consider the 8188  
students ~~shall be considered as open enrollment students and the~~ 8189  
~~department shall make payments and deductions to the school in~~ 8190  
accordance with ~~section 3313.981~~ sections 3326.31 to 3326.49 of 8191  
the Revised Code. ~~The STEM school sponsoring district shall~~ 8192  
~~allocate the payments to the STEM school. The STEM school~~ 8193  
~~sponsoring district may enter into financial agreements with the~~ 8194  
~~students' resident districts, which agreements may provide~~ 8195  
~~financial support in addition to the funds received from the~~ 8196  
~~open enrollment calculation. The STEM school sponsoring district~~ 8197  
~~shall allocate all such additional funds to the STEM school.~~ 8198

~~(5) Where the department is required to make, deny, reduce, or adjust payments to a STEM school sponsoring district pursuant to this section, it shall do so in such a manner that the STEM school sponsoring district may allocate that action to the STEM school.~~ 8199  
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~~(6)~~ A STEM school sponsoring district and its board may assign its district employees to the STEM school, in which case section 3326.18 of the Revised Code shall not apply. The district and board may apply any other resources of the district to the STEM school in the same manner that it applies district resources to other district schools. 8204  
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~~(7)~~ (6) Provisions of this chapter requiring a STEM school and its governing body to comply with specified laws as if it were a school district and in the same manner as a board of education shall instead require such compliance by the STEM school sponsoring district and its board of education, respectively, with respect to the STEM school. Where a STEM school or its governing body is required to perform a specific duty or permitted to take a specific action under this chapter, that duty is required to be performed or that action is permitted to be taken by the STEM school sponsoring district or its board of education, respectively, with respect to the STEM school. 8210  
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~~(8)~~ (7) No provision of this chapter limits the authority, as provided otherwise by law, of a school district and its board of education to levy taxes and issue bonds secured by tax revenues. 8222  
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~~(9)~~ (8) The treasurer of the STEM school sponsoring district or, if the STEM school sponsoring district is a municipal school district, the chief financial officer of the 8226  
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district, shall have all of the respective rights, authority, 8229  
exemptions, and duties otherwise conferred upon the treasurer or 8230  
chief financial officer by the Revised Code. 8231

**Sec. 3327.01.** Notwithstanding division (D) of section 8232  
3311.19 and division (D) of section 3311.52 of the Revised Code, 8233  
this section and sections 3327.011, 3327.012, and 3327.02 of the 8234  
Revised Code do not apply to any joint vocational or cooperative 8235  
education school district. 8236

In all city, local, and exempted village school districts 8237  
where resident school pupils in grades kindergarten through 8238  
eight live more than two miles from the school for which the 8239  
state board of education prescribes minimum standards pursuant 8240  
to division (D) of section 3301.07 of the Revised Code and to 8241  
which they are assigned by the board of education of the 8242  
district of residence or to and from the nonpublic or community 8243  
school which they attend, the board of education shall provide 8244  
transportation for such pupils to and from that school except as 8245  
provided in section 3327.02 of the Revised Code. 8246

In all city, local, and exempted village school districts 8247  
where pupil transportation is required under a career-technical 8248  
plan approved by the state board of education under section 8249  
3313.90 of the Revised Code, for any student attending a career- 8250  
technical program operated by another school district, including 8251  
a joint vocational school district, as prescribed under that 8252  
section, the board of education of the student's district of 8253  
residence shall provide transportation from the public high 8254  
school operated by that district to which the student is 8255  
assigned to the career-technical program. 8256

In all city, local, and exempted village school districts, 8257  
the board may provide transportation for resident school pupils 8258

in grades nine through twelve to and from the high school to 8259  
which they are assigned by the board of education of the 8260  
district of residence or to and from the nonpublic or community 8261  
high school which they attend for which the state board of 8262  
education prescribes minimum standards pursuant to division (D) 8263  
of section 3301.07 of the Revised Code. 8264

A board of education shall not be required to transport 8265  
elementary or high school pupils to and from a nonpublic or 8266  
community school where such transportation would require more 8267  
than thirty minutes of direct travel time as measured by school 8268  
bus from the public school building to which the pupils would be 8269  
assigned if attending the public school designated by the 8270  
district of residence. 8271

Where it is impractical to transport a pupil by school 8272  
conveyance, a board of education may offer payment, in lieu of 8273  
providing such transportation in accordance with section 3327.02 8274  
of the Revised Code. 8275

A board of education shall not be required to transport 8276  
elementary or high school pupils to and from a nonpublic or 8277  
community school on Saturday or Sunday, unless a board of 8278  
education and a nonpublic or community school have an agreement 8279  
in place to do so before the first day of July of the school 8280  
year in which the agreement takes effect. 8281

In all city, local, and exempted village school districts, 8282  
the board shall provide transportation for all children who are 8283  
so disabled that they are unable to walk to and from the school 8284  
for which the state board of education prescribes minimum 8285  
standards pursuant to division (D) of section 3301.07 of the 8286  
Revised Code and which they attend. In case of dispute whether 8287  
the child is able to walk to and from the school, the health 8288

commissioner shall be the judge of such ability. In all city, 8289  
exempted village, and local school districts, the board shall 8290  
provide transportation to and from school or special education 8291  
classes for mentally disabled children in accordance with 8292  
standards adopted by the state board of education. 8293

When transportation of pupils is provided the conveyance 8294  
shall be run on a time schedule that shall be adopted and put in 8295  
force by the board not later than ten days after the beginning 8296  
of the school term. The operator of every school bus or motor 8297  
van owned and operated by any school district or educational 8298  
service center or privately owned and operated under contract 8299  
with any school district or service center in this state shall 8300  
make a good faith effort to transport students enrolled in 8301  
preschool through twelfth grades to their respective public and 8302  
nonpublic schools not sooner than thirty minutes prior to the 8303  
beginning of school and to be available to pick them up not 8304  
later than thirty minutes after the close of their respective 8305  
schools each day. 8306

The cost of any transportation service authorized by this 8307  
section shall be paid first out of federal funds, if any, 8308  
available for the purpose of pupil transportation, and secondly 8309  
out of state appropriations, in accordance with regulations 8310  
adopted by the state board of education. 8311

No transportation of any pupils shall be provided by any 8312  
board of education to or from any school which in the selection 8313  
of pupils, faculty members, or employees, practices 8314  
discrimination against any person on the grounds of race, color, 8315  
religion, or national origin. 8316

**Sec. 3327.016.** The board of education of each city, local, 8317  
or exempted village school district that owns and operates buses 8318



for transporting students may contract, in writing, with a 8319  
public or private not-for-profit agency, group, or organization, 8320  
with a municipal corporation or other political subdivision or 8321  
agency of the state, or with an agency of the federal government 8322  
to operate its buses to assist the agency, group, organization, 8323  
or political subdivision in the fulfillment of its legitimate 8324  
activities and in times of emergency. These contracts shall be 8325  
entered into under the authority of the school district as a 8326  
political subdivision and shall not be considered commerce. When 8327  
buses are made available to other agencies, groups, 8328  
organizations, or political subdivisions under this section, the 8329  
buses must be operated by individuals holding certificates 8330  
issued by either the educational service center governing board 8331  
that has entered into an agreement with the school district 8332  
under section 3313.843 or 3313.845 of the Revised Code or the 8333  
superintendent of the school district certifying that the 8334  
individuals satisfy the requirements of section 3327.10 of the 8335  
Revised Code. All state board of education regulations governing 8336  
the operation of school buses when transporting students shall 8337  
apply when buses are used in accordance with this section. 8338

Any board of education of a city, local, or exempted 8339  
village school district that makes one or more of its vehicles 8340  
available under this section shall procure liability and 8341  
property damage insurance, as provided in section 3327.09 of the 8342  
Revised Code, covering all vehicles used and passengers 8343  
transported under this section. The board of education may 8344  
recover expenses from contracting entities, not to exceed the 8345  
costs of operation and insurance coverage. 8346

**Sec. 3328.32.** Each child enrolled in a college-preparatory 8347  
boarding school established under this chapter shall be included 8348  
in the ~~enrollment~~-formula ADM and total ADM of the district in 8349

which the child is entitled to attend school ~~and in the~~ 8350  
~~district's category one through six special education~~ 8351  
~~enrollment, as appropriate,~~ as reported under section 3317.03 of 8352  
the Revised Code. 8353

~~The department of education shall count that child in the~~ 8354  
~~district's formula ADM, total ADM, and, as appropriate, category~~ 8355  
~~one through six special education ADM.~~ 8356

**Sec. 3328.34.** (A) For each child enrolled in a college- 8357  
preparatory boarding school, as reported under section 3328.31 8358  
of the Revised Code, the department of education shall pay to 8359  
the school the sum of the amount ~~deducted from a participating~~ 8360  
~~school district's account for that child under section 3328.33~~ 8361  
~~of the Revised Code~~ eighty-five per cent of the operating 8362  
expenditure per pupil of the city, local, or exempted village 8363  
school district in which the child is entitled to attend school 8364  
plus the per-pupil boarding amount specified in division (B) of 8365  
this section. 8366

As used in this division, a district's "operating 8367  
expenditure per pupil" is the total amount of state payments and 8368  
other nonfederal revenue spent by the district for operating 8369  
expenses during the previous fiscal year, divided by the 8370  
district's enrolled ADM, as that term is defined in section 8371  
3317.02 of the Revised Code, for the previous fiscal year. 8372

(B) For the first fiscal year in which a college- 8373  
preparatory boarding school may be established under this 8374  
chapter, the "per-pupil boarding amount" is twenty-five thousand 8375  
dollars. For each fiscal year thereafter, that amount shall be 8376  
adjusted by the rate of inflation, as measured by the consumer 8377  
price index (all urban consumers, all items) prepared by the 8378  
bureau of labor statistics of the United States department of 8379

labor, for the previous twelve-month period. 8380

(C) The state board of education may accept funds from 8381  
federal and state noneducation support services programs for the 8382  
purpose of funding the per pupil boarding amount prescribed in 8383  
division (B) of this section. Notwithstanding any other 8384  
provision of the Revised Code, the state board shall coordinate 8385  
and streamline any noneducation program requirements in order to 8386  
eliminate redundant or conflicting requirements, licensing 8387  
provisions, and oversight by government programs or agencies. 8388  
The applicable regulatory entities shall, to the maximum extent 8389  
possible, use reports and financial audits provided by the 8390  
auditor of state and coordinated by the department of education 8391  
to eliminate or reduce contract and administrative reviews. 8392  
Regulatory entities other than the state board may suggest 8393  
reasonable additional items to be included in such reports and 8394  
financial audits to meet any requirements of federal law. 8395  
Reporting paperwork prepared for the state board shall be shared 8396  
with and accepted by other state and local entities to the 8397  
maximum extent feasible. 8398

(D) (1) Notwithstanding division (A) of this section, if, 8399  
in any fiscal year, a college-preparatory boarding school 8400  
receives federal funds for the purpose of supporting the 8401  
school's operations, the amount of those federal funds shall be 8402  
deducted from the total per-pupil boarding amount for all 8403  
enrolled students paid by the department to the school for that 8404  
fiscal year, unless the school's board of trustees and the 8405  
department determine otherwise in a written agreement. Any 8406  
portion of the total per-pupil boarding amount for all enrolled 8407  
students remaining after the deduction of the federal funds 8408  
shall be paid by the department to the school from state funds 8409  
appropriated to the department. 8410

(2) Notwithstanding division (A) of this section, if, in any fiscal year, the department receives federal funds for the purpose of supporting the operations of a college-preparatory boarding school, the department shall use those federal funds, not including any portion of those funds designated for administration, to pay the school the total per-pupil boarding amount for all enrolled students for that fiscal year. Any portion of the total per-pupil boarding amount for all enrolled students remaining after the use of the federal funds shall be paid by the department to the school from state funds appropriated to the department.

(3) If any federal funds are used for the purpose prescribed in division (D)(1) or (2) of this section, the department shall comply with all requirements upon which the acceptance of the federal funds is conditioned, including any requirements set forth in the funding application submitted by the school or the department and, to the extent sufficient funds are appropriated by the general assembly, any requirements regarding maintenance of effort in expenditures.

**Sec. 3365.01.** As used in this chapter:

(A) "Articulated credit" means post-secondary credit that is reflected on the official record of a student at an institution of higher education only upon enrollment at that institution after graduation from a secondary school.

(B) "Default ceiling amount" means one of the following amounts, whichever is applicable:

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:

$((0.83 \times \text{formula amount } \$6,020) / 30)$	8440
X number of enrolled credit hours	8441
(2) For a participant enrolled in a college operating on a quarter schedule, the amount calculated according to the following formula:	8442 8443 8444
$((0.83 \times \text{formula amount } \$6,020) / 45)$	8445
X number of enrolled credit hours	8446
(C) "Default floor amount" means twenty-five per cent of the default ceiling amount.	8447 8448
(D) "Eligible out-of-state college" means any institution of higher education that is located outside of Ohio and is approved by the chancellor of higher education to participate in the college credit plus program.	8449 8450 8451 8452
(E) "Fee" means any course-related fee and any other fee imposed by the college, but not included in tuition, for participation in the program established by this chapter.	8453 8454 8455
(F) <del>"Formula amount" has the same meaning as in section 3317.02 of the Revised Code.</del>	8456 8457
<del>(G)</del> -(G) "Governing entity" means a board of education of a school district, a governing authority of a community school established under Chapter 3314., a governing body of a STEM school established under Chapter 3326., or a board of trustees of a college-preparatory boarding school established under Chapter 3328. of the Revised Code.	8458 8459 8460 8461 8462 8463
<del>(H)</del> -(G) "Home-instructed participant" means a student who has been excused from the compulsory attendance law for the purpose of home instruction under section 3321.04 of the Revised	8464 8465 8466

Code, and is participating in the program established by this 8467  
chapter. 8468

~~(I)~~ (H) "Maximum per participant charge amount" means one 8469  
of the following amounts, whichever is applicable: 8470

(1) For a participant enrolled in a college operating on a 8471  
semester schedule, the amount calculated according to the 8472  
following formula: 8473

~~((formula amount \$6,020/ 30)~~ 8474

X number of enrolled credit hours) 8475

(2) For a participant enrolled in a college operating on a 8476  
quarter schedule, the amount calculated according to the 8477  
following formula: 8478

~~((formula amount \$6,020/ 45)~~ 8479

X number of enrolled credit hours) 8480

~~(J)~~ (I) "Nonpublic secondary school" means a chartered 8481  
school for which minimum standards are prescribed by the state 8482  
board of education pursuant to division (D) of section 3301.07 8483  
of the Revised Code. 8484

~~(K)~~ (J) "Number of enrolled credit hours" means the number 8485  
of credit hours for a course in which a participant is enrolled 8486  
during the previous term after the date on which a withdrawal 8487  
from a course would have negatively affected the participant's 8488  
transcripted grade, as prescribed by the college's established 8489  
withdrawal policy. 8490

~~(L)~~ (K) "Parent" has the same meaning as in section 8491  
3313.64 of the Revised Code. 8492

~~(M)~~ (L) "Participant" means any student enrolled in a 8493

college under the program established by this chapter. 8494

~~(N)~~ (M) "Partnering college" means a college with which a 8495  
public or nonpublic secondary school has entered into an 8496  
agreement in order to offer the program established by this 8497  
chapter. 8498

~~(O)~~ (N) "Partnering secondary school" means a public or 8499  
nonpublic secondary school with which a college has entered into 8500  
an agreement in order to offer the program established by this 8501  
chapter. 8502

~~(P)~~ (O) "Private college" means any of the following: 8503

(1) A nonprofit institution holding a certificate of 8504  
authorization pursuant to Chapter 1713. of the Revised Code; 8505

(2) An institution holding a certificate of registration 8506  
from the state board of career colleges and schools and program 8507  
authorization for an associate or bachelor's degree program 8508  
issued under section 3332.05 of the Revised Code; 8509

(3) A private institution exempt from regulation under 8510  
Chapter 3332. of the Revised Code as prescribed in section 8511  
3333.046 of the Revised Code. 8512

~~(Q)~~ (P) "Public college" means a "state institution of 8513  
higher education" in section 3345.011 of the Revised Code, 8514  
excluding the northeast Ohio medical university. 8515

~~(R)~~ (Q) "Public secondary school" means a school serving 8516  
grades nine through twelve in a city, local, or exempted village 8517  
school district, a joint vocational school district, a community 8518  
school established under Chapter 3314., a STEM school 8519  
established under Chapter 3326., or a college-preparatory 8520  
boarding school established under Chapter 3328. of the Revised 8521

Code. 8522

~~(S)~~ (R) "School year" has the same meaning as in section 8523  
3313.62 of the Revised Code. 8524

~~(T)~~ (S) "Secondary grade" means any of grades nine through 8525  
twelve. 8526

~~(U)~~ (T) "Standard rate" means the amount per credit hour 8527  
assessed by the college for an in-state student who is enrolled 8528  
in an undergraduate course at that college, but who is not 8529  
participating in the college credit plus program, as prescribed 8530  
by the college's established tuition policy. 8531

~~(V)~~ (U) "Transcripted credit" means post-secondary credit 8532  
that is conferred by an institution of higher education and is 8533  
reflected on a student's official record at that institution 8534  
upon completion of a course. 8535

**Section 2.** That existing sections 3301.0714, 3302.20, 8536  
3310.08, 3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.98, 8537  
3313.981, 3314.08, 3314.084, 3314.087, 3314.091, 3314.11, 8538  
3314.20, 3315.18, 3317.013, 3317.014, 3317.016, 3317.02, 8539  
3317.021, 3317.022, 3317.023, 3317.024, 3317.028, 3317.0212, 8540  
3317.0213, 3317.0214, 3317.03, 3317.051, 3317.16, 3317.20, 8541  
3317.25, 3317.60, 3319.57, 3324.09, 3326.31, 3326.32, 3326.33, 8542  
3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 3328.34, and 8543  
3365.01 of the Revised Code are hereby repealed. 8544

**Section 3.** That sections 3310.55, 3314.085, 3314.53, 8545  
3317.017, 3317.0215, 3317.0216, 3317.0217, 3317.0218, 3326.41, 8546  
and 3328.33 of the Revised Code are hereby repealed. 8547

**Section 4.** All items in this section are hereby 8548  
appropriated as designated out of any moneys in the state 8549  
treasury to the credit of the designated fund. For all 8550



appropriations made in this act, those in the first column are 8551  
for fiscal year 2020 and those in the second column are for 8552  
fiscal year 2021. The appropriations made in this act are in 8553  
addition to any other appropriations made for the FY 2020-FY 8554  
2021 biennium. 8555

8556

	1	2	3	4	5
A	EDU DEPARTMENT OF EDUCATION				
B	State Lottery Fund Group				
C	7017	200611	Education Studies	\$ 0	\$ 5,000,000
D	TOTAL	SLF	State Lottery Fund Group	\$ 0	\$ 5,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$ 0	\$ 5,000,000

EDUCATION STUDIES 8557

The foregoing appropriation item 200611, Education 8558  
Studies, shall be used to fund the education-related studies 8559  
required under sections 3317.60 to 3317.63 of the Revised Code. 8560

On July 1, 2021, or as soon as possible thereafter, the 8561  
Superintendent of Public Instruction may certify to the Director 8562  
of Budget and Management an amount up to the unexpended, 8563  
unencumbered balance of the foregoing appropriation item 200611, 8564  
Education Studies, at the end of fiscal year 2021 to be 8565  
reappropriated to fiscal year 2022. The amount certified is 8566  
hereby reappropriated to the same appropriation item for fiscal 8567  
year 2022. 8568

**Section 5.** Within the limits set forth in this act, the 8569  
Director of Budget and Management shall establish accounts 8570  
indicating the source and amount of funds for each appropriation 8571  
made in this act, and shall determine the form and manner in 8572  
which appropriation accounts shall be maintained. Expenditures 8573  
from appropriations contained in this act shall be accounted for 8574  
as though made in H.B. 166 of the 133rd General Assembly. 8575

The appropriations made in this act are subject to all 8576  
provisions of H.B. 166 of the 133rd General Assembly that are 8577  
generally applicable to such appropriations. 8578

**Section 6.** The sections of the Revised Code amended and 8579  
enacted by Sections 1 and 2 of this act, with the exception of 8580  
sections 3317.0110, 3317.071, 3317.60, 3317.61, 3317.62, 8581  
3317.63, and 3317.64 of the Revised Code, and Section 3 of this 8582  
act take effect on July 1, 2021. Sections 3317.0110, 3317.071, 8583  
3317.60, 3317.61, 3317.62, 3317.63, and 3317.64 of the Revised 8584  
Code, as amended or enacted by Section 1 of this act, take 8585  
effect on the effective date of this section. 8586

**Section 7.** It is the intent of the General Assembly to 8587  
appropriate \$45,000,000 in each of fiscal years 2022 and 2023 to 8588  
provide school bus purchase assistance as authorized in section 8589  
3317.071 of the Revised Code. The appropriations will be 8590  
supported by transfers of cash in the same amount in each fiscal 8591  
year made by the Director of Budget and Management from the 8592  
General Revenue Fund to the School Bus Purchase Fund (Fund 8593  
5VU0). 8594

**Section 8.** It is the intent of the General Assembly to 8595  
appropriate \$250,000 in each of fiscal years 2022 and 2023 for 8596  
the transportation collaboration grants authorized in section 8597  
3317.072 of the Revised Code. The appropriations will be 8598

supported by transfers of cash in the same amount in each fiscal 8599  
year made by the Director of Budget and Management from the 8600  
General Revenue Fund to the Transportation Collaboration Fund 8601  
(Fund 5WX0). 8602

**Section 9.** Section 3302.20 of the Revised Code is 8603  
presented in this act as a composite of the section as amended 8604  
by both Section 101.01 and Section 120.10 of H.B. 59 of the 8605  
130th General Assembly. The General Assembly, applying the 8606  
principle stated in division (B) of section 1.52 of the Revised 8607  
Code that amendments are to be harmonized if reasonably capable 8608  
of simultaneous operation, finds that the composite is the 8609  
resulting version of the section in effect prior to the 8610  
effective date of the section as presented in this act. 8611