A BILL

To amend sections 3317.02, 3317.022, and 3317.03 and to enact sections 3310.21, 3310.22, 3310.23, 3310.24, and 3310.25 of the Revised Code to establish the Nonchartered Educational Savings Account Program.

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

Section 1. That sections 3317.02, 3317.022, and 3317.03 be amended and sections 3310.21, 3310.22, 3310.23, 3310.24, and 3310.25 of the Revised Code be enacted to read as follows:

Sec. 3310.21. As used in this section and sections 3310.22 to 3310.25 of the Revised Code:

(A) "Chartered nonpublic school" has the same meaning as in section 3310.01 of the Revised Code.

(B) "Community school" means a community school established under Chapter 3314. of the Revised Code.

(C) "Parent" has the same meaning as in section 3313.98 of the Revised Code.

(D) "Participating school" means a nonchartered nonpublic school that participates in the nonchartered educational savings
account program in accordance with section 3310.25 of the
Revised Code.

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

(F) "Scholarship account" means an educational savings
account established under section 3310.23 of the Revised Code.

(G) "School district" means a city, local, or exempted
village school district.

(H) "STEM school" means a STEM school established under
Chapter 3326. of the Revised Code.

Sec. 3310.22. (A) The nonchartered educational savings
account program is established to begin operating for the 2025-
2026 school year. The treasurer of state shall administer the
program with the assistance of the department of education and
workforce. Under the program, the treasurer of state shall
establish an educational savings account for each participating
student to purchase educational goods and services, including
tuition at participating schools. Funding for each educational
savings account shall be transferred by the department of
education and workforce from the nonchartered educational
savings account unit, as defined in section 3317.02 of the
Revised Code, in accordance with section 3317.022 of the Revised
Code.

(B) The department shall establish a system under which a
student, parent, participating school, or any other individual
may submit a complaint about an alleged violation of the
program's requirements. The department shall investigate each
complaint that it receives. During the investigation, the
department shall provide updates to and respond to questions from both the subject of the complaint and the party who submitted the complaint. The department shall complete each investigation promptly.

Upon completion of an investigation, the department shall submit to the party who submitted a complaint, the subject of the complaint, and the treasurer of state a report regarding the investigation's findings, including whether the program's requirements were violated. If the department's report indicates the program's requirements were violated, the treasurer of state shall determine a resolution to the complaint and require corrective actions to be taken, including remediation plans and other potential consequences for the subject of the complaint.

Sec. 3310.23. (A) Not later than March 1, 2025, the treasurer of state shall develop an application procedure for the nonchartered educational savings account program. Under the procedure, the treasurer of state shall open an application period for a school year on the first day of March immediately prior to the first day of July of that school year. The parent of a student enrolled in a participating school may submit an application to participate in the program during that application period. The treasurer of state shall accept and process each application that is submitted. The application shall require the parent to do all of the following:

(1) Provide the student's and parent's names and address;

(2) Provide documentation verifying the student's enrollment and attendance at a participating school;

(3) Provide the student's participating school's tuition and fee schedule;
(4) If the parent is reapplying for a scholarship account in accordance with division (C) of this section, provide the student's standardized assessment scores for the prior school year. As a matter of convenience, the student's participating school may submit the standardized assessment scores on behalf of the student's parent.

(5) Affirm the parent will maintain records and related documentation regarding educational expenses on which the parent spends funds from the scholarship account, including any receipts for tuition, textbooks, and curriculum materials;

(6) Affirm the parent will not enroll the student in a school district, community school, STEM school, or chartered nonpublic school while the student is participating in the program;

(7) Affirm the parent has not or will not claim a credit for the taxable year ending in the school year for which a scholarship account is sought under section 5747.75 of the Revised Code on the basis of tuition paid for that student;

(8) Affirm the parent will not use funds in a scholarship account for any purpose other than those listed in division (A) of section 3310.24 of the Revised Code;

(9) Provide other information determined necessary by the treasurer of state.

(B) For an educational savings account sought for the 2025-2026 school year, and for each school year thereafter, the treasurer of state shall approve a completed application submitted on behalf of a student, and establish an educational savings account for that student, if both of the following apply:
(1) The student is enrolling in any of grades kindergarten through twelve in a participating school for the school year for which an account is sought.

(2) The student's parent has not claimed a credit for the taxable year ending in the school year for which a scholarship account is sought under section 5747.75 of the Revised Code on the basis of tuition paid for that student.

(C) A student for whom an educational savings account is established under this section for a school year shall be required to reapply under this section to have an account established for a subsequent school year.

The treasurer of state shall notify parents of students for whom a scholarship account is established of the renewal process, the deadline for renewal, and that failure to renew in a timely manner may result in a temporary suspension of access to funds until an account is renewed. The treasurer of state shall provide support to ensure a smooth transition from school year to school year for renewing parents and students.

(D) To the extent practicable, the treasurer of state shall establish a scholarship account prior to the start of the school year for which it is sought if the parent submits an application prior to the school year's start.

Sec. 3310.24. (A) Funds transferred by the department of education and workforce under section 3317.022 of the Revised Code to a scholarship account established for a student shall be used by the student's parent for any of the following purposes:

(1) Tuition and fees at a participating school;

(2) Tutoring or intervention services by an individual or educational facility, provided that the services are not
provided by an immediate family member of the student;  

(3) Educational services including occupational, behavioral, physical, speech-language, and audiology therapies;  

(4) Curriculum, textbooks, instructional materials, and supplies;  

(5) Fees for after-school and summer educational programs.  

(B) Upon request of the parent of a student for whom a scholarship account is established, the treasurer of state shall disburse funds from that account by either of the following methods as selected by the parent:  

(1) The treasurer of state shall disburse funds directly to a participating school that complies with the requirements prescribed under section 3310.25 of the Revised Code.  

(2) The treasurer of state shall disburse funds to reimburse the student's parent for any costs incurred by the parent for educational goods or services described in division (A) of this section for that student. Prior to disbursing funds to reimburse a parent, the treasurer of state shall require that the parent provide appropriate documentation, as determined by the treasurer of state, that the costs incurred by the parent are in accordance with division (A) of this section.  

(C) Any refund or other repayment of funds by a participating school or other educational provider shall be returned to the student's scholarship account. Such a refund or repayment shall not be made directly to the student or the student's parent.  

(D) If a student for whom a scholarship account has been established for a school year disenrolls from the student's
participating school and does not enroll in a different participating school during that school year, the treasurer of state shall transfer the balance of any funds in the student's account, including any prorated refund from a participating school, to the department of education and workforce. The department shall distribute those funds as follows:

(1) If the student enrolls in a school district, community school, or STEM school, the department shall distribute the funds to that district or school.

(2) If the student enrolls in a chartered nonpublic school or a nonchartered nonpublic school that is not a participating school, or if the student receives home education in accordance with section 3321.042 of the Revised Code, the department shall distribute those funds to the student's resident district.

(E) If the parent of a student for whom a scholarship account is established for a school year reapplies to have an account established for the immediately subsequent school year, the treasurer of state shall, on the thirtieth day of June of the school year for which the account is established, transfer to the student's new account the balance of funds in the student's old account.

(F) If the parent of a student for whom a scholarship account is established for a school year does not reapply to have a new account established for the immediately subsequent school year, the treasurer of state shall, on the thirteenth day of June of the school year for which the account is established, transfer the balance of any funds in the student's old account to the department. The department shall distribute those funds to the school district, community school, or STEM school in which the student enrolls in the subsequent school year. If the
student has graduated high school or does not enroll in a
district or school, or receive a home education in accordance
with section 3321.042 of the Revised Code, in the subsequent
school year, the department shall distribute those funds to the
student's resident district.

(G) Nothing in this section prohibits the parent of a
student for whom a scholarship account is established from
making payments for the costs of educational goods and services
not covered by the funds in that account. However, the parent of
a student shall not deposit funds in the student's scholarship
account.

(H) The treasurer of state may conduct random audits to
verify that parents are using funds from a student's scholarship
account in accordance with this section. If the treasurer of
state determines a misuse of funds, the treasurer of state shall
take any action the treasurer of state determines appropriate,
including suspension or termination of a student's participation
in the program.

Sec. 3310.25. (A) A nonchartered nonpublic school that
elects to participate in the nonchartered educational savings
account program for a school year shall notify the treasurer of
state of that fact by a deadline established by the treasurer of
state.

(B) Each nonchartered nonpublic school that participates
in the program shall do all of the following:

(1) Administer a standardized assessment to each student
who is enrolled in the school and for whom a scholarship account
has been established. The school shall administer a standardized
assessment selected by the student's parent from a list of
standardized assessments approved by the department of education and workforce.

(2) Maintain records and related documentation regarding the educational expenses on which the school spends the funds it receives under the program, including receipts for tuition, textbooks, and curricula;

(3) Maintain a physical location in the state at which each student has regular and direct contact with teachers;

(4) Notify the treasurer of state and the department of any change in the school’s name, school director, mailing address, or physical location within fifteen days of the change;

(5) Require the parent of a student for whom a scholarship account is established to endorse the use of funds from a scholarship account by the school or approve the transfer of funds from the scholarship account to the school.

(C) Each nonchartered nonpublic school that participates in the program shall comply with the requirements prescribed under the program. However, such schools are autonomous and not an agent of the state or federal governments. Therefore, all of the following apply:

(1) The treasurer of state shall not regulate the curriculum, instructional methods, or other aspects of a school’s educational program.

(2) The program does not expand the authority of the treasurer of state to impose on nonchartered nonpublic schools any additional requirements beyond those expressly prescribed under the program.

(3) Nonchartered nonpublic schools that participate in the
program shall be given maximum freedom to provide for the educational needs of their students.

(D) The treasurer of state may remove a nonchartered nonpublic school from the list of schools participating in the program if the treasurer of state determines the school has failed to comply with the requirements prescribed under this section.

(E)(1) The treasurer of state shall provide the department with the list of nonchartered nonpublic schools that participate in the program.

(2) Annually, the department shall do all of the following regarding each nonchartered nonpublic school that participates in the program:

(a) Verify the school has filed with the department, in accordance with section 3301.0732 of the Revised Code, a copy of the report prescribed under section 3301.07 of the Revised Code;

(b) Request from the board of health of the city or general health district in which the school's physical location is located a copy of any report of any inspection conducted by the board of health of that physical location;

(c) Request from the state fire marshal a copy of any report of any fire inspection of the school's physical location;

(d) Prepare and submit to the treasurer of state a report regarding whether, based on the information collected under divisions (E)(2)(a) to (c) of this section, the school is compliant with the minimum education standards and health, fire, and safety laws.

(3) If the department's report under division (E)(2)(d) of
this section demonstrates that a school is not compliant, the treasurer of state shall take any action the treasurer of state determines appropriate against the school.

(F) The treasurer of state may conduct random audits to verify that nonchartered nonpublic schools that participate in the program are using funds received under the program in accordance with this section. If the treasurer of state determines a misuse of funds, the treasurer of state shall take any action the treasurer of state determines appropriate, including suspension or termination of a school's participation in the program.

Sec. 3317.02. As used in this chapter:

(A) "Alternative school" has the same meaning as in section 3313.974 of the Revised Code.

(B) "Autism scholarship unit" means a unit that consists of all of the students for whom autism scholarships are awarded under section 3310.41 of the Revised Code.

(C) For fiscal years 2024 and 2025, a district's "base cost enrolled ADM" for a fiscal year means the greater of the following:

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

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

   (D)(1) "Base cost per pupil" means the following for a city, local, or exempted village school district:

   (a) For fiscal years 2024 and 2025, the aggregate base cost calculated for that district for that fiscal year under
section 3317.011 of the Revised Code divided by the district's
base cost enrolled ADM for that fiscal year;

(b) For fiscal year 2026 and each fiscal year thereafter,
an amount calculated in a manner determined by the general
assembly.

(2) "Base cost per pupil" means the following for a joint
vocational school district:

(a) For fiscal years 2024 and 2025, the aggregate base
cost calculated for that district for that fiscal year under
section 3317.012 of the Revised Code divided by the district's
base cost enrolled ADM for that fiscal year;

(b) For fiscal year 2026 and each fiscal year thereafter,
an amount calculated in a manner determined by the general
assembly.

(E)(1) "Category one career-technical education ADM" means
the enrollment of students during the school year on a full-time
equivalency basis in career-technical education programs
described in division (A)(1) of section 3317.014 of the Revised
Code and, in the case of a funding unit that is a city, local,
exempted village, or joint vocational school district, certified
under division (B)(11) or (D)(2)(h) of section 3317.03 of the
Revised Code or, in the case of the community and STEM school
unit, reported by all community and STEM schools statewide under
divisions (B)(4) and (5) of section 3314.08 of the Revised Code
and division (D) of section 3326.32 of the Revised Code.

(2) "Category two career-technical education ADM" means
the enrollment of students during the school year on a full-time
equivalency basis in career-technical education programs
described in division (A)(2) of section 3317.014 of the Revised
Code and, in the case of a funding unit that is a city, local, 335
exempted village, or joint vocational school district, certified 336
under division (B)(12) or (D)(2)(i) of section 3317.03 of the 337
Revised Code or, in the case of the community and STEM school 338
unit, reported by all community and STEM schools statewide under 339
divisions (B)(4) and (5) of section 3314.08 of the Revised Code 340
and division (D) of section 3326.32 of the Revised Code. 341

(3) "Category three career-technical education ADM" means 342
the enrollment of students during the school year on a full-time 343
equivalency basis in career-technical education programs 344
described in division (A)(3) of section 3317.014 of the Revised 345
Code and, in the case of a funding unit that is a city, local, 346
exempted village, or joint vocational school district, certified 347
under division (B)(13) or (D)(2)(j) of section 3317.03 of the 348
Revised Code or, in the case of the community and STEM school 349
unit, reported by all community and STEM schools statewide under 350
divisions (B)(4) and (5) of section 3314.08 of the Revised Code 351
and division (D) of section 3326.32 of the Revised Code. 352

(4) "Category four career-technical education ADM" means 353
the enrollment of students during the school year on a full-time 354
equivalency basis in career-technical education programs 355
described in division (A)(4) of section 3317.014 of the Revised 356
Code and, in the case of a funding unit that is a city, local, 357
exempted village, or joint vocational school district, certified 358
under division (B)(14) or (D)(2)(k) of section 3317.03 of the 359
Revised Code or, in the case of the community and STEM school 360
unit, reported by all community and STEM schools statewide under 361
divisions (B)(4) and (5) of section 3314.08 of the Revised Code 362
and division (D) of section 3326.32 of the Revised Code. 363

(5) "Category five career-technical education ADM" means 364
the enrollment of students during the school year on a full-time equivalency basis in career-technical education programs described in division (A)(5) of section 3317.014 of the Revised Code and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(15) or (D)(2)(l) of section 3317.03 of the Revised Code or, in the case of the community and STEM school unit, reported by all community and STEM schools statewide under divisions (B)(4) and (5) of section 3314.08 of the Revised Code and division (D) of section 3326.32 of the Revised Code.

(F)(1) "Category one English learner ADM" means the full-time equivalent number of English learners described in division (A) of section 3317.016 of the Revised Code and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(16) or (D)(2)(m) of section 3317.03 of the Revised Code or, in the case of the community and STEM school unit, reported by all community and STEM schools statewide under division (B)(6) of section 3314.08 of the Revised Code and division (E) of section 3326.32 of the Revised Code.

(2) "Category two English learner ADM" means the full-time equivalent number of English learners described in division (B) of section 3317.016 of the Revised Code and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(17) or (D)(2)(n) of section 3317.03 of the Revised Code or, in the case of the community and STEM school unit, reported by all community and STEM schools statewide under division (B)(6) of section 3314.08 of the Revised Code and division (E) of section 3326.32 of the Revised Code.
(3) "Category three English learner ADM" means the full-time equivalent number of English learners described in division (C) of section 3317.016 of the Revised Code and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(18) or (D)(2)(o) of section 3317.03 of the Revised Code or, in the case of the community and STEM school unit, reported by all community and STEM schools statewide under division (B)(6) of section 3314.08 of the Revised Code and division (E) of section 3326.32 of the Revised Code.

(G)(1) "Category one special education ADM" means the full-time equivalent number of children with disabilities receiving special education services for the disability specified in division (A) of section 3317.013 of the Revised Code and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(5) or (D)(2)(b) of section 3317.03 of the Revised Code or, in the case of the community and STEM school unit, reported by all community and STEM schools statewide under division (B)(3) of section 3314.08 of the Revised Code and division (C) of section 3326.32 of the Revised Code.

(2) "Category two special education ADM" means the full-time equivalent number of children with disabilities receiving special education services for those disabilities specified in division (B) of section 3317.013 of the Revised Code and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(6) or (D)(2)(c) of section 3317.03 of the Revised Code or, in the case of the community and STEM school unit, reported by all community and STEM schools statewide under division (B)(3) of section 3314.08 of the Revised Code and division (C) of
(3) "Category three special education ADM" means the full-time equivalent number of students receiving special education services for those disabilities specified in division (C) of section 3317.013 of the Revised Code, and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(7) or (D)(2)(d) of section 3317.03 of the Revised Code or, in the case of the community and STEM school unit, reported by all community and STEM schools statewide under division (B)(3) of section 3314.08 of the Revised Code and division (C) of section 3326.32 of the Revised Code.

(4) "Category four special education ADM" means the full-time equivalent number of students receiving special education services for those disabilities specified in division (D) of section 3317.013 of the Revised Code and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(8) or (D)(2)(e) of section 3317.03 of the Revised Code or, in the case of the community and STEM school unit, reported by all community and STEM schools statewide under division (B)(3) of section 3314.08 of the Revised Code and division (C) of section 3326.32 of the Revised Code.

(5) "Category five special education ADM" means the full-time equivalent number of students receiving special education services for the disabilities specified in division (E) of section 3317.013 of the Revised Code and, in the case of a funding unit that is a city, local, exempted village, or joint vocational school district, certified under division (B)(9) or (D)(2)(f) of section 3317.03 of the Revised Code or, in the case
of the community and STEM school unit, reported by all community
and STEM schools statewide under division (B)(3) of section
3314.08 of the Revised Code and division (C) of section 3326.32
of the Revised Code.

(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, in the case of a
funding unit that is a city, local, exempted village, or joint
vocational school district certified under division (B)(10) or
(D)(2)(g) of section 3317.03 of the Revised Code or, in the case
of the community and STEM school unit, reported by all community
and STEM schools statewide under division (B)(3) of section
3314.08 of the Revised Code and division (C) of section 3326.32
of the Revised Code.

(H) "Community and STEM school unit" means a unit that
consists of all of the students enrolled in community schools
established under Chapter 3314. of the Revised Code and science,
technology, engineering, and mathematics schools established
under Chapter 3326. of the Revised Code.

(I)(1) "Economically disadvantaged index for a school
district" means the following:

(a) For fiscal years 2024 and 2025, the square of the
quotient of that district's percentage of students in its
enrolled ADM who are identified as economically disadvantaged as
defined by the department of education and workforce, divided by
the percentage of students in the statewide ADM identified as
economically disadvantaged. For purposes of this calculation:

(i) For a city, local, or exempted village school
district, the "statewide ADM" equals the sum of the following:

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

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

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

(ii) For a joint vocational school district, the "statewide ADM" equals the sum of the enrolled ADM for all joint vocational school districts combined.

(b) For fiscal year 2026 and each fiscal year thereafter, an index calculated in a manner determined by the general assembly.

(2) "Economically disadvantaged index for a community or STEM school" means the following:

(a) For fiscal years 2024 and 2025, 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, 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 (I)(1)(a)(i) of this section.

(b) For fiscal year 2026 and each fiscal year thereafter, an index calculated in a manner determined by the general assembly.

(J) "Educational choice scholarship unit" means a unit
that consists of all of the students for whom educational choice
scholarships are awarded under sections 3310.03 and 3310.032 of
the Revised Code.

(K) "Enrolled ADM" means the following:

(1) 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 department and
adjusted if so ordered under division (K) of that section, and
as further adjusted by the department, as follows:

(a) Add the students described in division (A)(1)(b) of
section 3317.03 of the Revised Code;

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

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

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

(e) Add twenty per cent of the number of students
described in division (A)(1)(b) of section 3317.03 of the
Revised Code who enroll in a joint vocational school district or
under a career-technical education compact.

(2) For a joint vocational school district, the final
number verified by the department, based on the enrollment
reported and certified under division (D) of section 3317.03 of
the Revised Code, as adjusted, if so ordered, under division (K) of that section, and as further adjusted by the department by adding the students described in division (D)(1)(b) of section 3317.03 of the Revised Code;

(3) For the community and STEM school unit, the sum of the number of students reported as enrolled in community schools under divisions (B)(1) and (2) of section 3314.08 of the Revised Code and the number of students reported as enrolled in STEM schools under division (A) of section 3326.32 of the Revised Code;

(4) For the educational choice scholarship unit, the number of students for whom educational choice scholarships are awarded under sections 3310.03 and 3310.032 of the Revised Code as reported under division (A)(2)(g) of section 3317.03 of the Revised Code;

(5) For the pilot project scholarship unit, the number of students for whom pilot project scholarships are awarded under sections 3313.974 to 3313.979 of the Revised Code as reported under division (A)(2)(b) of section 3317.03 of the Revised Code;

(6) For the autism scholarship unit, the number of students for whom autism scholarships are awarded under section 3310.41 of the Revised Code as reported under division (A)(2)(h) of section 3317.03 of the Revised Code;

(7) For the Jon Peterson special needs scholarship unit, the number of students for whom Jon Peterson special needs scholarships are awarded under sections 3310.51 to 3310.64 of the Revised Code as reported under division (A)(2)(h) of section 3317.03 of the Revised Code;

(8) For the nonchartered educational savings account unit,
the number of students for whom educational savings accounts are established under sections 3310.21 to 3310.25 of the Revised Code as reported under division (A)(2)(k) of section 3317.03 of the Revised Code.

(L)(1) "Formula ADM" means, for a city, local, or exempted village school district, the enrollment reported under division (A) of section 3317.03 of the Revised Code, as verified by the department and adjusted if so ordered under division (K) of that section, and as further adjusted by the department, as follows:

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

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

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

(M) "FTE basis" means a count of students based on full-time equivalency, in accordance with rules adopted by the department pursuant to section 3317.03 of the Revised Code. In adopting its rules under this division, the department shall provide for counting any student in category one, two, three, four, five, or six special education ADM or in category one, two, three, four, or five career-technical education ADM in the same proportion the student is counted in enrolled ADM and
(N) For fiscal years 2024 and 2025, "funding base" means, for a city, local, or exempted village school district, the sum of the following as calculated by the department:

(1) The district's "general funding base," which equals the amount calculated as follows:

(a) Compute the sum of the following:

(i) The amount calculated for the district for fiscal year 2020 under division (A)(1) of Section 265.220 of H.B. 166 of the 133rd general assembly after any adjustments required under Section 265.227 of H.B. 166 of the 133rd general assembly and prior to any funding reductions authorized by Executive Order 2020-19D, "Implementing Additional Spending Controls to Balance the State Budget" issued on May 7, 2020;

(ii) For fiscal years 2024 and 2025, the district's payments for fiscal year 2020 under divisions (C)(1), (3), and (4) of section 3313.981 of the Revised Code as those divisions existed prior to September 30, 2021.

(b) Subtract from the amount calculated in division (N)(1)(a) of this section the sum of the following:

(i) The following difference:

(The amount paid to the district under division (A)(5) of section 3317.022 of the Revised Code, as that division existed prior to September 30, 2021, for fiscal year 2019) - (the amounts deducted from the district and paid to a community school under division (C)(1)(e) of section 3314.08 of the Revised Code or a science, technology, engineering, and mathematics school under division (E) of section 3326.33 of the
Revised Code as those divisions existed prior to September 30, 2021, for fiscal year 2020 in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly)

(ii) The payments deducted from the district and paid to a community school for fiscal year 2020 under divisions (C)(1)(a), (b), (c), (d), (e), (f), and (g) of section 3314.08 of the Revised Code as those divisions existed prior to September 30, 2021, in accordance with division (A) of Section 265.230 of H.B. 166 of the 133rd general assembly;

(iii) The payments deducted from the district and paid to a science, technology, engineering, and mathematics school for fiscal year 2020 under divisions (A), (B), (C), (D), (E), (F), and (G) of section 3326.33 of the Revised Code as those divisions existed prior to September 30, 2021, in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly;

(iv) The payments deducted from the district under division (C) of section 3310.08 of the Revised Code as that division existed prior to September 30, 2021, division (C)(2) of section 3310.41 of the Revised Code as that division existed prior to September 30, 2021, and former section 3310.55 of the Revised Code for fiscal year 2020 and, in the case of a pilot project school district as defined in section 3313.975 of the Revised Code, the funds deducted from the district under Section 265.210 of H.B. 166 of the 133rd general assembly to operate the pilot project scholarship program for fiscal year 2020 under sections 3313.974 to 3313.979 of the Revised Code;

(v) For fiscal years 2024 and 2025, the payments subtracted from the district for fiscal year 2020 under divisions (B)(1) and (3) of section 3313.981 of the Revised Code
as those divisions existed prior to September 30, 2021.

(2) The district's "disadvantaged pupil impact aid funding base," which equals the following difference:

(The amount paid to the district under division (A)(5) of section 3317.022 of the Revised Code, as that division existed prior to September 30, 2021, for fiscal year 2019) - (the amounts deducted from the district and paid to a community school under division (C)(1)(e) of section 3314.08 of the Revised Code or a science, technology, engineering, and mathematics school under division (E) of section 3326.33 of the Revised Code as those divisions existed prior to September 30, 2021, for fiscal year 2020 in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly)

(O) For fiscal years 2024 and 2025, "funding base" means, for a joint vocational school district, the sum of the following as calculated by the department:

(1) The district's "general funding base," which equals the amount calculated as follows:

(a) Compute the sum of the following:

(i) The district's payments for fiscal year 2020 under Section 265.225 of H.B. 166 of the 133rd general assembly after any adjustments required under Section 265.227 of H.B. 166 of the 133rd general assembly;

(ii) For fiscal years 2024 and 2025, the district's payments for fiscal year 2020 under divisions (D)(1) and (2) of section 3313.981 of the Revised Code as those divisions existed prior to September 30, 2021.

(b) Subtract from the amount paid to the district under
division (A)(3) of section 3317.16 of the Revised Code, as that
division existed prior to September 30, 2021, for fiscal year
2019.

(2) The district's "disadvantaged pupil impact aid funding
base," which equals the amount paid to the district under
division (A)(3) of section 3317.16 of the Revised Code, as that
division existed prior to September 30, 2021, for fiscal year
2019.

(P) For fiscal years 2024 and 2025, "funding base" for a
community school means the following:

(1) For a community school that was in operation for the
entirety of fiscal year 2020, the amount paid to the school for
that fiscal year under division (C)(1) of section 3314.08 of the
Revised Code as that division existed prior to September 30,
2021, in accordance with division (A) of Section 265.230 of H.B.
166 of the 133rd general assembly and the amount, if any, paid
to the school for that fiscal year under section 3314.085 of the
Revised Code in accordance with division (B) of Section 265.230
of H.B. 166 of the 133rd general assembly;

(2) For a community school that was in operation for part
of fiscal year 2020, the amount that would have been paid to the
school for that fiscal year under division (C)(1) of section
3314.08 of the Revised Code as that division existed prior to
September 30, 2021, in accordance with division (A) of Section
265.230 of H.B. 166 of the 133rd general assembly if the school
had been in operation for the entirety of that fiscal year, as
calculated by the department, and the amount that would have
been paid to the school for that fiscal year under section
3314.085 of the Revised Code in accordance with division (B) of
Section 265.230 of H.B. 166 of the 133rd general assembly, if
any, if the school had been in operation for the entirety of
that fiscal year, as calculated by the department;

(3) For a community school that was not in operation for
fiscal year 2020, the amount that would have been paid to the
school if it was in operation for that school year under
division (C)(1) of section 3314.08 of the Revised Code as that
division existed prior to September 30, 2021, in accordance with
division (A) of Section 265.230 of H.B. 166 of the 133rd general
assembly if the school had been in operation for the entirety of
that fiscal year, as calculated by the department, and the
amount that would have been paid to the school for that fiscal
year under section 3314.085 of the Revised Code in accordance
with division (B) of Section 265.230 of H.B. 166 of the 133rd
general assembly, if any, if the school had been in operation
for the entirety of that fiscal year, as calculated by the
department.

(Q) For fiscal years 2024 and 2025, "funding base" for a
STEM school means the following:

(1) 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 section 3326.33 of the Revised Code as that section
existed prior to September 30, 2021, in accordance with division
(A) of Section 265.235 of H.B. 166 of the 133rd general assembly
and the amount, if any, paid to the school for that fiscal year
under section 3326.41 of the Revised Code in accordance with
division (B) of Section 265.235 of H.B. 166 of the 133rd general
assembly;

(2) For a science, technology, engineering, and
mathematics school that was in operation for part of fiscal year
2020, the amount that would have been paid to the school for that fiscal year under section 3326.33 of the Revised Code as that section existed prior to September 30, 2021, in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly if the school had been in operation for the entirety of that fiscal year, as calculated by the department, and the amount that would have been paid to the school for that fiscal year under section 3326.41 of the Revised Code in accordance with division (B) of Section 265.235 of H.B. 166 of the 133rd general assembly, if any, if the school had been in operation for the entirety of that fiscal year, as calculated by the department;

(3) For a science, technology, engineering, and mathematics school that was not in operation for fiscal year 2020, the amount that would have been paid to the school if it was in operation for that school year under section 3326.33 of the Revised Code as that section existed prior to September 30, 2021, in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly if the school had been in operation for the entirety of that fiscal year, as calculated by the department, and the amount that would have been paid to the school for that fiscal year under section 3326.41 of the Revised Code in accordance with division (B) of Section 265.235 of H.B. 166 of the 133rd general assembly, if any, if the school had been in operation for the entirety of that fiscal year, as calculated by the department.

(R) "Funding unit" means any of the following:

(1) A city, local, exempted village, or joint vocational school district;

(2) The community and STEM school unit;
(3) The educational choice scholarship unit;

(4) The pilot project scholarship unit;

(5) The autism scholarship unit;

(6) The Jon Peterson special needs scholarship unit;

(7) The nonchartered educational savings account unit.

(S) "Jon Peterson special needs scholarship unit" means a unit that consists of all of the students for whom Jon Peterson scholarships are awarded under sections 3310.51 to 3310.64 of the Revised Code.

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

(U) "LRE student with a disability" means a child with a disability who has an individualized education program providing for the student to spend more than half of each school day in a regular school setting with nondisabled students. For purposes of this division, "individualized education program" and "child with a disability" have the same meanings as in section 3323.01 of the Revised Code, and "LRE" is an abbreviation for "least restrictive environment."

(V) "Medically fragile child" means a child to whom all of the following apply:

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

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

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

(W)(1) A child may be identified as having an "other health impairment-major" if the child's condition meets the definition of "other health impaired" established in rules previously adopted by the department and if either of the following apply:

(a) The child is identified as having a medical condition that is among those listed by the department as conditions where a substantial majority of cases fall within the definition of "medically fragile child."

(b) The child is determined by the department to be a medically fragile child. A school district superintendent may petition the department for a determination that a child is a medically fragile child.

(2) A child may be identified as having an "other health impairment-minor" if the child's condition meets the definition of "other health impaired" established in rules previously adopted by the department but the child's condition does not meet either of the conditions specified in division (W)(1)(a) or (b) of this section.

(X)(1) For fiscal years 2024 and 2025, a city, local, exempted village, or joint vocational school district's, community school's, or STEM school's "general phase-in percentage" is equal to the percentage for that fiscal year that is determined by the general assembly.

(2) For fiscal years 2024 and 2025, a city, local, exempted village, or joint vocational school district's "phase-in percentage for disadvantaged pupil impact aid" is equal to
the percentage for that fiscal year that is determined by the
general assembly.

(Y) "Pilot project scholarship unit" means a unit that
consists of all of the students for whom pilot project
scholarships are awarded under sections 3313.974 to 3313.979 of
the Revised Code.

(Z) "Preschool child with a disability" means a child with
a disability, as defined in section 3323.01 of the Revised Code,
who is at least age three but is not of compulsory school age,
as defined in section 3321.01 of the Revised Code, and who is
not currently enrolled in kindergarten.

(AA) "Related services" includes:

(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 (G)(3)
of this section, behavioral intervention, interpreter services,
work study, nursing services, and specialized integrative
services as those terms are defined by the department;

(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;

(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;

(4) Any service included in units funded under former
division (O)(1) of section 3317.024 of the Revised Code;
(5) Any other related service needed by children with disabilities in accordance with their individualized education programs.

(BB) "School district," unless otherwise specified, means city, local, and exempted village school districts.

(CC) "Separately educated student with a disability" has the same meaning as in section 3313.974 of the Revised Code.

-DD) "State education aid" has the same meaning as in section 5751.20 of the Revised Code.

(EE)(1) "State share percentage" means the following for a city, local, or exempted village school district:

(a) For fiscal years 2024 and 2025, the state share percentage calculated under section 3317.017 of the Revised Code;

(b) For fiscal year 2026 and each fiscal year thereafter, a percentage calculated in a manner determined by the general assembly.

(2) "State share percentage" means the following for a joint vocational school district:

(a) For fiscal years 2024 and 2025, the percentage calculated in accordance with the following formula:

The amount computed for the district under division (A)(1) of section 3317.16 of the Revised Code for that fiscal year / the aggregate base cost calculated for the district for that fiscal year under section 3317.012 of the Revised Code

(b) For fiscal year 2026 and each fiscal year thereafter, a percentage calculated in a manner determined by the general
assembly.

(FF) "Statewide average base cost per pupil" means the following:

(1) For fiscal years 2024 and 2025, the statewide average base cost per pupil calculated under division (A) of section 3317.018 of the Revised Code;

(2) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(GG) "Statewide average career-technical base cost per pupil" means the following:

(1) For fiscal years 2024 and 2025, the statewide average career-technical base cost per pupil calculated under division (B) of section 3317.018 of the Revised Code;

(2) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(HH) "STEM school" means a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code.

(II) "Taxes charged and payable" means the taxes charged and payable against real and public utility property after making the reduction required by section 319.301 of the Revised Code, plus the taxes levied against tangible personal property.

(JJJ) For purposes of sections 3317.017 and 3317.16 of the Revised Code, "three-year average valuation" for a fiscal year means the average of total taxable value for the three most recent tax years for which data is available, as certified under
section 3317.021 of the Revised Code.

(KK) "Total ADM" means, for a city, local, or exempted village school district, the enrollment reported under division (A) of section 3317.03 of the Revised Code minus the enrollment reported under divisions (A)(2)(a), (b), (g), (h), and (i), and (k) of that section, as verified by the department and adjusted if so ordered under division (K) of that section.

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

(MM) "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.

(NN) "Tuition discount" means any deduction from the base tuition amount per student charged by a chartered nonpublic school, to which the student's family is entitled due to one or more of the following conditions:

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

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

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

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

(OO) "Nonchartered educational savings account unit" means
a unit that consists of all the students for whom educational
savings accounts are established under sections 3310.21 to
3310.25 of the Revised Code.

Sec. 3317.022. The department of education and workforce
shall compute and distribute state core foundation funding to
each eligible funding unit that is a city, local, or exempted
village school district, the community and STEM school unit, the
educational choice scholarship unit, the pilot project
scholarship unit, the autism scholarship unit, and the Jon
Peterson special needs scholarship unit, and the nonchartered
educational savings account unit for the fiscal year, using the
information obtained under section 3317.021 of the Revised Code
in the calendar year in which the fiscal year begins in
accordance with the following:

For fiscal years 2024 and 2025, for a funding unit that is
a city, local, or exempted village school district:

The district's funding base + [(the district's state core
foundation funding components for that fiscal year calculated
under divisions (A)(1), (2), (3), (5), (6), (7), and (8) of this
section - the district's general funding base calculated in
accordance with division (N)(1) of section 3317.02 of the
Revised Code) X the district's general phase-in percentage for
that fiscal year] + [(the district's disadvantaged pupil impact
aid for that fiscal year calculated under division (A)(4) of
this section - the district's disadvantaged pupil impact aid
funding base calculated in accordance with division (N)(2) of
section 3317.02 of the Revised Code) X the district's phase-in
percentage for disadvantaged pupil impact aid for that fiscal
year] + the district's supplemental targeted assistance funds
calculated under section 3317.0218 of the Revised Code
For fiscal year 2026 and each fiscal year thereafter, for a funding unit that is a city, local, or exempted village school district, the sum of the district's state core foundation funding components for that fiscal year calculated under divisions (A)(1), (2), (3), (4), (5), (6), (7), and (8) of this section and the district's supplemental targeted assistance funds calculated under section 3317.0218 of the Revised Code, if the general assembly authorizes such payments to these funding units.

For fiscal years 2024 and 2025, for the community and STEM school unit, an amount calculated in accordance with section 3317.026 of the Revised Code.

For fiscal years 2026 and each fiscal year thereafter, for the community and STEM school unit, an amount calculated in accordance with divisions (A)(1), (3), (4), (5), (7), (8), and (9) of this section, if the general assembly authorizes such payments to these funding units.

For the educational choice scholarship unit, the amount calculated under division (A)(10) of this section.

For the pilot project scholarship unit, the amount calculated under division (A)(11) of this section.

For the autism scholarship unit, the amount calculated under division (A)(12) of this section.

For the Jon Peterson special needs scholarship unit, the amount calculated under division (A)(13) of this section.

For fiscal year 2026 and each fiscal year thereafter, for the nonchartered educational savings account unit, the amount calculated under division (A)(14) of this section.
(A) A funding unit's state core foundation funding components shall be the following:

(1) (a) If the funding unit is a city, local, or exempted village school district, the district's state share, which is equal to the following:

   (i) For fiscal years 2024 and 2025, the amount calculated under division (B) of section 3317.017 of the Revised Code;

   (ii) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

   (b) If the funding unit is the community and STEM school unit, the aggregate base cost for all schools in that unit, which is equal to the following:

      (i) For fiscal years 2024 and 2025, the amount calculated under section 3317.0110 of the Revised Code;

      (ii) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(2) If the funding unit is a city, local, or exempted village school district, targeted assistance funds equal to the following:

   (a) For fiscal years 2024 and 2025, an amount calculated under section 3317.0217 of the Revised Code;

   (b) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(3) If the funding unit is a city, local, or exempted village school district, the district's state share, which is equal to the following:

   (a) For fiscal years 2024 and 2025, the amount calculated under division (B) of section 3317.017 of the Revised Code;

   (b) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(3) If the funding unit is a city, local, or exempted village school district, the district's state share, which is equal to the following:

   (a) For fiscal years 2024 and 2025, the amount calculated under division (B) of section 3317.017 of the Revised Code;

   (b) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.
village school district or the community and STEM school unit, additional state aid for special education and related services provided under Chapter 3323. of the Revised Code calculated as follows:

(a) For fiscal years 2024 and 2025, the sum of the following:

(i) The funding unit's category one special education ADM \( \times \) the multiple specified in division (A) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil for that fiscal year \( \times \) if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(ii) The funding unit's category two special education ADM \( \times \) the multiple specified in division (B) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil for that fiscal year \( \times \) if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(iii) The funding unit's category three special education ADM \( \times \) the multiple specified in division (C) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil for that fiscal year \( \times \) if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(iv) The funding unit's category four special education ADM \( \times \) the multiple specified in division (D) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil for that fiscal year \( \times \) if the funding unit is a city, local, or exempted village school district, the district's state share percentage;
percentage;

(v) The funding unit's category five special education ADM X the multiple specified in division (E) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(vi) The funding unit's category six special education ADM X the multiple specified in division (F) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage.

(b) For fiscal year 2026 and each fiscal year thereafter, the sum of the following:

(i) An amount calculated in a manner determined by the general assembly times the funding unit's category one special education ADM;

(ii) An amount calculated in a manner determined by the general assembly times the funding unit's category two special education ADM;

(iii) An amount calculated in a manner determined by the general assembly times the funding unit's category three special education ADM;

(iv) An amount calculated in a manner determined by the general assembly times the funding unit's category four special education ADM;

(v) An amount calculated in a manner determined by the
general assembly times the funding unit's category five special education ADM;

(vi) An amount calculated in a manner determined by the general assembly times the funding unit's category six special education ADM.

(4) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, disadvantaged pupil impact aid calculated according to the following formula:

(a) If the funding unit is a city, local, or exempted village school district, an amount equal to the following:

(i) For fiscal years 2024 and 2025, the following product:

$422 \times \text{(the district's economically disadvantaged index)} \times \text{the number of students who are economically disadvantaged as certified under division (B)(21) of section 3317.03 of the Revised Code}

(ii) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(b) If the funding unit is the community and STEM school unit, an amount equal to the following:

(i) For fiscal years 2024 and 2025, an amount calculated as follows:

(I) For each student in the funding unit's enrolled ADM who is economically disadvantaged and is not enrolled in an internet- or computer-based community school, multiply $422 by the economically disadvantaged index of the school in which the student is enrolled;
(II) Compute the funding unit's disadvantaged pupil impact aid by calculating the sum of the amounts determined under division (A)(4)(b)(i)(I) of this section.

(ii) For fiscal year 2026 and each fiscal year thereafter, an amount calculated as follows:

(I) For each student in the funding unit's enrolled ADM who is economically disadvantaged and is not enrolled in an internet- or computer-based community school, calculate an amount in the manner determined by the general assembly;

(II) Compute the funding unit's disadvantaged pupil impact aid by calculating the sum of the amounts determined under division (A)(4)(b)(ii)(I) of this section.

(5) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, English learner funds calculated as follows:

(a) For fiscal years 2024 and 2025, the sum of the following:

(i) The funding unit's category one English learner ADM X the multiple specified in division (A) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(ii) The funding unit's category two English learner ADM X the multiple specified in division (B) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;
(iii) The funding unit's category three English learner ADM X the multiple specified in division (C) of section 3317.016 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage.

(b) For fiscal year 2026 and each fiscal year thereafter, the sum of the following:

(i) An amount calculated in a manner determined by the general assembly times the funding unit's category one English learner ADM;

(ii) An amount calculated in a manner determined by the general assembly times the funding unit's category two English learner ADM;

(iii) An amount calculated in a manner determined by the general assembly times the funding unit's category three English learner ADM.

(6)(a) For fiscal years 2024 and 2025, if the funding unit is a city, local, or exempted village school district, all of the following:

(i) Gifted identification funds calculated according to the following formula:

$24 X the district's enrolled ADM for grades kindergarten through six X the district's state share percentage

(ii) Gifted referral funds calculated according to the following formula:

$2.50 X the district's enrolled ADM X the district's state share percentage
(iii) Gifted professional development funds calculated according to the following formula:

(The greater of the number of gifted students enrolled in the district as certified under division (B)(22) of section 3317.03 of the Revised Code and ten per cent of the district's enrolled ADM) X the district's state share percentage X $21, for fiscal year 2024, or $28, for fiscal year 2025

(iv) Gifted unit funding calculated under section 3317.051 of the Revised Code.

(b) For fiscal year 2026 and each fiscal year thereafter, all of the following:

(i) Gifted identification funds calculated in a manner determined by the general assembly;

(ii) Gifted referral funds calculated in a manner determined by the general assembly, if the general assembly authorizes such a payment;

(iii) Gifted professional development funds calculated in a manner determined by the general assembly, if the general assembly authorizes such a payment;

(iv) Gifted unit funding calculated in an amount determined by the general assembly.

(7) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, career-technical education funds calculated under division (C) of section 3317.014 of the Revised Code.

(8) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, career-technical education associated services funds calculated
(9) If the funding unit is the community and STEM school unit, an amount calculated as follows:

(a) For fiscal years 2024 and 2025, an amount equal to the following:

\[ \text{The number of students in the funding unit's enrolled ADM who are reported under division (B)(5) of section 3314.08 of the Revised Code} \times \left( \frac{\text{the aggregate base cost calculated for all schools in the funding unit for that fiscal year under section 3317.0110 of the Revised Code}}{\text{the funding unit's enrolled ADM}} \right) \times 0.20 \]

(b) For fiscal year 2026 and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(10) If the funding unit is the educational choice scholarship unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, determine the lesser of the following:

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

(ii)(I) If the student receives a scholarship under section 3310.03 of the Revised Code, or received a scholarship for the first time under section 3310.032 of the Revised Code prior to the effective date of this amendment and the student's parent does not elect to receive a scholarship amount under division (A)(10)(a)(ii)(II) of this section, $5,500, if the student is in grades kindergarten through eight, or $7,500, if
the student is in grades nine through twelve.

(II) If the student receives a scholarship for the first time under section 3310.032 of the Revised Code on and after the effective date of this amendment, or if a student who received a scholarship for the first time under that section prior to that date and the student's parent elects to receive a scholarship amount under division (A)(10)(a)(ii)(II) of this section, an amount calculated in accordance with section 3310.08 of the Revised Code. The department shall provide an opportunity each fiscal year for a parent to elect to receive a scholarship amount under division (A)(10)(a)(ii)(II) of this section.

The amounts specified in division (A)(10)(a)(ii)(I) of this section shall increase in future fiscal years by the same percentage that the statewide average base cost per pupil increases in future fiscal years.

(b) Compute the sum of the amounts calculated under division (A)(10)(a) of this section.

(11) If the funding unit is the pilot project scholarship unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, determine the lesser of the following:

(i) The net tuition charges of the student's alternative school;

(ii) $5,500, if the student is in grades kindergarten through eight, or $7,500, if the student is in grades nine through twelve.

The amounts specified in division (A)(11)(a)(ii) of this section shall increase in future fiscal years by the same
percentage that the statewide average base cost per pupil increases in future fiscal years.

For purposes of division (A)(11)(a) of this section, the net tuition and fees charged to a student shall be the tuition amount specified by the alternative school minus all other financial aid, discounts, and adjustments received for the student. In cases where discounts are offered for multiple students from the same family, and not all students in the same family are scholarship recipients, the net tuition amount attributable to the scholarship recipient shall be the lowest net tuition to which the family is entitled.

The department shall provide for an increase in the amount determined for any student who is an LRE student with a disability and shall further increase such amount in the case of any separately educated student with a disability, as that term is defined in section 3313.974 of the Revised Code. Such increases shall take into account the instruction, related services, and transportation costs of educating such students.

(b) Compute the sum of the amounts calculated under division (A)(17)(a) of this section.

(12) If the funding unit is the autism scholarship unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, determine the lesser of the following:

(i) The tuition charged for the student's special education program, as that term is defined in section 3310.41 of the Revised Code;

(ii) $32,445.
(b) Compute the sum of the amounts calculated under division (A)(12)(a) of this section.

(13) If the funding unit is the Jon Peterson special needs scholarship unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, determine the least of the following:

(i) The amount of fees charged for that school year by the student's alternative public provider or registered private provider, as those terms are defined in section 3310.51 of the Revised Code:

(ii) $7,190 plus an amount determined as follows:

(I) If the student is receiving special education services for a disability specified in division (A) of section 3317.013 of the Revised Code, $1,751 for fiscal year 2024, and $2,395 for fiscal year 2025;

(II) If the student is receiving special education services for a disability specified in division (B) of section 3317.013 of the Revised Code, $4,442, $5,280 for fiscal year 2025;

(III) If the student is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code, $10,673, $11,960 for fiscal year 2025;

(IV) If the student is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code, $14,243, $15,787 for fiscal year 2025;
for a disability specified in division (E) of section 3317.013 of the Revised Code, $19,290 for fiscal year 2024, and $21,197 for fiscal year 2025;

(VI) If the student is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code, $28,438 for fiscal year 2024, and $30,469 for fiscal year 2025.

(iii) $30,000 for fiscal year 2024, and $32,445 for fiscal year 2025.

The amount specified in division (A)(13)(a)(ii) of this section shall increase in future fiscal years by the same percentage that the statewide average base cost per pupil increases in future fiscal years.

The amounts specified in divisions (A)(13)(a)(ii)(I) to (VI) of this section shall increase in future fiscal years by the same percentage that the amounts calculated by the general assembly for those categories of special education services under division (A)(3) of this section increase in future fiscal years.

(b) Compute the sum of the amounts calculated under division (A)(13)(a) of this section.

(14) If the funding unit is the nonchartered educational savings account unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, an amount calculated by multiplying the statewide average base cost per pupil for the fiscal year by 0.90;

(b) Compute the sum of the amounts calculated under division (A)(14)(a) of this section.
(B) In any fiscal year, a funding unit that is a city, local, or exempted village school district shall spend for purposes that the department designates as approved for special education and related services expenses at least the amount calculated as follows:

(The base cost per pupil calculated for the district for that fiscal year \( \times \) the total special education ADM) + (the district's category one special education ADM \( \times \) the multiple specified in division (A) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil) + (the district's category two special education ADM \( \times \) the multiple specified in division (B) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil) + (the district's category three special education ADM \( \times \) the multiple specified in division (C) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil) + (the district's category four special education ADM \( \times \) the multiple specified in division (D) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil) + (the district's category five special education ADM \( \times \) the multiple specified in division (E) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil) + (the district's category six special education ADM \( \times \) the multiple specified in division (F) of section 3317.013 of the Revised Code \( \times \) the statewide average base cost per pupil)

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

(C) A funding unit that is a city, local, or exempted village school district shall spend the funds it receives under division (A)(4) of this section in accordance with section 3317.25 of the Revised Code.

(D)(1) Except as provided in division (B) of section 3317.026 of the Revised Code, the department shall distribute to each community school established under Chapter 3314. of the Revised Code and to each STEM school established under Chapter 3326. of the Revised Code, from the funds paid to the community and STEM school unit under this section, an amount for each student enrolled in the school equal to the sum of the following:

(a) The school's base cost per pupil for that fiscal year, calculated as follows:

(i) For fiscal years 2024 and 2025:

The aggregate base cost calculated for the school for that fiscal year under section 3317.0110 of the Revised Code / the number of students enrolled in the school for that fiscal year

(ii) For fiscal year 2026 and each fiscal year thereafter, an amount determined by the general assembly under division (A)(1)(b)(ii) of this section divided by the number of students enrolled in the school for that fiscal year.

(b) If the student is a special education student:

(i) For fiscal years 2024 and 2025, the multiple specified for the student's special education category under section
3317.013 of the Revised Code times the statewide average base cost per pupil;

(ii) For fiscal year 2026 and each fiscal year thereafter, the amount calculated for the student's special education category in a manner determined by the general assembly under division (A)(3)(b) of this section.

(c) If the school is not an internet- or computer-based community school and the student is economically disadvantaged:

(i) For fiscal years 2024 and 2025, the amount calculated for the student under division (A)(4)(b)(i)(I) of this section;

(ii) For fiscal year 2026 and each fiscal year thereafter, an amount calculated for the student in the manner determined by the general assembly under division (A)(4)(b)(ii)(I) of this section.

(d) If the student is an English learner:

(i) For fiscal years 2024 and 2025, the multiple specified for the student's English learner category under section 3317.016 of the Revised Code times the statewide average base cost per pupil;

(ii) For fiscal year 2026 and each fiscal year thereafter, the amount calculated for the student's special education category in a manner determined by the general assembly under division (A)(5)(b) of this section.

(e) If the student is a career-technical education student:

(i) For fiscal years 2024 and 2025, the multiple specified for the student's career-technical education category under section 3317.014 of the Revised Code times the statewide average
career-technical base cost per pupil;

   (ii) For fiscal year 2026 and each fiscal year thereafter, the amount calculated for the student's career-technical education category in a manner determined by the general assembly under section 3317.014 of the Revised Code.

   (f) If the student is a career-technical education student:

      (i) For fiscal years 2024 and 2025, the multiple for career-technical associated services specified under section 3317.014 of the Revised Code times the statewide average career-technical base cost per pupil;

      (ii) For fiscal year 2026 and each fiscal year thereafter, the amount calculated for career-technical associated services in a manner determined by the general assembly under section 3317.014 of the Revised Code.

 (2) The department shall distribute to each community school established under Chapter 3314. of the Revised Code and to each STEM school established under Chapter 3326. of the Revised Code, from the funds paid to the community and STEM school unit under this section, an amount equal to the amount calculated for the school under division (A)(9) of this section.

 (E) The department shall distribute to the parent of each student for whom an educational choice scholarship is awarded under section 3310.03 or 3310.032 of the Revised Code, or to the student if at least eighteen years of age, from the funds paid to the educational choice scholarship unit under this section, a scholarship equal to the amount calculated for the student under division (A)(10)(a) of this section. The scholarship shall be distributed in monthly partial payments, and the department
shall proportionately reduce or terminate the payments for any student who withdraws from a chartered nonpublic school prior to the end of the school year.

For purposes of divisions (E) and (F) of this section, in the case of a student who is not living with the student's parent, the department shall distribute the scholarship payments to the student's guardian, legal custodian, kinship caregiver, foster caregiver, or caretaker. For the purposes of this division, "caretaker" has the same meaning as in section 3310.033 of the Revised Code, "kinship caregiver" has the same meaning as in section 5101.85 of the Revised Code, and "foster caregiver" has the same meaning as in section 5103.02 of the Revised Code.

(F) If a student is awarded a pilot project scholarship under sections 3313.974 to 3313.979 of the Revised Code, the department shall distribute to the parent of the student, if the student is attending a registered private school as defined in section 3313.974 of the Revised Code, or the student's school district of attendance, if the scholarship is to be used for payments to a public school in a school district adjacent to the pilot project school district pursuant to section 3327.06 of the Revised Code, a scholarship from the funds paid to the pilot project scholarship unit under this section that is equal to the amount calculated for the student under division (A)(11)(a) of this section.

In the case of a scholarship distributed to a student's parent, the scholarship shall be distributed in monthly partial payments. The scholarship amount shall be proportionately reduced in the case of any such student who is not enrolled in a registered private school, as that term is defined in section
3313.974 of the Revised Code, for the entire school year.

In the case of a scholarship distributed to a student's school district of attendance, the department shall, on behalf of the student's parents, use the scholarship to make the tuition payments required by section 3327.06 of the Revised Code to the student's school district of attendance, except that, notwithstanding sections 3323.13, 3323.14, and 3327.06 of the Revised Code, the total payments in any school year shall not exceed the scholarship amount calculated for the student under division (A)(11)(a) of this section.

(G) The department shall distribute to the parent of each student for whom an autism scholarship is awarded under section 3310.41 of the Revised Code, from the funds paid to the autism scholarship unit under this section, a scholarship equal to the amount calculated for the student under division (A)(12)(a) of this section. The scholarship shall be distributed from time to time in partial payments. The scholarship amount shall be proportionately reduced in the case of any student who is not enrolled in the special education program for which a scholarship was awarded under section 3310.41 of the Revised Code for the entire school year. The department shall make no payments to the parent of a student while any administrative or judicial mediation or proceedings with respect to the content of the student's individualized education program are pending.

(H) The department shall distribute to the parent of each student for whom a Jon Peterson special needs scholarship is awarded under sections 3310.51 to 3310.64 of the Revised Code, from the funds paid to the Jon Peterson special needs scholarship unit under this section, a scholarship equal to the amount calculated for the student under division (A)(13)(a) of
this section. The scholarship shall be distributed in periodic payments, and the department shall proportionately reduce or terminate the payments for any student who is not enrolled in the special education program of an alternative public provider or a registered private provider, as those terms are defined in section 3310.51 of the Revised Code, for the entire school year.

(I) For fiscal years 2024 and 2025, a school district shall spend the funds it receives under division (A)(5) of this section only for services for English learners.

(J) For fiscal year 2024 and each fiscal year thereafter, a school district shall spend the funds it receives under division (A)(6) of this section only for the identification of gifted students, gifted coordinator services, gifted intervention specialist services, and gifted professional development. For fiscal year 2024 and each fiscal year thereafter, if the department determines that a district is not in compliance with this division, it shall reduce the district's payments for that fiscal year under this chapter by an amount equal to the amount paid to the district for that fiscal year under division (A)(6) of this section that was not spent in accordance with this division. The department shall reduce the payment within ninety days of data finalization.

(K) The department shall transfer to each educational savings account established for a student by the treasurer of state under sections 3310.21 to 3310.25 of the Revised Code, from the funds paid to the nonchartered educational savings account unit under this section, an amount of funds equal to the amount calculated for the student under division (A)(14)(a) of this section. The department shall distribute those funds in one annual payment. To the extent practicable, the department shall
make that payment for which an account is established prior to
the school year for which it is sought before the first day of
that school year.

Sec. 3317.03. (A) The superintendent of each city, local,
and exempted village school district shall report to the
department of education and workforce 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 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, transportation ADM, and, for purposes of
provisions of law outside of Chapter 3317. of the Revised Code,
average daily membership.

(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:

(a) Students enrolled in adult education classes;

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

(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;

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

(e) Students receiving services in the district through a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code.

When reporting students under division (A)(1) of this section, the superintendent also shall report the district where each student is entitled to attend school pursuant to sections 3313.64 and 3313.65 of the Revised Code.

(2) The department shall compile a list of all students reported to be enrolled in a district under division (A)(1) of this section and of the students entitled to attend school in the district pursuant to section 3313.64 or 3313.65 of the Revised Code on an FTE basis but receiving educational services in grades kindergarten through twelve from one or more of the following entities:

(a) A community school pursuant to Chapter 3314. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in such community school;

(b) An alternative school pursuant to sections 3313.974 to 3313.979 of the Revised Code;

(c) A college pursuant to Chapter 3365. of the Revised Code, except when the student is enrolled in the college while also enrolled in a community school pursuant to Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory
boarding school established under Chapter 3328. of the Revised Code;

(d) An adjacent or other school district under an open enrollment policy adopted pursuant to section 3313.98 of the Revised Code;

(e) An educational service center or cooperative education district;

(f) Another school district under a cooperative education agreement, compact, or contract;

(g) A chartered nonpublic school with a scholarship paid under section 3317.022 of the Revised Code, if the students qualified for the scholarship under section 3310.03 or 3310.032 of the Revised Code;

(h) An alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code.

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

(i) 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;

(j) 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;

(k) A nonchartered nonpublic school if the students have
educational savings accounts established under sections 3310.21 to 3310.25 of the Revised Code.

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

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

(B) To enable the department to obtain the data needed to complete the calculation of payments pursuant to this chapter, each superintendent shall certify from the reports provided by the department under division (A) of this section all of the following:

(1) The total student enrollment in regular learning day classes included in the report under division (A)(1) or (2), 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), and (k) of this section, of this section for each of the individual grades kindergarten through twelve in schools under the superintendent's supervision;
(2) The unduplicated count of the number of preschool children with disabilities enrolled in the district for whom the district is eligible to receive funding under section 3317.0213 of the Revised Code adjusted for the portion of the year each child is so enrolled, in accordance with the disability categories prescribed in section 3317.013 of the Revised Code;

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

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

(b) Participating in a program operated by a county board of developmental disabilities or a state institution.

(4) The total enrollment of pupils in joint vocational schools;

(5) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, 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), and (k) of this section, receiving special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered
private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(6) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, 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, receiving special education services for category two disabilities described in division (B) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(7) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, 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, receiving special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(8) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, 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, receiving special education services for category four disabilities
described in division (D) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(9) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, 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), and (k) of this section, receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(10) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, 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), and (k) of this section, receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code;

(11) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, 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, in category one career-technical education programs or classes, described in division (A)(1) of section 3317.014 of the Revised Code, operated by the school district or by another district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section; (12) The enrollment of pupils reported under division (A) (1) or (2) of this section on a full-time equivalency basis, 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, in category two career-technical education programs or services, described in division (A)(2) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section; (13) The enrollment of pupils reported under division (A) (1) or (2) of this section on a full-time equivalency basis, 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, in category three career-technical education programs or services, described in division (A)(3) of section 3317.014 of the Revised Code, operated by the school district or another
school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(14) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, 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), and (k) of this section, in category four career-technical education programs or services, described in division (A)(4) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(15) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, 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), and (k) of this section, in category five career-technical education programs or services, described in division (A)(5) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;
(16) The enrollment of pupils reported under division (A) (1) or (2) of this section who are English learners described in division (A) of section 3317.016 of the Revised Code, 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), and (k) of this section;

(17) The enrollment of pupils reported under division (A) (1) or (2) of this section who are English learners described in division (B) of section 3317.016 of the Revised Code, 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), and (k) of this section;

(18) The enrollment of pupils reported under division (A) (1) or (2) of this section who are English learners described in division (C) of section 3317.016 of the Revised Code, 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;

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

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

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

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

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

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

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

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

(21) The enrollment of students who are economically disadvantaged, as defined by the department, including any student described in divisions (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j), and (k) of this section. A student shall not be categorically excluded from the number reported under division (B)(21) of this section based on anything other than family income.

(22) The enrollment of students identified as gifted under division (A), (B), (C), or (D) of section 3324.03 of the Revised Code.

(C)(1) The department shall adopt rules necessary for implementing divisions (A), (B), and (D) of this section.

(2) A student enrolled in a community school established under Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code shall be counted in the formula ADM of the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code for the same proportion of the school year that the student is counted in the enrollment of the community school, the science, technology, engineering, and mathematics school, or the college-preparatory boarding school for purposes of section 3317.022 or 3328.24 of the Revised Code. Notwithstanding the enrollment of
students reported pursuant to division (A)(2)(a), (i), or (j) of this section, the department may adjust the formula ADM of a school district to account for students entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code who are enrolled in a community school, a science, technology, engineering, and mathematics school, or a college-preparatory boarding school for only a portion of the school year.

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

(a)(i) A child with a disability described in section 3317.013 of the Revised Code may be counted both in formula ADM and in category one, two, three, four, five, or six special education ADM and, if applicable, in category one, two, three, four, or five career-technical education ADM. As provided in division (M) of section 3317.02 of the Revised Code, such a child shall be counted in category one, two, three, four, five, or six special education ADM in the same proportion that the child is counted in formula ADM.

(ii) A child with a disability described in section 3317.013 of the Revised Code may be counted both in enrolled ADM and in category one, two, three, four, five, or six special education ADM and, if applicable, in category one, two, three, four, or five career-technical education ADM. As provided in division (M) of section 3317.02 of the Revised Code, such a child shall be counted in category one, two, three, four, five, or six special education ADM in the same proportion that the child is counted in enrolled ADM.
(b)(i) A child enrolled in career-technical education programs or classes described in section 3317.014 of the Revised Code may be counted both in formula ADM and category one, two, three, four, or five career-technical education ADM and, if applicable, in category one, two, three, four, five, or six special education ADM. Such a child shall be counted in category one, two, three, four, or five career-technical education ADM in the same proportion as the percentage of time that the child spends in the career-technical education programs or classes.

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

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

(D)(1) The superintendent of each joint vocational school district shall report and certify to the department 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 so that the department 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, and for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership.

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

(a) Students enrolled in adult education classes;
(b) Adjacent or other district joint vocational students enrolled in the district under an open enrollment policy pursuant to section 3313.98 of the Revised Code;
(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 a city, local, or exempted village school district whose territory is not part of the territory of the joint vocational district;
(d) Students for whom tuition is payable pursuant to sections 3317.081 and 3323.141 of the Revised Code.

(2) To enable the department to obtain the data needed to complete the calculation of payments pursuant to this chapter, each superintendent shall certify from the report provided under division (D)(1) of this section the enrollment for each of the following categories of students:

(a) Students enrolled in each individual grade included in the joint vocational district schools, including any student described in division (D)(1)(b) of this section;
(b) Children with disabilities receiving special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;  
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(c) Children with disabilities receiving special education services for the category two disabilities described in division (B) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;  
(d) Children with disabilities receiving special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;  
(e) Children with disabilities receiving special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;  
(f) Children with disabilities receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;  
(g) Children with disabilities receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;  
(h) Students receiving category one career-technical education services, described in division (A)(1) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;  
(i) Students receiving category two career-technical
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education services, described in division (A)(2) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(j) Students receiving category three career-technical education services, described in division (A)(3) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(k) Students receiving category four career-technical education services, described in division (A)(4) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(l) Students receiving category five career-technical education services, described in division (A)(5) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(m) English learners described in division (A) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(n) English learners described in division (B) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(o) English learners described in division (C) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(p) Students who are economically disadvantaged, as defined by the department, including any student described in division (D)(1)(b) of this section. A student shall not be categorically excluded from the number reported under division (D)(2)(p) of this section based on anything other than family
income.

The superintendent of each joint vocational school district shall also indicate the city, local, or exempted village school district in which each joint vocational district pupil is entitled to attend school pursuant to section 3313.64 or 3313.65 of the Revised Code.

(E) In each school of each city, local, exempted village, joint vocational, and cooperative education school district there shall be maintained a record of school enrollment, which record shall accurately show, for each day the school is in session, the actual enrollment in regular day classes. For the purpose of determining the enrollment of students, the enrollment figure of any school shall not include any pupils except those pupils described by division (A) or (D) of this section. The record of enrollment for each school shall be maintained in such manner that no pupil shall be counted as enrolled prior to the actual date of entry in the school and also in such manner that where for any cause a pupil permanently withdraws from the school that pupil shall not be counted as enrolled from and after the date of such withdrawal. There shall not be included in the enrollment of any school any of the following:

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

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

(3) Any pupil who was enrolled in the schools of the district 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;

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

(5) Any pupil who has a certificate of high school equivalence as defined in section 5107.40 of the Revised Code. If, however, any veteran described by division (E)(4) of this section elects to enroll in special courses organized for veterans for whom tuition is paid under the provisions of federal laws, or otherwise, that veteran shall not be included in the enrollment of students determined under this section.

Notwithstanding division (E)(3) of this section, the enrollment of any school may include a pupil who did not take an assessment required by section 3301.0711 of the Revised Code if the department of education and workforce grants a waiver from the requirement to take the assessment to the specific pupil and a parent is not paying tuition for the pupil pursuant to section 3313.6410 of the Revised Code. The department may grant such a waiver only for good cause in accordance with rules adopted by the department.

The 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, transportation ADM, and, for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership of any school district shall be determined in accordance with rules adopted by the department.

(F)(1) If a student attending a community school under Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code is not included in the formula ADM calculated for the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code, the department shall adjust the formula ADM of that school district to include the student in accordance with division (C)(2) of this section.

(2) If a student awarded an educational choice scholarship is not included in the formula ADM of the school district in which the student resides, the department shall adjust the formula ADM of that school district to include the student.

(3) If a student awarded a scholarship under the Jon Peterson special needs scholarship program is not included in the formula ADM of the school district in which the student resides, the department shall adjust the formula ADM of that school district to include the student.

(G)(1)(a) The superintendent of an institution operating a special education program pursuant to section 3323.091 of the Revised Code shall, for the programs under such superintendent's supervision, certify to the department, in the manner prescribed by the director of education and workforce, both of the following:
(i) The unduplicated count of the number of all children
with disabilities other than preschool children with
disabilities receiving services at the institution for each
category of disability described in divisions (A) to (F) of
section 3317.013 of the Revised Code adjusted for the portion of
the year each child is so enrolled;

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

(b) The superintendent of an institution with career-
technical education units approved under section 3317.05 of the
Revised Code shall, for the units under the superintendent's
supervision, certify to the department the enrollment in those
units, in the manner prescribed by the director of education and
workforce.

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

(a) Certify to the department, in the manner prescribed by
the department, the enrollment in classes under section 3317.20
of the Revised Code for each school district that has placed
children in the classes;

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

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

(I) This division shall not apply on or after September 30, 2021.

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

(2) In any year for which funds are appropriated for pilot project scholarship programs, a school district implementing a state-sponsored pilot project scholarship program that year pursuant to sections 3313.974 to 3313.979 of the Revised Code
may count in its enrollment:

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

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

(J) The superintendent of each cooperative education school district shall certify to the director of education and workforce, in a manner prescribed by the department, the applicable enrollments for all students in the cooperative education district, also indicating the city, local, or exempted village district where each pupil is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(K) If the director of education and workforce determines that a component of the enrollment certified or reported by a district superintendent, or other reporting entity, is not correct, the director of education and workforce may order that the district's enrolled ADM, formula ADM, or both be adjusted in the amount of the error.

Section 2. That existing sections 3317.02, 3317.022, and 3317.03 of the Revised Code are hereby repealed.