

Sub. H.B. 9

As Passed by the House

_____ moved to amend as follows:

In line 1 of the title, after "sections" insert "3310.03,	1
3310.032,"; after "3333.16" insert a comma	2
In line 2 of the title, after "sections" insert "3310.033,";	3
after "3345.351" insert a comma	4
In line 3 of the title, after "Code" insert "and to amend	5
Sections 265.10 and 265.210 of H.B. 166 of the 133rd General	6
Assembly"	7
In line 4 of the title, after "education" insert ", to modify	8
eligibility criteria for the Educational Choice Scholarship pilot	9
program, to make an appropriation, and to declare an emergency"	10
In line 5, after "sections" insert "3310.03, 3310.032,";	11
after "3333.16" insert a comma	12
In line 6, after "sections" insert "3310.033,"; after	13
"3345.351" insert a comma	14
After line 7, insert:	15
" Sec. 3310.03. A student is an "eligible student" for	16
purposes of the educational choice scholarship pilot program if	17
the student's resident district is not a school district in which	18
the pilot project scholarship program is operating under sections	19
3313.974 to 3313.979 of the Revised Code and the student satisfies	20

one of the conditions in division (A), (B), (C), (D), or (E) of 21
this section: 22

(A)(1) The student is enrolled in a school building operated 23
by the student's resident district that, on the report card issued 24
under section 3302.03 of the Revised Code published prior to the 25
first day of July of the school year for which a scholarship is 26
sought, did not receive a rating as described in division (I) of 27
this section, and to which any or a combination of any of the 28
following apply for two of the three most recent report cards 29
published prior to the first day of July of the school year for 30
which a scholarship is sought: 31

(a) The building was declared to be in a state of academic 32
emergency or academic watch under section 3302.03 of the Revised 33
Code as that section existed prior to March 22, 2013. 34

(b) The building received a grade of "D" or "F" for the 35
performance index score under division (A)(1)(b) or (B)(1)(b) of 36
section 3302.03 of the Revised Code and for the value-added 37
progress dimension under division (A)(1)(e) or (B)(1)(e) of 38
section 3302.03 of the Revised Code for the 2012-2013, 2013-2014, 39
2014-2015, or 2015-2016 school year; or if the building serves 40
only grades ten through twelve, the building received a grade of 41
"D" or "F" for the performance index score under division 42
(A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and 43
had a four-year adjusted cohort graduation rate of less than 44
seventy-five per cent. 45

(c) The building received an overall grade of "D" or "F" 46
under division (C)(3) of section 3302.03 of the Revised Code or a 47
grade of "F" for the value-added progress dimension under division 48
(C)(1)(e) of section 3302.03 of the Revised Code for the 2016-2017 49
school year or any school year thereafter. 50

(2) The student will be enrolling in any of grades 51
kindergarten through twelve in this state for the first time in 52
the school year for which a scholarship is sought, will be at 53
least five years of age by the first day of January of the school 54
year for which a scholarship is sought, and otherwise would be 55
assigned under section 3319.01 of the Revised Code in the school 56
year for which a scholarship is sought, to a school building 57
described in division (A)(1) of this section. 58

(3) The student is enrolled in a community school established 59
under Chapter 3314. of the Revised Code but otherwise would be 60
assigned under section 3319.01 of the Revised Code to a building 61
described in division (A)(1) of this section. 62

(4) The student is enrolled in a school building operated by 63
the student's resident district or in a community school 64
established under Chapter 3314. of the Revised Code and otherwise 65
would be assigned under section 3319.01 of the Revised Code to a 66
school building described in division (A)(1) of this section in 67
the school year for which the scholarship is sought. 68

(5) The student will be both enrolling in any of grades 69
kindergarten through twelve in this state for the first time and 70
at least five years of age by the first day of January of the 71
school year for which a scholarship is sought, or is enrolled in a 72
community school established under Chapter 3314. of the Revised 73
Code, and all of the following apply to the student's resident 74
district: 75

(a) The district has in force an intradistrict open 76
enrollment policy under which no student in the student's grade 77
level is automatically assigned to a particular school building; 78

(b) In the most recent rating published prior to the first 79
day of July of the school year for which scholarship is sought, 80

the district did not receive a rating described in division (I) of this section, and in at least two of the three most recent report cards published prior to the first day of July of that school year, any or a combination of the following apply to the district:

(i) The district was declared to be in a state of academic emergency under section 3302.03 of the Revised Code as it existed prior to March 22, 2013.

(ii) The district received a grade of "D" or "F" for the performance index score under division (A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and for the value-added progress dimension under division (A)(1)(e) or (B)(1)(e) of section 3302.03 of the Revised Code for the 2012-2013, 2013-2014, 2014-2015, or 2015-2016 school year.

~~(e)(iii)~~ The district received an overall grade of "D" or "F" under division (C)(3) of section 3302.03 of the Revised Code or a grade of "F" for the value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code for the 2016-2017 school year or any school year thereafter.

~~(6) Beginning in the 2019-2020 school year~~ On or after the effective date of this amendment, the student meets both of the following conditions:

(a) The student was enrolled in a public or nonpublic school or was homeschooled in the prior school year and completed ~~any of grades~~ grade eight ~~through eleven~~ in that school year.

(b) The student would be assigned to a building in the school year for which the scholarship is sought that either:

(i) Serves any of grades nine through twelve and that received a grade of "D" or "F" for the four-year adjusted cohort graduation rate under division (A)(1)(d), (B)(1)(d), or (C)(1)(d)

of section 3302.03 of the Revised Code in two of the three most recent report cards published prior to the first day of July of the school year for which a scholarship is sought;

(ii) Is a building described in division (A)(1) of this section.

Any student who was awarded a scholarship under any version of division (A)(6) of this section as it existed prior to the effective date of this amendment to the effective date of this amendment may continue to receive scholarships in subsequent school years until the student completes grade twelve, as long as the student meets the criteria prescribed by division (F) of this section.

(B)(1) The student is enrolled in a school building operated by the student's resident district and to which both of the following apply:

(a) The building was ranked, for at least two of the three most recent rankings prior to the first day of July of the school year for which a scholarship is sought, in the lowest ten per cent of all buildings operated by city, local, and exempted village school districts according to performance index score as determined by the department of education.

(b) The building was not declared to be excellent or effective, or the equivalent of such ratings as determined by the department, under section 3302.03 of the Revised Code in the most recent rating published prior to the first day of July of the school year for which a scholarship is sought.

(2) The student will be enrolling in any of grades kindergarten through twelve in this state for the first time in the school year for which a scholarship is sought, will be at

least five years of age, as defined in section 3321.01 of the
Revised Code, by the first day of January of the school year for
which a scholarship is sought, and otherwise would be assigned
under section 3319.01 of the Revised Code in the school year for
which a scholarship is sought, to a school building described in
division (B)(1) of this section.

(3) The student is enrolled in a community school established
under Chapter 3314. of the Revised Code but otherwise would be
assigned under section 3319.01 of the Revised Code to a building
described in division (B)(1) of this section.

(4) The student is enrolled in a school building operated by
the student's resident district or in a community school
established under Chapter 3314. of the Revised Code and otherwise
would be assigned under section 3319.01 of the Revised Code to a
school building described in division (B)(1) of this section in
the school year for which the scholarship is sought.

(C) The student is enrolled in a nonpublic school at the time
the school is granted a charter by the state board of education
under section 3301.16 of the Revised Code and the student meets
the standards of division (B) of section 3310.031 of the Revised
Code.

(D) For the 2016-2017 school year and each school year
thereafter, the student is in any of grades kindergarten through
three, is enrolled in a school building that is operated by the
student's resident district or will be enrolling in any of grades
kindergarten through twelve in this state for the first time in
the school year for which a scholarship is sought, and to which
both of the following apply:

(1) The building, in at least two of the three most recent
ratings of school buildings published prior to the first day of

July of the school year for which a scholarship is sought, 169
received a grade of "D" or "F" for making progress in improving 170
literacy in grades kindergarten through three under division 171
(B)(1)(g) or (C)(1)(g) of section 3302.03 of the Revised Code; 172

(2) The building did not receive a grade of "A" for making 173
progress in improving literacy in grades kindergarten through 174
three under division (B)(1)(g) or (C)(1)(g) of section 3302.03 of 175
the Revised Code in the most recent rating published prior to the 176
first day of July of the school year for which a scholarship is 177
sought. 178

(E) The student's resident district is subject to section 179
3302.10 of the Revised Code and the student either: 180

(1) Is enrolled in a school building operated by the resident 181
district or in a community school established under Chapter 3314. 182
of the Revised Code; 183

(2) Will be both enrolling in any of grades kindergarten 184
through twelve in this state for the first time and at least five 185
years of age by the first day of January of the school year for 186
which a scholarship is sought. 187

(F) A student who receives a scholarship under the 188
educational choice scholarship pilot program remains an eligible 189
student and may continue to receive scholarships in subsequent 190
school years until the student completes grade twelve, so long as 191
all of the following apply: 192

(1) The student's resident district remains the same, or the 193
student transfers to a new resident district and otherwise would 194
be assigned in the new resident district to a school building 195
described in division (A)(1), (B)(1), (D), or (E) of this section. 196

(2) Except as provided in divisions (K)(1) and (L) of section 197

3301.0711 of the Revised Code, the student takes each assessment 198
prescribed for the student's grade level under section 3301.0710 199
or 3301.0712 of the Revised Code while enrolled in a chartered 200
nonpublic school. 201

(3) In each school year that the student is enrolled in a 202
chartered nonpublic school, the student is absent from school for 203
not more than twenty days that the school is open for instruction, 204
not including excused absences. 205

(G)(1) The department shall cease awarding first-time 206
scholarships pursuant to divisions (A)(1) to (4) of this section 207
with respect to a school building that, in the most recent ratings 208
of school buildings published under section 3302.03 of the Revised 209
Code prior to the first day of July of the school year, ceases to 210
meet the criteria in division (A)(1) of this section. The 211
department shall cease awarding first-time scholarships pursuant 212
to division (A)(5) of this section with respect to a school 213
district that, in the most recent ratings of school districts 214
published under section 3302.03 of the Revised Code prior to the 215
first day of July of the school year, ceases to meet the criteria 216
in division (A)(5) of this section. 217

(2) The department shall cease awarding first-time 218
scholarships pursuant to divisions (B)(1) to (4) of this section 219
with respect to a school building that, in the most recent ratings 220
of school buildings under section 3302.03 of the Revised Code 221
prior to the first day of July of the school year, ceases to meet 222
the criteria in division (B)(1) of this section. 223

(3) The department shall cease awarding first-time 224
scholarships pursuant to division (D) of this section with respect 225
to a school building that, in the most recent ratings of school 226
buildings under section 3302.03 of the Revised Code prior to the 227

first day of July of the school year, ceases to meet the criteria	228
in division (D) of this section.	229
(4) The department shall cease awarding first-time	230
scholarships pursuant to division (E) of this section with respect	231
to a school district subject to section 3302.10 of the Revised	232
Code when the academic distress commission established for the	233
district ceases to exist.	234
(5) However, students who have received scholarships in the	235
prior school year remain eligible students pursuant to division	236
(F) of this section.	237
(H) The state board of education shall adopt rules defining	238
excused absences for purposes of division (F)(3) of this section.	239
(I)(1) A student who satisfies only the conditions prescribed	240
in divisions (A)(1) to (4) of this section shall not be eligible	241
for a scholarship if the student's resident building meets any of	242
the following in the most recent rating under section 3302.03 of	243
the Revised Code published prior to the first day of July of the	244
school year for which a scholarship is sought:	245
(a) The building has an overall designation of excellent or	246
effective under section 3302.03 of the Revised Code as it existed	247
prior to March 22, 2013.	248
(b) For the 2012-2013, 2013-2014, 2014-2015, or 2015-2016	249
school year, the building has a grade of "A" or "B" for the	250
performance index score under division (A)(1)(b) or (B)(1)(b) of	251
section 3302.03 of the Revised Code and for the value-added	252
progress dimension under division (A)(1)(e) or (B)(1)(e) of	253
section 3302.03 of the Revised Code; or if the building serves	254
only grades ten through twelve, the building received a grade of	255
"A" or "B" for the performance index score under division	256

(A)(1)(b) or (B)(1)(b) of section 3302.03 of the Revised Code and 257
had a four-year adjusted cohort graduation rate of greater than or 258
equal to seventy-five per cent. 259

(c) For the 2016-2017 school year or any school year 260
thereafter, the building has a grade of "A" or "B" under division 261
(C)(3) of section 3302.03 of the Revised Code and a grade of "A" 262
for the value-added progress dimension under division (C)(1)(e) of 263
section 3302.03 of the Revised Code; or if the building serves 264
only grades ten through twelve, the building received a grade of 265
"A" or "B" for the performance index score under division 266
(C)(1)(b) of section 3302.03 of the Revised Code and had a 267
four-year adjusted cohort graduation rate of greater than or equal 268
to seventy-five per cent. 269

(2) A student who satisfies only the conditions prescribed in 270
division (A)(5) of this section shall not be eligible for a 271
scholarship if the student's resident district meets any of the 272
following in the most recent rating under section 3302.03 of the 273
Revised Code published prior to the first day of July of the 274
school year for which a scholarship is sought: 275

(a) The district has an overall designation of excellent or 276
effective under section 3302.03 of the Revised Code as it existed 277
prior to March 22, 2013. 278

(b) The district has a grade of "A" or "B" for the 279
performance index score under division (A)(1)(b) or (B)(1)(b) of 280
section 3302.03 of the Revised Code and for the value-added 281
progress dimension under division (A)(1)(e) or (B)(1)(e) of 282
section 3302.03 of the Revised Code for the 2012-2013, 2013-2014, 283
2014-2015, and 2015-2016 school years. 284

(c) The district has an overall grade of "A" or "B" under 285
division (C)(3) of section 3302.03 of the Revised Code and a grade 286

of "A" for the value-added progress dimension under division 287
(C)(1)(e) of section 3302.03 of the Revised Code for the 2016-2017 288
school year or any school year thereafter. 289

Sec. 3310.032. (A) A student is an "eligible student" for 290
purposes of the expansion of the educational choice scholarship 291
pilot program under this section if the student's resident 292
district is not a school district in which the pilot project 293
scholarship program is operating under sections 3313.974 to 294
3313.979 of the Revised Code, the student is not eligible for an 295
educational choice scholarship under section 3310.03 of the 296
Revised Code, and the student's family income is at or below two 297
hundred fifty per cent of the federal poverty guidelines, as 298
defined in section 5101.46 of the Revised Code. 299

(B) In each fiscal year for which the general assembly 300
appropriates funds for purposes of this section, the department of 301
education shall pay scholarships to attend chartered nonpublic 302
schools in accordance with section 3310.08 of the Revised Code. 303
The number of scholarships awarded under this section shall not 304
exceed the number that can be funded with appropriations made by 305
the general assembly for this purpose. 306

(C) Scholarships under this section shall be awarded as 307
follows: 308

(1) For the 2013-2014 school year, to eligible students who 309
are entering kindergarten in that school year for the first time; 310

(2) For each subsequent school year through the 2019-2020 311
school year, scholarships shall be awarded to eligible students in 312
the next grade level above the highest grade level awarded in the 313
preceding school year, in addition to the grade levels for which 314
students received scholarships in the preceding school year; 315

(3) Beginning with the 2020-2021 school year, to eligible 316
students who are entering any of grades kindergarten through 317
twelve in that school year for the first time. 318

(D) If the number of eligible students who apply for a 319
scholarship under this section exceeds the scholarships available 320
based on the appropriation for this section, the department shall 321
award scholarships in the following order of priority: 322

(1) First, to eligible students who received scholarships 323
under this section in the prior school year; 324

(2) Second, to eligible students with family incomes at or 325
below one hundred per cent of the federal poverty guidelines. If 326
the number of students described in division (D)(2) of this 327
section who apply for a scholarship exceeds the number of 328
available scholarships after awards are made under division (D)(1) 329
of this section, the department shall select students described in 330
division (D)(2) of this section by lot to receive any remaining 331
scholarships. 332

(3) Third, to other eligible students who qualify under this 333
section. If the number of students described in division (D)(3) of 334
this section exceeds the number of available scholarships after 335
awards are made under divisions (D)(1) and (2) of this section, 336
the department shall select students described in division (D)(3) 337
of this section by lot to receive any remaining scholarships. 338

(E) Subject to divisions (E)(1) to (3) of this section, a 339
student who receives a scholarship under this section remains an 340
eligible student and may continue to receive scholarships under 341
this section in subsequent school years until the student 342
completes grade twelve, so long as the student satisfies the 343
conditions specified in divisions (F)(2) and (3) of section 344
3310.03 of the Revised Code. 345

Once a scholarship is awarded under this section, the student shall remain eligible for that scholarship for the current school year and subsequent school years even if the student's family income rises above the amount specified in division (A) of this section, provided the student remains enrolled in a chartered nonpublic school, however:

(1) If the student's family income is above two hundred fifty per cent but at or below three hundred per cent of the federal poverty guidelines, the student shall receive a scholarship in the amount of seventy-five per cent of the full scholarship amount.

(2) If the student's family income is above three hundred per cent but at or below four hundred per cent of the federal poverty guidelines, the student shall receive a scholarship in the amount of fifty per cent of the full scholarship amount.

(3) If the student's family income is above four hundred per cent of the federal poverty guidelines, the student is no longer eligible to receive an educational choice scholarship.

Sec. 3310.033. Notwithstanding anything to the contrary in Chapter 3310. of the Revised Code, the department of education shall not award a first-time scholarship to a student under section 3310.03 of the Revised Code for the 2020-2021, 2021-2022, or 2022-2023 school year if both of the following apply to the student:

(A) The student would be assigned under section 3319.01 of the Revised Code to a school building that satisfies both of the following conditions:

(1) The building receives an overall grade of "A," "B," "C," or "D" on the report card issued under section 3302.03 of the Revised Code that is published prior to the first day of July of

<u>the school year for which the scholarship is sought.</u>					375
<u>(2) The building does not satisfy the conditions prescribed</u>					376
<u>in division (B)(1) of section 3310.03 of the Revised Code.</u>					377
<u>(B) The student's resident school district is not a district</u>					378
<u>described in division (E) of section 3310.03 of the Revised Code."</u>					379
In line 214, after "sections" insert "3310.03, 3310.032,";					380
after "3333.16" insert a comma					381
After line 215, insert:					382
"Section 3. That Sections 265.10 and 265.210 of H.B. 166 of					383
the 133rd General Assembly be amended to read as follows:					384
Sec. 265.10. EDU DEPARTMENT OF EDUCATION					385
General Revenue Fund					386
GRF 200321	Operating Expenses	\$	15,153,032	\$ 16,565,951	387
GRF 200408	Early Childhood	\$	68,116,789	\$ 68,116,789	388
Education					
GRF 200420	Information Technology	\$	4,004,299	\$ 4,026,960	389
Development and					
Support					
GRF 200422	School Management	\$	2,385,580	\$ 2,408,711	390
Assistance					
GRF 200424	Policy Analysis	\$	458,232	\$ 457,676	391
GRF 200426	Ohio Educational	\$	15,457,000	\$ 15,457,000	392
Computer Network					
GRF 200427	Academic Standards	\$	4,434,215	\$ 4,483,525	393
GRF 200437	Student Assessment	\$	56,906,893	\$ 56,948,365	394
GRF 200439	Accountability/Report	\$	7,517,406	\$ 7,565,320	395
Cards					
GRF 200442	Child Care Licensing	\$	2,156,322	\$ 2,227,153	396

GRF 200446	Education Management Information System	\$ 8,112,987	\$ 8,174,415	397
GRF 200448	Educator Preparation	\$ 11,785,384	\$ 7,285,384	398
GRF 200455	Community Schools and Choice Programs	\$ 4,867,763	\$ 4,912,546	399
GRF 200465	Education Technology Resources	\$ 5,179,664	\$ 5,179,664	400
GRF 200478	Industry-Recognized Credentials High School Students	\$ 25,000,000	\$ 25,000,000	401
GRF 200502	Pupil Transportation	\$ 527,129,809	\$ 527,129,809	402
GRF 200505	School Lunch Match	\$ 8,963,500	\$ 8,963,500	403
GRF 200511	Auxiliary Services	\$ 154,939,134	\$ 154,939,134	404
GRF 200532	Nonpublic Administrative Cost Reimbursement	\$ 69,997,735	\$ 69,997,735	405
GRF 200540	Special Education Enhancements	\$ 152,600,000	\$ 152,850,000	406
GRF 200545	Career-Technical Education Enhancements	\$ 9,750,892	\$ 9,750,892	407
GRF 200550	Foundation Funding	\$ 6,942,880,845	\$ 6,774,618,845 <u>6,784,618,845</u>	408
GRF 200566	Literacy Improvement	\$ 1,452,876	\$ 1,452,172	409
GRF 200572	Adult Education Programs	\$ 10,207,674	\$ 10,207,674	410
GRF 200573	EdChoice Expansion	\$ 57,223,340	\$ 121,017,418	411
GRF 200574	Half-Mill Maintenance Equalization	\$ 18,849,207	\$ 18,128,526	412
GRF 200576	Adaptive Sports Program	\$ 250,000	\$ 250,000	413
GRF 200597	Program and Project	\$ 1,125,000	\$ 625,000	414

Support					
GRF 657401	Medicaid in Schools	\$	297,978	\$ 297,978	415
TOTAL GRF	General Revenue Fund	\$	8,187,203,556	\$ 8,079,038,142	416
				<u>8,089,038,142</u>	
Dedicated Purpose Fund Group					417
4520 200638	Charges and	\$	1,000,000	\$ 1,000,000	418
	Reimbursements				
4550 200608	Commodity Foods	\$	1,000,000	\$ 1,000,000	419
4L20 200681	Teacher Certification	\$	13,795,827	\$ 14,000,000	420
	and Licensure				
5980 200659	Auxiliary Services	\$	1,300,000	\$ 1,300,000	421
	Reimbursement				
5H30 200687	School District	\$	2,000,000	\$ 2,000,000	422
	Solvency Assistance				
5KX0 200691	Ohio School	\$	1,250,000	\$ 1,250,000	423
	Sponsorship Program				
5MM0 200677	Child Nutrition	\$	550,000	\$ 550,000	424
	Refunds				
5U20 200685	National Education	\$	170,675	\$ 175,000	425
	Statistics				
5VS0 200604	Student Wellness and	\$	275,000,000	\$ 400,000,000	426
	Success				
5VU0 200663	School Bus Purchase	\$	0	\$ 20,000,000	427
6200 200615	Educational	\$	594,443	\$ 600,000	428
	Improvement Grants				
TOTAL DPF	Dedicated Purpose Fund	\$	296,660,945	\$ 441,875,000	429
Group					
Internal Service Activity Fund Group					430
1380 200606	Information	\$	7,939,104	\$ 8,047,645	431
	Technology				
	Development and				

		Support				
4R70	200695	Indirect Operational	\$	7,856,766	\$	7,856,766 432
		Support				
4V70	200633	Interagency Program	\$	5,497,938	\$	5,500,000 433
		Support				
TOTAL ISA		Internal Service Activity	\$	21,293,808	\$	21,404,411 434
Fund Group						
State Lottery Fund Group						435
7017	200602	School Climate Grants	\$	2,000,000	\$	2,000,000 436
7017	200612	Foundation Funding	\$	1,081,400,000	\$	1,249,900,000 437
7017	200614	Accelerate Great	\$	1,500,000	\$	1,500,000 438
		Schools				
7017	200631	Quality Community	\$	30,000,000	\$	30,000,000 439
		Schools Support				
7017	200636	Enrollment Growth	\$	15,500,000	\$	23,000,000 440
		Supplement				
7017	200684	Community School	\$	20,600,000	\$	20,600,000 441
		Facilities				
TOTAL SLF		State Lottery Fund Group	\$	1,151,000,000	\$	1,327,000,000 442
Federal Fund Group						443
3670	200607	School Food Services	\$	11,469,730	\$	11,897,473 444
3700	200624	Education of	\$	2,000,000	\$	2,000,000 445
		Exceptional Children				
3AF0	657601	Schools Medicaid	\$	295,500	\$	295,500 446
		Administrative Claims				
3AN0	200671	School Improvement	\$	17,000,000	\$	17,000,000 447
		Grants				
3C50	200661	Early Childhood	\$	12,555,000	\$	12,555,000 448
		Education				
3EH0	200620	Migrant Education	\$	2,700,000	\$	2,700,000 449
3EJ0	200622	Homeless Children	\$	3,295,203	\$	3,300,000 450

		Education				
3FE0	200669	Striving Readers	\$	12,507,905	\$	12,511,000 451
3GE0	200674	Summer Food Service	\$	15,599,467	\$	16,342,299 452
		Program				
3GG0	200676	Fresh Fruit and	\$	4,911,207	\$	5,145,074 453
		Vegetable Program				
3HF0	200649	Federal Education	\$	7,049,677	\$	7,056,327 454
		Grants				
3HI0	200634	Student Support and	\$	40,042,720	\$	40,042,720 455
		Academic Enrichment				
3L60	200617	Federal School Lunch	\$	418,643,500	\$	430,837,000 456
3L70	200618	Federal School	\$	158,726,966	\$	163,350,081 457
		Breakfast				
3L80	200619	Child/Adult Food	\$	110,121,168	\$	113,328,580 458
		Programs				
3L90	200621	Career-Technical	\$	45,946,927	\$	46,000,000 459
		Education Basic Grant				
3M00	200623	ESEA Title 1A	\$	600,000,000	\$	600,000,000 460
3M20	200680	Individuals with	\$	454,770,591	\$	455,000,000 461
		Disabilities				
		Education Act				
3T40	200613	Public Charter	\$	7,000,000	\$	7,000,000 462
		Schools				
3Y20	200688	21st Century	\$	47,500,000	\$	47,500,000 463
		Community Learning				
		Centers				
3Y60	200635	Improving Teacher	\$	85,000,000	\$	85,000,000 464
		Quality				
3Y70	200689	English Language	\$	10,500,000	\$	10,500,000 465
		Acquisition				
3Y80	200639	Rural and Low Income	\$	3,600,000	\$	3,600,000 466

Technical Assistance					
3Z20	200690	State Assessments	\$	12,000,000	\$ 12,000,000 467
3Z30	200645	Consolidated Federal	\$	10,701,635	\$ 10,900,000 468
Grant Administration					
TOTAL FED	Federal Fund Group		\$	2,093,937,196	\$ 2,115,861,054 469
TOTAL ALL BUDGET FUND GROUPS			\$	11,750,095,505	\$11,985,178,607 470
				<u>11,995,178,607</u>	

Sec. 265.210. FOUNDATION FUNDING 472

Of the foregoing appropriation item 200550, Foundation 473
 Funding, up to \$40,000,000 in each fiscal year shall be used to 474
 provide additional state aid to school districts, joint vocational 475
 school districts, community schools, and STEM schools for special 476
 education students under division (C)(3) of section 3314.08, 477
 section 3317.0214 and division (B) of section 3317.16 in 478
 accordance with the section of ~~this act~~ H.B. 166 of the 133rd 479
General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 480
 and 2021," and section 3326.34 of the Revised Code, except that 481
 the Controlling Board may increase these amounts if presented with 482
 such a request from the Department of Education at the final 483
 meeting of the fiscal year. 484

Of the foregoing appropriation item 200550, Foundation 485
 Funding, up to \$3,800,000 in each fiscal year shall be used to 486
 fund gifted education at educational service centers. The 487
 Department shall distribute the funding through the unit-based 488
 funding methodology in place under division (L) of section 489
 3317.024, division (E) of section 3317.05, and divisions (A), (B), 490
 and (C) of section 3317.053 of the Revised Code as they existed 491
 prior to fiscal year 2010. 492

Of the foregoing appropriation item 200550, Foundation 493
 Funding, up to \$40,000,000 in each fiscal year shall be reserved 494

to fund the state reimbursement of educational service centers 495
 under the section of ~~this act~~ H.B. 166 of the 133rd General 496
Assembly entitled "EDUCATIONAL SERVICE CENTERS FUNDING." 497

Of the foregoing appropriation item 200550, Foundation 498
 Funding, up to \$3,500,000 in each fiscal year shall be distributed 499
 to educational service centers for School Improvement Initiatives 500
 and for the provision of technical assistance to schools and 501
 districts consistent with requirements of section 3312.01 of the 502
 Revised Code. The Department may distribute these funds through a 503
 competitive grant process. 504

Of the foregoing appropriation item 200550, Foundation 505
 Funding, up to \$7,000,000 in each fiscal year shall be reserved 506
 for payments under section 3317.029 of the Revised Code, in 507
 accordance with the section of ~~this act~~ H.B. 166 of the 133rd 508
General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 509
 and 2021." If this amount is not sufficient, the Superintendent of 510
 Public Instruction may reallocate excess funds for other purposes 511
 supported by this appropriation item in order to fully pay the 512
 amounts required by that section, provided that the aggregate 513
 amount appropriated in appropriation item 200550, Foundation 514
 Funding, is not exceeded. 515

Of the foregoing appropriation item 200550, Foundation 516
 Funding, up to \$26,400,000 in each fiscal year shall be used to 517
 support school choice programs. 518

Of the portion of the funds distributed to the Cleveland 519
 Municipal School District under this section, up to \$23,501,887 in 520
 each fiscal year shall be used to operate the school choice 521
 program in the Cleveland Municipal School District under sections 522
 3313.974 to 3313.979 of the Revised Code. Notwithstanding 523
 divisions (B) and (C) of section 3313.978 and division (C) of 524

section 3313.979 of the Revised Code, up to \$1,000,000 in each
fiscal year of this amount shall be used by the Cleveland
Municipal School District to provide tutorial assistance as
provided in division (H) of section 3313.974 of the Revised Code.
The Cleveland Municipal School District shall report the use of
these funds in the district's three-year continuous improvement
plan as described in section 3302.04 of the Revised Code in a
manner approved by the Department.

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

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

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

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

of the Revised Code. 555

Of the foregoing appropriation item 200550, Foundation 556
Funding, a portion in each fiscal year shall be used to pay 557
community schools and STEM schools the amounts calculated for the 558
graduation and third-grade reading bonuses under sections 3314.085 559
and 3326.41 of the Revised Code, in accordance with the sections 560
of ~~this act~~ H.B. 166 of the 133rd General Assembly entitled 561
"FUNDING FOR COMMUNITY SCHOOLS" and "FUNDING FOR STEM SCHOOLS." 562

Of the foregoing appropriation item 200550, Foundation 563
Funding, up to \$1,172,000 in fiscal year 2020 and up to \$1,760,000 564
in fiscal year 2021 may be used by the Department for duties and 565
activities related to the establishment of academic distress 566
commissions under section 3302.10 of the Revised Code, to provide 567
support and assistance to academic distress commissions to further 568
their duties under Chapter 3302. of the Revised Code, and to 569
provide technical assistance and tools to support districts 570
subject to academic distress commissions. 571

Of the foregoing appropriation item 200550, Foundation 572
Funding, up to \$350,000 in fiscal year 2020 shall be used by the 573
Department of Education to conduct return on investment studies 574
for programming funded through student success and wellness funds 575
and to provide technical assistance to school districts on 576
implementing these strategies. 577

Of the foregoing appropriation item 200550, Foundation 578
Funding, up to \$100,000 in each fiscal year shall be used to make 579
payments under section 3314.06 of the Revised Code to each 580
community school that operates a program that uses the Montessori 581
method endorsed by the American Montessori society, the Montessori 582
Accreditation Council for Teacher Education, or the Association 583
Montessori Internationale as its primary method of instruction for 584

students younger than four years of age who are enrolled in the
school.

Of the foregoing appropriation item 200550, Foundation
Funding, up to \$10,000,000 in fiscal year 2021 shall be used to
reimburse school districts for the amounts deducted for that
fiscal year in accordance with division (D) of section 3310.08 of
the Revised Code for students who qualified for a scholarship for
the first time under division (A)(6) of section 3310.03 of the
Revised Code, as amended by H.B. 9 of the 133rd General Assembly,
and were enrolled in a nonpublic school or were homeschooled in
the prior school year. If the amount appropriated in this
paragraph is not sufficient, the Department shall prorate the
amounts so that the aggregate amount appropriated is not exceeded.

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

Appropriation items 200502, Pupil Transportation, 200540,
Special Education Enhancements, and 200550, Foundation Funding,
other than specific set-asides, are collectively used in each
fiscal year to pay state formula aid obligations for school
districts, community schools, STEM schools, college preparatory
boarding schools, and joint vocational school districts under this
act. The first priority of these appropriation items, with the
exception of specific set-asides, is to fund state formula aid
obligations. It may be necessary to reallocate funds among these
appropriation items or use excess funds from other general revenue
fund appropriation items in the Department of Education's budget,
including appropriation item 200903, Property Tax Reimbursement -

Education, in each fiscal year in order to meet state formula aid 615
obligations. If it is determined that it is necessary to transfer 616
funds among these appropriation items or to transfer funds from 617
other General Revenue Fund appropriations in the Department's 618
budget to meet state formula aid obligations, the Superintendent 619
of Public Instruction shall seek approval from the Director of 620
Budget and Management to transfer funds as needed. 621

The Superintendent of Public Instruction shall make payments, 622
transfers, and deductions, as authorized by Title XXXIII of the 623
Revised Code in amounts substantially equal to those made in the 624
prior year, or otherwise, at the discretion of the Superintendent, 625
until at least the effective date of the amendments and enactments 626
made to Title XXXIII by ~~this act~~ H.B. 166 of the 133rd General 627
Assembly. Any funds paid to districts or schools under this 628
section shall be credited toward the annual funds calculated for 629
the district or school after the changes made to Title XXXIII in 630
~~this act~~ H.B. 166 of the 133rd General Assembly are effective. 631
Upon the effective date of changes made to Title XXXIII in ~~this~~ 632
~~act~~ H.B. 166 of the 133rd General Assembly, funds shall be 633
calculated as an annual amount. 634

Section 4. That existing Sections 265.10 and 265.210 of H.B. 635
166 of the 133rd General Assembly are hereby repealed. 636

Section 5. Sections 3310.03 and 3310.032 as amended and 637
Section 3310.033 of the Revised Code as enacted by this act are 638
declared to be an emergency measure necessary for the immediate 639
preservation of the public peace, health, and safety. The reason 640
for such necessity is to ensure that the changes to the 641
Educational Choice Scholarship pilot program made by the act go 642
into effect for the next school year. Therefore, those sections 643
shall go into immediate effect." 644

The motion was _____ agreed to.

SYNOPSIS

Educational Choice Scholarship eligibility 645

R.C. 3310.03, 3310.032, and 3310.033 646

Specifies that a student who would be assigned to a district 647
school building that meets certain criteria under continuing law 648
is eligible for a first-time Educational Choice scholarship if the 649
student completed eighth grade while homeschooled or enrolled in a 650
public or private school in the prior school year, rather than 651
completing any of grades eight through 11 as under current law. 652

For the 2020-2021, 2021-2022, or 2022-2023 school year, 653
disqualifies a student from a first-time Educational Choice 654
scholarship if the school to which the student would otherwise be 655
assigned receives an overall grade of "A," "B," "C," or "D" on the 656
most recent report card, has not been ranked in two of the three 657
most recent years in the lowest 10% of school buildings according 658
to performance index ranking, and is not operated by a school 659
district subject to an academic distress commission. 660

Increases the base family income eligibility criteria of the 661
income-based Educational Choice Expansion program to 250%, rather 662
than 200% as under current law. 663

Declares an emergency. 664

Department of Education 665

Section 3 (amending Sections 265.10 and 265.210 of H.B. 166 666
of the 133rd General Assembly) 667

Increases GRF appropriation item 200550, Foundation Funding, 668
by \$10,000,000 in FY 2021 and earmarks the same amount to 669
reimburse school districts for deductions of state foundation aid 670
for that fiscal year associated with students who receive a 671
first-time Educational Choice Scholarship because they would be 672
assigned to a district school building that meets certain criteria 673
under continuing law and the student completed eighth grade while 674
homeschooled or enrolled in private school in the prior school 675
year. Requires the Department of Education to prorate the payments 676
if the amount earmarked for that purpose is insufficient. 677