

I_133_0626-6

133rd General Assembly
Regular Session
2019-2020

Sub. H. B. No. 305

A BILL

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



fmlqxagykjxtrtryu3hvsu

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

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

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

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

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

(2) Procedures for annually collecting and reporting the 47

data to the state board in accordance with division (D) of this 48
section; 49

(3) Procedures for annually compiling the data in 50
accordance with division (G) of this section; 51

(4) Procedures for annually reporting the data to the 52
public in accordance with division (H) of this section; 53

(5) Standards to provide strict safeguards to protect the 54
confidentiality of personally identifiable student data. 55

(B) The guidelines adopted under this section shall 56
require the data maintained in the education management 57
information system to include at least the following: 58

(1) Student participation and performance data, for each 59
grade in each school district as a whole and for each grade in 60
each school building in each school district, that includes: 61

(a) The numbers of students receiving each category of 62
instructional service offered by the school district, such as 63
regular education instruction, vocational education instruction, 64
specialized instruction programs or enrichment instruction that 65
is part of the educational curriculum, instruction for gifted 66
students, instruction for students with disabilities, and 67
remedial instruction. The guidelines shall require instructional 68
services under this division to be divided into discrete 69
categories if an instructional service is limited to a specific 70
subject, a specific type of student, or both, such as regular 71
instructional services in mathematics, remedial reading 72
instructional services, instructional services specifically for 73
students gifted in mathematics or some other subject area, or 74
instructional services for students with a specific type of 75
disability. The categories of instructional services required by 76

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

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

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

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

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

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

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

(h) Expulsion rates; 102

(i) Suspension rates; 103

(j) Dropout rates; 104

(k) Rates of retention in grade; 105

(l) For pupils in grades nine through twelve, the average 106
number of carnegie units, as calculated in accordance with state 107
board of education rules; 108

(m) Graduation rates, to be calculated in a manner 109
specified by the department of education that reflects the rate 110
at which students who were in the ninth grade three years prior 111
to the current year complete school and that is consistent with 112
nationally accepted reporting requirements; 113

(n) Results of diagnostic assessments administered to 114
kindergarten students as required under section 3301.0715 of the 115
Revised Code to permit a comparison of the academic readiness of 116
kindergarten students. However, no district shall be required to 117
report to the department the results of any diagnostic 118
assessment administered to a kindergarten student, except for 119
the language and reading assessment described in division (A) (2) 120
of section 3301.0715 of the Revised Code, if the parent of that 121
student requests the district not to report those results. 122

(o) Beginning on July 1, 2018, for each disciplinary 123
action which is required to be reported under division (B) (4) of 124
this section, districts and schools also shall include an 125
identification of the person or persons, if any, at whom the 126
student's violent behavior that resulted in discipline was 127
directed. The person or persons shall be identified by the 128
respective classification at the district or school, such as 129
student, teacher, or nonteaching employee, but shall not be 130
identified by name. 131

Division (B) (1) (o) of this section does not apply after 132
the date that is two years following the submission of the 133

report required by Section 733.13 of H.B. 49 of the 132nd 134
general assembly. 135

(p) The number of students earning each state diploma seal 136
included in the system prescribed under division (A) of section 137
3313.6114 of the Revised Code; 138

(q) The number of students demonstrating competency for 139
graduation using each option described in divisions (B) (1) (a) to 140
(c) of section 3313.618 of the Revised Code; 141

(r) The number of students completing each foundational 142
and supporting option as part of the demonstration of competency 143
for graduation pursuant to division (B) (1) (b) of section 144
3313.618 of the Revised Code. 145

(2) Personnel and classroom enrollment data for each 146
school district, including: 147

(a) The total numbers of licensed employees and 148
nonlicensed employees and the numbers of full-time equivalent 149
licensed employees and nonlicensed employees providing each 150
category of instructional service, instructional support 151
service, and administrative support service used pursuant to 152
division (C) (3) of this section. The guidelines adopted under 153
this section shall require these categories of data to be 154
maintained for the school district as a whole and, wherever 155
applicable, for each grade in the school district as a whole, 156
for each school building as a whole, and for each grade in each 157
school building. 158

(b) The total number of employees and the number of full- 159
time equivalent employees providing each category of service 160
used pursuant to divisions (C) (4) (a) and (b) of this section, 161
and the total numbers of licensed employees and nonlicensed 162

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

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

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

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

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

each of these programs. 193

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

(5) The cost for each school district to provide 198
transportation to students enrolled in community schools 199
established under Chapter 3314. of the Revised Code in 200
accordance with section 3327.01 of the Revised Code; 201

(6) The cost for each school district to provide 202
transportation to students enrolled in STEM schools established 203
under Chapter 3326. of the Revised Code in accordance with 204
section 3327.01 of the Revised Code; 205

(7) The cost for each school district to provide 206
transportation to students enrolled in nonpublic schools in 207
accordance with section 3327.01 of the Revised Code; 208

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

(C) The education management information system shall 211
include cost accounting data for each district as a whole and 212
for each school building in each school district. The guidelines 213
adopted under this section shall require the cost data for each 214
school district to be maintained in a system of mutually 215
exclusive cost units and shall require all of the costs of each 216
school district to be divided among the cost units. The 217
guidelines shall require the system of mutually exclusive cost 218
units to include at least the following: 219

(1) Administrative costs for the school district as a 220
whole. The guidelines shall require the cost units under this 221

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(J) As used in this section: 419

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

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

of the Revised Code. 431

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

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

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

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

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

plan in accordance with that division; 460

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) The ranking of each district, community school, or 635
STEM school within its respective category established under 636
division (B) of this section according to the following: 637

(a) From highest to lowest percentage spent for classroom 638
instructional purposes; 639

(b) From lowest to highest percentage spent for 640
noninstructional purposes. 641

(5) The total operating expenditures per pupil for each 642
district, community school, and STEM school; 643

(6) The total operating expenditure per equivalent pupils 644
for each district, community school, and STEM school. 645

(D) In its display of rankings within each category under 646
division (C) (4) of this section, the department shall make the 647
following notations: 648

(1) Within each category of city, exempted village, and 649
local school districts, the department shall denote each 650
district that is: 651

(a) Among the twenty per cent of all city, exempted 652
village, and local school districts statewide with the lowest 653
total operating expenditure per equivalent pupils; 654

(b) Among the twenty per cent of all city, exempted 655
village, and local school districts statewide with the highest 656
performance index scores. 657

(2) Within each category of joint vocational school 658
districts, the department shall denote each district that is: 659

(a) Among the twenty per cent of all joint vocational 660
school districts statewide with the lowest total operating 661

expenditure per equivalent pupils; 662

(b) Among the twenty per cent of all joint vocational 663
school districts statewide with the highest report card scores 664
under section 3302.033 of the Revised Code. 665

(3) Within each category of community schools that are not 666
internet- or computer-based community schools, the department 667
shall denote each school that is: 668

(a) Among the twenty per cent of all such community 669
schools statewide with the lowest total operating expenditure 670
per equivalent pupils; 671

(b) Among the twenty per cent of all such community 672
schools statewide with the highest performance index scores, 673
excluding such community schools to which section 3314.017 of 674
the Revised Code applies. 675

(4) Within the category of internet- or computer-based 676
community schools, the department shall denote each school that 677
is: 678

(a) Among the twenty per cent of all such community 679
schools statewide with the lowest total operating expenditure 680
per equivalent pupils; 681

(b) Among the twenty per cent of all such community 682
schools statewide with the highest performance index scores, 683
excluding such community schools to which section 3314.017 of 684
the Revised Code applies. 685

(5) Within the category of STEM schools, the department 686
shall denote each school that is: 687

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

equivalent pupils; 690

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

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

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

(F) As used in this section: 708

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) A school district that is not the school district in

which the child is entitled to attend school; 775

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

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

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

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

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

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

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

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

(b) The school district in which the child is entitled to 803
attend school has developed an individualized education program 804
under Chapter 3323. of the Revised Code for the child. 805

(c) The child either: 806

(i) Was enrolled in the school district in which the child 807
is entitled to attend school in any grade from preschool through 808
twelve in the school year prior to the year in which a 809
scholarship under this section is first sought for the child; or 810

(ii) Is eligible to enter school in any grade preschool 811
through twelve in the school district in which the child is 812
entitled to attend school in the school year in which a 813
scholarship under this section is first sought for the child. 814

~~(8)~~ (7) "Registered private provider" means a nonpublic 815
school or other nonpublic entity that has been approved by the 816
department of education to participate in the program 817
established under this section. 818

~~(9)~~ (8) "Special education program" means a school or 819
facility that provides special education and related services to 820
children with disabilities. 821

(B) There is hereby established the autism scholarship 822
program. Under the program, the department of education shall 823
pay a scholarship to the parent of each qualified special 824
education child upon application of that parent pursuant to 825
procedures and deadlines established by rule of the state board 826
of education. Each scholarship shall be used only to pay tuition 827
for the child on whose behalf the scholarship is awarded to 828
attend a special education program that implements the child's 829
individualized education program and that is operated by an 830
alternative public provider or by a registered private provider, 831

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

A scholarship under this section shall not be awarded to 853
the parent of a child while the child's individualized education 854
program is being developed by the school district in which the 855
child is entitled to attend school, or while any administrative 856
or judicial mediation or proceedings with respect to the content 857
of the child's individualized education program are pending. A 858
scholarship under this section shall not be used for a child to 859
attend a public special education program that operates under a 860
contract, compact, or other bilateral agreement between the 861
school district in which the child is entitled to attend school 862

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

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

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

by law.

894

(C) (1) As prescribed in ~~divisions~~ division (A) (2) (h), ~~(B)~~
~~(3) (g), and (B) (10)~~ of section 3317.03 of the Revised Code, a
child who is not a preschool child with a disability for whom a
scholarship is awarded under this section shall be counted in
the formula ADM ~~and the category six special education ADM~~ of
the district in which the child is entitled to attend school and
not in the formula ADM ~~and the category six special education~~
~~ADM~~ of any other school district. ~~As prescribed in divisions (B)~~
~~(3) (h) and (B) (10) of section 3317.03 of the Revised Code, a~~
~~child who is a preschool child with a disability for whom a~~
~~scholarship is awarded under this section shall be counted in~~
~~the preschool scholarship ADM and category six special education~~
~~ADM of the school district in which the child is entitled to~~
~~attend school and not in the preschool scholarship ADM or~~
~~category six special education ADM of any other school district.~~

895

896

897

898

899

900

901

902

903

904

905

906

907

908

909

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

910

911

912

913

914

915

916

917

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

918

919

920

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

921

922

923

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) "Child with a disability" and "individualized
education program" have the same meanings as in section 3323.01
of the Revised Code.

(C) "Eligible applicant" means any of the following:

(1) Either of the natural or adoptive parents of a
qualified special education child, except as otherwise specified
in this division. When the marriage of the natural or adoptive
parents of the student has been terminated by a divorce,
dissolution of marriage, or annulment, or when the natural or
adoptive parents of the student are living separate and apart
under a legal separation decree, and a court has issued an order
allocating the parental rights and responsibilities with respect
to the child, "eligible applicant" means the residential parent
as designated by the court. If the court issues a shared
parenting decree, "eligible applicant" means either parent.
"Eligible applicant" does not mean a parent whose custodial
rights have been terminated.

(2) The custodian of a qualified special education child,
when a court has granted temporary, legal, or permanent custody
of the child to an individual other than either of the natural
or adoptive parents of the child or to a government agency;

(3) The guardian of a qualified special education child,
when a court has appointed a guardian for the child;

(4) The grandparent of a qualified special education
child, when the grandparent is the child's attorney in fact
under a power of attorney executed under sections 3109.51 to
3109.62 of the Revised Code or when the grandparent has executed
a ~~caregiver~~ caretaker authorization affidavit under sections
3109.65 to 3109.73 of the Revised Code;

(5) The surrogate parent appointed for a qualified special 1011
education child pursuant to division (B) of section 3323.05 and 1012
section 3323.051 of the Revised Code; 1013

(6) A qualified special education child, if the child does 1014
not have a custodian or guardian and the child is at least 1015
eighteen years of age. 1016

(D) "Entitled to attend school" means entitled to attend 1017
school in a school district under sections 3313.64 and 3313.65 1018
of the Revised Code. 1019

(E) "Formula ADM" ~~and "formula amount" have~~ has the same 1020
~~meanings meaning~~ as in section 3317.02 of the Revised Code. 1021

(F) "Qualified special education child" is a child for 1022
whom all of the following conditions apply: 1023

(1) The child is at least five years of age and less than 1024
twenty-two years of age. 1025

(2) The school district in which the child is entitled to 1026
attend school, or the child's school district of residence if 1027
different, has identified the child as a child with a 1028
disability. 1029

(3) The school district in which the child is entitled to 1030
attend school, or the child's school district of residence if 1031
different, has developed an individualized education program 1032
under Chapter 3323. of the Revised Code for the child. 1033

(4) The child either: 1034

(a) Was enrolled in the schools of the school district in 1035
which the child is entitled to attend school in any grade from 1036
kindergarten through twelve in the school year prior to the 1037
school year in which a scholarship is first sought for the 1038

child; 1039

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

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

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

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

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

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

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

3313.62 of the Revised Code. 1068

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

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

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

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

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

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

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

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

(ii) For a student in category two, ~~the amount specified~~ 1096
~~in division (B) of section 3317.013 of the Revised Code \$4,005;~~ 1097

(iii) For a student in category three, ~~the amount~~ 1098
~~specified in division (C) of section 3317.013 of the Revised~~ 1099
~~Code \$9,662;~~ 1100

(iv) For a student in category four, ~~the amount specified~~ 1101
~~in division (D) of section 3317.013 of the Revised Code \$12,841;~~ 1102

(v) For a student in category five, ~~the amount specified~~ 1103
~~in division (E) of section 3317.013 of the Revised Code \$17,390;~~ 1104

(vi) For a student in category six, ~~the amount specified~~ 1105
~~in division (F) of section 3317.013 of the Revised Code \$25,637.~~ 1106

(3) Twenty-seven thousand dollars. 1107

(B) As used in division (A) (2) (b) of this section, a child 1108
with a disability is in: 1109

(1) "Category one" if the child is receiving special 1110
education services for a disability specified in division (A) of 1111
section 3317.013 of the Revised Code; 1112

(2) "Category two" if the child is receiving special 1113
education services for a disability specified in division (B) of 1114
section 3317.013 of the Revised Code; 1115

(3) "Category three" if the child is receiving special 1116
education services for a disability specified in division (C) of 1117
section 3317.013 of the Revised Code; 1118

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

(5) "Category five" if the child is receiving special 1122

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) A public children services agency;

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The child resides in a home. 1218

(c) The child requires special education. 1219

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3323.04, 3327.04, and 3327.06 of the Revised Code, a child may 1590
attend school or participate in a special education program in a 1591
school district other than in the district where the child is 1592
entitled to attend school under division (B) of this section. 1593

(I) (1) Notwithstanding anything to the contrary in this 1594
section or section 3313.65 of the Revised Code, a child under 1595
twenty-two years of age may attend school in the school district 1596
in which the child, at the end of the first full week of October 1597
of the school year, was entitled to attend school as otherwise 1598
provided under this section or section 3313.65 of the Revised 1599
Code, if at that time the child was enrolled in the schools of 1600
the district but since that time the child or the child's parent 1601
has relocated to a new address located outside of that school 1602
district and within the same county as the child's or parent's 1603
address immediately prior to the relocation. The child may 1604
continue to attend school in the district, and at the school to 1605
which the child was assigned at the end of the first full week 1606
of October of the current school year, for the balance of the 1607
school year. Division (I) (1) of this section applies only if 1608
both of the following conditions are satisfied: 1609

(a) The board of education of the school district in which 1610
the child was entitled to attend school at the end of the first 1611
full week in October and of the district to which the child or 1612
child's parent has relocated each has adopted a policy to enroll 1613
children described in division (I) (1) of this section. 1614

(b) The child's parent provides written notification of 1615
the relocation outside of the school district to the 1616
superintendent of each of the two school districts. 1617

(2) At the beginning of the school year following the 1618
school year in which the child or the child's parent relocated 1619

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

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

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

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

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

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

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

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

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

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

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

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

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

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

parents of a student, except under the following conditions: 1710

(a) When the marriage of the natural or adoptive parents 1711
of the student has been terminated by a divorce, dissolution of 1712
marriage, or annulment or the natural or adoptive parents of the 1713
student are living separate and apart under a legal separation 1714
decree and the court has issued an order allocating the parental 1715
rights and responsibilities with respect to the student, 1716
"parent" means the residential parent as designated by the court 1717
except that "parent" means either parent when the court issues a 1718
shared parenting decree. 1719

(b) When a court has granted temporary or permanent 1720
custody of the student to an individual or agency other than 1721
either of the natural or adoptive parents of the student, 1722
"parent" means the legal custodian of the child. 1723

(c) When a court has appointed a guardian for the student, 1724
"parent" means the guardian of the student. 1725

(2) "Native student" means a student entitled under 1726
section 3313.64 or 3313.65 of the Revised Code to attend school 1727
in a district adopting a resolution under this section. 1728

(3) "Adjacent district" means a city, exempted village, or 1729
local school district having territory that abuts the territory 1730
of a district adopting a resolution under this section. 1731

(4) "Adjacent district student" means a student entitled 1732
under section 3313.64 or 3313.65 of the Revised Code to attend 1733
school in an adjacent district. 1734

(5) "Adjacent district joint vocational student" means an 1735
adjacent district student who enrolls in a city, exempted 1736
village, or local school district pursuant to this section and 1737
who also enrolls in a joint vocational school district that does 1738

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) Procedures to ensure that an appropriate racial 1796
balance is maintained in the district schools. 1797

(C) Except as provided in section 3313.982 of the Revised 1798
Code, the procedures for admitting adjacent or other district 1799
students, as applicable, shall not include: 1800

(1) Any requirement of academic ability, or any level of 1801
athletic, artistic, or other extracurricular skills; 1802

(2) Limitations on admitting applicants because of 1803
disability, except that a board may refuse to admit a student 1804
receiving services under Chapter 3323. of the Revised Code, if 1805
the services described in the student's IEP are not available in 1806
the district's schools; 1807

(3) A requirement that the student be proficient in the 1808
English language; 1809

(4) Rejection of any applicant because the student has 1810
been subject to disciplinary proceedings, except that if an 1811
applicant has been suspended or expelled by the student's 1812
district for ten consecutive days or more in the term for which 1813
admission is sought or in the term immediately preceding the 1814
term for which admission is sought, the procedures may include a 1815
provision denying admission of such applicant. 1816

(D) (1) Each school board permitting only enrollment of 1817
adjacent district students shall provide information about the 1818
policy adopted under this section, including the application 1819
procedures and deadlines, to the superintendent and the board of 1820
education of each adjacent district and, upon request, to the 1821
parent of any adjacent district student. 1822

(2) Each school board permitting enrollment of other 1823
district students shall provide information about the policy 1824

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

described in section 3317.014 of the Revised Code; 1912

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(1) The formula amount;~~

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

section 3317.014 of the Revised Code for the student's	1999
respective career technical category, on a full time equivalency	2000
basis.	2001
(E)(1) A city, exempted village, or local school board	2002
providing special education and related services to an adjacent	2003
or other district student in grades kindergarten through twelve	2004
in accordance with an IEP shall, pursuant to rules of the state	2005
board, compute the excess costs to educate such student as	2006
follows:	2007
(a) Subtract the formula amount from the actual costs to	2008
educate the student;	2009
(b) From the amount computed under division (E)(1)(a) of	2010
this section subtract the amount of any funds received by the	2011
district under Chapter 3317. of the Revised Code to provide	2012
special education and related services to the student.	2013
(2) The board shall report the excess costs computed under	2014
this division to the department of education.	2015
(3) If any student for whom excess costs are computed	2016
under division (E)(1) of this section is an adjacent or other	2017
district joint vocational student, the department of education	2018
shall add the amount of such excess costs to the payments made	2019
under Chapter 3317. of the Revised Code to the joint vocational	2020
school district enrolling the student.	2021
(F) As provided in division (D)(1)(b) of section 3317.03	2022
of the Revised Code, no joint vocational school district shall	2023
count any adjacent or other district joint vocational student	2024
enrolled in the district in its enrollment certified under	2025
section 3317.03 of the Revised Code.	2026
(G) No city, exempted village, or local school district	2027

shall receive a payment under division (C) of this section for a 2028
student, ~~and no joint vocational school district shall receive a~~ 2029
~~payment under division (D) of this section for a student,~~ if for 2030
the same school year that student is counted in the district's 2031
enrollment certified under section 3317.03 of the Revised Code. 2032

~~(H)~~ (E) Upon request of a parent, and provided the board 2033
offers transportation to native students of the same grade level 2034
and distance from school under section 3327.01 of the Revised 2035
Code, a city, exempted village, or local school board enrolling 2036
an adjacent or other district student shall provide 2037
transportation for the student within the boundaries of the 2038
board's district, except that the board shall be required to 2039
pick up and drop off a nonhandicapped student only at a regular 2040
school bus stop designated in accordance with the board's 2041
transportation policy. Pursuant to rules of the state board of 2042
education, such board may reimburse the parent from funds 2043
received for pupil transportation under section 3317.0212 of the 2044
Revised Code, or other provisions of law, for the reasonable 2045
cost of transportation from the student's home to the designated 2046
school bus stop if the student's family has an income below the 2047
federal poverty line. 2048

Sec. 3314.08. (A) As used in this section and sections 2049
3314.085 and 3314.089 of the Revised Code: 2050

(1) (a) "Category one career-technical education student" 2051
means a student who is receiving the career-technical education 2052
services described in division (A) (1) of section 3317.014 of the 2053
Revised Code. 2054

(b) "Category two career-technical student" means a 2055
student who is receiving the career-technical education services 2056
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 2057

Revised Code. 2058

(c) "Category three career-technical student" means a 2059
student who is receiving the career-technical education services 2060
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 2061
Revised Code. 2062

(d) "Category four career-technical student" means a 2063
student who is receiving the career-technical education services 2064
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 2065
Revised Code. 2066

(e) "Category five career-technical education student" 2067
means a student who is receiving the career-technical education 2068
services described in division ~~(E)~~ (A) (5) of section 3317.014 of 2069
the Revised Code. 2070

(2) (a) "Category one English learner" means an English 2071
learner described in division (A) of section 3317.016 of the 2072
Revised Code. 2073

(b) "Category two English learner" means an English 2074
learner described in division (B) of section 3317.016 of the 2075
Revised Code. 2076

(c) "Category three English learner" means an English 2077
learner described in division (C) of section 3317.016 of the 2078
Revised Code. 2079

(3) (a) "Category one special education student" means a 2080
student who is receiving special education services for a 2081
disability specified in division (A) of section 3317.013 of the 2082
Revised Code. 2083

(b) "Category two special education student" means a 2084
student who is receiving special education services for a 2085

disability specified in division (B) of section 3317.013 of the Revised Code.

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

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

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

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

(4) ~~"Formula amount" has the same meaning as in section 3317.02 of the Revised Code~~"Economically disadvantaged index for a community school" means the square of the quotient of the percentage of students enrolled in the school who are identified as economically disadvantaged as defined by the department of education, divided by the percentage of students in the statewide ADM identified as economically disadvantaged. For purposes of this calculation, the "statewide ADM" equals the "statewide ADM" for city, local, and exempted village school districts described in division (F)(1) of section 3317.02 of the Revised Code.

(5) "Funding base" means the following:

(a) 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 divisions (C)(1)(a), (b), (c), (d), (f),
and (g) of this section as those divisions existed prior to the
effective date of this amendment 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;

(b) 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 divisions (C)(1)(a), (b), (c),
(d), (f), and (g) of this section as those divisions existed
prior to the effective date of this amendment 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;

(c) 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
divisions (C)(1)(a), (b), (c), (d), (f), and (g) of this section
as those divisions existed prior to the effective date of this

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

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

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

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

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

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

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

community school established under this chapter, and for each 2174
child, the community school in which the child is enrolled. 2175

(2) The governing authority of each community school 2176
established under this chapter to annually report all of the 2177
following: 2178

(a) The number of students enrolled in grades one through 2179
twelve and the full-time equivalent number of students enrolled 2180
in kindergarten in the school who are not receiving special 2181
education and related services pursuant to an IEP; 2182

(b) The number of enrolled students in grades one through 2183
twelve and the full-time equivalent number of enrolled students 2184
in kindergarten, who are receiving special education and related 2185
services pursuant to an IEP; 2186

(c) The number of students reported under division (B) (2) 2187
(b) of this section receiving special education and related 2188
services pursuant to an IEP for a disability described in each 2189
of divisions (A) to (F) of section 3317.013 of the Revised Code; 2190

(d) The full-time equivalent number of students reported 2191
under divisions (B) (2) (a) and (b) of this section who are 2192
enrolled in career-technical education programs or classes 2193
described in each of divisions (A) (1) to ~~(E)~~ (5) of section 2194
3317.014 of the Revised Code that are provided by the community 2195
school; 2196

(e) The number of students reported under divisions (B) (2) 2197
(a) and (b) of this section who are not reported under division 2198
(B) (2) (d) of this section but who are enrolled in career- 2199
technical education programs or classes described in each of 2200
divisions (A) (1) to ~~(E)~~ (5) of section 3317.014 of the Revised 2201
Code at a joint vocational school district or another district 2202

in the career-technical planning district to which the school is 2203
assigned; 2204

(f) The number of students reported under divisions (B) (2) 2205
(a) and (b) of this section who are category one to three 2206
English learners described in each of divisions (A) to (C) of 2207
section 3317.016 of the Revised Code; 2208

(g) The number of students reported under divisions (B) (2) 2209
(a) and (b) of this section who are economically disadvantaged, 2210
as defined by the department. A student shall not be 2211
categorically excluded from the number reported under division 2212
(B) (2) (g) of this section based on anything other than family 2213
income. 2214

(h) For each student, the city, exempted village, or local 2215
school district in which the student is entitled to attend 2216
school under section 3313.64 or 3313.65 of the Revised Code. 2217

(i) The number of students enrolled in a preschool program 2218
operated by the school that is licensed by the department of 2219
education under sections 3301.52 to 3301.59 of the Revised Code 2220
who are not receiving special education and related services 2221
pursuant to an IEP. 2222

A school district board and a community school governing 2223
authority shall include in their respective reports under 2224
division (B) of this section any child admitted in accordance 2225
with division (A) (2) of section 3321.01 of the Revised Code. 2226

A governing authority of a community school shall not 2227
include in its report under divisions (B) (2) (a) to (h) of this 2228
section any student for whom tuition is charged under division 2229
(F) of this section. 2230

~~(C) (1)~~ (C) For each fiscal year, the department of 2231

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

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

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

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

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

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

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

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

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

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

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

(vi) If the student is a category six special education student, the ~~amount-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.

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

~~(e)~~ (c) If the student is economically disadvantaged, an additional amount of disadvantaged pupil impact aid equal to the following:

~~\$272-\$422~~ X the resident district's school's economically disadvantaged index

~~(f)~~ (d) English learner funds as follows:

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

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

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

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

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

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

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

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

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

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

~~Deduction and payment of funds under division (C) (1) (g) of
this section is subject to approval by the lead district of a
career technical planning district or the department of
education under section 3317.161 of the Revised Code.~~ 2318
2319
2320
2321

~~(2) When deducting from the state education aid of a
student's resident district for students enrolled in~~ 2322
~~In the case~~ 2323
~~of an internet- or computer-based community school and making~~ 2324
~~payments to such school under this section, the department shall~~ 2325
make the deductions and payments described in only divisions (C)
(1) (a), ~~(e)~~, and ~~(g)~~ (b) of this section. 2326
2327

No ~~deductions or~~ payments shall be made for a student 2328
enrolled in such school under division ~~(C) (1) (b)~~, (C) (1) (c) or 2329
~~(d), (e), or (f)~~ of this section. 2330

(3) (a) If a community school's costs for a fiscal year for 2331
a student receiving special education and related services 2332
pursuant to an IEP for a disability described in divisions (B) 2333
to (F) of section 3317.013 of the Revised Code exceed the 2334
threshold catastrophic cost for serving the student as specified 2335
in division (B) of section 3317.0214 of the Revised Code, the 2336
school may submit to the superintendent of public instruction 2337
documentation, as prescribed by the superintendent, of all its 2338
costs for that student. Upon submission of documentation for a 2339
student of the type and in the manner prescribed, the department 2340
shall pay to the community school an amount equal to the 2341
school's costs for the student in excess of the threshold 2342
catastrophic costs. 2343

(b) The community school shall report under division (C) 2344
(3) (a) of this section, and the department shall pay for, only 2345

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

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

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

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

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

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

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

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

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

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

~~(The number of the district's students reported by the
community school under division (B) (2) (e) of this section X the~~

~~formula amount X .20)~~ 2405

~~(9) The department may waive the requirement in division 2406
(C) (5) of this section for any community school that exclusively 2407
provides one or more career technical workforce development 2408
programs in arts and communications that are not equipment- 2409
intensive, as determined by the department. 2410~~

(D) A board of education sponsoring a community school may 2411
utilize local funds to make enhancement grants to the school or 2412
may agree, either as part of the contract or separately, to 2413
provide any specific services to the community school at no cost 2414
to the school. 2415

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

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

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

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

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

by the governing authority of a community school. 2434

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

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

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

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

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

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

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

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

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

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

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

waived under this division. 2525

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The board or its designee shall conduct an informal 2583
hearing on the matter within thirty days of receipt of such an 2584
appeal and shall issue a decision within fifteen days of the 2585
conclusion of the hearing. 2586

(c) If the board has enlisted a designee to conduct the 2587
hearing, the designee shall certify its decision to the board. 2588
The board may accept the decision of the designee or may reject 2589
the decision of the designee and issue its own decision on the 2590
matter. 2591

(d) Any decision made by the board under this division is 2592
final. 2593

(3) If it is decided that the community school owes moneys 2594
to the state, the department shall deduct such amount from the 2595
school's future payments in accordance with guidelines issued by 2596
the superintendent of public instruction. 2597

(L) The department shall not ~~subtract from a school~~ 2598
~~district's state aid account and shall not pay~~ to a community 2599
school under division (C) of this section and section 3314.089 2600
of the Revised Code any amount for any of the following: 2601

(1) Any student who has graduated from the twelfth grade 2602
of a public or nonpublic high school; 2603

(2) Any student who is not a resident of the state; 2604

(3) Any student who was enrolled in the community school 2605
during the previous school year when assessments were 2606
administered under section 3301.0711 of the Revised Code but did 2607
not take one or more of the assessments required by that section 2608
and was not excused pursuant to division (C)(1) or (3) of that 2609
section, unless the superintendent of public instruction grants 2610
the student a waiver from the requirement to take the assessment 2611

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

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

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

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

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

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

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

school and is also living in a home: 2641

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

enrolled in the school for that fiscal year that are enrolled in 2697
grades four through eight but are not enrolled in a career- 2698
technical education program or class described under section 2699
3317.014 of the Revised Code and divide that number by 25; 2700

(d) Determine the full-time equivalency of students 2701
enrolled in the school for that fiscal year that are enrolled in 2702
grades nine through twelve but are not enrolled in a career- 2703
technical education program or class described under section 2704
3317.014 of the Revised Code and divide that number by 27; 2705

(e) Determine the full-time equivalency of students 2706
enrolled in the school for that fiscal year that are enrolled in 2707
a career-technical education program or class, as reported under 2708
division (B) (2) (d) of section 3314.08 of the Revised Code, and 2709
divide that number by 18; 2710

(f) Compute the sum of the quotients obtained under 2711
divisions (D) (1) (a), (b), (c), (d), and (e) of this section; 2712

(g) Compute the classroom teacher cost by multiplying the 2713
average teacher cost for that fiscal year by the sum computed 2714
under division (D) (1) (f) of this section. 2715

(2) Calculate the school's special teacher cost for that 2716
fiscal year as follows: 2717

(a) Divide the number of students enrolled in the school 2718
for that fiscal year by 150; 2719

(b) Compute the special teacher cost by multiplying the 2720
quotient obtained under division (D) (2) (a) of this section by 2721
the average teacher cost for that fiscal year. 2722

(3) Calculate the school's substitute teacher cost for 2723
that fiscal year in accordance with the following formula: 2724

(a) Compute the substitute teacher daily rate with 2725
benefits by multiplying the substitute teacher daily rate of \$90 2726
by 1.16; 2727

(b) Compute the substitute teacher cost in accordance with 2728
the following formula: 2729

(The sum computed under division (D) (1) (f) of this section + the 2730
quotient obtained under division (D) (2) (a) of this section) X 2731
the amount computed under division (D) (3) (a) of this section X 5 2732

(4) Calculate the school's professional development cost 2733
for that fiscal year in accordance with the following formula: 2734

(The sum computed under division (D) (1) (f) of this section + the 2735
quotient obtained under division (D) (2) (a) of this section) X 2736
[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of 2737
the Revised Code for that fiscal year)/180] X 4 2738

(5) Calculate the school's teacher base cost for that 2739
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 2740
and (4) of this section. 2741

(E) The department shall compute a community school's 2742
student support base cost for a fiscal year as follows: 2743

The number of students enrolled in the school for that fiscal 2744
year X 0.90 X [(the sum of the student support base cost 2745
calculated for all city, local, and exempted village school 2746
districts in the state for that fiscal year under division (E) 2747
of section 3317.011 of the Revised Code - the sum of the 2748
athletic co-curricular activities cost calculated for all city, 2749
local, and exempted village school districts in the state for 2750
that fiscal year under division (E) (5) of section 3317.011 of 2751
the Revised Code) / the sum of the base cost enrolled ADMs of 2752
all of the city, local, and exempted village school districts in 2753

the state for that fiscal year] 2754

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

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

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

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

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

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

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

meanings as in section 3317.02 of the Revised Code. 2783

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

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

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

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

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

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

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

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

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

3317.161 of the Revised Code. 2842

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

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

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

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

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

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

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

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

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

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

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

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

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

spend those funds only on the following purposes: 2900

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

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

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

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

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

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

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

(A) The following sum: 2921

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

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

(B) The following sum: 2934

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

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

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

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

transportation provided or arranged. 2957

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

the Revised Code.

3106

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

3107

3108

3109

3110

3111

3112

3113

3114

3115

3116

3117

3118

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

3119

3120

3121

3122

3123

3124

3125

3126

3127

3128

3129

3130

3131

~~(4)~~ (3) A community school shall use payments received under this section solely to pay the costs of providing or arranging for the transportation of students who are eligible as specified in section 3327.01 of the Revised Code and division

3132

3133

3134

3135

(C) (1) of this section, which may include payments to a parent, 3136
guardian, or other person in charge of a child in lieu of 3137
transportation. 3138

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

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

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

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

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

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

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

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

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

(1) A deed, mortgage, lease, current home owner's or 3196
renter's insurance declaration page, or current real property 3197
tax bill; 3198

(2) A utility bill or receipt of utility installation 3199
issued within ninety days of enrollment; 3200

(3) A paycheck or paystub issued to the parent or student 3201
within ninety days of the date of enrollment that includes the 3202
address of the parent's or student's primary residence; 3203

(4) The most current available bank statement issued to 3204
the parent or student that includes the address of the parent's 3205
or student's primary residence; 3206

(5) Any other official document issued to the parent or 3207
student that includes the address of the parent's or student's 3208
primary residence. The superintendent of public instruction 3209
shall develop guidelines for determining what qualifies as an 3210
"official document" under this division. 3211

(F) When a student loses permanent housing and becomes a 3212
homeless child or youth, as defined in 42 U.S.C. 11434a, or when 3213
a child who is such a homeless child or youth changes temporary 3214
living arrangements, the district in which the student is 3215
entitled to attend school shall be determined in accordance with 3216
division (F)(13) of section 3313.64 of the Revised Code and the 3217
"McKinney-Vento Homeless Assistance Act," 42 U.S.C. 11431 et 3218
seq. 3219

(G) In the event of a disagreement as to which school 3220
district a student is entitled to attend, the community school, 3221
after complying with division (D) of this section, but not more 3222
than sixty days after the monthly deadline established by the 3223
department of education for reporting of community school 3224

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) The information determined under division (G) (3) of 3459
this section. 3460

(C) A city, local, or exempted village school district's 3461
aggregate base cost for a fiscal year shall be equal to the 3462
following sum: 3463

The district's teacher base cost for that fiscal year computed 3464
under division (D) of this section + the district's student 3465
support base cost for that fiscal year computed under division 3466
(E) of this section + the district's leadership and 3467
accountability base cost for that fiscal year computed under 3468
division (F) of this section + the district's building 3469
leadership and operations base cost for that fiscal year 3470
computed under division (G) of this section 3471

(D) The department of education shall compute a district's 3472
teacher base cost for a fiscal year as follows: 3473

(1) Calculate the district's classroom teacher cost for 3474
that fiscal year as follows: 3475

(a) Determine the full-time equivalency of students in the 3476
district's base cost enrolled ADM for that fiscal year that are 3477
enrolled in kindergarten and divide that number by 20; 3478

(b) Determine the full-time equivalency of students in the 3479
district's base cost enrolled ADM for that fiscal year that are 3480
enrolled in grades one through three and divide that number by 3481
23; 3482

(c) Determine the full-time equivalency of students in the 3483
district's base cost enrolled ADM for that fiscal year that are 3484
enrolled in grades four through eight but are not enrolled in a 3485
career-technical education program or class described under 3486
section 3317.014 of the Revised Code and divide that number by 3487

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(The amount determined under division (E) (4) (a) of this 3585
section / the sum determined under division (E) (4) (b) of this 3586
section) X the district's base cost enrolled ADM for the fiscal 3587
year for which the academic co-curricular activities cost is 3588
computed 3589

(5) Calculate the district's athletic co-curricular 3590
activities cost for that fiscal year as follows: 3591

(a) Determine the total amount of spending for athletic 3592
co-curricular activities reported by city, local, and exempted 3593
village school districts to the department for the most recent 3594
fiscal year for which data is available; 3595

(b) Determine the sum of the enrolled ADM of every school 3596
district in the state for the most recent fiscal year for which 3597

the data specified under division (E) (5) (a) of this section is 3598
available; 3599

(c) Compute the athletic co-curricular activities cost in 3600
accordance with the following formula: 3601

(The amount determined under division (E) (5) (a) of this 3602
section / the sum determined under division (E) (5) (b) of this 3603
section) X the district's base cost enrolled ADM for the fiscal 3604
year for which the athletic co-curricular activities cost is 3605
computed 3606

(6) Calculate the district's building safety and security 3607
cost for that fiscal year as follows: 3608

(a) Determine the total amount of spending for building 3609
safety and security reported by city, local, and exempted 3610
village school districts to the department for the most recent 3611
fiscal year for which data is available; 3612

(b) Determine the sum of the enrolled ADM of every school 3613
district in the state that reported the data specified under 3614
division (E) (6) (a) of this section for the most recent fiscal 3615
year for which the data is available; 3616

(c) Compute the building safety and security cost in 3617
accordance with the following formula: 3618

(The amount determined under division (E) (6) (a) of this 3619
section / the sum determined under division (E) (6) (b) of this 3620
section) X the district's base cost enrolled ADM for the fiscal 3621
year for which the building safety and security cost is computed 3622

(7) Calculate the district's supplies and academic content 3623
cost for that fiscal year as follows: 3624

(a) Determine the total amount of spending for supplies 3625

and academic content, excluding supplies for transportation and 3626
maintenance, reported by city, local, and exempted village 3627
school districts to the department for the most recent fiscal 3628
year for which data is available; 3629

(b) Determine the sum of the enrolled ADM of every school 3630
district in the state for the most recent fiscal year for which 3631
the data specified under division (E) (7) (a) of this section is 3632
available; 3633

(c) Compute the supplies and academic content cost in 3634
accordance with the following formula: 3635

(The amount determined under division (E) (7) (a) of this 3636
section / the sum determined under division (E) (7) (b) of this 3637
section) X the district's base cost enrolled ADM for the fiscal 3638
year for which the supplies and academic content cost is 3639
computed 3640

(8) Calculate the district's technology cost for that 3641
fiscal year in accordance with the following formula: 3642

\$37.50 X the district's base cost enrolled ADM for that fiscal 3643
year 3644

(9) Calculate the district's student support base cost for 3645
that fiscal year, which equals the sum of divisions (E) (1), (2), 3646
(3), (4), (5), (6), (7), and (8) of this section. 3647

(F) The department shall compute a district's leadership 3648
and accountability base cost for a fiscal year as follows: 3649

(1) Calculate the district's superintendent cost for that 3650
fiscal year as follows: 3651

(a) If the district's base cost enrolled ADM for that 3652
fiscal year is greater than 4,000, then the district's 3653

superintendent cost shall be equal to [(\$160,000 X 1.16) + the 3654
amount specified under division (A)(10)(c) of this section for 3655
that fiscal year]. 3656

(b) If the district's base cost enrolled ADM for that 3657
fiscal year is less than or equal to 4,000 but greater than or 3658
equal to 500, the district's superintendent cost shall be equal 3659
to the sum of the following: 3660

(i) (The district's base cost enrolled ADM for that fiscal 3661
year - 500) X {[(\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500}; 3662

(ii) (\$80,000 X 1.16) + the amount specified under 3663
division (A)(10)(c) of this section for that fiscal year. 3664

(c) If the district's base cost enrolled ADM is less than 3665
500, then the district's superintendent cost shall be equal to 3666
[((\$80,000 X 1.16) + the amount specified under division (A)(10) 3667
(c) of this section for that fiscal year]. 3668

(2) Calculate the district's treasurer cost for that 3669
fiscal year as follows: 3670

(a) If the district's base cost enrolled ADM for that 3671
fiscal year is greater than 4,000, then the district's treasurer 3672
cost shall be equal to [(\$130,000 X 1.16) + the amount specified 3673
under division (A)(10)(c) of this section for that fiscal year]. 3674

(b) If the district's base cost enrolled ADM for that 3675
fiscal year is less than or equal to 4,000 but greater than or 3676
equal to 500, the district's treasurer cost shall be equal to 3677
the sum of the following: 3678

(i) (The district's base cost enrolled ADM for that fiscal 3679
year - 500) X {[(\$130,000 X 1.16) - (\$60,000 X 1.16)]/3500}; 3680

(ii) (\$60,000 X 1.16) + the amount specified under 3681

division (A) (10) (c) of this section for that fiscal year. 3682

(c) If the district's base cost enrolled ADM is less than 3683
500, then the district's treasurer cost shall be equal to 3684
[((\$60,000 X 1.16) + the amount specified under division (A) (10) 3685
(c) of this section for that fiscal year]. 3686

(3) Calculate the district's other district administrator 3687
cost for that fiscal year as follows: 3688

(a) Divide the average other district administrator salary 3689
for that fiscal year by the average superintendent salary for 3690
that fiscal year; 3691

(b) Divide the district's base cost enrolled ADM for that 3692
fiscal year by 750; 3693

(c) Compute the other district administrator cost in 3694
accordance with the following formula: 3695

{[(The district's superintendent cost for that fiscal year 3696
calculated under division (F) (1) of this section - the amount 3697
specified under division (A) (10) (c) of this section for that 3698
fiscal year) X the quotient obtained under division (F) (3) (a) of 3699
this section] + the amount specified under division (A) (10) (c) 3700
of this section} X (the greater of the quotient obtained under 3701
division (F) (3) (b) of this section and 2) 3702

(4) Calculate the district's fiscal support cost for that 3703
fiscal year as follows: 3704

(a) Divide the district's base cost enrolled ADM for that 3705
fiscal year by 850; 3706

(b) Determine the lesser of the following: 3707

(i) The maximum of the quotient obtained under division 3708

<u>(F) (4) (a) of this section and 2;</u>	3709
<u>(ii) 35.</u>	3710
<u>(c) Compute the fiscal support cost in accordance with the</u>	3711
<u>following formula:</u>	3712
<u>The number obtained under division (F) (4) (b) of this section X</u>	3713
<u>[(the average bookkeeping and accounting employee salary for</u>	3714
<u>that fiscal year X 1.16) + the amount specified under division</u>	3715
<u>(A) (10) (c) of this section for that fiscal year]</u>	3716
<u>(5) Calculate the district's education management</u>	3717
<u>information system support cost for that fiscal year as follows:</u>	3718
<u>(a) Divide the district's base cost enrolled ADM for that</u>	3719
<u>fiscal year by 5,000;</u>	3720
<u>(b) Compute the education management information system</u>	3721
<u>support cost in accordance with the following formula:</u>	3722
<u>(The greater of the quotient obtained under division (F) (5) (a)</u>	3723
<u>of this section and 1) X [(the average education management</u>	3724
<u>information system support employee salary for that fiscal year</u>	3725
<u>X 1.16) + the amount specified under division (A) (10) (c) of this</u>	3726
<u>section for that fiscal year]</u>	3727
<u>(6) Calculate the district's leadership support cost for</u>	3728
<u>that fiscal year as follows:</u>	3729
<u>(a) Determine the greater of the quotient obtained under</u>	3730
<u>division (F) (3) (b) of this section and 2, and add 1 to that</u>	3731
<u>number;</u>	3732
<u>(b) Divide the number obtained under division (F) (6) (a) of</u>	3733
<u>this section by 3;</u>	3734
<u>(c) Compute the leadership support cost in accordance with</u>	3735

the following formula: 3736

(The greater of the quotient obtained under division (F) (6) (b) 3737
of this section and 1) X [(the average administrative assistant 3738
salary for that fiscal year X 1.16) + the amount specified under 3739
division (A) (10) (c) of this section for that fiscal year] 3740

(7) Calculate the district's information technology center 3741
support cost for that fiscal year in accordance with the 3742
following formula: 3743

\$31 X the district's base cost enrolled ADM for that fiscal year 3744

(8) Calculate the district's district leadership and 3745
accountability base cost for that fiscal year, which equals the 3746
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 3747
this section. 3748

(G) The department shall compute a district's building 3749
leadership and operations base cost for a fiscal year as 3750
follows: 3751

(1) Calculate the district's building leadership cost for 3752
that fiscal year as follows: 3753

(a) Divide the average principal salary for that fiscal 3754
year by the average superintendent salary for that fiscal year; 3755

(b) Divide the district's base cost enrolled ADM for that 3756
fiscal year by 450; 3757

(c) Compute the building leadership cost in accordance 3758
with the following formula: 3759

{[(The district's superintendent cost for that fiscal year 3760
calculated under division (F) (1) of this section - the amount 3761
specified under division (A) (10) (c) of this section for that 3762

fiscal year) X the quotient obtained under division (G) (1) (a) of 3763
this section] + the amount specified under division (A) (10) (c) 3764
of this section for that fiscal year} X the quotient obtained 3765
under division (G) (1) (b) of this section 3766

(2) Calculate the district's building leadership support 3767
cost for that fiscal year as follows: 3768

(a) Divide the district's base cost enrolled ADM for that 3769
fiscal year by 400; 3770

(b) Determine the number of school buildings in the 3771
district for that fiscal year; 3772

(c) Compute the building leadership support cost in 3773
accordance with the following formula: 3774

(i) If the quotient obtained under division (G) (2) (a) of 3775
this section is less than the number obtained under division (G) 3776
(2) (b) of this section, then the district's building leadership 3777
support cost shall be equal to {the number obtained under 3778
division (G) (2) (b) of this section for that fiscal year X [(the 3779
average clerical staff salary for that fiscal year X 1.16) + the 3780
amount specified under division (A) (10) (c) of this section for 3781
that fiscal year]}. 3782

(ii) If the quotient obtained under division (G) (2) (a) of 3783
this section is greater than or equal to the number obtained 3784
under division (G) (2) (b) of this section, then the district's 3785
building leadership support cost shall be equal to {[the lesser 3786
of (the number obtained under division (G) (2) (b) of this section 3787
X 3) and the quotient obtained under division (G) (2) (a) of this 3788
section] X [(the average clerical staff salary for that fiscal 3789
year X 1.16) + the amount specified under division (A) (10) (c) of 3790
this section for that fiscal year]}. 3791

(3) Calculate the district's building operations cost for 3792
that fiscal year as follows: 3793

(a) Using data for the six most recent fiscal years for 3794
which data is available, determine both of the following: 3795

(i) The six-year average of the average building square 3796
feet per pupil for all city, local, and exempted village school 3797
district buildings in the state; 3798

(ii) The six-year average cost per square foot for all 3799
city, local, and exempted village school district buildings in 3800
the state. 3801

(b) Compute the building operations cost in accordance 3802
with the following formula: 3803

The district's base cost enrolled ADM for that fiscal year X 3804
[(the number determined under division (G)(3)(a)(i) of this 3805
section X the number determined under division (G)(3)(a)(ii) of 3806
this section) - (the amount determined under division (E)(6)(a) 3807
of this section for that fiscal year / the sum determined under 3808
division (E)(6)(b) of this section for that fiscal year)] 3809

(4) Calculate the district's building leadership and 3810
operations base cost for that fiscal year, which equals the sum 3811
of divisions (G)(1), (2), and (3) of this section. 3812

Sec. 3317.012. (A) As used in this section, "average 3813
administrative assistant salary," "average bookkeeping and 3814
accounting employee salary," "average clerical staff salary," 3815
"average counselor salary," "average education management 3816
information system support employee salary," "average librarian 3817
and media staff salary," "average other district administrator 3818
salary," "average principal salary," "average superintendent 3819
salary," and "average teacher cost" have the same meanings as in 3820

section 3317.011 of the Revised Code. 3821

(B) When calculating a district's aggregate base cost 3822
under this section, the department shall use data from fiscal 3823
year 2018 for all of the following: 3824

(1) The average salaries determined under divisions (A) 3825
(1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) (a) of 3826
section 3317.011 of the Revised Code; 3827

(2) The amount for teacher benefits determined under 3828
division (A) (10) (b) of section 3317.011 of the Revised Code; 3829

(3) The district-paid insurance costs determined under 3830
division (A) (10) (c) of section 3317.011 of the Revised Code; 3831

(4) The spending determined under division (E) (4) of this 3832
section; 3833

(5) The spending determined under divisions (E) (5) (a) and 3834
(6) (a) of this section and the corresponding student counts 3835
determined under divisions (E) (5) (b) and (6) (b) of section 3836
3317.011 of the Revised Code; 3837

(6) The information determined under division (G) (3) of 3838
this section. 3839

(C) A joint vocational school district's aggregate base 3840
cost for a fiscal year shall be equal to the following sum: 3841

The district's teacher base cost for that fiscal year computed 3842
under division (D) of this section + the district's student 3843
support base cost for that fiscal year computed under division 3844

(E) of this section + the district's leadership and 3845
accountability base cost for that fiscal year computed under 3846

division (F) of this section + the district's building 3847
leadership and operations base cost for that fiscal year 3848

computed under division (G) of this section 3849

(D) The department of education shall compute a district's 3850
teacher base cost for a fiscal year as follows: 3851

(1) Calculate the district's classroom teacher cost for 3852
that fiscal year as follows: 3853

(a) Determine the full-time equivalency of students in the 3854
district's base cost enrolled ADM for that fiscal year that are 3855
enrolled in a career-technical education program or class, as 3856
certified under divisions (D)(2)(h), (i), (j), (k), and (l) of 3857
section 3317.03 of the Revised Code, and divide that number by 3858
18; 3859

(b) Determine the full-time equivalency of students in the 3860
district's base cost enrolled ADM for that fiscal year that are 3861
enrolled in grades six through eight but are not enrolled in a 3862
career-technical education program or class described under 3863
section 3317.014 of the Revised Code and divide that number by 3864
25; 3865

(c) Determine the full-time equivalency of students in the 3866
district's base cost enrolled ADM for that fiscal year that are 3867
enrolled in grades nine through twelve but are not enrolled in a 3868
career-technical education program or class described under 3869
section 3317.014 of the Revised Code and divide that number by 3870
27; 3871

(d) Compute the sum of the quotients obtained under 3872
divisions (D)(1)(a), (b), and (c) of this section; 3873

(e) Compute the classroom teacher base cost by multiplying 3874
the average teacher cost for that fiscal year by the sum 3875
computed under division (D)(1)(d) of this section. 3876

(2) Calculate the district's cost for that fiscal year for 3877
teachers providing health and physical education, instruction 3878
regarding employability and soft skills, development and 3879
coordination of internships and job placements, career-technical 3880
student organization activities, pre-apprenticeship and 3881
apprenticeship coordination, and any assessment related to 3882
career-technical education, including any nationally recognized 3883
job skills or end-of-course assessment, as follows: 3884

(a) Divide the district's base cost enrolled ADM for that 3885
fiscal year by 150; 3886

(b) If the quotient obtained under division (D) (2) (a) of 3887
this section is greater than 6, the teacher cost shall be equal 3888
to that quotient multiplied by the average teacher cost for that 3889
fiscal year. 3890

(c) If the quotient obtained under division (D) (2) (a) of 3891
this section is less than or equal to 6, the teacher cost shall 3892
be equal to 6 multiplied by the average teacher cost for that 3893
fiscal year. 3894

(3) Calculate the district's substitute teacher cost for 3895
that fiscal year in accordance with the following formula: 3896

(a) Compute the substitute teacher daily rate with 3897
benefits by multiplying the substitute teacher daily rate of \$90 3898
by 1.16; 3899

(b) Compute the substitute teacher cost in accordance with 3900
the following formula: 3901

[The sum computed under division (D) (1) (d) of this section + 3902
(the greater of the quotient obtained under division (D) (2) (a) 3903
of this section and 6)] X the amount computed under division (D) 3904

(3) (a) of this section X 5 3905

(4) Calculate the district's professional development cost 3906
for that fiscal year in accordance with the following formula: 3907

[The sum computed under division (D) (1) (d) of this section + 3908
(the greater of the quotient obtained under division (D) (2) (a) 3909
of this section and 6)] X [(the sum of divisions (A) (10) (a) and 3910
(b) of section 3317.011 of the Revised Code for that fiscal 3911
year)/180] X 4 3912

(5) Calculate the district's teacher base cost for that 3913
fiscal year, which equals the sum of divisions (D) (1), (2), (3), 3914
and (4) of this section. 3915

(E) The department shall compute a district's student 3916
support base cost for a fiscal year as follows: 3917

(1) Calculate the district's guidance counselor cost for 3918
that fiscal year as follows: 3919

(a) Determine the number of students in the district's 3920
base cost enrolled ADM for that fiscal year that are enrolled in 3921
grades nine through twelve and divide that number by 360; 3922

(b) Compute the counselor cost in accordance with the 3923
following formula: 3924

(The greater of the quotient obtained under division (E) (1) (a) 3925
of this section and 1) X [(the average counselor salary for that 3926
fiscal year X 1.16) + the amount specified under division (A) 3927
(10) (c) of section 3317.011 of the Revised Code for that fiscal 3928
year] 3929

(2) Calculate the district's librarian and media staff 3930
cost for that fiscal year as follows: 3931

(a) Divide the district's base cost enrolled ADM for that 3932
fiscal year by 1,000; 3933

(b) Compute the librarian and media staff cost in 3934
accordance with the following formula: 3935

The quotient obtained under division (E) (2) (a) of this section X 3936
[(the average librarian and media staff salary for that fiscal 3937
year X 1.16) + the amount specified under division (A) (10) (c) of 3938
section 3317.011 of the Revised Code for that fiscal year] 3939

(3) Calculate the district's staffing cost for student 3940
social, emotional, and security support for that fiscal year as 3941
follows: 3942

(a) Divide the district's base cost enrolled ADM for that 3943
fiscal year by 250; 3944

(b) Compute the staffing cost for student social, 3945
emotional, and security support in accordance with the following 3946
formula: 3947

The quotient obtained under division (E) (3) (a) of this section X 3948
[(the average counselor salary for that fiscal year X 1.16) + 3949
the amount specified under division (A) (10) (c) of section 3950
3317.011 of the Revised Code for that fiscal year] 3951

(4) Calculate the district's cost for that fiscal year for 3952
career-technical curriculum specialists and coordinators, career 3953
assessment and program placement, recruitment and orientation, 3954
student success coordination, analysis of test results, 3955
development of intervention and remediation plans and monitoring 3956
of those plans, and satellite program coordination in accordance 3957
with the following formula: 3958

[(The amount determined under division (E) (4) (a) of section 3959
3317.011 of the Revised Code for that fiscal year / the sum 3960
determined under division (E) (4) (b) of section 3317.011 of the 3961
Revised Code) + (the amount determined under division (E) (5) (a) 3962

of section 3317.011 of the Revised Code for that fiscal year / 3963
the sum determined under division (E) (5) (b) of section 3317.011 3964
of the Revised Code)] X the district's base cost enrolled ADM 3965
for the fiscal year for which the district's cost under this 3966
division is computed 3967

(5) Compute the district's building safety and security 3968
cost for that fiscal year in accordance with the following 3969
formula: 3970

(The amount determined under division (E) (6) (a) of section 3971
3317.011 of the Revised Code for that fiscal year / the sum 3972
determined under division (E) (6) (b) of section 3317.011 of the 3973
Revised Code) X the district's base cost enrolled ADM for the 3974
fiscal year for which the building safety and security cost is 3975
computed 3976

(6) Compute the district's supplies and academic content 3977
cost for that fiscal year in accordance with the following 3978
formula: 3979

(The amount determined under division (E) (7) (a) of section 3980
3317.011 of the Revised Code for that fiscal year / the sum 3981
determined under division (E) (7) (b) of section 3317.011 of the 3982
Revised Code) X the district's base cost enrolled ADM for the 3983
fiscal year for which the supplies and academic content cost is 3984
computed 3985

(7) Calculate the district's technology cost for that 3986
fiscal year in accordance with the following formula: 3987

\$37.50 X the district's base cost enrolled ADM for that fiscal 3988
year 3989

(8) Calculate the district's student support base cost for 3990
that fiscal year, which equals the sum of divisions (E) (1), (2), 3991

(3), (4), (5), (6), and (7) of this section. 3992

(F) The department shall compute a district's leadership 3993
and accountability base cost for a fiscal year as follows: 3994

(1) Calculate the district's superintendent cost for that 3995
fiscal year as follows: 3996

(a) If the district's base cost enrolled ADM for that 3997
fiscal year is greater than 4,000, then the district's 3998
superintendent cost shall be equal to [(\$160,000 X 1.16) + the 3999
amount specified under division (A)(10)(c) of section 3317.011 4000
of the Revised Code for that fiscal year]. 4001

(b) If the district's base cost enrolled ADM for that 4002
fiscal year is less than or equal to 4,000 but greater than or 4003
equal to 500, the district's superintendent cost shall be equal 4004
to the sum of the following: 4005

(i) (The district's base cost enrolled ADM for that fiscal 4006
year - 500) X {[((\$160,000 X 1.16) - (\$80,000 X 1.16)]/3500}; 4007

(ii) (\$80,000 X 1.16) + the amount specified under 4008
division (A)(10)(c) of section 3317.011 of the Revised Code for 4009
that fiscal year. 4010

(c) If the district's base cost enrolled ADM is less than 4011
500, then the district's superintendent cost shall be equal to 4012
[((\$80,000 X 1.16) + the amount specified under division (A)(10) 4013
(c) of section 3317.011 of the Revised Code for that fiscal 4014
year]. 4015

(2) Calculate the district's treasurer cost for that 4016
fiscal year as follows: 4017

(a) If the district's base cost enrolled ADM for that 4018
fiscal year is greater than 4,000, then the district's treasurer 4019

cost shall be equal to [(\$130,000 X 1.16) + the amount specified 4020
under division (A) (10) (c) of section 3317.011 of the Revised 4021
Code for that fiscal year]. 4022

(b) If the district's base cost enrolled ADM for that 4023
fiscal year is less than or equal to 4,000 but greater than or 4024
equal to 500, the district's treasurer cost shall be equal to 4025
the sum of the following: 4026

(i) (The district's base cost enrolled ADM for that fiscal 4027
year - 500) X {[(\$130,000 X 1.16) - (\$60,000 X 1.16)]/3500}; 4028

(ii) (\$60,000 X 1.16) + the amount specified under 4029
division (A) (10) (c) of section 3317.011 of the Revised Code for 4030
that fiscal year. 4031

(c) If the district's base cost enrolled ADM is less than 4032
500, then the district's treasurer cost shall be equal to 4033
[((\$60,000 X 1.16) + the amount specified under division (A) (10) 4034
(c) of section 3317.011 of the Revised Code for that fiscal 4035
year]. 4036

(3) Calculate the district's other district administrator 4037
cost for that fiscal year as follows: 4038

(a) Divide the average other district administrator salary 4039
for that fiscal year by the average superintendent salary for 4040
that fiscal year; 4041

(b) Divide the district's base cost enrolled ADM for that 4042
fiscal year by 750; 4043

(c) Compute the other district administrator cost in 4044
accordance with the following formula: 4045

{[(The district's superintendent cost for that fiscal year 4046
calculated under division (F) (1) of this section - the amount 4047

specified under division (A) (10) (c) of section 3317.011 of the 4048
Revised Code for that fiscal year) X the quotient obtained under 4049
division (F) (3) (a) of this section] + the amount specified under 4050
division (A) (10) (c) of section 3317.011 of the Revised Code} X 4051
(the greater of the quotient obtained under division (F) (3) (b) 4052
of this section and 2) 4053

(4) Calculate the district's fiscal support cost for that 4054
fiscal year as follows: 4055

(a) Divide the district's base cost enrolled ADM for that 4056
fiscal year by 850; 4057

(b) Determine the lesser of the following: 4058

(i) The maximum of the quotient obtained under division 4059
(F) (4) (a) of this section and 2; 4060

(ii) 35. 4061

(c) Compute the fiscal support cost in accordance with the 4062
following formula: 4063

The number obtained under division (F) (4) (b) of this section X 4064
[(the average bookkeeping and accounting employee salary for 4065
that fiscal year X 1.16) + the amount specified under division 4066
(A) (10) (c) of section 3317.011 of the Revised Code for that 4067
fiscal year] 4068

(5) Calculate the district's education management 4069
information system support cost for that fiscal year as follows: 4070

(a) Divide the district's base cost enrolled ADM for that 4071
fiscal year by 5,000; 4072

(b) Compute the education management information system 4073
support cost in accordance with the following formula: 4074

(The greater of the quotient obtained under division (F) (5) (a) 4075
of this section and 1) X [(the average education management 4076
information system support employee salary for that fiscal year 4077
X 1.16) + the amount specified under division (A) (10) (c) of 4078
section 3317.011 of the Revised Code for that fiscal year] 4079

(6) Calculate the district's leadership support cost for 4080
that fiscal year as follows: 4081

(a) Determine the greater of the quotient obtained under 4082
division (F) (3) (b) of this section and 2 and add 1 to that 4083
number; 4084

(b) Divide the number obtained under division (F) (6) (a) of 4085
this section by 3; 4086

(c) Compute the leadership support cost in accordance with 4087
the following formula: 4088

(The greater of the quotient obtained under division (F) (6) (b) 4089
of this section and 1) X [(the average administrative assistant 4090
salary for that fiscal year X 1.16) + the amount specified under 4091
division (A) (10) (c) of section 3317.011 of the Revised Code for 4092
that fiscal year] 4093

(7) Calculate the district's information technology center 4094
support cost for that fiscal year in accordance with the 4095
following formula: 4096

\$31 X the district's base cost enrolled ADM for that fiscal year 4097

(8) Calculate the district's district leadership and 4098
accountability base cost for that fiscal year, which equals the 4099
sum of divisions (F) (1), (2), (3), (4), (5), (6), and (7) of 4100
this section; 4101

(G) The department shall compute a district's building 4102

leadership and operations base cost for a fiscal year as 4103
follows: 4104

(1) Calculate the district's building leadership cost for 4105
that fiscal year as follows: 4106

(a) Divide the average principal salary for that fiscal 4107
year by the average superintendent salary for that fiscal year; 4108

(b) Divide the district's base cost enrolled ADM for that 4109
fiscal year by 450; 4110

(c) Compute the building leadership cost in accordance 4111
with the following formula: 4112

{[(The district's superintendent cost for that fiscal year 4113
calculated under division (F) (1) of this section - the amount 4114
specified under division (A) (10) (c) of section 3317.011 of the 4115
Revised Code for that fiscal year) X the quotient obtained under 4116
division (G) (1) (a) of this section] + the amount specified under 4117
division (A) (10) (c) of section 3317.011 of the Revised Code for 4118
that fiscal year} X the quotient obtained under division (G) (1) 4119
(b) of this section 4120

(2) Calculate the district's building leadership support 4121
cost for that fiscal year as follows: 4122

(a) Divide the district's base cost enrolled ADM for that 4123
fiscal year by 400; 4124

(b) Determine the number of school buildings in the 4125
district for that fiscal year; 4126

(c) Compute the building leadership support cost in 4127
accordance with the following formula: 4128

(i) If the quotient obtained under division (G) (2) (a) of 4129

this section is less than the number obtained under division (G) 4130
(2) (b) of this section, then the district's building leadership 4131
support cost shall be equal to {the number obtained under 4132
division (G) (2) (b) of this section X [(the average clerical 4133
staff salary X 1.16) + the amount specified under division (A) 4134
(10) (c) of section 3317.011 of the Revised Code for that fiscal 4135
year]}. 4136

(ii) If the quotient obtained under division (G) (2) (a) of 4137
this section is greater than or equal to the number obtained 4138
under division (G) (2) (b) of this section, then the district's 4139
building leadership support cost shall be equal to {[the lesser 4140
of (the number obtained under division (G) (2) (b) of this section 4141
X 3) and the quotient obtained under division (G) (2) (a) of this 4142
section] X [(the average clerical staff salary for that fiscal 4143
year X 1.16) + the amount specified under division (A) (10) (c) of 4144
section 3317.011 of the Revised Code for that fiscal year]}. 4145

(3) Compute the district's building operations cost for 4146
that fiscal year in accordance with the following formula: 4147

The district's base cost enrolled ADM for that fiscal year X 4148
[(the number determined under division (G) (3) (a) (i) of section 4149
3317.011 of the Revised Code X the number determined under 4150
division (G) (3) (a) (ii) of section 3317.011 of the Revised Code) 4151
- (the amount determined under division (E) (6) (a) of section 4152
3317.011 of the Revised Code for that fiscal year / the sum 4153
determined under division (E) (6) (b) of section 3317.011 of the 4154
Revised Code for that fiscal year)] 4155

(4) Calculate the district's building leadership and 4156
operations base cost for that fiscal year, which equals the sum 4157
of divisions (G) (1), (2), and (3) of this section. 4158

Sec. 3317.013. The ~~amounts~~ multiples for the following 4159
categories of special education programs, as these programs are 4160
defined for purposes of Chapter 3323. of the Revised Code, are 4161
as follows: 4162

(A) ~~An amount of \$1,578~~ A multiple of 0.2434 for each 4163
~~student~~ students whose primary or only identified disability is 4164
a speech and language disability, as this term is defined 4165
pursuant to Chapter 3323. of the Revised Code; 4166

(B) ~~An amount of \$4,005~~ A multiple of 0.6178 for each 4167
~~student~~ students identified as specific learning disabled or 4168
developmentally disabled, as these terms are defined pursuant to 4169
Chapter 3323. of the Revised Code, identified as having an other 4170
health impairment-minor, or identified as a preschool child who 4171
is developmentally delayed; 4172

(C) ~~An amount of \$9,622~~ A multiple of 1.4843 for each 4173
~~student~~ students identified as hearing disabled or severe 4174
behavior disabled, as these terms are defined pursuant to 4175
Chapter 3323. of the Revised Code; 4176

(D) ~~An amount of \$12,841~~ A multiple of 1.9809 for each 4177
~~student~~ students identified as vision impaired, as this term is 4178
defined pursuant to Chapter 3323. of the Revised Code, or as 4179
having an other health impairment-major; 4180

(E) ~~An amount of \$17,390~~ A multiple of 2.6826 for each 4181
~~student~~ students identified as orthopedically disabled or as 4182
having multiple disabilities, as these terms are defined 4183
pursuant to Chapter 3323. of the Revised Code; 4184

(F) ~~An amount of \$25,637~~ A multiple of 3.9548 for each 4185
~~student~~ students identified as autistic, having traumatic brain 4186
injuries, or as both visually and hearing impaired, as these 4187

terms are defined pursuant to Chapter 3323. of the Revised Code.

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

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

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

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

~~(D) An amount of \$1,525~~ (4) A multiple of 0.1830 for
students enrolled in workforce development programs in education
and training, marketing, workforce development academics, public
administration, and career development, each of which shall be

defined by the department of education in consultation with the 4217
governor's office of workforce transformation; 4218

~~(E) An amount of \$1,308~~ (5) A multiple of 0.1570 for 4219
students enrolled in family and consumer science programs, which 4220
shall be defined by the department of education in consultation 4221
with the governor's office of workforce transformation. 4222

(B) The amount multiple for career-technical education 4223
associated services, as defined by the department, shall be 4224
~~\$2450.0294~~. 4225

(C) The department of education shall calculate career- 4226
technical education funds for each city, local, exempted 4227
village, and joint vocational school district as the sum of the 4228
following: 4229

(1) The district's category one career-technical education 4230
ADM X the multiple specified in division (A) (1) of this section 4231
X the statewide average career-technical base cost per pupil for 4232
that fiscal year X the district's state share percentage; 4233

(2) The district's category two career-technical education 4234
ADM X the multiple specified in division (A) (2) of this section 4235
X the statewide average career-technical base cost per pupil for 4236
that fiscal year X the district's state share percentage; 4237

(3) The district's category three career-technical 4238
education ADM X the multiple specified in division (A) (3) of 4239
this section X the statewide average career-technical base cost 4240
per pupil for that fiscal year X the district's state share 4241
percentage; 4242

(4) The district's category four career-technical 4243
education ADM X the multiple specified in division (A) (4) of 4244
this section X the statewide average career-technical base cost 4245

per pupil for that fiscal year X the district's state share 4246
percentage; 4247

(5) The district's category five career-technical 4248
education ADM X the multiple specified in division (A) (5) of 4249
this section X the statewide average career-technical base cost 4250
per pupil for that fiscal year X the district's state share 4251
percentage. 4252

Payment of funds calculated under division (C) of this 4253
section is subject to approval under section 3317.161 of the 4254
Revised Code. 4255

(D) The department shall calculate career-technical 4256
associated services funds for each city, local, exempted 4257
village, and joint vocational school district as follows: 4258

The district's state share percentage X the multiple for career- 4259
technical education associated services specified under division 4260

(B) of this section X the statewide average career-technical 4261
base cost per pupil for that fiscal year X the sum of the 4262
district's categories one through five career-technical 4263
education ADM 4264

(E) The department shall pay career awareness and 4265
exploration funds to city, local, exempted village, and joint 4266
vocational school districts calculated as follows: 4267

The district's enrolled ADM X \$2.50, for fiscal year 2022, \$5, 4268
for fiscal year 2023, \$7.50, for fiscal year 2024, or \$10, for 4269
fiscal year 2025 and each fiscal year thereafter 4270

(F) (1) In any fiscal year, a school district receiving 4271
funds calculated under division (C) of this section shall spend 4272
those funds only for the purposes that the department designates 4273
as approved for career-technical education expenses. Career- 4274

technical education expenses approved by the department shall 4275
include only expenses connected to the delivery of career- 4276
technical programming to career-technical students. The 4277
department shall require the school district to report data 4278
annually so that the department may monitor the district's 4279
compliance with the requirements regarding the manner in which 4280
funding calculated under division (C) of this section may be 4281
spent. 4282

(2) All funds received under division (C) of this section 4283
shall be spent in the following manner: 4284

(a) At least seventy-five per cent of the funds shall be 4285
spent on curriculum development, purchase, and implementation; 4286
instructional resources and supplies; industry-based program 4287
certification; student assessment, credentialing, and placement; 4288
curriculum specific equipment purchases and leases; career- 4289
technical student organization fees and expenses; home and 4290
agency linkages; work-based learning experiences; professional 4291
development; and other costs directly associated with career- 4292
technical education programs including development of new 4293
programs. 4294

(b) Not more than twenty-five per cent of the funds shall 4295
be used for personnel expenditures. 4296

(G) In any fiscal year, a school district receiving funds 4297
calculated under division (D) of this section, or through a 4298
transfer of funds pursuant to division (I) of section 3317.023 4299
of the Revised Code, shall spend those funds only for the 4300
purposes that the department designates as approved for career- 4301
technical education associated services expenses, which may 4302
include such purposes as apprenticeship coordinators, 4303
coordinators for other career-technical education services, 4304

career-technical evaluation, and other purposes designated by 4305
the department. The department may deny payment of funds 4306
calculated under division (D) of this section to any district 4307
that the department determines is not operating those services 4308
or is using funds calculated under division (D) of this section, 4309
or through a transfer of funds pursuant to division (I) of 4310
section 3317.023 of the Revised Code, for other purposes. 4311

(H) In any fiscal year, a lead district of a career- 4312
technical planning district receiving funds under division (E) 4313
of this section, or through a transfer of funds pursuant to 4314
division (I) of section 3317.023 of the Revised Code, shall 4315
disperse those funds to school districts, community schools, and 4316
STEM schools receiving services from that district that provide 4317
plans for the use of those funds that are consistent with the 4318
career-technical planning district's plan that is on file with 4319
the department of education. A district or school that receives 4320
funds under this division shall spend those funds only for the 4321
following purposes: 4322

(1) Delivery of career awareness programs to students 4323
enrolled in grades kindergarten through twelve; 4324

(2) Provision of a common, consistent curriculum to 4325
students throughout their primary and secondary education; 4326

(3) Assistance to teachers in providing a career 4327
development curriculum to students; 4328

(4) Development of a career development plan for each 4329
student that stays with that student for the duration of the 4330
student's primary and secondary education; 4331

(5) Provision of opportunities for students to engage in 4332
activities, such as career fairs, hands-on experiences, and job 4333

shadowing, across all career pathways at each grade level.

4334

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

4335

4336

4337

Sec. 3317.016. The ~~amounts~~ multiplies for English learners shall be as follows:

4338

4339

(A) ~~An amount of \$1,515~~ A multiple of 0.2103 for each student who has been enrolled in schools in the United States for 180 school days or less and was not previously exempted from taking the spring administration of either of the state's English language arts assessments prescribed by section 3301.0710 of the Revised Code (reading or writing).

4340

4341

4342

4343

4344

4345

(B) ~~An amount of \$1,136~~ A multiple of 0.1577 for each student who has been enrolled in schools in the United States for more than 180 school days ~~or was previously exempted from taking until the student achieves a score on the spring~~ administration of either of the state's English language arts assessments prescribed by section 3301.0710 of the Revised Code (reading or writing) that falls within the levels of achievement specified in divisions (A)(2)(a) to (c) of that section.

4346

4347

4348

4349

4350

4351

4352

4353

(C) ~~An amount of \$758~~ A multiple of 0.1052 for each student who ~~does not qualify for inclusion under division (A) or (B) of this section and is in a trial-mainstream period, as defined by the department~~ achieves a score on the spring administration of either of the state's English language arts assessments prescribed by section 3301.0710 of the Revised Code (reading or writing) that falls within the levels of achievement specified in divisions (A)(2)(a) to (c) of that section, for the two school years following the school year in which the student

4354

4355

4356

4357

4358

4359

4360

4361

4362

achieved that level of achievement.

4363

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

4364

4365

4366

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

4367

4368

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

4369

4370

4371

4372

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

4373

4374

4375

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

4376

4377

(a) Determine the minimum of the following:

4378

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

4379

4380

4381

4382

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

4383

4384

4385

4386

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

4387

4388

4389

<u>(3) Calculate the district's adjusted local share federal</u>	4390
<u>adjusted gross income per pupil for that fiscal year as follows:</u>	4391
<u>(a) Determine both of the following:</u>	4392
<u>(i) The median federal adjusted gross income of the</u>	4393
<u>district's residents for the most recent tax year for which data</u>	4394
<u>is available, as certified under section 3317.021 of the Revised</u>	4395
<u>Code;</u>	4396
<u>(ii) The number of state tax returns filed by taxpayers</u>	4397
<u>residing in the district for the most recent tax year for which</u>	4398
<u>data is available, as certified under section 3317.021 of the</u>	4399
<u>Revised Code.</u>	4400
<u>(b) Compute the product of divisions (A) (3) (a) (i) and (ii)</u>	4401
<u>of this section;</u>	4402
<u>(c) Divide the amount determined under division (A) (3) (b)</u>	4403
<u>of this section by the district's base cost enrolled ADM for the</u>	4404
<u>fiscal year for which the calculation is made.</u>	4405
<u>(4) Calculate the district's per-pupil local capacity</u>	4406
<u>percentage as follows:</u>	4407
<u>(a) Determine the median of the median federal adjusted</u>	4408
<u>gross incomes determined for all districts statewide under</u>	4409
<u>division (A) (3) (a) (i) of this section for that fiscal year;</u>	4410
<u>(b) Divide the district's median federal adjusted gross</u>	4411
<u>income for that fiscal year determined under division (A) (3) (a)</u>	4412
<u>(i) of this section by the median federal adjusted gross income</u>	4413
<u>for all districts statewide determined under division (A) (4) (a)</u>	4414
<u>of this section;</u>	4415
<u>(c) Rank all school districts in order of the ratios</u>	4416
<u>calculated under division (A) (4) (b) of this section, from the</u>	4417

district with the highest ratio calculated under division (A) (4) 4418
(b) of this section to the district with the lowest ratio 4419
calculated under division (A) (4) (b) of this section; 4420

(d) Determine the district's per-pupil local capacity 4421
percentage as follows: 4422

(i) If the ratio calculated for the district under 4423
division (A) (4) (b) of this section is greater than or equal to 4424
the ratio calculated under division (A) (4) (b) of this section 4425
for the district with the fortieth highest ratio as determined 4426
under division (A) (4) (c) of this section, the district's per- 4427
pupil local capacity percentage shall be equal to 0.025. 4428

(ii) If the ratio calculated for the district under 4429
division (A) (4) (b) of this section is less than the ratio 4430
calculated under division (A) (4) (b) of this section for the 4431
district with the fortieth highest ratio as determined under 4432
division (A) (4) (c) of this section but greater than 1.0, the 4433
district's per-pupil local capacity percentage shall be equal to 4434
an amount calculated as follows: 4435

{[(The ratio calculated for the district under division (A) (4) 4436
(b) of this section - 1) X 0.0025] / (the ratio calculated under 4437
division (A) (4) (b) of this section for the district with the 4438
fortieth highest ratio as determined under division (A) (4) (c) of 4439
this section - 1)} + 0.0225 4440

(iii) If the ratio calculated for the district under 4441
division (A) (4) (b) of this section is less than or equal to 1.0, 4442
the district's per-pupil local capacity percentage shall be 4443
equal to the amount calculated under division (A) (4) (b) of this 4444
section times 0.0225. 4445

(5) Calculate the district's per-pupil local capacity 4446

amount for that fiscal year as follows: 4447

(The district's valuation per pupil calculated under division 4448
(A) (1) of this section for that fiscal year X the district's 4449
per-pupil local capacity percentage calculated under division 4450
(A) (4) of this section X 0.60) + (the district's local share 4451
adjusted federal gross income per pupil calculated under 4452
division (A) (2) of this section for that fiscal year X the 4453
district's per-pupil local capacity percentage calculated under 4454
division (A) (4) of this section X 0.20) + (the district's 4455
adjusted local share federal adjusted gross income per pupil 4456
calculated under division (A) (3) of this section for that fiscal 4457
year X the district's per-pupil local capacity percentage 4458
calculated under division (A) (4) of this section X 0.20) 4459

(B) The department shall compute a city, local, or 4460
exempted village school district's state share for a fiscal year 4461
as follows: 4462

(1) If the district's per-pupil local capacity amount for 4463
that fiscal year divided by the district's base cost per pupil 4464
for that fiscal year is greater than 0.95, then the district's 4465
state share shall be equal to (the district's base cost per 4466
pupil for that fiscal year X 0.05 X the district's enrolled ADM 4467
for that fiscal year). 4468

(2) If the district's per-pupil local capacity amount for 4469
that fiscal year divided by the district's base cost per pupil 4470
for that fiscal year is less than or equal to 0.95, then the 4471
district's state share for that fiscal year shall be equal to 4472
[(the district's base cost per pupil for that fiscal year - the 4473
district's per-pupil local capacity amount for that fiscal year) 4474
X the district's enrolled ADM for that fiscal year]. 4475

(C) The department shall compute a city, local, or 4476
exempted village school district's state share percentage for a 4477
fiscal year as follows: 4478

The district's state share calculated under division (B) of this 4479
section for that fiscal year / the aggregate base cost 4480
calculated for the district for that fiscal year under section 4481
3317.011 of the Revised Code 4482

Sec. 3317.018. (A) The statewide average base cost per 4483
pupil shall be determined as follows: 4484

(1) For fiscal year 2022, the statewide average base cost 4485
per pupil shall be equal to the sum of the aggregate base cost 4486
calculated for all city, local, and exempted village school 4487
districts in the state for that fiscal year under section 4488
3317.011 of the Revised Code divided by the sum of the base cost 4489
enrolled ADMs of all of the city, local, and exempted village 4490
school districts in the state for that fiscal year. 4491

(2) For fiscal years 2023, 2024, 2025, 2026, and 2027, the 4492
statewide average base cost per pupil shall be equal to the 4493
amount calculated under division (A)(1) of this section. 4494

(3) For fiscal year 2028 and for each fiscal year 4495
thereafter, the statewide average base cost per pupil shall be 4496
equal to the sum of the aggregate base cost calculated for all 4497
city, local, and exempted village school districts in the state 4498
under section 3317.011 of the Revised Code for that fiscal year 4499
divided by the sum of the base cost enrolled ADMs of all of the 4500
city, local, and exempted village school districts in the state 4501
for that fiscal year. 4502

(B) The statewide average career-technical base cost per 4503
pupil shall be determined as follows: 4504

(1) For fiscal year 2022, the statewide average career- 4505
technical base cost per pupil shall be equal to the sum of the 4506
aggregate base cost calculated for all joint vocational school 4507
districts in the state for that fiscal year under section 4508
3317.012 of the Revised Code divided by the sum of the base cost 4509
enrolled ADMs of all of the joint vocational school districts in 4510
the state for that fiscal year. 4511

(2) For fiscal years 2023, 2024, 2025, 2026, and 2027, the 4512
statewide average career-technical base cost per pupil shall be 4513
equal to the amount calculated under division (B)(1) of this 4514
section. 4515

(3) For fiscal year 2028 and for each fiscal year 4516
thereafter, the statewide average career-technical base cost per 4517
pupil shall be equal to the sum of the aggregate base cost 4518
calculated for all joint vocational school districts in the 4519
state under section 3317.012 of the Revised Code for that fiscal 4520
year divided by the sum of the base cost enrolled ADMs of all of 4521
the joint vocational school districts in the state for that 4522
fiscal year. 4523

Sec. 3317.019. (A)(1) Subject to division (D) of this 4524
section, for fiscal years 2022 and 2023, the department of 4525
education shall pay temporary transitional aid to each city, 4526
local, and exempted village school district according to the 4527
following formula: 4528

(The district's funding base, as that term is defined in section 4529
3317.02 of the Revised Code) + [(the amount paid to the district 4530
under division (A)(5) of section 3317.022 of the Revised Code, 4531
as that division existed prior to the effective date of this 4532
amendment, for fiscal year 2019) - (the amounts deducted from 4533
the district and paid to a community school under division (C) 4534

(1) (e) of section 3314.08 of the Revised Code or a science, 4535
technology, engineering, and mathematics school under division 4536
(E) of section 3326.33 of the Revised Code as those divisions 4537
existed prior to the effective date of this amendment for fiscal 4538
year 2020 in accordance with division (A) of Section 265.235 of 4539
H.B. 166 of the 133rd general assembly)] - (the district's 4540
payment under section 3317.022 of the Revised Code for the 4541
fiscal year for which the payment is computed) 4542

If the computation made under division (A) (1) of this 4543
section results in a negative number, the district's funding 4544
under division (A) (1) of this section shall be zero. 4545

(2) For fiscal years 2022 and 2023, the department shall 4546
pay temporary transitional transportation aid to that district 4547
according to the following formula: 4548

(The amount calculated for the district for fiscal year 2020 4549
under division (A) (2) of Section 265.220 of H.B. 166 of the 4550
133rd general assembly, prior to any funding reductions 4551
authorized by Executive Order 2020-19D, "Implementing Additional 4552
Spending Controls to Balance the State Budget" issued on May 7, 4553
2020) - (the district's payment for fiscal year 2019 under 4554
division (D) (2) of section 3314.091 of the Revised Code as that 4555
division existed prior to the effective date of this amendment) 4556
- (the district's payment under section 3317.0212 of the Revised 4557
Code for the fiscal year for which the payment is computed) 4558

If the computation made under division (A) (2) of this 4559
section results in a negative number, the district's funding 4560
under division (A) (2) of this section shall be zero. 4561

(B) Subject to division (D) of this section, for fiscal 4562
year 2024 and for each fiscal year thereafter, the department 4563

shall pay temporary transitional aid to each city, local, and 4564
exempted village school district according to the following 4565
formula: 4566

(The district's guaranteed funding for the third preceding 4567
fiscal year / the average of the district's enrolled ADM for the 4568
third, fourth, and fifth preceding fiscal years) - (the 4569
district's payment under section 3317.022 of the Revised Code 4570
for the fiscal year for which the payment is calculated / the 4571
district's enrolled ADM for the fiscal year for which the 4572
payment is calculated) X the district's enrolled ADM for the 4573
fiscal year for which the payment is calculated 4574

If the computation made under this division results in a 4575
negative number, the district's funding under this division 4576
shall be zero. 4577

For purposes of this computation, a district's "guaranteed 4578
funding" means the following: 4579

(1) For fiscal year 2021, the sum of the following: 4580

(a) The district's funding base, as that term is defined 4581
in section 3317.02 of the Revised Code; 4582

(b) The following difference: 4583

(The amount paid to the district under division (A) (5) of 4584
section 3317.022 of the Revised Code, as that division existed 4585
prior to the effective date of this amendment, for fiscal year 4586
2019) - (the amounts deducted from the district and paid to a 4587
community school under division (C) (1) (e) of section 3314.08 of 4588
the Revised Code or a science, technology, engineering, and 4589
mathematics school under division (E) of section 3326.33 of the 4590
Revised Code as those divisions existed prior to the effective 4591
date of this amendment in accordance with division (A) of 4592

Section 265.235 of H.B. 166 of the 133rd general assembly)

4593

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

4594

4595

4596

4597

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

4598

4599

4600

4601

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

4602

4603

4604

4605

4606

4607

4608

4609

4610

4611

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

4612

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

4613

4614

(b) The following difference:

4615

[(The amount paid to the district under division (A) (5) of
section 3317.022 of the Revised Code, as that division existed
prior to the effective date of this amendment, for fiscal year
2019) - (the amounts deducted from the district and paid to a
community school under division (C) (1) (e) of section 3314.08 of
the Revised Code or a science, technology, engineering, and

4616

4617

4618

4619

4620

4621

mathematics school under division (E) of section 3326.33 of the 4622
Revised Code as those divisions existed prior to the effective 4623
date of this amendment for fiscal year 2020 in accordance with 4624
division (A) of Section 265.235 of H.B. 166 of the 133rd general 4625
assembly)] 4626

(2) For purposes of division (B) of this section, the 4627
district's guaranteed funding. 4628

(D) (1) For purposes of division (D) of this section, a 4629
district's "decrease threshold" for a fiscal year is the greater 4630
of the following: 4631

(a) Twenty; 4632

(b) Ten per cent of the number of the district's students 4633
counted under division (A) (1) (b) of section 3317.03 of the 4634
Revised Code for the previous fiscal year. 4635

(2) For any fiscal year for which the phase-in percentage 4636
is less than one hundred per cent, if a district has fewer 4637
students counted under division (A) (1) (b) of section 3317.03 of 4638
the Revised Code for that fiscal year than for the previous 4639
fiscal year and the positive difference between those two 4640
student counts is greater than or equal to the district's 4641
decrease threshold for that fiscal year, the amount paid to the 4642
district under division (A) or (B) of this section shall be 4643
reduced by the following amount: 4644

The statewide average base cost per pupil X [(the positive 4645
difference between the number of the district's students counted 4646
under division (A) (1) (b) of section 3317.03 of the Revised Code 4647
for that fiscal year and the number of the district's students 4648
counted under that division for the previous fiscal year) - the 4649
district's decrease threshold for that fiscal year] 4650

At no time, however, shall the amount paid to a district 4651
under division (A) or (B) of this section be less than zero. 4652

Sec. 3317.0110. (A) Notwithstanding any provision to the 4653
contrary in sections 3301.0714, 3302.20, 3310.08, 3310.41, 4654
3310.51, 3310.54, 3310.56, 3313.64, 3313.98, 3313.981, 3315.18, 4655
3319.57, 3324.09, 3327.01, 3327.016, and 3365.01 and Chapters 4656
3314., 3317., 3326., and 3328. of the Revised Code, city, local, 4657
exempted village, and joint vocational school districts, 4658
community schools, science, technology, engineering, and 4659
mathematics schools, and educational service centers shall be 4660
funded as follows: 4661

(1) On July 1, 2022, and on the first day of July of each 4662
of the succeeding five years thereafter, the director of budget 4663
and management shall transfer the unexpended, unencumbered 4664
balances in the general revenue fund at the end of the previous 4665
fiscal year to appropriation item 200550, foundation funding, 4666
and the department of education shall use that amount 4667
exclusively to fund disadvantaged pupil impact aid under 4668
sections 3314.08, 3317.022, 3317.16, and 3326.33 of the Revised 4669
Code. 4670

(2) After disadvantaged pupil impact aid is fully funded 4671
in accordance with division (A)(1) of this section, on July 1, 4672
2022, and on the first day of July of each of the succeeding 4673
five years thereafter, the director of budget and management 4674
shall transfer the unexpended, unencumbered balances in the 4675
general revenue fund at the end of the previous fiscal year to 4676
appropriation item 200550, foundation funding, and the 4677
department shall use that amount exclusively to fund educational 4678
service centers under section 3317.11 of the Revised Code. 4679

(3) After disadvantaged pupil impact aid and educational 4680

service centers are fully funded in accordance with divisions 4681
(A) (1) and (2) of this section, the remainder of the payments to 4682
school districts, community schools, and science, technology, 4683
engineering, and mathematics schools under Chapters 3314., 4684
3317., and 3326. of the Revised Code, the educational choice 4685
scholarship pilot program established under sections 3310.01 to 4686
3310.17 of the Revised Code, the autism scholarship program 4687
established under section 3310.41 of the Revised Code, the Jon 4688
Peterson special needs scholarship program established under 4689
sections 3310.51 to 3310.64 of the Revised Code, and the pilot 4690
project scholarship program established under sections 3313.974 4691
to 3313.979 of the Revised Code shall be funded using the 4692
general revenue fund and nongeneral revenue fund appropriation 4693
items in the department's budget. For this purpose, nongeneral 4694
revenue fund appropriation items shall include both federal and 4695
state nongeneral revenue fund appropriation items, provided the 4696
money disbursed from those appropriation items is not restricted 4697
to certain purposes. If the amount available is insufficient, 4698
the department shall prorate the payments so that the amount 4699
allocated in this division is not exceeded. 4700

(B) It is the intent of the general assembly that an 4701
amount equal to the estimated increase in revenues in the 4702
general revenue fund that is determined as part of the 4703
development of the main operating budget for fiscal years 2022 4704
and 2023 first be used to fund disadvantaged pupil impact aid 4705
under sections 3314.08, 3317.022, 3317.16, and 3326.33 of the 4706
Revised Code. 4707

Sec. 3317.02. As used in this chapter: 4708

(A) ~~(1)~~ A district's "base cost enrolled ADM" for a fiscal 4709
year means the greater of the following: 4710

(1) The district's enrolled ADM for the previous fiscal 4711
year; 4712

(2) The average of the district's enrolled ADM for the 4713
previous three fiscal years. 4714

(B) (1) "Base cost per pupil" for a fiscal year means, for 4715
a city, local, or exempted village school district, the 4716
aggregate base cost calculated for that district for that fiscal 4717
year under section 3317.011 of the Revised Code divided by the 4718
district's base cost enrolled ADM for that fiscal year. 4719

(2) "Base cost per pupil" for a fiscal year means, for a 4720
joint vocational school district, the aggregate base cost 4721
calculated for that district for that fiscal year under section 4722
3317.012 of the Revised Code divided by the district's base cost 4723
enrolled ADM for that fiscal year. 4724

(C) (1) "Category one career-technical education ADM" means 4725
the enrollment of students during the school year on a full-time 4726
equivalency basis in career-technical education programs 4727
described in division (A) (1) of section 3317.014 of the Revised 4728
Code and certified under division (B) (11) or (D) (2) (h) of 4729
section 3317.03 of the Revised Code. 4730

(2) "Category two career-technical education ADM" means 4731
the enrollment of students during the school year on a full-time 4732
equivalency basis in career-technical education programs 4733
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 4734
Revised Code and certified under division (B) (12) or (D) (2) (i) 4735
of section 3317.03 of the Revised Code. 4736

(3) "Category three career-technical education ADM" means 4737
the enrollment of students during the school year on a full-time 4738
equivalency basis in career-technical education programs 4739

described in division ~~(C)~~ (A) (3) of section 3317.014 of the 4740
Revised Code and certified under division (B) (13) or (D) (2) (j) 4741
of section 3317.03 of the Revised Code. 4742

(4) "Category four career-technical education ADM" means 4743
the enrollment of students during the school year on a full-time 4744
equivalency basis in career-technical education programs 4745
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 4746
Revised Code and certified under division (B) (14) or (D) (2) (k) 4747
of section 3317.03 of the Revised Code. 4748

(5) "Category five career-technical education ADM" means 4749
the enrollment of students during the school year on a full-time 4750
equivalency basis in career-technical education programs 4751
described in division ~~(E)~~ (A) (5) of section 3317.014 of the 4752
Revised Code and certified under division (B) (15) or (D) (2) (l) 4753
of section 3317.03 of the Revised Code. 4754

~~(B) (1)~~ (D) (1) "Category one English learner ADM" means the 4755
full-time equivalent number of English learners described in 4756
division (A) of section 3317.016 of the Revised Code and 4757
certified under division (B) (16) or (D) (2) (m) of section 3317.03 4758
of the Revised Code. 4759

(2) "Category two English learner ADM" means the full-time 4760
equivalent number of English learners described in division (B) 4761
of section 3317.016 of the Revised Code and certified under 4762
division (B) (17) or (D) (2) (n) of section 3317.03 of the Revised 4763
Code. 4764

(3) "Category three English learner ADM" means the full- 4765
time equivalent number of English learners described in division 4766
(C) of section 3317.016 of the Revised Code and certified under 4767
division (B) (18) or (D) (2) (o) of section 3317.03 of the Revised 4768

Code. 4769

~~(C) (1)~~ (E) (1) "Category one special education ADM" means 4770
the full-time equivalent number of children with disabilities 4771
receiving special education services for the disability 4772
specified in division (A) of section 3317.013 of the Revised 4773
Code and certified under division (B) (5) or (D) (2) (b) of section 4774
3317.03 of the Revised Code. 4775

(2) "Category two special education ADM" means the full- 4776
time equivalent number of children with disabilities receiving 4777
special education services for those disabilities specified in 4778
division (B) of section 3317.013 of the Revised Code and 4779
certified under division (B) (6) or (D) (2) (c) of section 3317.03 4780
of the Revised Code. 4781

(3) "Category three special education ADM" means the full- 4782
time equivalent number of students receiving special education 4783
services for those disabilities specified in division (C) of 4784
section 3317.013 of the Revised Code, and certified under 4785
division (B) (7) or (D) (2) (d) of section 3317.03 of the Revised 4786
Code. 4787

(4) "Category four special education ADM" means the full- 4788
time equivalent number of students receiving special education 4789
services for those disabilities specified in division (D) of 4790
section 3317.013 of the Revised Code and certified under 4791
division (B) (8) or (D) (2) (e) of section 3317.03 of the Revised 4792
Code. 4793

(5) "Category five special education ADM" means the full- 4794
time equivalent number of students receiving special education 4795
services for the disabilities specified in division (E) of 4796
section 3317.013 of the Revised Code and certified under 4797

division (B) (9) or (D) (2) (f) of section 3317.03 of the Revised Code. 4798
4799

(6) "Category six special education ADM" means the full-time equivalent number of students receiving special education services for the disabilities specified in division (F) of section 3317.013 of the Revised Code and certified under division (B) (10) or (D) (2) (g) of section 3317.03 of the Revised Code. 4800
4801
4802
4803
4804
4805

~~(D)~~ (F) "Economically disadvantaged index for a school district" means the square of the quotient of that district's percentage of students in its ~~total~~ enrolled ADM who are identified as economically disadvantaged as defined by the department of education, divided by the percentage of students in the statewide ~~total~~ ADM identified as economically disadvantaged. For purposes of this calculation: 4806
4807
4808
4809
4810
4811
4812

(1) For a city, local, or exempted village school district, the "statewide ~~total~~ ADM" equals the sum of the ~~total~~ following: 4813
4814
4815

(a) The enrolled ADM for all city, local, and exempted village school districts combined; 4816
4817

(b) The statewide enrollment of students in community schools established under Chapter 3314. of the Revised Code; 4818
4819

(c) The statewide enrollment of students in science, technology, engineering, and mathematics schools established under Chapter 3326. of the Revised Code. 4820
4821
4822

(2) For a joint vocational school district, the "statewide ~~total~~ ADM" equals the sum of the ~~formula~~ enrolled ADM for all joint vocational school districts combined. 4823
4824
4825

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

(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) 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.

(2) "Enrolled ADM" means, for a joint vocational school
district, the final number verified by the superintendent of
public instruction, based on the enrollment reported and
certified under division (D) of section 3317.03 of the Revised
Code, as adjusted, if so ordered, under division (K) of that
section, and as further adjusted by the department of education
by adding the students described in division (D) (1) (b) of
section 3317.03 of the Revised Code.

(H) (1) "Formula ADM" means, for a city, local, or exempted
village school district, the enrollment reported under division
(A) of section 3317.03 of the Revised Code, as verified by the

superintendent of public instruction and adjusted if so ordered 4855
under division (K) of that section, and as further adjusted by 4856
the department of education, as follows: 4857

(a) Count only twenty per cent of the number of joint 4858
vocational school district students counted under division (A) 4859
(3) of section 3317.03 of the Revised Code; 4860

(b) Add twenty per cent of the number of students who are 4861
entitled to attend school in the district under section 3313.64 4862
or 3313.65 of the Revised Code and are enrolled in another 4863
school district under a career-technical education compact. 4864

(2) "Formula ADM" means, for a joint vocational school 4865
district, the final number verified by the superintendent of 4866
public instruction, based on the enrollment reported and 4867
certified under division (D) of section 3317.03 of the Revised 4868
Code, as adjusted, if so ordered, under division (K) of that 4869
section. 4870

~~(F) "Formula amount" means \$6,010, for fiscal year 2018,~~ 4871
~~and \$6,020, for fiscal year 2019.~~ 4872

~~(G)-(I)~~ "FTE basis" means a count of students based on 4873
full-time equivalency, in accordance with rules adopted by the 4874
department of education pursuant to section 3317.03 of the 4875
Revised Code. In adopting its rules under this division, the 4876
department shall provide for counting any student in category 4877
one, two, three, four, five, or six special education ADM or in 4878
category one, two, three, four, or five career-technical 4879
education ADM in the same proportion the student is counted in 4880
~~formula enrolled~~ ADM. 4881

~~(H)-(J)~~ "Funding base" means, for a city, local, or 4882
exempted village school district, the amount calculated by the 4883

department as follows:

4884

(1) Compute the sum of the following:

4885

(a) 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;

4886

4887

4888

4889

4890

4891

4892

(b) The district's payments for fiscal year 2020 under divisions (C) (1), (2), (3), and (4) of section 3313.981 of the Revised Code as those divisions existed prior to the effective date of this amendment.

4893

4894

4895

4896

(2) Subtract from the amount calculated in division (J) (1) of this section the sum of the following:

4897

4898

(a) The following difference:

4899

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

4900

4901

4902

4903

4904

4905

4906

4907

4908

4909

4910

(b) The payments deducted from the district and paid to a community school for fiscal year 2020 under divisions (C) (1) (a),

4911

4912

(b), (c), (d), (e), (f), and (g) of section 3314.08 of the 4913
Revised Code as those divisions existed prior to the effective 4914
date of this amendment in accordance with division (A) of 4915
Section 265.230 of H.B. 166 of the 133rd general assembly; 4916

(c) The payments deducted from the district and paid to a 4917
science, technology, engineering, and mathematics school for 4918
fiscal year 2020 under divisions (A), (B), (C), (D), (E), (F), 4919
and (G) of section 3326.33 of the Revised Code as those 4920
divisions existed prior to the effective date of this amendment 4921
in accordance with division (A) of Section 265.235 of H.B. 166 4922
of the 133rd general assembly; 4923

(d) The payments deducted from the district under division 4924
(C) of section 3310.08 of the Revised Code as that division 4925
existed prior to the effective date of this amendment, division 4926
(C) (2) of section 3310.41 of the Revised Code as that division 4927
existed prior to the effective date of this amendment, and 4928
former section 3310.55 of the Revised Code for fiscal year 2020 4929
and, in the case of a pilot project school district as defined 4930
in section 3313.975 of the Revised Code, the funds deducted from 4931
the district under Section 265.210 of H.B. 166 of the 133rd 4932
general assembly to operate the pilot project scholarship 4933
program for fiscal year 2020 under sections 3313.974 to 3313.979 4934
of the Revised Code; 4935

(e) The payments subtracted from the district for fiscal 4936
year 2020 under divisions (B) (1) and (2) of section 3313.981 of 4937
the Revised Code as those divisions existed prior to the 4938
effective date of this amendment. 4939

(K) "Funding base" means, for a joint vocational school 4940
district, the amount calculated by the department as follows: 4941

(1) Compute the sum of the following: 4942

(a) The district's payments for fiscal year 2020 under 4943
Section 265.225 of H.B. 166 of the 133rd general assembly after 4944
any adjustments required under Section 265.227 of H.B. 166 of 4945
the 133rd general assembly; 4946

(b) The district's payments for fiscal year 2019 under 4947
divisions (D) (1), (2), and (E) (3) of section 3313.981 of the 4948
Revised Code as those divisions existed prior to the effective 4949
date of this amendment. 4950

(2) Subtract from the amount calculated in division (K) (1) 4951
of this section the amount paid to the district under division 4952
(A) (3) of section 3317.16 of the Revised Code, as that division 4953
existed prior to the effective date of this amendment, for 4954
fiscal year 2019. 4955

(L) "Internet- or computer-based community school" has the 4956
same meaning as in section 3314.02 of the Revised Code. 4957

~~(I)~~ (M) "Medically fragile child" means a child to whom 4958
all of the following apply: 4959

(1) The child requires the services of a doctor of 4960
medicine or osteopathic medicine at least once a week due to the 4961
instability of the child's medical condition. 4962

(2) The child requires the services of a registered nurse 4963
on a daily basis. 4964

(3) The child is at risk of institutionalization in a 4965
hospital, skilled nursing facility, or intermediate care 4966
facility for individuals with intellectual disabilities. 4967

~~(J) (1)~~ (N) (1) A child may be identified as having an 4968
"other health impairment-major" if the child's condition meets 4969

the definition of "other health impaired" established in rules 4970
previously adopted by the state board of education and if either 4971
of the following apply: 4972

(a) The child is identified as having a medical condition 4973
that is among those listed by the superintendent of public 4974
instruction as conditions where a substantial majority of cases 4975
fall within the definition of "medically fragile child." 4976

(b) The child is determined by the superintendent of 4977
public instruction to be a medically fragile child. A school 4978
district superintendent may petition the superintendent of 4979
public instruction for a determination that a child is a 4980
medically fragile child. 4981

(2) A child may be identified as having an "other health 4982
impairment-minor" if the child's condition meets the definition 4983
of "other health impaired" established in rules previously 4984
adopted by the state board of education but the child's 4985
condition does not meet either of the conditions specified in 4986
division ~~(J) (1) (a)~~ (N) (1) (a) or (b) of this section. 4987

~~(K)~~ (O) A city, local, exempted village, or joint 4988
vocational school district's "phase-in percentage" is equal to 4989
the percentage for that fiscal year that is determined by the 4990
general assembly. It is the intent of the general assembly that 4991
this percentage shall increase to one hundred per cent over the 4992
course of not more than six fiscal years, beginning with fiscal 4993
year 2022. 4994

(P) "Preschool child with a disability" means a child with 4995
a disability, as defined in section 3323.01 of the Revised Code, 4996
who is at least age three but is not of compulsory school age, 4997
as defined in section 3321.01 of the Revised Code, and who is 4998

not currently enrolled in kindergarten. 4999

~~(L)~~ (Q) "Preschool scholarship ADM" means the number of 5000
preschool children with disabilities certified under division 5001
(B) (3) (h) of section 3317.03 of the Revised Code. 5002

~~(M)~~ (R) "Related services" includes: 5003

(1) Child study, special education supervisors and 5004
coordinators, speech and hearing services, adaptive physical 5005
development services, occupational or physical therapy, teacher 5006
assistants for children with disabilities whose disabilities are 5007
described in division (B) of section 3317.013 or division (B) (3) 5008
of this section, behavioral intervention, interpreter services, 5009
work study, nursing services, and specialized integrative 5010
services as those terms are defined by the department; 5011

(2) Speech and language services provided to any student 5012
with a disability, including any student whose primary or only 5013
disability is a speech and language disability; 5014

(3) Any related service not specifically covered by other 5015
state funds but specified in federal law, including but not 5016
limited to, audiology and school psychological services; 5017

(4) Any service included in units funded under former 5018
division (O) (1) of section 3317.024 of the Revised Code; 5019

(5) Any other related service needed by children with 5020
disabilities in accordance with their individualized education 5021
programs. 5022

~~(N)~~ (S) "School district," unless otherwise specified, 5023
means city, local, and exempted village school districts. 5024

~~(O)~~ (T) "State education aid" has the same meaning as in 5025
section 5751.20 of the Revised Code. 5026

~~(P)~~ (U) (1) "State share ~~index~~percentage" means, for a 5027
city, local, or exempted village school district, the state 5028
share ~~index~~percentage calculated for a district under section 5029
3317.017 of the Revised Code. 5030

~~(Q)~~ (2) "State share percentage" means, for a joint 5031
vocational school district, the percentage calculated in 5032
accordance with the following formula: 5033

The amount computed for the district under division (A) (1) of 5034
section 3317.16 of the Revised Code for that fiscal year / the 5035
aggregate base cost calculated for the district for that fiscal 5036
year under section 3317.012 of the Revised Code 5037

(V) "Statewide average base cost per pupil" for a fiscal 5038
year means the statewide average base cost per pupil calculated 5039
under division (A) of section 3317.018 of the Revised Code. 5040

(W) "Statewide average career-technical base cost per 5041
pupil" for a fiscal year means the statewide average career- 5042
technical base cost per pupil calculated under division (B) of 5043
section 3317.018 of the Revised Code. 5044

(X) "Taxes charged and payable" means the taxes charged 5045
and payable against real and public utility property after 5046
making the reduction required by section 319.301 of the Revised 5047
Code, plus the taxes levied against tangible personal property. 5048

~~(R) (1)~~ (Y) For purposes of ~~section~~ sections 3317.017 and 5049
3317.16 of the Revised Code, "three-year average valuation" for 5050
a fiscal year means the average of total taxable value for ~~tax-~~ 5051
years 2014, 2015, and 2016the three most recent tax years for 5052
which data is available, as certified under section 3317.021 of 5053
the Revised Code. 5054

~~(2) For purposes of sections 3317.0217, 3317.0218, and~~ 5055

~~3317.16 of the Revised Code, "three year average valuation"~~ 5056
~~means the following:~~ 5057

~~(a) For fiscal year 2018, the average of total taxable~~ 5058
~~value for tax years 2014, 2015, and 2016;~~ 5059

~~(b) For fiscal year 2019, the average of total taxable~~ 5060
~~value for tax years 2015, 2016, and 2017.~~ 5061

~~(S) (Z)~~ "Total ADM" means, for a city, local, or exempted 5062
village school district, the enrollment reported under division 5063
(A) of section 3317.03 of the Revised Code, as verified by the 5064
superintendent of public instruction and adjusted if so ordered 5065
under division (K) of that section. 5066

~~(T) (AA)~~ "Total special education ADM" means the sum of 5067
categories one through six special education ADM. 5068

~~(U) (BB)~~ "Total taxable value" means the sum of the 5069
amounts certified for a city, local, exempted village, or joint 5070
vocational school district under divisions (A) (1) and (2) of 5071
section 3317.021 of the Revised Code. 5072

Sec. 3317.021. (A) On or before the first day of June of 5073
each year, the tax commissioner shall certify to the department 5074
of education and the office of budget and management the 5075
information described in divisions (A) (1) to (5) of this section 5076
for each city, exempted village, and local school district, and 5077
the information required by divisions (A) (1) and (2) of this 5078
section for each joint vocational school district, and it shall 5079
be used, along with the information certified under division (B) 5080
of this section, in making the computations for the district 5081
under this chapter. 5082

(1) The taxable value of real and public utility real 5083
property in the school district subject to taxation in the 5084

preceding tax year, by class and by county of location. 5085

(2) The taxable value of tangible personal property, 5086
including public utility personal property, subject to taxation 5087
by the district for the preceding tax year. 5088

(3) (a) The total property tax rate and total taxes charged 5089
and payable for the current expenses for the preceding tax year 5090
and the total property tax rate and the total taxes charged and 5091
payable to a joint vocational district for the preceding tax 5092
year that are limited to or to the extent apportioned to current 5093
expenses. 5094

(b) The portion of the amount of taxes charged and payable 5095
reported for each city, local, and exempted village school 5096
district under division (A) (3) (a) of this section attributable 5097
to a joint vocational school district. 5098

(4) The value of all real and public utility real property 5099
in the school district exempted from taxation minus both of the 5100
following: 5101

(a) The value of real and public utility real property in 5102
the district owned by the United States government and used 5103
exclusively for a public purpose; 5104

(b) The value of real and public utility real property in 5105
the district exempted from taxation under Chapter 725. or 1728. 5106
or section 3735.67, 5709.40, 5709.41, 5709.45, 5709.57, 5709.62, 5107
5709.63, 5709.632, 5709.73, or 5709.78 of the Revised Code. 5108

(5) The total federal adjusted gross income of the 5109
residents of the school district, based on tax returns filed by 5110
the residents of the district, for the most recent year for 5111
which this information is available, and the median Ohio 5112
adjusted gross income of the residents of the school district 5113

determined on the basis of tax returns filed for the second 5114
preceding tax year by the residents of the district. 5115

(6) The number of state tax returns filed by the residents 5116
of the district for the most recent year for which this 5117
information is available. 5118

(B) On or before the first day of May each year, the tax 5119
commissioner shall certify to the department of education and 5120
the office of budget and management the total taxable real 5121
property value of railroads and, separately, the total taxable 5122
tangible personal property value of all public utilities for the 5123
preceding tax year, by school district and by county of 5124
location. 5125

(C) If on the basis of the information certified under 5126
division (A) of this section, the department determines that any 5127
district fails in any year to meet the qualification requirement 5128
specified in division (A) of section 3317.01 of the Revised 5129
Code, the department shall immediately request the tax 5130
commissioner to determine the extent to which any school 5131
district income tax levied by the district under Chapter 5748. 5132
of the Revised Code shall be included in meeting that 5133
requirement. Within five days of receiving such a request from 5134
the department, the tax commissioner shall make the 5135
determination required by this division and report the quotient 5136
obtained under division (C)(3) of this section to the department 5137
and the office of budget and management. This quotient 5138
represents the number of mills that the department shall include 5139
in determining whether the district meets the qualification 5140
requirement of division (A) of section 3317.01 of the Revised 5141
Code. 5142

The tax commissioner shall make the determination required 5143

by this division as follows:

(1) Multiply one mill times the total taxable value of the district as determined in divisions (A) (1) and (2) of this section;

(2) Estimate the total amount of tax liability for the current tax year under taxes levied by Chapter 5748. of the Revised Code that are apportioned to current operating expenses of the district, excluding any income tax receipts allocated for the project cost, debt service, or maintenance set-aside associated with a state-assisted classroom facilities project as authorized by section 3318.052 of the Revised Code;

(3) Divide the amount estimated under division (C) (2) of this section by the product obtained under division (C) (1) of this section.

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

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 funding base) X the district's phase-in percentage for that fiscal year] + the district's disadvantaged pupil impact aid for that fiscal year calculated under division (A) (4) of this section

(A) A district's state core foundation funding components

shall be all of the following: 5173

(1) ~~An opportunity grant~~ The district's state share 5174
~~calculated according to the following formula:~~ 5175

~~The formula amount X (formula ADM + preschool scholarship~~ 5176
~~ADM) X the district's state share index under division (B) of~~ 5177
section 3317.017 of the Revised Code; 5178

(2) Targeted assistance funds calculated under ~~divisions~~ 5179
~~(A) and (B) of~~ section 3317.0217 of the Revised Code; 5180

(3) Additional state aid for special education and related 5181
services provided under Chapter 3323. of the Revised Code 5182
calculated as the sum of the following: 5183

(a) The district's category one special education ADM X 5184
the ~~amount~~ multiple specified in division (A) of section 5185
3317.013 of the Revised Code X the statewide average base cost 5186
per pupil for that fiscal year X the district's state share 5187
~~index~~ percentage; 5188

(b) The district's category two special education ADM X 5189
the ~~amount~~ multiple specified in division (B) of section 5190
3317.013 of the Revised Code X the statewide average base cost 5191
per pupil for that fiscal year X the district's state share 5192
~~index~~ percentage; 5193

(c) The district's category three special education ADM X 5194
the ~~amount~~ multiple specified in division (C) of section 5195
3317.013 of the Revised Code X the statewide average base cost 5196
per pupil for that fiscal year X the district's state share 5197
~~index~~ percentage; 5198

(d) The district's category four special education ADM X 5199
the ~~amount~~ multiple specified in division (D) of section 5200

3317.013 of the Revised Code X the statewide average base cost 5201
per pupil for that fiscal year X the district's state share 5202
indexpercentage; 5203

(e) The district's category five special education ADM X 5204
the ~~amount~~ multiple specified in division (E) of section 5205
3317.013 of the Revised Code X the statewide average base cost 5206
per pupil for that fiscal year X the district's state share 5207
indexpercentage; 5208

(f) The district's category six special education ADM X 5209
the ~~amount~~ multiple specified in division (F) of section 5210
3317.013 of the Revised Code X the statewide average base cost 5211
per pupil for that fiscal year X the district's state share 5212
indexpercentage. 5213

~~(4) Kindergarten through third grade literacy funds~~ 5214
~~calculated according to the following formula:—~~ 5215

~~(\$193 X formula ADM for grades kindergarten through three~~ 5216
~~X the district's state share index) + (\$127 X formula ADM for~~ 5217
~~grades kindergarten through three)—~~ 5218

~~For purposes of this calculation, the department shall~~ 5219
~~subtract from a district's formula ADM for grades kindergarten~~ 5220
~~through three the number of students reported under division (B)~~ 5221
~~(3) (e) of section 3317.03 of the Revised Code as enrolled in an~~ 5222
~~internet or computer-based community school who are in grades~~ 5223
~~kindergarten through three.—~~ 5224

~~(5) Economically disadvantaged funds~~ Disadvantaged pupil 5225
impact aid calculated according to the following formula: 5226

~~\$272—\$422~~ X (the district's economically disadvantaged 5227
index) X the number of students who are economically 5228
disadvantaged as certified under division (B) (21) of section 5229

3317.03 of the Revised Code 5230

~~(6)~~ (5) English learner funds calculated as the sum of the 5231
following: 5232

(a) The district's category one English learner ADM X the 5233
~~amount multiple~~ specified in division (A) of section 3317.016 of 5234
the Revised Code X the statewide average base cost per pupil for 5235
that fiscal year X the district's state share ~~index~~percentage; 5236

(b) The district's category two English learner ADM X the 5237
~~amount multiple~~ specified in division (B) of section 3317.016 of 5238
the Revised Code X the statewide average base cost per pupil for 5239
that fiscal year X the district's state share ~~index~~percentage; 5240

(c) The district's category three English learner ADM X 5241
the ~~amount multiple~~ specified in division (C) of section 5242
3317.016 of the Revised Code X the district's state share 5243
~~index~~percentage. 5244

~~(7)~~ (a) (6) (a) Gifted identification funds calculated 5245
according to the following formula: 5246

~~\$5.05-\$24~~ X the district's ~~formula-enrolled~~ ADM for grades 5247
kindergarten through six X the district's state share percentage 5248

(b) Gifted referral funds calculated according to the 5249
following formula: 5250

\$2.50 X the district's enrolled ADM X the district's state 5251
share percentage 5252

(c) Gifted professional development funds calculated 5253
according to the following formula: 5254

(The greater of the number of gifted students enrolled in the 5255
district as certified under division (B) (22) of section 3317.03 5256

of the Revised Code and ten per cent of the district's enrolled 5257
ADM) X the district's state share percentage X \$7, for fiscal 5258
year 2022, \$14, for fiscal year 2023, \$21, for fiscal year 2024, 5259
or \$28, for fiscal year 2025 5260

The department shall make no payments under division (A) 5261
(6) (c) of this section for fiscal year 2026 or for each fiscal 5262
year thereafter. 5263

(d) Gifted unit funding calculated under section 3317.051 5264
of the Revised Code. 5265

~~(8)-(7) Career-technical education funds calculated as the~~ 5266
~~sum of the following:-~~ 5267

~~(a) The district's category one career technical education~~ 5268
~~ADM X the amount specified in division (A) of section 3317.014-~~ 5269
~~of the Revised Code X the district's state share index;-~~ 5270

~~(b) The district's category two career technical education~~ 5271
~~ADM X the amount specified in division (B) of section 3317.014-~~ 5272
~~of the Revised Code X the district's state share index;-~~ 5273

~~(c) The district's category three career technical-~~ 5274
~~education ADM X the amount specified in division (C) of section-~~ 5275
~~3317.014 of the Revised Code X the district's state share index;-~~ 5276

~~(d) The district's category four career technical-~~ 5277
~~education ADM X the amount specified in division (D) of section-~~ 5278
~~3317.014 of the Revised Code X the district's state share index;-~~ 5279

~~(e) The district's category five career technical-~~ 5280
~~education ADM X the amount specified in division (E) of section-~~ 5281
~~3317.014 of the Revised Code X the district's state share index.-~~ 5282

~~Payment of funds under division (A) (8) of this section is-~~ 5283
~~subject to approval under section 3317.161 of the Revised Code.-~~ 5284

~~(9) under division (C) of section 3317.014 of the Revised Code.~~ 5285
5286

~~(8) Career-technical education associated services funds~~ 5287
~~calculated according to the following formula:—~~ 5288

~~The district's state share index X the amount for career-~~ 5289
~~technical education associated services specified in section~~ 5290
~~3317.014 of the Revised Code X the sum of categories one through~~ 5291
~~five career technical education ADM—~~ 5292

~~(10) Capacity aid funds calculated under section 3317.0218~~ 5293
~~of the Revised Code;—~~ 5294

~~(11) A graduation bonus calculated under section 3317.0215~~ 5295
~~of the Revised Code;—~~ 5296

~~(12) A third-grade reading bonus calculated under section~~ 5297
~~3317.0216 of the Revised Code~~under division (D) of section 5298
3317.014 of the Revised Code. 5299

(B) In any fiscal year, a school district shall spend for 5300
purposes that the department designates as approved for special 5301
education and related services expenses at least the amount 5302
calculated as follows: 5303

(The ~~formula amount~~ base cost per pupil calculated for the 5304
district for that fiscal year X the total special education ADM) 5305
+ (the district's category one special education ADM X the 5306
~~amount multiple~~ specified in division (A) of section 3317.013 of 5307
the Revised Code X the statewide average base cost per pupil for 5308
that fiscal year) + (the district's category two special 5309
education ADM X the ~~amount multiple~~ specified in division (B) of 5310
section 3317.013 of the Revised Code X the statewide average 5311
base cost per pupil for that fiscal year) + (the district's 5312
category three special education ADM X the ~~amount multiple~~ 5313

specified in division (C) of section 3317.013 of the Revised 5314
Code X the statewide average base cost per pupil for that fiscal 5315
year) + (the district's category four special education ADM X 5316
the ~~amount~~ multiple specified in division (D) of section 5317
3317.013 of the Revised Code X the statewide average base cost 5318
per pupil for that fiscal year) + (the district's category five 5319
special education ADM X the ~~amount~~ multiple specified in 5320
division (E) of section 3317.013 of the Revised Code X the 5321
statewide average base cost per pupil for that fiscal year) + 5322
(the district's category six special education ADM X the ~~amount~~ 5323
multiple specified in division (F) of section 3317.013 of the 5324
Revised Code X the statewide average base cost per pupil for 5325
that fiscal year) 5326

The purposes approved by the department for special 5327
education expenses shall include, but shall not be limited to, 5328
identification of children with disabilities, compliance with 5329
state rules governing the education of children with 5330
disabilities and prescribing the continuum of program options 5331
for children with disabilities, provision of speech language 5332
pathology services, and the portion of the school district's 5333
overall administrative and overhead costs that are attributable 5334
to the district's special education student population. 5335

~~The scholarships deducted from the school district's~~ 5336
~~account under sections 3310.41 and 3310.55 of the Revised Code~~ 5337
~~shall be considered to be an approved special education and~~ 5338
~~related services expense for the purpose of the school~~ 5339
~~district's compliance with this division.~~ 5340

~~(C) In any fiscal year, a school district receiving funds~~ 5341
~~under division (A) (8) of this section shall spend those funds~~ 5342
~~only for the purposes that the department designates as approved~~ 5343

~~for career technical education expenses. Career technical~~ 5344
~~education expenses approved by the department shall include only~~ 5345
~~expenses connected to the delivery of career technical~~ 5346
~~programming to career technical students. The department shall~~ 5347
~~require the school district to report data annually so that the~~ 5348
~~department may monitor the district's compliance with the~~ 5349
~~requirements regarding the manner in which funding received~~ 5350
~~under division (A) (8) of this section may be spent.~~ 5351

~~(D) In any fiscal year, a school district receiving funds~~ 5352
~~under division (A) (9) of this section, or through a transfer of~~ 5353
~~funds pursuant to division (I) of section 3317.023 of the~~ 5354
~~Revised Code, shall spend those funds only for the purposes that~~ 5355
~~the department designates as approved for career technical~~ 5356
~~education associated services expenses, which may include such~~ 5357
~~purposes as apprenticeship coordinators, coordinators for other~~ 5358
~~career technical education services, career technical~~ 5359
~~evaluation, and other purposes designated by the department. The~~ 5360
~~department may deny payment under division (A) (9) of this~~ 5361
~~section to any district that the department determines is not~~ 5362
~~operating those services or is using funds paid under division~~ 5363
~~(A) (9) of this section, or through a transfer of funds pursuant~~ 5364
~~to division (I) of section 3317.023 of the Revised Code, for~~ 5365
~~other purposes.~~ 5366

~~(E) All funds received under division (A) (8) of this~~ 5367
~~section shall be spent in the following manner:~~ 5368

~~(1) At least seventy five per cent of the funds shall be~~ 5369
~~spent on curriculum development, purchase, and implementation;~~ 5370
~~instructional resources and supplies; industry-based program~~ 5371
~~certification; student assessment, credentialing, and placement;~~ 5372
~~curriculum specific equipment purchases and leases; career-~~ 5373

~~technical student organization fees and expenses; home and 5374~~
~~agency linkages; work based learning experiences; professional 5375~~
~~development; and other costs directly associated with career- 5376~~
~~technical education programs including development of new 5377~~
~~programs. 5378~~

~~(2) Not more than twenty five per cent of the funds shall 5379~~
~~be used for personnel expenditures. 5380~~

~~(F)~~ A school district shall spend the funds it receives 5381
under division ~~(A) (5)~~ (A) (4) of this section in accordance with 5382
section 3317.25 of the Revised Code. 5383

Sec. 3317.023. (A) The amounts required to be paid to a 5384
district under this chapter shall be adjusted by the amount of 5385
the computations made under divisions (B) to (K) of this 5386
section. 5387

As used in this section: 5388

(1) "Career-technical planning district" or "CTPD" means a 5389
school district or group of school districts designated by the 5390
department of education as being responsible for the planning 5391
for and provision of career-technical education services to 5392
students within the district or group. A community school 5393
established under Chapter 3314. of the Revised Code or a STEM 5394
school established under Chapter 3326. of the Revised Code that 5395
is serving students in any of grades seven through twelve shall 5396
be assigned to a career-technical planning district by the 5397
department. 5398

(2) "Lead district" means a school district, including a 5399
joint vocational school district, designated by the department 5400
as a CTPD, or designated to provide primary career-technical 5401
education leadership within a CTPD composed of a group of 5402

districts, community schools assigned to the CTPD, and STEM 5403
schools assigned to the CTPD. 5404

(B) If a local, city, or exempted village school district 5405
to which a governing board of an educational service center 5406
provides services pursuant to an agreement entered into under 5407
section 3313.843 of the Revised Code, deduct the amount of the 5408
payment required for the reimbursement of the governing board 5409
under that section. 5410

(C) (1) If the district is required to pay to or entitled 5411
to receive tuition from another school district under division 5412
(C) (2) or (3) of section 3313.64 or section 3313.65 of the 5413
Revised Code, or if the superintendent of public instruction is 5414
required to determine the correct amount of tuition and make a 5415
deduction or credit under section 3317.08 of the Revised Code, 5416
deduct and credit such amounts as provided in division (J) of 5417
section 3313.64 or section 3317.08 of the Revised Code. 5418

(2) For each child for whom the district is responsible 5419
for tuition or payment under division (A) (1) of section 3317.082 5420
or section 3323.091 of the Revised Code, deduct the amount of 5421
tuition or payment for which the district is responsible. 5422

(D) If the district has been certified by the 5423
superintendent of public instruction under section 3313.90 of 5424
the Revised Code as not in compliance with the requirements of 5425
that section, deduct an amount equal to ten per cent of the 5426
amount computed for the district under this chapter. 5427

(E) If the district has received a loan from a commercial 5428
lending institution for which payments are made by the 5429
superintendent of public instruction pursuant to division (E) (3) 5430
of section 3313.483 of the Revised Code, deduct an amount equal 5431

to such payments. 5432

(F) (1) If the district is a party to an agreement entered 5433
into under division (D), (E), or (F) of section 3311.06 or 5434
division (B) of section 3311.24 of the Revised Code and is 5435
obligated to make payments to another district under such an 5436
agreement, deduct an amount equal to such payments if the 5437
district school board notifies the department in writing that it 5438
wishes to have such payments deducted. 5439

(2) If the district is entitled to receive payments from 5440
another district that has notified the department to deduct such 5441
payments under division (F) (1) of this section, add the amount 5442
of such payments. 5443

(G) If the district is required to pay an amount of funds 5444
to a cooperative education district pursuant to a provision 5445
described by division (B) (4) of section 3311.52 or division (B) 5446
(8) of section 3311.521 of the Revised Code, deduct such amounts 5447
as provided under that provision and credit those amounts to the 5448
cooperative education district for payment to the district under 5449
division (B) (1) of section 3317.19 of the Revised Code. 5450

(H) (1) If a district is educating a student entitled to 5451
attend school in another district pursuant to a shared education 5452
contract, compact, or cooperative education agreement other than 5453
an agreement entered into pursuant to section 3313.842 of the 5454
Revised Code, credit to that educating district on an FTE basis 5455
both of the following: 5456

(a) An amount equal to the ~~formula amount~~ statewide average 5457
base cost per pupil. 5458

(b) Any amount applicable to the student pursuant to 5459
section 3317.013 or 3317.014 of the Revised Code. 5460

(2) Deduct any amount credited pursuant to division (H) (1) 5461
of this section from amounts paid to the school district in 5462
which the student is entitled to attend school pursuant to 5463
section 3313.64 or 3313.65 of the Revised Code. 5464

(3) If the district is required by a shared education 5465
contract, compact, or cooperative education agreement to make 5466
payments to an educational service center, deduct the amounts 5467
from payments to the district and add them to the amounts paid 5468
to the service center. 5469

(I) (1) If a district, including a joint vocational school 5470
district, is a lead district of a CTPD, credit to that district 5471
the amount calculated for each school district within that CTPD 5472
under ~~division (A) (9) divisions (D) and (E) of section 3317.022-~~ 5473
~~3317.014 of the Revised Code or division (A) (6) of section~~ 5474
~~3317.16 of the Revised Code, as applicable~~ and for each community 5475
school and STEM school assigned to the CTPD under divisions (B) 5476
and (C) of section 3314.088 and division (B) and (C) of section 5477
3326.39 of the Revised Code. 5478

(2) Deduct from each appropriate district that is not a 5479
lead district, or from the appropriate community school or STEM 5480
school, the amount attributable to that district or school that 5481
is credited to a lead district under division (I) (1) of this 5482
section. 5483

(J) If the department pays a joint vocational school 5484
district under division (C) (3) of section 3317.16 of the Revised 5485
Code for excess costs of providing special education and related 5486
services to a student with a disability, as calculated under 5487
division (C) (1) of that section, the department shall deduct the 5488
amount of that payment from the city, local, or exempted village 5489
school district that is responsible as specified in that section 5490

for the excess costs. 5491

(K) (1) If the district reports an amount of excess cost 5492
for special education services for a child under division (C) of 5493
section 3323.14 of the Revised Code, the department shall pay 5494
that amount to the district. 5495

(2) If the district reports an amount of excess cost for 5496
special education services for a child under division (C) of 5497
section 3323.14 of the Revised Code, the department shall deduct 5498
that amount from the district of residence of that child. 5499

Sec. 3317.024. The following shall be distributed monthly, 5500
quarterly, or annually as may be determined by the state board 5501
of education: 5502

(A) An amount for each island school district and each 5503
joint state school district for the operation of each high 5504
school and each elementary school maintained within such 5505
district and for capital improvements for such schools. Such 5506
amounts shall be determined on the basis of standards adopted by 5507
the state board of education. However, for fiscal years 2012 and 5508
2013, an island district shall receive the lesser of its actual 5509
cost of operation, as certified to the department of education, 5510
or ninety-three per cent of the amount the district received in 5511
state operating funding for fiscal year 2011. If an island 5512
district received no funding for fiscal year 2011, it shall 5513
receive no funding for either of fiscal year 2012 or 2013. 5514

(B) An amount for each school district required to pay 5515
tuition for a child in an institution maintained by the 5516
department of youth services pursuant to section 3317.082 of the 5517
Revised Code, provided the child was not included in the 5518
calculation of the district's formula ADM, as that term is 5519

defined in section 3317.02 of the Revised Code, for the 5520
preceding school year. 5521

(C) An amount for the approved cost of transporting 5522
eligible pupils with disabilities attending a special education 5523
program approved by the department of education whom it is 5524
impossible or impractical to transport by regular school bus in 5525
the course of regular route transportation provided by the 5526
school district or educational service center. In the case of a 5527
school district, this amount shall be equal to the actual costs 5528
incurred by the district when transporting those students, as 5529
reported to the department, times the percentage determined for 5530
the district for that fiscal year under divisions (E) (3) (a) to 5531
(f) of section 3317.0212 of the Revised Code. No district or 5532
service center is eligible to receive a payment under this 5533
division for the cost of transporting any pupil whom it 5534
transports by regular school bus and who is included in the 5535
district's transportation ADM. The state board of education 5536
shall establish standards and guidelines for use by the 5537
department of education in determining the approved cost of such 5538
transportation for each ~~district or~~ service center. The state 5539
board shall also establish the deadline for each district to 5540
report its actual costs for transporting these students. Costs 5541
reported by each district under this division shall be subject 5542
to periodic, random audits by the department. 5543

(D) An amount to each school district, including each 5544
cooperative education school district, pursuant to section 5545
3313.81 of the Revised Code to assist in providing free lunches 5546
to needy children. The amounts shall be determined on the basis 5547
of rules adopted by the state board of education. 5548

(E) (1) An amount for auxiliary services to each school 5549

district, for each pupil attending a chartered nonpublic 5550
elementary or high school within the district that is either of 5551
the following: 5552

(a) A school affiliated with a religious order, sect, 5553
church, or denomination or has a curriculum or mission that 5554
contains religious content, religious courses, devotional 5555
exercises, religious training, or any other religious activity; 5556

(b) A school not described in division (E)(1)(a) of this 5557
section that has not elected to receive funds under division (E) 5558
(2) of this section. 5559

(2) An amount for auxiliary services paid directly to each 5560
chartered nonpublic school that has elected to receive funds 5561
under division (E)(2) of this section for each pupil attending 5562
the school. To elect to receive funds under division (E)(2) of 5563
this section, a school, by the first day of April of each odd- 5564
numbered year, shall notify the department and the school 5565
district in which the school is located of the election and 5566
shall submit to the department an affidavit certifying that the 5567
school is not affiliated with a religious order, sect, church, 5568
or denomination and does not have a curriculum or mission that 5569
contains religious content, religious courses, devotional 5570
exercises, religious training, or any other religious activity. 5571
The election shall take effect the following first day of July, 5572
unless the department determines that the school meets the 5573
criteria in division (E)(1)(a) of this section. The school 5574
subsequently may rescind its election, but it may do so only in 5575
an odd-numbered year by notifying the department and the school 5576
district in which the school is located of the rescission not 5577
later than the first day of April of that year. Beginning the 5578
following first day of July after the rescission, the school 5579

shall receive funds under division (E) (1) of this section. 5580

The amount paid under divisions (E) (1) and (2) of this 5581
section shall equal the total amount appropriated for the 5582
implementation of sections 3317.06 and 3317.062 of the Revised 5583
Code divided by the average daily membership in grades 5584
kindergarten through twelve in chartered nonpublic elementary 5585
and high schools within the state as determined as of the last 5586
day of October of each school year. 5587

(F) An amount for each county board of developmental 5588
disabilities, distributed on the basis of standards adopted by 5589
the state board of education, for the approved cost of 5590
transportation required for children attending special education 5591
programs operated by the county board under section 3323.09 of 5592
the Revised Code; 5593

(G) An amount to each institution defined under section 5594
3317.082 of the Revised Code providing elementary or secondary 5595
education to children other than children receiving special 5596
education under section 3323.091 of the Revised Code. This 5597
amount for any institution in any fiscal year shall equal the 5598
total of all tuition amounts required to be paid to the 5599
institution under division (A) (1) of section 3317.082 of the 5600
Revised Code. 5601

The state board of education or any other board of 5602
education or governing board may provide for any resident of a 5603
district or educational service center territory any educational 5604
service for which funds are made available to the board by the 5605
United States under the authority of public law, whether such 5606
funds come directly or indirectly from the United States or any 5607
agency or department thereof or through the state or any agency, 5608
department, or political subdivision thereof. 5609

Sec. 3317.028. (A) On or before May 15, 2007, and the 5610
fifteenth day of May in each calendar year thereafter, the tax 5611
commissioner shall determine for each school district whether 5612
the taxable value of all utility tangible personal property 5613
subject to taxation by the district in the preceding tax year 5614
was less than the taxable value of such property during the 5615
second preceding tax year. If any decrease exceeds ten per cent 5616
of the district's tangible personal property taxable value 5617
included in the total taxable value used in the district's state 5618
aid computation for the fiscal year that ends in the current 5619
calendar year, the tax commissioner shall certify all of the 5620
following to the department of education and the office of 5621
budget and management: 5622

(1) The district's total taxable value for the preceding 5623
tax year; 5624

(2) The change in taxes charged and payable on the 5625
district's total taxable value for the preceding tax year and 5626
the second preceding tax year; 5627

(3) The taxable value of the utility tangible personal 5628
property decrease, which shall be considered a change in 5629
valuation; 5630

(4) The change in taxes charged and payable on such change 5631
in taxable value calculated in the same manner as in division 5632
(A) (3) of section 3317.021 of the Revised Code. 5633

(B) Upon receipt of a certification specified in this 5634
section, the department of education shall replace the three- 5635
year average valuations that were used in computing the 5636
district's state education aid for the fiscal year that ends in 5637
the current calendar year with the taxable value certified under 5638

division (A) (1) of this section and shall recompute the state 5639
education aid for such fiscal year ~~without applying any funding~~ 5640
~~limitations enacted by the general assembly to the computation.~~ 5641
The department shall pay to the district an amount equal to the 5642
lesser of the following: 5643

(1) The positive difference between the district's state 5644
education aid prior to the recomputation under this section and 5645
the district's recomputed state education aid; 5646

(2) The absolute value of the amount certified under 5647
division (A) (2) of this section. 5648

The payment date shall be determined by the director of 5649
budget and management. The director shall select a payment date 5650
that is not earlier than the first day of June of the current 5651
fiscal year and not later than the thirty-first day of July of 5652
the following fiscal year. The department of education shall not 5653
pay the district under this section prior to approval by the 5654
director of budget and management to make that payment. 5655

(C) If a school district received a grant from the 5656
catastrophic expenditures account pursuant to division (C) of 5657
section 3316.20 of the Revised Code on the basis of the same 5658
circumstances for which a recomputation is made under this 5659
section, the amount of the recomputation shall be reduced and 5660
transferred in accordance with division (C) of section 3316.20 5661
of the Revised Code. 5662

Sec. 3317.0212. (A) As used in this section: 5663

(1) "Assigned bus" means a school bus used to transport 5664
qualifying riders. 5665

(2) "Density" means the total riders per square mile of a 5666
school district. 5667

(3) "Nontraditional ridership" means the average number of 5668
qualifying riders who are enrolled in a community school 5669
established under Chapter 3314. of the Revised Code, in a STEM 5670
school established under Chapter 3326. of the Revised Code, or 5671
in a nonpublic school and are provided school bus service by a 5672
school district during the first full week of October. 5673

(4) "Qualifying riders" means resident students enrolled 5674
in regular education in preschool and grades kindergarten to 5675
twelve who are provided school bus service by a school district— 5676
and who live more than one mile from the school they attend, 5677
including students with dual enrollment in a joint vocational 5678
school district or a cooperative education school district, and 5679
students enrolled in a community school, STEM school, or 5680
nonpublic school. 5681

~~(2)–~~(5) "Qualifying ridership" means the greater of the 5682
average number of qualifying riders counted in the morning or 5683
counted in the afternoon who are provided school bus service by 5684
a school district during the first full week of October. 5685

~~(3)–~~(6) "Rider density" means the total ADM per square 5686
mile of a school district following quotient: 5687

A school district's total number of qualifying riders / the 5688
number of square miles in the district 5689

~~(4)–~~(7) "Riders" means students enrolled in regular and 5690
special education in grades kindergarten through twelve who are 5691
provided school bus service by a school district, including 5692
students with dual enrollment in a joint vocational school 5693
district or a cooperative education school district, and 5694
students enrolled in a community school, STEM school, or 5695
nonpublic school. 5696

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

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

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

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

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

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

(1) Determine each city, local, and exempted village school district's transportation cost per student by dividing the average of the district's total costs for school bus service in the previous three fiscal year-years for students counted in its qualifying ridership who were enrolled in the district by the average of the number of students counted in its qualifying ridership in the previous three fiscal year-years who were enrolled in the district.

(2) After excluding districts that do not provide school bus service and the ten districts with the highest transportation costs per student and the ten districts with the lowest transportation costs per student, divide the aggregate

~~cost of the average cost~~ for school bus service for the 5726
remaining districts ~~in the previous fiscal year calculated under~~ 5727
~~division (C) (1) of this section~~ by the aggregate average 5728
qualifying ridership of those districts ~~in the previous fiscal~~ 5729
~~year~~ calculated under division (C) (1) of this section. 5730

(D) The department shall calculate the statewide 5731
transportation cost per mile as follows: 5732

(1) Determine each city, local, and exempted village 5733
school district's transportation cost per mile by dividing the 5734
district's total costs for school bus service in the previous 5735
fiscal year by its total number of miles driven for school bus 5736
service in the previous fiscal year. 5737

(2) After excluding districts that do not provide school 5738
bus service and the ten districts with the highest 5739
transportation costs per mile and the ten districts with the 5740
lowest transportation costs per mile, divide the aggregate cost 5741
for school bus service for the remaining districts in the 5742
previous fiscal year by the aggregate miles driven for school 5743
bus service in those districts in the previous fiscal year. 5744

(E) The department shall calculate each city, local, and 5745
exempted village school district's transportation base payment 5746
as follows: 5747

(1) ~~Multiply~~ Calculate the sum of the following: 5748

(a) The product of the statewide transportation cost per 5749
student by and the number of students counted in the district's 5750
qualifying ridership for the current fiscal year who are 5751
enrolled in the district; 5752

(b) 1.5 times the statewide transportation cost per 5753
student times the number of students counted in the district's 5754

qualifying ridership for the current fiscal year who are 5755
enrolled in community schools established under Chapter 3314. of 5756
the Revised Code or STEM schools established under Chapter 3326. 5757
of the Revised Code; 5758

(c) 2.0 times the statewide transportation cost per 5759
student times the number of students counted in the district's 5760
qualifying ridership for the current fiscal year who are 5761
enrolled in nonpublic schools. 5762

(2) Multiply the statewide transportation cost per mile by 5763
the district's total number of miles driven for school bus 5764
service in the current fiscal year. 5765

(3) Multiply the greater of the amounts calculated under 5766
divisions (E) (1) and (2) of this section by the following: 5767

(a) For fiscal year ~~2018~~2022, the greater of ~~thirty-seven~~ 5768
~~and one-half twenty-nine and one-sixth~~ per cent or the 5769
district's state share ~~index~~percentage, as defined in section 5770
3317.02 of the Revised Code; 5771

(b) For fiscal year ~~2019~~2023, the greater of ~~twenty-five~~ 5772
~~thirty-three and one-third~~ per cent or the district's state 5773
share ~~index~~percentage; 5774

(c) For fiscal year 2024, the greater of thirty-seven and 5775
one-half per cent or the district's state share percentage; 5776

(d) For fiscal year 2025, the greater of forty-one and 5777
two-thirds per cent or the district's state share percentage; 5778

(e) For fiscal year 2026, the greater of forty-five and 5779
five-sixths per cent or the district's state share percentage; 5780

(f) For fiscal year 2027 and for each fiscal year 5781
thereafter, the greater of fifty per cent or the district's 5782

state share percentage.

5783

(F)(1) The department annually shall establish a target
number of qualifying riders per assigned bus for each city,
local, and exempted village school district. The department
shall use the most recently available data in establishing the
target number. The target number shall be based on the statewide
median number of riders per assigned bus as adjusted to reflect
the district's density in comparison to the density of all other
districts. The department shall post on the department's web
site each district's target number of riders per assigned bus
and a description of how the target number was determined.

5784

5785

5786

5787

5788

5789

5790

5791

5792

5793

(2) The department shall determine each school district's
efficiency index by dividing the district's number of riders per
assigned bus by its target number of riders per assigned bus.

5794

5795

5796

(3) The department shall determine each city, local, and
exempted village school district's efficiency adjustment payment
as follows:

5797

5798

5799

(a) If the district's efficiency index is equal to or
greater than 1.5, the efficiency adjustment payment shall be
calculated according to the following formula:

5800

5801

5802

0.15 X the district's transportation base payment calculated
under division (E) of this section

5803

5804

(b) If the district's efficiency index is less than 1.5
but greater than or equal to 1.0, the efficiency adjustment
payment shall be calculated according to the following formula:

5805

5806

5807

{[(The district's efficiency index - 1) X 0.15] / 0.5} X the
district's transportation base payment calculated under division
(E) of this section

5808

5809

5810

(c) If the district's efficiency index is less than 1.0, 5811
the efficiency adjustment payment shall be zero. 5812

(G) In addition to funds paid under ~~division (E)~~ divisions 5813
(E), (F), and (H) of this section, each city, local, and 5814
exempted village district shall receive in accordance with rules 5815
adopted by the state board of education a payment for students 5816
transported by means other than school bus service and whose 5817
transportation is not funded under division (C) of section 5818
3317.024 of the Revised Code. The rules shall include provisions 5819
for school district reporting of such students. 5820

~~(G) (1)~~ (H) (1) For purposes of division ~~(G)~~ (H) of this 5821
section, a school district's "transportation supplement 5822
percentage" means the following quotient: 5823

(5028 - the district's rider density) / 100 5824

If the result of the calculation for a district under 5825
division ~~(G) (1)~~ (H) (1) of this section is less than zero, the 5826
district's transportation supplement percentage shall be zero. 5827

(2) The department shall pay each district a 5828
transportation supplement calculated according to the following 5829
formula: 5830

The district's transportation supplement percentage X the amount 5831
calculated for the district under division (E) (2) of this 5832
section X 0.55 5833

Sec. 3317.0213. (A) The department of education shall 5834
compute and pay in accordance with this section additional state 5835
aid for preschool children with disabilities to each city, 5836
local, and exempted village school district and to each 5837
institution, as defined in section 3323.091 of the Revised Code. 5838
Funding shall be provided for children who are not enrolled in 5839

kindergarten and who are under age six on the thirtieth day of 5840
September of the academic year, or on the first day of August of 5841
the academic year if the school district in which the child is 5842
enrolled has adopted a resolution under division (A) (3) of 5843
section 3321.01 of the Revised Code, but not less than age three 5844
on the first day of December of the academic year. 5845

The additional state aid shall be calculated under the 5846
following formula: 5847

(\$4,000 X the number of students who are preschool 5848
children with disabilities) + the sum of the following: 5849

(1) The district's or institution's category one special 5850
education students who are preschool children with disabilities 5851
X the ~~amount~~ multiple specified in division (A) of section 5852
3317.013 of the Revised Code X the statewide average base cost 5853
per pupil for that fiscal year X the district's state share 5854
~~index percentage~~ X 0.50; 5855

(2) The district's or institution's category two special 5856
education students who are preschool children with disabilities 5857
X the ~~amount~~ multiple specified in division (B) of section 5858
3317.013 of the Revised Code X the statewide average base cost 5859
per pupil for that fiscal year X the district's state share 5860
~~index percentage~~ X 0.50; 5861

(3) The district's or institution's category three special 5862
education students who are preschool children with disabilities 5863
X the ~~amount~~ multiple specified in division (C) of section 5864
3317.013 of the Revised Code X the statewide average base cost 5865
per pupil for that fiscal year X the district's state share 5866
~~index percentage~~ X 0.50; 5867

(4) The district's or institution's category four special 5868

education students who are preschool children with disabilities 5869
X the ~~amount-multiple~~ specified in division (D) of section 5870
3317.013 of the Revised Code X the statewide average base cost 5871
per pupil for that fiscal year X the district's state share 5872
~~index-percentage~~ X 0.50; 5873

(5) The district's or institution's category five special 5874
education students who are preschool children with disabilities 5875
X the ~~amount-multiple~~ specified in division (E) of section 5876
3317.013 of the Revised Code X the statewide average base cost 5877
per pupil for that fiscal year X the district's state share 5878
~~index-percentage~~ X 0.50; 5879

(6) The district's or institution's category six special 5880
education students who are preschool children with disabilities 5881
X the ~~amount-multiple~~ specified in division (F) of section 5882
3317.013 of the Revised Code X the statewide average base cost 5883
per pupil for that fiscal year X the district's state share 5884
~~index-percentage~~ X 0.50. 5885

The special education disability categories for preschool 5886
children used in this section are the same categories prescribed 5887
in section 3317.013 of the Revised Code. 5888

As used in division (A) of this section, the state share 5889
~~index-percentage~~ of a student enrolled in an institution is the 5890
state share ~~index-percentage~~ of the school district in which the 5891
student is entitled to attend school under section 3313.64 or 5892
3313.65 of the Revised Code. 5893

(B) If an educational service center is providing services 5894
to students who are preschool children with disabilities under 5895
agreement with the city, local, or exempted village school 5896
district in which the students are entitled to attend school, 5897

that district may authorize the department to transfer funds 5898
computed under this section to the service center providing 5899
those services. 5900

(C) If a county DD board is providing services to students 5901
who are preschool children with disabilities under agreement 5902
with the city, local, or exempted village school district in 5903
which the students are entitled to attend school, the department 5904
shall deduct from the district's payment computed under division 5905
(A) of this section the total amount of those funds that are 5906
attributable to the students served by the county DD board and 5907
pay that amount to that board. 5908

Sec. 3317.0214. (A) The department shall compute and pay 5909
in accordance with this section additional state aid to school 5910
districts for students in categories two through six special 5911
education ADM. If a district's costs for the fiscal year for a 5912
student in its categories two through six special education ADM 5913
exceed the threshold catastrophic cost for serving the student, 5914
the district may submit to the superintendent of public 5915
instruction documentation, as prescribed by the superintendent, 5916
of all its costs for that student. Upon submission of 5917
documentation for a student of the type and in the manner 5918
prescribed, the department shall pay to the district an amount 5919
equal to the sum of the following: 5920

(1) One-half of the district's costs for the student in 5921
excess of the threshold catastrophic cost; 5922

(2) The product of one-half of the district's costs for 5923
the student in excess of the threshold catastrophic cost 5924
multiplied by the district's state share ~~index~~percentage. 5925

(B) For purposes of division (A) of this section, the 5926

threshold catastrophic cost for serving a student equals: 5927

(1) For a student in the school district's category two, 5928
three, four, or five special education ADM, twenty-seven 5929
thousand three hundred seventy-five dollars; 5930

(2) For a student in the district's category six special 5931
education ADM, thirty-two thousand eight hundred fifty dollars. 5932

(C) The district shall report under division (A) of this 5933
section, and the department shall pay for, only the costs of 5934
educational expenses and the related services provided to the 5935
student in accordance with the student's individualized 5936
education program. Any legal fees, court costs, or other costs 5937
associated with any cause of action relating to the student may 5938
not be included in the amount. 5939

Sec. 3317.0215. (A) The department of education shall 5940
withhold from the aggregate amount paid for a fiscal year to 5941
each city, local, exempted village, and joint vocational school 5942
district, community school established under Chapter 3314. of 5943
the Revised Code, and science, technology, engineering, and 5944
mathematics school established under Chapter 3326. of the 5945
Revised Code an amount equal to the following: 5946

(1) In the case of a city, local, exempted village, or 5947
joint vocational school district, an amount calculated as 5948
follows: 5949

0.10 X [(the district's category one special education ADM X the 5950
multiple specified in division (A) of section 3317.013 of the 5951
Revised Code X the statewide average base cost per pupil for 5952
that fiscal year X the district's state share percentage) + (the 5953
district's category two special education ADM X the multiple 5954
specified in division (B) of section 3317.013 of the Revised 5955

Code X the statewide average base cost per pupil for that fiscal 5956
year X the district's state share percentage) + (the district's 5957
category three special education ADM X the multiple specified in 5958
division (C) of section 3317.013 of the Revised Code X the 5959
statewide average base cost per pupil for that fiscal year X the 5960
district's state share percentage) + (the district's category 5961
four special education ADM X the multiple specified in division 5962
(D) of section 3317.013 of the Revised Code X the statewide 5963
average base cost per pupil for that fiscal year X the 5964
district's state share percentage) + (the district's category 5965
five special education ADM X the multiple specified in division 5966
(E) of section 3317.013 of the Revised Code X the statewide 5967
average base cost per pupil for that fiscal year X the 5968
district's state share percentage) + (the district's category 5969
six special education ADM X the multiple specified in division 5970
(F) of section 3317.013 of the Revised Code X the statewide 5971
average base cost per pupil for that fiscal year X the 5972
district's state share percentage)] 5973

(2) In the case of a community school, the aggregate 5974
amount of special education funding paid to the school under 5975
section 3314.08 of the Revised Code times 0.10. 5976

(3) In the case of a science, technology, engineering, or 5977
mathematics school, the aggregate amount of special education 5978
funding paid to the school under section 3326.33 of the Revised 5979
Code times 0.10. 5980

(B) The department shall use the amount of funds withheld 5981
under division (A) of this section for purposes of division (C) 5982
(3) of section 3314.08 of the Revised Code, section 3317.0214 of 5983
the Revised Code, division (B) of section 3317.16 of the Revised 5984
Code, and section 3326.34 of the Revised Code. 5985

Sec. 3317.0217. Payment of the amount calculated for a 5986
school district under this section shall be made under division 5987
(A) of section 3317.022 of the Revised Code. 5988

(A) For each fiscal year, the department of education 5989
shall compute targeted assistance funds for city, local, and 5990
exempted village school districts, in accordance with the 5991
following formula: 5992

A district's capacity amount for that fiscal year calculated 5993
under division (B) of this section + a district's wealth amount 5994
for that fiscal year calculated under division (C) of this 5995
section 5996

(B) The department shall calculate each district's 5997
capacity amount for a fiscal year as follows: 5998

(1) Calculate each district's weighted wealth for that 5999
fiscal year, which equals the following sum: 6000

(The amount determined for the district for that fiscal year 6001
under division (A) (1) (a) of section 3317.017 of the Revised Code 6002
X 0.6) + (the amount determined for the district for that fiscal 6003
year under division (A) (2) (a) of section 3317.017 of the Revised 6004
Code X 0.4) 6005

(2) Determine the median weighted wealth of all school 6006
districts in this state for that fiscal year; 6007

(3) Compute each district's capacity index for that fiscal 6008
year by dividing the median weighted wealth of all school 6009
districts in this state for that fiscal year by the district's 6010
weighted wealth for that fiscal year; 6011

(4) Compute each district's capacity amount for that 6012
fiscal year as follows: 6013

(a) The district's capacity amount shall be zero if the 6014
district satisfies either of the following criteria for that 6015
fiscal year: 6016

(i) The district's capacity index is less than 1. 6017

(ii) The district's enrolled ADM is less than 200. 6018

(b) If the district does not satisfy either of the 6019
criteria specified in division (B) (4) (a) of this section for 6020
that fiscal year, the district's capacity amount for that fiscal 6021
year shall be calculated as follows: 6022

(i) Compute the following amount for the district: 6023

(The median weighted wealth of all school districts in this 6024
state for that fiscal year X 0.008) - (the district's weighted 6025
wealth for that fiscal year X 0.008) 6026

(ii) If the district's enrolled ADM for that fiscal year 6027
is greater than or equal to 200 but less than or equal to 400, 6028
the district's capacity amount for that fiscal year shall be 6029
equal to 0.05 X the amount computed under division (B) (4) (b) (i) 6030
of this section. 6031

(iii) If the district's enrolled ADM for that fiscal year 6032
is greater than 400 and less than 600, the district's capacity 6033
amount for that fiscal year shall be calculated in accordance 6034
with the following formula: 6035

{[0.95 X (the district's enrolled ADM for that fiscal year - 6036
400)/200] + 0.05} X the amount computed under division (B) (4) (b) 6037
(i) of this section 6038

(iv) If the district's enrolled ADM for that fiscal year 6039
is greater than or equal to 600, the district's capacity amount 6040
for that fiscal year shall be equal to the amount computed under 6041

division (B) (4) (b) (i) of this section. 6042

(C) The department shall calculate each district's wealth 6043
amount for a fiscal year as follows: 6044

(1) Calculate each district's weighted wealth per pupil 6045
for that fiscal year, which equals the following quotient: 6046

The district's weighted wealth for that fiscal year calculated 6047
under division (B) (1) of this section / (the district's enrolled 6048
ADM for that fiscal year - the students described in division 6049
(A) (1) (b) of section 3317.03 of the Revised Code + the students 6050
described in division (A) (2) (d) of section 3317.03 of the 6051
Revised Code) 6052

(2) Determine the median weighted wealth per pupil of all 6053
school districts in this state for that fiscal year; 6054

(3) Compute each district's wealth index for that fiscal 6055
year by dividing the median weighted wealth per pupil of all 6056
school districts in this state for that fiscal year by the 6057
district's weighted wealth per pupil for that fiscal year; 6058

(4) Compute each district's wealth amount for that fiscal 6059
year, as follows: 6060

(a) If the district's wealth index computed under division 6061
(C) (3) of this section for that fiscal year is less than 0.8, 6062
the district's wealth amount for that fiscal year shall be zero. 6063

(b) If the district's wealth index computed under division 6064
(C) (3) of this section for that fiscal year is greater than or 6065
equal to 0.8, the district's wealth amount for that fiscal year 6066
shall be calculated in accordance with the following formula: 6067

[(The median weighted wealth per pupil of all school districts 6068
in this state for that fiscal year X 0.014) - (the district's 6069

weighted wealth per pupil for that fiscal year X 0.0112)] X the 6070
district's enrolled ADM for that fiscal year 6071

Sec. 3317.0218. For each fiscal year, the department of 6072
education shall compute and pay supplemental targeted assistance 6073
to each city, local, and exempted village school district as 6074
follows: 6075

(A) Determine if the district satisfies both of the 6076
following criteria: 6077

(1) The wealth index calculated for the district for 6078
fiscal year 2019 under division (A) (4) of former section 6079
3317.0217 of the Revised Code as it existed prior to the 6080
effective date of this section is greater than 1.6; 6081

(2) The district's enrolled ADM for fiscal year 2019 is 6082
less than eighty-eight per cent of the district's total ADM for 6083
fiscal year 2019. 6084

(B) Determine the maximum of the wealth indices calculated 6085
under division (A) (4) of former section 3317.0217 of the Revised 6086
Code as it existed prior to the effective date of this section 6087
for all districts that satisfy both of the criteria specified 6088
under division (A) of this section; 6089

(C) If the district satisfies both of the criteria 6090
specified under division (A) of this section, compute the 6091
district's supplemental amount as the product of the following: 6092

(1) {[(The number specified under division (A) (1) of this 6093
section - 1.6) / (the number determined under division (B) of 6094
this section - 1.6)] X 675} + 75; 6095

(2) The district's enrolled ADM. 6096

(D) If the district does not satisfy both of the criteria 6097

specified under division (A) of this section, the district's 6098
supplemental amount shall be equal to zero. 6099

Sec. 3317.03. (A) The superintendent of each city, local, 6100
and exempted village school district shall report to the state 6101
board of education as of the last day of October, March, and 6102
June of each year the enrollment of students receiving services 6103
from schools under the superintendent's supervision, and the 6104
numbers of other students entitled to attend school in the 6105
district under section 3313.64 or 3313.65 of the Revised Code 6106
the superintendent is required to report under this section, so 6107
that the department of education can calculate the district's 6108
enrolled ADM, formula ADM, total ADM, category one through five 6109
career-technical education ADM, category one through three 6110
English learner ADM, category one through six special education 6111
ADM, preschool scholarship ADM, transportation ADM, and, for 6112
purposes of provisions of law outside of Chapter 3317. of the 6113
Revised Code, average daily membership. 6114

(1) The enrollment reported by the superintendent during 6115
the reporting period shall consist of the number of students in 6116
grades kindergarten through twelve receiving any educational 6117
services from the district, except that the following categories 6118
of students shall not be included in the determination: 6119

(a) Students enrolled in adult education classes; 6120

(b) Adjacent or other district students enrolled in the 6121
district under an open enrollment policy pursuant to section 6122
3313.98 of the Revised Code; 6123

(c) Students receiving services in the district pursuant 6124
to a compact, cooperative education agreement, or a contract, 6125
but who are entitled to attend school in another district 6126

pursuant to section 3313.64 or 3313.65 of the Revised Code; 6127

(d) Students for whom tuition is payable pursuant to 6128
sections 3317.081 and 3323.141 of the Revised Code; 6129

(e) Students receiving services in the district through a 6130
scholarship awarded under either section 3310.41 or sections 6131
3310.51 to 3310.64 of the Revised Code. 6132

When reporting students under division (A)(1) of this 6133
section, the superintendent also shall report the district where 6134
each student is entitled to attend school pursuant to sections 6135
3313.64 and 3313.65 of the Revised Code. 6136

(2) The department of education shall compile a list of 6137
all students reported to be enrolled in a district under 6138
division (A)(1) of this section and of the students entitled to 6139
attend school in the district pursuant to section 3313.64 or 6140
3313.65 of the Revised Code on an FTE basis but receiving 6141
educational services in grades kindergarten through twelve from 6142
one or more of the following entities: 6143

(a) A community school pursuant to Chapter 3314. of the 6144
Revised Code, including any participation in a college pursuant 6145
to Chapter 3365. of the Revised Code while enrolled in such 6146
community school; 6147

(b) An alternative school pursuant to sections 3313.974 to 6148
3313.979 of the Revised Code ~~as described in division (I)(2)(a)~~ 6149
~~or (b) of this section;~~ 6150

(c) A college pursuant to Chapter 3365. of the Revised 6151
Code, except when the student is enrolled in the college while 6152
also enrolled in a community school pursuant to Chapter 3314., a 6153
science, technology, engineering, and mathematics school 6154
established under Chapter 3326., or a college-preparatory 6155

boarding school established under Chapter 3328. of the Revised 6156
Code; 6157

(d) An adjacent or other school district under an open 6158
enrollment policy adopted pursuant to section 3313.98 of the 6159
Revised Code; 6160

(e) An educational service center or cooperative education 6161
district; 6162

(f) Another school district under a cooperative education 6163
agreement, compact, or contract; 6164

(g) A chartered nonpublic school with a scholarship paid 6165
under section 3310.08 of the Revised Code, if the students 6166
qualified for the scholarship under section 3310.03 of the 6167
Revised Code; 6168

(h) An alternative public provider or a registered private 6169
provider with a scholarship awarded under either section 3310.41 6170
or sections 3310.51 to 3310.64 of the Revised Code. 6171

As used in this section, "alternative public provider" and 6172
"registered private provider" have the same meanings as in 6173
section 3310.41 or 3310.51 of the Revised Code, as applicable. 6174

(i) A science, technology, engineering, and mathematics 6175
school established under Chapter 3326. of the Revised Code, 6176
including any participation in a college pursuant to Chapter 6177
3365. of the Revised Code while enrolled in the school; 6178

(j) A college-preparatory boarding school established 6179
under Chapter 3328. of the Revised Code, including any 6180
participation in a college pursuant to Chapter 3365. of the 6181
Revised Code while enrolled in the school. 6182

(3) The department also shall compile a list of the 6183

students entitled to attend school in the district under section 6184
3313.64 or 3313.65 of the Revised Code who are enrolled in a 6185
joint vocational school district or under a career-technical 6186
education compact, excluding any students so entitled to attend 6187
school in the district who are enrolled in another school 6188
district through an open enrollment policy as reported under 6189
division (A) (2) (d) of this section and then enroll in a joint 6190
vocational school district or under a career-technical education 6191
compact. 6192

The department shall provide each city, local, and 6193
exempted village school district with an opportunity to review 6194
the list of students compiled under divisions (A) (2) and (3) of 6195
this section to ensure that the students reported accurately 6196
reflect the enrollment of students in the district. 6197

(B) To enable the department of education to obtain the 6198
data needed to complete the calculation of payments pursuant to 6199
this chapter, each superintendent shall certify from the reports 6200
provided by the department under division (A) of this section 6201
all of the following: 6202

(1) The total student enrollment in regular learning day 6203
classes included in the report under division (A) (1) or (2) of 6204
this section for each of the individual grades kindergarten 6205
through twelve in schools under the superintendent's 6206
supervision; 6207

(2) The unduplicated count of the number of preschool 6208
children with disabilities enrolled in the district for whom the 6209
district is eligible to receive funding under section 3317.0213 6210
of the Revised Code adjusted for the portion of the year each 6211
child is so enrolled, in accordance with the disability 6212
categories prescribed in section 3317.013 of the Revised Code; 6213

(3) The number of children entitled to attend school in 6214
the district pursuant to section 3313.64 or 3313.65 of the 6215
Revised Code who are: 6216

(a) Participating in a pilot project scholarship program 6217
established under sections 3313.974 to 3313.979 of the Revised 6218
Code as described in division (I)(2)(a) or (b) of this section; 6219

(b) Enrolled in a college under Chapter 3365. of the 6220
Revised Code, except when the student is enrolled in the college 6221
while also enrolled in a community school pursuant to Chapter 6222
3314. of the Revised Code, a science, technology, engineering, 6223
and mathematics school established under Chapter 3326., or a 6224
college-preparatory boarding school established under Chapter 6225
3328. of the Revised Code; 6226

(c) Enrolled in an adjacent or other school district under 6227
section 3313.98 of the Revised Code; 6228

(d) Enrolled in a community school established under 6229
Chapter 3314. of the Revised Code that is not an internet- or 6230
computer-based community school as defined in section 3314.02 of 6231
the Revised Code, including any participation in a college 6232
pursuant to Chapter 3365. of the Revised Code while enrolled in 6233
such community school; 6234

(e) Enrolled in an internet- or computer-based community 6235
school, as defined in section 3314.02 of the Revised Code, 6236
including any participation in a college pursuant to Chapter 6237
3365. of the Revised Code while enrolled in the school; 6238

(f) Enrolled in a chartered nonpublic school with a 6239
scholarship paid under section 3310.08 of the Revised Code and 6240
who qualified for the scholarship under section 3310.03 of the 6241
Revised Code; 6242

(g) Enrolled in kindergarten through grade twelve in an 6243
alternative public provider or a registered private provider 6244
with a scholarship awarded under section 3310.41 of the Revised 6245
Code; 6246

(h) Enrolled as a preschool child with a disability in an 6247
alternative public provider or a registered private provider 6248
with a scholarship awarded under section 3310.41 of the Revised 6249
Code; 6250

(i) Participating in a program operated by a county board 6251
of developmental disabilities or a state institution; 6252

(j) Enrolled in a science, technology, engineering, and 6253
mathematics school established under Chapter 3326. of the 6254
Revised Code, including any participation in a college pursuant 6255
to Chapter 3365. of the Revised Code while enrolled in the 6256
school; 6257

(k) Enrolled in a college-preparatory boarding school 6258
established under Chapter 3328. of the Revised Code, including 6259
any participation in a college pursuant to Chapter 3365. of the 6260
Revised Code while enrolled in the school; 6261

(l) Enrolled in an alternative public provider or a 6262
registered private provider with a scholarship awarded under 6263
sections 3310.51 to 3310.64 of the Revised Code. 6264

(4) The total enrollment of pupils in joint vocational 6265
schools; 6266

(5) The combined enrollment of children with disabilities 6267
reported under division (A) (1) or (2) of this section, including 6268
any student described in division (A) (1) (b) of this section and 6269
excluding any student reported under divisions (A) (2) (a), (b), 6270
(d), (g), (h), (i), and (j) of this section, receiving special 6271

education services for the category one disability described in 6272
division (A) of section 3317.013 of the Revised Code, including 6273
children attending a special education program operated by an 6274
alternative public provider or a registered private provider 6275
with a scholarship awarded under sections 3310.51 to 3310.64 of 6276
the Revised Code; 6277

(6) The combined enrollment of children with disabilities 6278
reported under division (A)(1) or (2) of this section, including 6279
any student described in division (A)(1)(b) of this section and 6280
excluding any student reported under divisions (A)(2)(a), (b), 6281
(d), (g), (h), (i), and (j) of this section, receiving special 6282
education services for category two disabilities described in 6283
division (B) of section 3317.013 of the Revised Code, including 6284
children attending a special education program operated by an 6285
alternative public provider or a registered private provider 6286
with a scholarship awarded under sections 3310.51 to 3310.64 of 6287
the Revised Code; 6288

(7) The combined enrollment of children with disabilities 6289
reported under division (A)(1) or (2) of this section, including 6290
any student described in division (A)(1)(b) of this section and 6291
excluding any student reported under divisions (A)(2)(a), (b), 6292
(d), (g), (h), (i), and (j) of this section, receiving special 6293
education services for category three disabilities described in 6294
division (C) of section 3317.013 of the Revised Code, including 6295
children attending a special education program operated by an 6296
alternative public provider or a registered private provider 6297
with a scholarship awarded under sections 3310.51 to 3310.64 of 6298
the Revised Code; 6299

(8) The combined enrollment of children with disabilities 6300
reported under division (A)(1) or (2) of this section, including 6301

any student described in division (A)(1)(b) of this section and 6302
excluding any student reported under divisions (A)(2)(a), (b), 6303
(d), (g), (h), (i), and (j) of this section, receiving special 6304
education services for category four disabilities described in 6305
division (D) of section 3317.013 of the Revised Code, including 6306
children attending a special education program operated by an 6307
alternative public provider or a registered private provider 6308
with a scholarship awarded under sections 3310.51 to 3310.64 of 6309
the Revised Code; 6310

(9) The combined enrollment of children with disabilities 6311
reported under division (A)(1) or (2) of this section, including 6312
any student described in division (A)(1)(b) of this section and 6313
excluding any student reported under divisions (A)(2)(a), (b), 6314
(d), (g), (h), (i), and (j) of this section, receiving special 6315
education services for the category five disabilities described 6316
in division (E) of section 3317.013 of the Revised Code, 6317
including children attending a special education program 6318
operated by an alternative public provider or a registered 6319
private provider with a scholarship awarded under sections 6320
3310.51 to 3310.64 of the Revised Code; 6321

(10) The combined enrollment of children with disabilities 6322
reported under division (A)(1) or (2) and under division (B)(3) 6323
(h) of this section, including any student described in division 6324
(A)(1)(b) of this section and excluding any student reported 6325
under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of 6326
this section, receiving special education services for category 6327
six disabilities described in division (F) of section 3317.013 6328
of the Revised Code, including children attending a special 6329
education program operated by an alternative public provider or 6330
a registered private provider with a scholarship awarded under 6331
either section 3310.41 or sections 3310.51 to 3310.64 of the 6332

Revised Code;

6333

(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 ~~(G)~~(I)
of section 3317.02 of the Revised Code and division (C)(3) of
this section;

6334
6335
6336
6337
6338
6339
6340
6341
6342
6343
6344
6345
6346

(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 ~~(B)~~(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 ~~(G)~~(I) of section 3317.02 of the Revised Code and
division (C)(3) of this section;

6347
6348
6349
6350
6351
6352
6353
6354
6355
6356
6357
6358
6359

(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

6360
6361
6362

section and excluding any student reported under divisions (A) 6363
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6364
category three career-technical education programs or services, 6365
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 6366
Revised Code, operated by the school district or another school 6367
district that is a member of the district's career-technical 6368
planning district, other than a joint vocational school 6369
district, or by an educational service center, notwithstanding 6370
division ~~(G)~~ (I) of section 3317.02 of the Revised Code and 6371
division (C) (3) of this section; 6372

(14) The enrollment of pupils reported under division (A) 6373
(1) or (2) of this section on a full-time equivalency basis, 6374
including any student described in division (A) (1) (b) of this 6375
section and excluding any student reported under divisions (A) 6376
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6377
category four career-technical education programs or services, 6378
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 6379
Revised Code, operated by the school district or another school 6380
district that is a member of the district's career-technical 6381
planning district, other than a joint vocational school 6382
district, or by an educational service center, notwithstanding 6383
division ~~(G)~~ (I) of section 3317.02 of the Revised Code and 6384
division (C) (3) of this section; 6385

(15) The enrollment of pupils reported under division (A) 6386
(1) or (2) of this section on a full-time equivalency basis, 6387
including any student described in division (A) (1) (b) of this 6388
section and excluding any student reported under divisions (A) 6389
(2) (a), (b), (d), (g), (h), (i), and (j) of this section, in 6390
category five career-technical education programs or services, 6391
described in division ~~(E)~~ (A) (5) of section 3317.014 of the 6392
Revised Code, operated by the school district or another school 6393

district that is a member of the district's career-technical 6394
planning district, other than a joint vocational school 6395
district, or by an educational service center, notwithstanding 6396
division ~~(C)~~ (I) of section 3317.02 of the Revised Code and 6397
division (C) (3) of this section; 6398

(16) The enrollment of pupils reported under division (A) 6399
(1) or (2) of this section who are English learners described in 6400
division (A) of section 3317.016 of the Revised Code, including 6401
any student described in division (A) (1) (b) of this section and 6402
excluding any student reported under ~~division (B) (3) (e)~~ 6403
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6404
~~section as enrolled in an internet or computer-based community~~ 6405
~~school;~~ 6406

(17) The enrollment of pupils reported under division (A) 6407
(1) or (2) of this section who are English learners described in 6408
division (B) of section 3317.016 of the Revised Code, including 6409
any student described in division (A) (1) (b) of this section and 6410
excluding any student reported under ~~division (B) (3) (e)~~ 6411
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6412
~~section as enrolled in an internet or computer-based community~~ 6413
~~school;~~ 6414

(18) The enrollment of pupils reported under division (A) 6415
(1) or (2) of this section who are English learners described in 6416
division (C) of section 3317.016 of the Revised Code, including 6417
any student described in division (A) (1) (b) of this section and 6418
excluding any student reported under ~~division (B) (3) (e)~~ 6419
divisions (A) (2) (a), (b), (d), (g), (h), (i), and (j) of this 6420
~~section as enrolled in an internet or computer-based community~~ 6421
~~school;~~ 6422

(19) The average number of children transported during the 6423

reporting period by the school district on board-owned or 6424
contractor-owned and -operated buses, reported in accordance 6425
with rules adopted by the department of education; 6426

(20) (a) The number of children, other than preschool 6427
children with disabilities, the district placed with a county 6428
board of developmental disabilities in fiscal year 1998. 6429
Division (B) (20) (a) of this section does not apply after fiscal 6430
year 2013. 6431

(b) The number of children with disabilities, other than 6432
preschool children with disabilities, placed with a county board 6433
of developmental disabilities in the current fiscal year to 6434
receive special education services for the category one 6435
disability described in division (A) of section 3317.013 of the 6436
Revised Code; 6437

(c) The number of children with disabilities, other than 6438
preschool children with disabilities, placed with a county board 6439
of developmental disabilities in the current fiscal year to 6440
receive special education services for category two disabilities 6441
described in division (B) of section 3317.013 of the Revised 6442
Code; 6443

(d) The number of children with disabilities, other than 6444
preschool children with disabilities, placed with a county board 6445
of developmental disabilities in the current fiscal year to 6446
receive special education services for category three 6447
disabilities described in division (C) of section 3317.013 of 6448
the Revised Code; 6449

(e) The number of children with disabilities, other than 6450
preschool children with disabilities, placed with a county board 6451
of developmental disabilities in the current fiscal year to 6452

receive special education services for category four 6453
disabilities described in division (D) of section 3317.013 of 6454
the Revised Code; 6455

(f) The number of children with disabilities, other than 6456
preschool children with disabilities, placed with a county board 6457
of developmental disabilities in the current fiscal year to 6458
receive special education services for the category five 6459
disabilities described in division (E) of section 3317.013 of 6460
the Revised Code; 6461

(g) The number of children with disabilities, other than 6462
preschool children with disabilities, placed with a county board 6463
of developmental disabilities in the current fiscal year to 6464
receive special education services for category six disabilities 6465
described in division (F) of section 3317.013 of the Revised 6466
Code. 6467

(21) The enrollment of students who are economically 6468
disadvantaged, as defined by the department, including any 6469
student described in divisions (A)(1)(b) of this section and 6470
excluding any student reported under ~~division (B)(3)(e)~~ 6471
divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of this 6472
section as enrolled in an internet or computer-based community 6473
school. A student shall not be categorically excluded from the 6474
number reported under division (B)(21) of this section based on 6475
anything other than family income. 6476

(22) The enrollment of students identified as gifted under 6477
division (A), (B), (C), or (D) of section 3324.03 of the Revised 6478
Code. 6479

(C)(1) The state board of education shall adopt rules 6480
necessary for implementing divisions (A), (B), and (D) of this 6481

section. 6482

(2) A student enrolled in a community school established 6483
under Chapter 3314., a science, technology, engineering, and 6484
mathematics school established under Chapter 3326., or a 6485
college-preparatory boarding school established under Chapter 6486
3328. of the Revised Code shall be counted in the formula ADM 6487
~~and, if applicable, the category one, two, three, four, five, or~~ 6488
~~six special education ADM~~ of the school district in which the 6489
student is entitled to attend school under section 3313.64 or 6490
3313.65 of the Revised Code for the same proportion of the 6491
school year that the student is counted in the enrollment of the 6492
community school, the science, technology, engineering, and 6493
mathematics school, or the college-preparatory boarding school 6494
for purposes of section 3314.08, 3326.33, or 3328.24 of the 6495
Revised Code. Notwithstanding the enrollment of students 6496
certified pursuant to division (B)(3)(d), (e), (j), or (k) of 6497
this section, the department may adjust the formula ADM of a 6498
school district to account for students entitled to attend 6499
school in the district under section 3313.64 or 3313.65 of the 6500
Revised Code who are enrolled in a community school, a science, 6501
technology, engineering, and mathematics school, or a college- 6502
preparatory boarding school for only a portion of the school 6503
year. 6504

(3) No child shall be counted as more than a total of one 6505
child in the sum of the enrollment of students of a school 6506
district under division (A), divisions (B)(1) to (22), or 6507
division (D) of this section, except as follows: 6508

(a) (i) A child with a disability described in section 6509
3317.013 of the Revised Code may be counted both in formula ADM 6510
and in category one, two, three, four, five, or six special 6511

education ADM and, if applicable, in category one, two, three, 6512
four, or five career-technical education ADM. As provided in 6513
division ~~(C)~~ (I) of section 3317.02 of the Revised Code, such a 6514
child shall be counted in category one, two, three, four, five, 6515
or six special education ADM in the same proportion that the 6516
child is counted in formula ADM. 6517

(ii) A child with a disability described in section 6518
3317.03 of the Revised Code may be counted both in enrolled ADM 6519
and in category one, two, three, four, five, or six special 6520
education ADM and, if applicable, in category one, two, three, 6521
four, or five career-technical education ADM. As provided in 6522
division (I) of section 3317.02 of the Revised Code, such a 6523
child shall be counted in category one, two, three, four, five, 6524
or six special education ADM in the same proportion that the 6525
child is counted in enrolled ADM. 6526

(b) (i) A child enrolled in career-technical education 6527
programs or classes described in section 3317.014 of the Revised 6528
Code may be counted both in formula ADM and category one, two, 6529
three, four, or five career-technical education ADM and, if 6530
applicable, in category one, two, three, four, five, or six 6531
special education ADM. Such a child shall be counted in category 6532
one, two, three, four, or five career-technical education ADM in 6533
the same proportion as the percentage of time that the child 6534
spends in the career-technical education programs or classes. 6535

(ii) A child enrolled in career-technical education 6536
programs or classes described in section 3317.014 of the Revised 6537
Code may be counted both in enrolled ADM and category one, two, 6538
three, four, or five career-technical education ADM and, if 6539
applicable, in category one, two, three, four, five, or six 6540
special education ADM. Such a child shall be counted in category 6541

one, two, three, four, or five career-technical education ADM in 6542
the same proportion as the percentage of time that the child 6543
spends in the career-technical education programs or classes. 6544

(4) Based on the information reported under this section, 6545
the department of education shall determine the total student 6546
count, as defined in section 3301.011 of the Revised Code, for 6547
each school district. 6548

(D) (1) The superintendent of each joint vocational school 6549
district shall report and certify to the superintendent of 6550
public instruction as of the last day of October, March, and 6551
June of each year the enrollment of students receiving services 6552
from schools under the superintendent's supervision so that the 6553
department can calculate the district's enrolled ADM, formula 6554
ADM, total ADM, category one through five career-technical 6555
education ADM, category one through three English learner ADM, 6556
category one through six special education ADM, and for purposes 6557
of provisions of law outside of Chapter 3317. of the Revised 6558
Code, average daily membership. 6559

The enrollment reported and certified by the 6560
superintendent, except as otherwise provided in this division, 6561
shall consist of the number of students in grades six through 6562
twelve receiving any educational services from the district, 6563
except that the following categories of students shall not be 6564
included in the determination: 6565

(a) Students enrolled in adult education classes; 6566

(b) Adjacent or other district joint vocational students 6567
enrolled in the district under an open enrollment policy 6568
pursuant to section 3313.98 of the Revised Code; 6569

(c) Students receiving services in the district pursuant 6570

to a compact, cooperative education agreement, or a contract, 6571
but who are entitled to attend school in a city, local, or 6572
exempted village school district whose territory is not part of 6573
the territory of the joint vocational district; 6574

(d) Students for whom tuition is payable pursuant to 6575
sections 3317.081 and 3323.141 of the Revised Code. 6576

(2) To enable the department of education to obtain the 6577
data needed to complete the calculation of payments pursuant to 6578
this chapter, each superintendent shall certify from the report 6579
provided under division (D)(1) of this section the enrollment 6580
for each of the following categories of students: 6581

(a) Students enrolled in each individual grade included in 6582
the joint vocational district schools, including any student 6583
described in division (D)(1)(b) of this section; 6584

(b) Children with disabilities receiving special education 6585
services for the category one disability described in division 6586
(A) of section 3317.013 of the Revised Code, including any 6587
student described in division (D)(1)(b) of this section; 6588

(c) Children with disabilities receiving special education 6589
services for the category two disabilities described in division 6590
(B) of section 3317.013 of the Revised Code, including any 6591
student described in division (D)(1)(b) of this section; 6592

(d) Children with disabilities receiving special education 6593
services for category three disabilities described in division 6594
(C) of section 3317.013 of the Revised Code, including any 6595
student described in division (D)(1)(b) of this section; 6596

(e) Children with disabilities receiving special education 6597
services for category four disabilities described in division 6598
(D) of section 3317.013 of the Revised Code, including any 6599

student described in division (D) (1) (b) of this section; 6600

(f) Children with disabilities receiving special education 6601
services for the category five disabilities described in 6602
division (E) of section 3317.013 of the Revised Code, including 6603
any student described in division (D) (1) (b) of this section; 6604

(g) Children with disabilities receiving special education 6605
services for category six disabilities described in division (F) 6606
of section 3317.013 of the Revised Code, including any student 6607
described in division (D) (1) (b) of this section; 6608

(h) Students receiving category one career-technical 6609
education services, described in division (A) (1) of section 6610
3317.014 of the Revised Code, including any student described in 6611
division (D) (1) (b) of this section; 6612

(i) Students receiving category two career-technical 6613
education services, described in division ~~(B)~~ (A) (2) of section 6614
3317.014 of the Revised Code, including any student described in 6615
division (D) (1) (b) of this section; 6616

(j) Students receiving category three career-technical 6617
education services, described in division ~~(C)~~ (A) (3) of section 6618
3317.014 of the Revised Code, including any student described in 6619
division (D) (1) (b) of this section; 6620

(k) Students receiving category four career-technical 6621
education services, described in division ~~(D)~~ (A) (4) of section 6622
3317.014 of the Revised Code, including any student described in 6623
division (D) (1) (b) of this section; 6624

(l) Students receiving category five career-technical 6625
education services, described in division ~~(E)~~ (A) (5) of section 6626
3317.014 of the Revised Code, including any student described in 6627
division (D) (1) (b) of this section; 6628

(m) English learners described in division (A) of section 6629
3317.016 of the Revised Code, including any student described in 6630
division (D) (1) (b) of this section; 6631

(n) English learners described in division (B) of section 6632
3317.016 of the Revised Code, including any student described in 6633
division (D) (1) (b) of this section; 6634

(o) English learners described in division (C) of section 6635
3317.016 of the Revised Code, including any student described in 6636
division (D) (1) (b) of this section; 6637

(p) Students who are economically disadvantaged, as 6638
defined by the department, including any student described in 6639
division (D) (1) (b) of this section. A student shall not be 6640
categorically excluded from the number reported under division 6641
(D) (2) (p) of this section based on anything other than family 6642
income. 6643

The superintendent of each joint vocational school 6644
district shall also indicate the city, local, or exempted 6645
village school district in which each joint vocational district 6646
pupil is entitled to attend school pursuant to section 3313.64 6647
or 3313.65 of the Revised Code. 6648

(E) In each school of each city, local, exempted village, 6649
joint vocational, and cooperative education school district 6650
there shall be maintained a record of school enrollment, which 6651
record shall accurately show, for each day the school is in 6652
session, the actual enrollment in regular day classes. For the 6653
purpose of determining the enrollment of students, the 6654
enrollment figure of any school shall not include any pupils 6655
except those pupils described by division (A) or (D) of this 6656
section. The record of enrollment for each school shall be 6657

maintained in such manner that no pupil shall be counted as 6658
enrolled prior to the actual date of entry in the school and 6659
also in such manner that where for any cause a pupil permanently 6660
withdraws from the school that pupil shall not be counted as 6661
enrolled from and after the date of such withdrawal. There shall 6662
not be included in the enrollment of any school any of the 6663
following: 6664

(1) Any pupil who has graduated from the twelfth grade of 6665
a public or nonpublic high school; 6666

(2) Any pupil who is not a resident of the state; 6667

(3) Any pupil who was enrolled in the schools of the 6668
district during the previous school year when assessments were 6669
administered under section 3301.0711 of the Revised Code but did 6670
not take one or more of the assessments required by that section 6671
and was not excused pursuant to division (C) (1) or (3) of that 6672
section; 6673

(4) Any pupil who has attained the age of twenty-two 6674
years, except for veterans of the armed services whose 6675
attendance was interrupted before completing the recognized 6676
twelve-year course of the public schools by reason of induction 6677
or enlistment in the armed forces and who apply for reenrollment 6678
in the public school system of their residence not later than 6679
four years after termination of war or their honorable 6680
discharge; 6681

(5) Any pupil who has a certificate of high school 6682
equivalence as defined in section 5107.40 of the Revised Code. 6683

If, however, any veteran described by division (E) (4) of 6684
this section elects to enroll in special courses organized for 6685
veterans for whom tuition is paid under the provisions of 6686

federal laws, or otherwise, that veteran shall not be included 6687
in the enrollment of students determined under this section. 6688

Notwithstanding division (E) (3) of this section, the 6689
enrollment of any school may include a pupil who did not take an 6690
assessment required by section 3301.0711 of the Revised Code if 6691
the superintendent of public instruction grants a waiver from 6692
the requirement to take the assessment to the specific pupil and 6693
a parent is not paying tuition for the pupil pursuant to section 6694
3313.6410 of the Revised Code. The superintendent may grant such 6695
a waiver only for good cause in accordance with rules adopted by 6696
the state board of education. 6697

The enrolled ADM, formula ADM, total ADM, category one 6698
through five career-technical education ADM, category one 6699
through three English learner ADM, category one through six 6700
special education ADM, preschool scholarship ADM, transportation 6701
ADM, and, for purposes of provisions of law outside of Chapter 6702
3317. of the Revised Code, average daily membership of any 6703
school district shall be determined in accordance with rules 6704
adopted by the state board of education. 6705

(F) (1) If a student attending a community school under 6706
Chapter 3314., a science, technology, engineering, and 6707
mathematics school established under Chapter 3326., or a 6708
college-preparatory boarding school established under Chapter 6709
3328. of the Revised Code is not included in the formula ADM 6710
calculated for the school district in which the student is 6711
entitled to attend school under section 3313.64 or 3313.65 of 6712
the Revised Code, the department of education shall adjust the 6713
formula ADM of that school district to include the student in 6714
accordance with division (C) (2) of this section, ~~and shall~~ 6715
~~recalculate the school district's payments under this chapter~~ 6716

~~for the entire fiscal year on the basis of that adjusted formula~~
~~ADM.~~

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

(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 ~~from in which the~~
~~department deducts funds for the scholarship under section-~~
~~3310.55 of the Revised Code~~student resides, the department shall
adjust the formula ADM of that school district to include the
student ~~to the extent necessary to account for the deduction,-~~
~~and shall recalculate the school district's payments under this-~~
~~chapter for the entire fiscal year on the basis of that adjusted~~
~~formula ADM.~~

(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 state board of education, in the
manner prescribed by the superintendent of public instruction,
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 6747
section 3317.013 of the Revised Code adjusted for the portion of 6748
the year each child is so enrolled; 6749

(ii) The unduplicated count of the number of all preschool 6750
children with disabilities in classes or programs for whom the 6751
district is eligible to receive funding under section 3317.0213 6752
of the Revised Code adjusted for the portion of the year each 6753
child is so enrolled, reported according to the categories 6754
prescribed in section 3317.013 of the Revised Code. 6755

(b) The superintendent of an institution with career- 6756
technical education units approved under section 3317.05 of the 6757
Revised Code shall, for the units under the superintendent's 6758
supervision, certify to the state board of education the 6759
enrollment in those units, in the manner prescribed by the 6760
superintendent of public instruction. 6761

(2) The superintendent of each county board of 6762
developmental disabilities that maintains special education 6763
classes under section 3317.20 of the Revised Code or provides 6764
services to preschool children with disabilities pursuant to an 6765
agreement between the county board and the appropriate school 6766
district shall do both of the following: 6767

(a) Certify to the state board, in the manner prescribed 6768
by the board, the enrollment in classes under section 3317.20 of 6769
the Revised Code for each school district that has placed 6770
children in the classes; 6771

(b) Certify to the state board, in the manner prescribed 6772
by the board, the unduplicated count of the number of all 6773
preschool children with disabilities enrolled in classes for 6774
which the board is eligible to receive funding under section 6775

3317.0213 of the Revised Code adjusted for the portion of the 6776
year each child is so enrolled, reported according to the 6777
categories prescribed in section 3317.013 of the Revised Code, 6778
and the number of those classes. 6779

(H) Except as provided in division (I) of this section, 6780
when any city, local, or exempted village school district 6781
provides instruction for a nonresident pupil whose attendance is 6782
unauthorized attendance as defined in section 3327.06 of the 6783
Revised Code, that pupil's enrollment shall not be included in 6784
that district's enrollment figure used in calculating the 6785
district's payments under this chapter. The reporting official 6786
shall report separately the enrollment of all pupils whose 6787
attendance in the district is unauthorized attendance, and the 6788
enrollment of each such pupil shall be credited to the school 6789
district in which the pupil is entitled to attend school under 6790
division (B) of section 3313.64 or section 3313.65 of the 6791
Revised Code as determined by the department of education. 6792

(I) ~~(1)~~ This division shall not apply on or after the 6793
effective date of this amendment. 6794

(1) A city, local, exempted village, or joint vocational 6795
school district admitting a scholarship student of a pilot 6796
project district pursuant to division (C) of section 3313.976 of 6797
the Revised Code may count such student in its enrollment. 6798

(2) In any year for which funds are appropriated for pilot 6799
project scholarship programs, a school district implementing a 6800
state-sponsored pilot project scholarship program that year 6801
pursuant to sections 3313.974 to 3313.979 of the Revised Code 6802
may count in its enrollment: 6803

(a) All children residing in the district and utilizing a 6804

scholarship to attend kindergarten in any alternative school, as 6805
defined in section 3313.974 of the Revised Code; 6806

(b) All children who were enrolled in the district in the 6807
preceding year who are utilizing a scholarship to attend an 6808
alternative school. 6809

(J) The superintendent of each cooperative education 6810
school district shall certify to the superintendent of public 6811
instruction, in a manner prescribed by the state board of 6812
education, the applicable enrollments for all students in the 6813
cooperative education district, also indicating the city, local, 6814
or exempted village district where each pupil is entitled to 6815
attend school under section 3313.64 or 3313.65 of the Revised 6816
Code. 6817

(K) If the superintendent of public instruction determines 6818
that a component of the enrollment certified or reported by a 6819
district superintendent, or other reporting entity, is not 6820
correct, the superintendent of public instruction may order that 6821
the ~~formula ADM used for the purposes of payments under any~~ 6822
~~section of Title XXXIII of the Revised Code~~ district's enrolled 6823
ADM, formula ADM, or both be adjusted in the amount of the 6824
error. 6825

Sec. 3317.051. (A) ~~As used in this section, "gifted unit-~~ 6826
~~ADM" means a school district's formula ADM minus the number of~~ 6827
~~students reported by a district under divisions (A) (2) (a) and~~ 6828
~~(i) of section 3317.03 of the Revised Code.~~ 6829

~~(B)~~ The department of education shall compute and pay to a 6830
school district funds based on units for services to students 6831
identified as gifted under Chapter 3324. of the Revised Code as 6832
prescribed by this section. 6833

~~(C)~~ (B) The department shall allocate gifted units for a 6834
school district as follows: 6835

(1) One gifted coordinator unit shall be allocated for 6836
every 3,300 students in a district's ~~gifted unit~~ enrolled ADM, 6837
with a minimum of 0.5 units and a maximum of 8 units allocated 6838
for the district. 6839

(2) One kindergarten through eighth grade gifted 6840
intervention specialist unit shall be allocated for every ~~1,100~~ 6841
140 gifted students in a district's gifted unit ~~ADM~~ enrolled in 6842
grades kindergarten through eight in the district, as certified 6843
under division (B) (22) of section 3317.03 of the Revised Code, 6844
with a minimum of 0.3 units allocated for the district. 6845

~~(D)~~ (3) One ninth through twelfth grade gifted 6846
intervention specialist unit shall be allocated for every 140 6847
gifted students enrolled in grades nine through twelve in the 6848
district, as certified under division (B) (22) of section 3317.03 6849
of the Revised Code, with a minimum of 0.3 units allocated for 6850
the district. 6851

(C) The department shall pay the following amount to a 6852
school district for gifted units: 6853

~~\$37,370 multiplied by (\$85,776 X the number of units allocated~~ 6854
to a school district under division ~~(C)~~ (B) (1) of this section X 6855
the district's state share percentage) + (\$89,378 X the number 6856
of units allocated to a school district under division (B) (2) of 6857
this section X the district's state share percentage) + (\$80,974 6858
X the number of units allocated to a school district under 6859
division (B) (3) of this section X the district's state share 6860
percentage) 6861

~~(E)~~ (D) A school district may assign gifted unit funding 6862

that it receives under division ~~(D)~~ (C) of this section to 6863
another school district, an educational service center, a 6864
community school, or a STEM school as part of an arrangement to 6865
provide services to the district. 6866

Sec. 3317.071. For fiscal year 2021 and for each fiscal 6867
year thereafter, the department of education shall implement the 6868
program to provide school bus purchase assistance described in 6869
the report that was submitted by the department to the general 6870
assembly under Section 265.324 of H.B. 166 of the 133rd general 6871
assembly. 6872

Sec. 3317.072. (A) The transportation collaboration fund 6873
is hereby created in the state treasury. The fund shall consist 6874
of money appropriated for this purpose by the general assembly. 6875
The department of education shall use money in the fund for 6876
grants awarded under this section. 6877

(B)(1) The department shall award transportation 6878
collaboration grants each fiscal year to city, local, and 6879
exempted village school districts for efforts that lead to 6880
shared resource management, routing consolidation, regional 6881
collaboration, or other activities that have the potential to 6882
reduce transportation operating costs. 6883

(2) The department shall determine the amount of each 6884
grant awarded, but no grant shall exceed \$10,000 for any fiscal 6885
year. 6886

(3) The department shall adopt rules regarding all of the 6887
following: 6888

(a) The process for city, local, and exempted village 6889
school districts to submit applications for grants awarded under 6890
this section, including the deadline for those applications to 6891

be submitted; 6892

(b) The application form for grants awarded under this 6893
section; 6894

(c) The requirements and process for grant recipients to 6895
be eligible to renew their grants in future fiscal years; 6896

(d) Any other rules necessary to implement the provisions 6897
of this section. 6898

Sec. 3317.11. (A) As used in this section: 6899

(1) "Base amount" is equal to \$356,250. 6900

(2) "Student count" means the count calculated under 6901
division (G)(1) of section 3313.843 of the Revised Code. 6902

(B) For each fiscal year, the department of education 6903
shall pay the governing board of each educational service center 6904
an amount equal to the following: 6905

(1) If the educational service center has a student count 6906
of 5,000 students or less, the base amount. 6907

(2) If the educational service center has a student count 6908
greater than 5,000 students but less than or equal to 35,000 6909
students, the following sum: 6910

The base amount + [(the educational service center's student 6911
count - 5,000) X \$24.72] 6912

(3) If the educational service center has a student count 6913
greater than 35,000 students, the following sum: 6914

The base amount + (30,000 X \$24.72) + [(the educational service 6915
center's student count - 35,000) X \$30.90] 6916

Sec. 3317.16. ~~(A)~~ The department of education shall 6917

compute and distribute state core foundation funding to each 6918
joint vocational school district for the fiscal year ~~as~~ 6919
~~prescribed in the following divisions~~ in accordance with the 6920
following formula: 6921

The district's funding base + [(the district's state core 6922
foundation funding components for that fiscal year calculated 6923
under divisions (A) (1), (2), (4), (5), and (6) of this section - 6924
the district's funding base) X the district's phase-in 6925
percentage for that fiscal year] + the district's disadvantaged 6926
pupil impact aid for that fiscal year calculated under division 6927
(A) (3) of this section 6928

(A) A district's state core foundation funding components 6929
shall be all of the following: 6930

(1) ~~An opportunity grant~~ The district's state share of the 6931
base cost calculated according to the following formula: 6932

~~(The formula amount X formula ADM)~~ district's base cost calculated 6933
under section 3317.012 of the Revised Code) - (0.0005 X the 6934
lesser of the district's three-year average valuation or the 6935
district's most recent valuation) 6936

However, no district shall receive an ~~opportunity grant~~ 6937
amount under division (A) (1) of this section that is less than 6938
0.05 times the ~~formula amount times formula ADM~~ base cost 6939
calculated for the district under section 3317.012 of the 6940
Revised Code. 6941

(2) Additional state aid for special education and related 6942
services provided under Chapter 3323. of the Revised Code 6943
calculated as the sum of the following: 6944

(a) The district's category one special education ADM X 6945
the ~~amount~~ multiple specified in division (A) of section 6946

3317.013 of the Revised Code X the statewide average base cost 6947
per pupil for that fiscal year X the district's state share 6948
percentage; 6949

(b) The district's category two special education ADM X 6950
the ~~amount~~ multiple specified in division (B) of section 6951
3317.013 of the Revised Code X the statewide average base cost 6952
per pupil for that fiscal year X the district's state share 6953
percentage; 6954

(c) The district's category three special education ADM X 6955
the ~~amount~~ multiple specified in division (C) of section 6956
3317.013 of the Revised Code X the statewide average base cost 6957
per pupil for that fiscal year X the district's state share 6958
percentage; 6959

(d) The district's category four special education ADM X 6960
the ~~amount~~ multiple specified in division (D) of section 6961
3317.013 of the Revised Code X the statewide average base cost 6962
per pupil for that fiscal year X the district's state share 6963
percentage; 6964

(e) The district's category five special education ADM X 6965
the ~~amount~~ multiple specified in division (E) of section 6966
3317.013 of the Revised Code X the statewide average base cost 6967
per pupil for that fiscal year X the district's state share 6968
percentage; 6969

(f) The district's category six special education ADM X 6970
the ~~amount~~ multiple specified in division (F) of section 6971
3317.013 of the Revised Code X the statewide average base cost 6972
per pupil for that fiscal year X the district's state share 6973
percentage. 6974

(3) ~~Economically disadvantaged funds~~ Disadvantaged pupil 6975

impact aid calculated according to the following formula: 6976

~~\$272-\$422~~ X the district's economically disadvantaged index X 6977
the number of students who are economically disadvantaged as 6978
certified under division (D) (2) (p) of section 3317.03 of the 6979
Revised Code 6980

(4) English learner funds calculated as the sum of the 6981
following: 6982

(a) The district's category one English learner ADM X the 6983
~~amount multiple~~ specified in division (A) of section 3317.016 of 6984
the Revised Code X the statewide average base cost per pupil for 6985
that fiscal year X the district's state share percentage; 6986

(b) The district's category two English learner ADM X the 6987
~~amount multiple~~ specified in division (B) of section 3317.016 of 6988
the Revised Code X the statewide average base cost per pupil for 6989
that fiscal year X the district's state share percentage; 6990

(c) The district's category three English learner ADM X 6991
the ~~amount multiple~~ specified in division (C) of section 6992
3317.016 of the Revised Code X the statewide average base cost 6993
per pupil for that fiscal year X the district's state share 6994
percentage; ~~—~~. 6995

(5) Career-technical education funds calculated ~~as the sum~~ 6996
~~of the following:—~~ 6997

~~(a) The district's category one career-technical education 6998
ADM X the amount specified in division (A) of section 3317.014— 6999
of the Revised Code X the district's state share percentage;— 7000~~

~~(b) The district's category two career-technical education 7001
ADM X the amount specified in division (B) of section 3317.014— 7002
of the Revised Code X the district's state share percentage;— 7003~~

~~(c) The district's category three career technical education ADM X the amount specified in division (C) of section 3317.014 of the Revised Code X the district's state share percentage;~~ 7004
7005
7006
7007

~~(d) The district's category four career technical education ADM X the amount specified in division (D) of section 3317.014 of the Revised Code X the district's state share percentage;~~ 7008
7009
7010
7011

~~(e) The district's category five career technical education ADM X the amount specified in division (E) of section 3317.014 of the Revised Code X the district's state share percentage.~~ 7012
7013
7014
7015

~~Payment of funds under division (A) (5) of this section is subject to approval under section 3317.161 of the Revised Code under division (C) of section 3317.014 of the Revised Code.~~ 7016
7017
7018

~~(6) Career-technical education associated services funds calculated under the following formula:~~ 7019
7020

~~The district's state share percentage X the amount for career technical education associated services specified in section 3317.014 of the Revised Code X the sum of categories one through five career technical education ADM~~ 7021
7022
7023
7024

~~(7) A graduation bonus calculated according to the following formula:~~ 7025
7026

~~The district's graduation rate as reported on its most recent report card issued by the department under section 3302.033 of the Revised Code X 0.075 X the formula amount X the number of the district's students who received high school or honors high school diplomas as reported by the district to the department, in accordance with the guidelines adopted under section~~ 7027
7028
7029
7030
7031
7032

~~3301.0714 of the Revised Code, for the same school year for~~ 7033
~~which the most recent report card was issued X the district's~~ 7034
~~state share percentage division (D) of section 3317.014 of the~~ 7035
Revised Code. 7036

(B) (1) If a joint vocational school district's costs for a 7037
fiscal year for a student in its categories two through six 7038
special education ADM exceed the threshold catastrophic cost for 7039
serving the student, as specified in division (B) of section 7040
3317.0214 of the Revised Code, the district may submit to the 7041
superintendent of public instruction documentation, as 7042
prescribed by the superintendent, of all of its costs for that 7043
student. Upon submission of documentation for a student of the 7044
type and in the manner prescribed, the department shall pay to 7045
the district an amount equal to the sum of the following: 7046

(a) One-half of the district's costs for the student in 7047
excess of the threshold catastrophic cost; 7048

(b) The product of one-half of the district's costs for 7049
the student in excess of the threshold catastrophic cost 7050
multiplied by the district's state share percentage. 7051

(2) The district shall report under division (B) (1) of 7052
this section, and the department shall pay for, only the costs 7053
of educational expenses and the related services provided to the 7054
student in accordance with the student's individualized 7055
education program. Any legal fees, court costs, or other costs 7056
associated with any cause of action relating to the student may 7057
not be included in the amount. 7058

(C) (1) For each student with a disability receiving 7059
special education and related services under an individualized 7060
education program, as defined in section 3323.01 of the Revised 7061

Code, at a joint vocational school district, the resident 7062
district or, if the student is enrolled in a community school, 7063
the community school shall be responsible for the amount of any 7064
costs of providing those special education and related services 7065
to that student that exceed the sum of the amount calculated for 7066
those services attributable to that student under division (A) 7067
of this section. 7068

Those excess costs shall be calculated using a formula 7069
approved by the department. 7070

(2) The board of education of the joint vocational school 7071
district may report the excess costs calculated under division 7072
(C) (1) of this section to the department of education. 7073

(3) If the board of education of the joint vocational 7074
school district reports excess costs under division (C) (2) of 7075
this section, the department shall pay the amount of excess cost 7076
calculated under division (C) (2) of this section to the joint 7077
vocational school district and shall deduct that amount as 7078
provided in division (C) (3) (a) or (b) of this section, as 7079
applicable: 7080

(a) If the student is not enrolled in a community school, 7081
the department shall deduct the amount from the account of the 7082
student's resident district pursuant to division (J) of section 7083
3317.023 of the Revised Code. 7084

(b) If the student is enrolled in a community school, the 7085
department shall deduct the amount from the account of the 7086
community school pursuant to section 3314.083 of the Revised 7087
Code. 7088

~~(D) (1) In any fiscal year, a school district receiving~~ 7089
~~funds under division (A) (5) of this section shall spend those~~ 7090

~~funds only for the purposes that the department designates as~~ 7091
~~approved for career technical education expenses. Career~~ 7092
~~technical education expenses approved by the department shall~~ 7093
~~include only expenses connected to the delivery of career~~ 7094
~~technical programming to career technical students. The~~ 7095
~~department shall require the school district to report data~~ 7096
~~annually so that the department may monitor the district's~~ 7097
~~compliance with the requirements regarding the manner in which~~ 7098
~~funding received under division (A) (5) of this section may be~~ 7099
~~spent.~~ 7100

~~(2) All funds received under division (A) (5) of this~~ 7101
~~section shall be spent in the following manner:~~ 7102

~~(a) At least seventy-five per cent of the funds shall be~~ 7103
~~spent on curriculum development, purchase, and implementation;~~ 7104
~~instructional resources and supplies; industry-based program~~ 7105
~~certification; student assessment, credentialing, and placement;~~ 7106
~~curriculum specific equipment purchases and leases; career~~ 7107
~~technical student organization fees and expenses; home and~~ 7108
~~agency linkages; work based learning experiences; professional~~ 7109
~~development; and other costs directly associated with career~~ 7110
~~technical education programs including development of new~~ 7111
~~programs.~~ 7112

~~(b) Not more than twenty-five per cent of the funds shall~~ 7113
~~be used for personnel expenditures.~~ 7114

~~(E) In any fiscal year, a school district receiving funds~~ 7115
~~under division (A) (6) of this section, or through a transfer of~~ 7116
~~funds pursuant to division (I) of section 3317.023 of the~~ 7117
~~Revised Code, shall spend those funds only for the purposes that~~ 7118
~~the department designates as approved for career technical~~ 7119
~~education associated services expenses, which may include such~~ 7120

~~purposes as apprenticeship coordinators, coordinators for other~~ 7121
~~career technical education services, career technical~~ 7122
~~evaluation, and other purposes designated by the department. The~~ 7123
~~department may deny payment under division (A) (6) of this~~ 7124
~~section to any district that the department determines is not~~ 7125
~~operating those services or is using funds paid under division~~ 7126
~~(A) (6) of this section, or through a transfer of funds pursuant~~ 7127
~~to division (I) of section 3317.023 of the Revised Code, for~~ 7128
~~other purposes.~~ 7129

~~(F)~~ A joint vocational school district shall spend the 7130
funds it receives under division (A) (3) of this section in 7131
accordance with section 3317.25 of the Revised Code. 7132

~~(G)~~ (E) As used in this section: 7133

(1) "Community school" means a community school 7134
established under Chapter 3314. of the Revised Code. 7135

(2) "Resident district" means the city, local, or exempted 7136
village school district in which a student is entitled to attend 7137
school under section 3313.64 or 3313.65 of the Revised Code. 7138

~~(3) "State share percentage" is equal to the following:~~ 7139

~~The amount computed under division (A) (1) of this section/ (the~~ 7140
~~formula amount X formula ADM)~~ 7141

Sec. 3317.162. (A) For fiscal years 2022 and 2023, the 7142
department of education shall pay temporary transitional aid to 7143
each joint vocational school district according to the following 7144
formula: 7145

(The district's funding base, as that term is defined in section 7146
3317.02 of the Revised Code + the amount paid to the district 7147
under division (A) (3) of section 3317.16 of the Revised Code, as 7148

that division existed prior to the effective date of this 7149
amendment, for fiscal year 2019) - (the district's payment under 7150
section 3317.16 of the Revised Code for the fiscal year for 7151
which the payment is computed) 7152

If the computation made under division (A) of this section 7153
results in a negative number, the district's funding under 7154
division (A) of this section shall be zero. 7155

(B) For fiscal year 2024 and for each fiscal year 7156
thereafter, the department shall pay temporary transitional aid 7157
to each joint vocational school district according to the 7158
following formula: 7159

(The district's guaranteed funding for the third preceding 7160
fiscal year / the average of the district's enrolled ADM for the 7161
third, fourth, and fifth preceding fiscal years) - (the 7162
district's payment under section 3317.16 of the Revised Code for 7163
the fiscal year for which the payment is calculated / the 7164
district's enrolled ADM for the fiscal year for which the 7165
payment is calculated) X the district's enrolled ADM for the 7166
fiscal year for which the payment is calculated 7167

If the computation made under this division results in a 7168
negative number, the district's funding under this division 7169
shall be zero. 7170

For purposes of this computation, a district's "guaranteed 7171
funding" means the following: 7172

(1) For fiscal year 2021, the sum of the district's 7173
funding base, as that term is defined in section 3317.02 of the 7174
Revised Code, and the amount paid to the district under division 7175
(A) (3) of section 3317.16 of the Revised Code, as that division 7176
existed prior to the effective date of this amendment, for 7177

fiscal year 2019; 7178

(2) For fiscal years 2022 and 2023, the district's payment 7179
for that fiscal year under section 3317.16 of the Revised Code 7180
plus the district's payment for that fiscal year under division 7181
(A) of this section; 7182

(3) For fiscal year 2024 and for each fiscal year 7183
thereafter, the district's payment for that fiscal year under 7184
section 3317.16 of the Revised Code plus the district's payment 7185
for that fiscal year under division (B) of this section. 7186

(C) If a joint vocational school district begins receiving 7187
payments under section 3317.16 of the Revised Code for fiscal 7188
year 2022 or for any fiscal year thereafter but does not receive 7189
payments for the fiscal year immediately preceding that fiscal 7190
year, the department shall establish the following as an amount 7191
equal to the absolute value of the sum of the associated 7192
adjustments of any local school district's funding base under 7193
division (C) of section 3317.019 of the Revised Code: 7194

(1) For purposes of division (A) of this section: 7195

(a) The district's funding base, as that term is defined 7196
in section 3317.02 of the Revised Code; 7197

(b) The amount paid to the district under division (A) (3) 7198
of section 3317.16 of the Revised Code, as that division existed 7199
prior to the effective date of this amendment, for fiscal year 7200
2019. 7201

(2) For purposes of division (B) of this section, the 7202
district's guaranteed funding. 7203

Sec. 3317.20. This section does not apply to preschool 7204
children with disabilities. 7205

- (A) As used in this section: 7206
- (1) "Applicable special education amount" means the amount 7207
specified in section 3317.013 of the Revised Code for a 7208
disability described in that section. 7209
- (2) "Child's school district" means the school district in 7210
which a child is entitled to attend school pursuant to section 7211
3313.64 or 3313.65 of the Revised Code. 7212
- (3) "State share ~~index~~percentage" means the state share 7213
~~index~~percentage of the child's school district. 7214
- (B) The department shall annually pay each county board of 7215
developmental disabilities for each child with a disability, 7216
other than a preschool child with a disability, for whom the 7217
county board provides special education and related services an 7218
amount equal to the ~~formula amount~~ statewide average base cost 7219
per pupil + (state share ~~index~~percentage X the applicable 7220
special education ~~amount~~weight X the statewide average base cost 7221
per pupil). 7222
- (C) Each county board of developmental disabilities shall 7223
report to the department, in the manner specified by the 7224
department, the name of each child for whom the county board of 7225
developmental disabilities provides special education and 7226
related services and the child's school district. 7227
- (D) (1) For the purpose of verifying the accuracy of the 7228
payments under this section, the department may request from 7229
either of the following entities the data verification code 7230
assigned under division (D) (2) of section 3301.0714 of the 7231
Revised Code to any child who is placed with a county board of 7232
developmental disabilities: 7233
- (a) The child's school district; 7234

(b) The independent contractor engaged to create and 7235
maintain data verification codes. 7236

(2) Upon a request by the department under division (D) (1) 7237
of this section for the data verification code of a child, the 7238
child's school district shall submit that code to the department 7239
in the manner specified by the department. If the child has not 7240
been assigned a code, the district shall assign a code to that 7241
child and submit the code to the department by a date specified 7242
by the department. If the district does not assign a code to the 7243
child by the specified date, the department shall assign a code 7244
to the child. 7245

The department annually shall submit to each school 7246
district the name and data verification code of each child 7247
residing in the district for whom the department has assigned a 7248
code under this division. 7249

(3) The department shall not release any data verification 7250
code that it receives under division (D) of this section to any 7251
person except as provided by law. 7252

(E) Any document relative to special education and related 7253
services provided by a county board of developmental 7254
disabilities that the department holds in its files that 7255
contains both a student's name or other personally identifiable 7256
information and the student's data verification code shall not 7257
be a public record under section 149.43 of the Revised Code. 7258

Sec. 3317.25. (A) As used in this section, "~~economically~~ 7259
~~disadvantaged funds~~disadvantaged pupil impact aid" means the 7260
following: 7261

(1) For a city, local, or exempted village school 7262
district, the funds received under division ~~(A) (5)~~ (A) (4) of 7263

section 3317.022 of the Revised Code; 7264

(2) For a joint vocational school district, the funds 7265
received under division (A) (3) of section 3317.16 of the Revised 7266
Code; 7267

(3) For a community school established under Chapter 3314. 7268
of the Revised Code, the funds received under division ~~(C) (1) (e)~~ 7269
(C) (1) (c) of section 3314.08 of the Revised Code; 7270

(4) For a STEM school established under Chapter 3326. of 7271
the Revised Code, the funds received under division ~~(E)~~ (B) (3) 7272
of section 3326.33 of the Revised Code. 7273

(B) In any fiscal year, a city, local, exempted village, 7274
or joint vocational school district, community school, or STEM 7275
school shall spend the ~~economically disadvantaged funds~~ 7276
disadvantaged pupil impact aid it receives for any of the 7277
following initiatives or a combination of any of the following 7278
initiatives: 7279

(1) Extended school day and school year; 7280

(2) Reading improvement and intervention; 7281

(3) Instructional technology or blended learning; 7282

(4) Professional development in reading instruction for 7283
teachers of students in kindergarten through third grade; 7284

(5) Dropout prevention; 7285

(6) School safety and security measures; 7286

(7) Community learning centers that address barriers to 7287
learning; 7288

(8) Academic interventions for students in any of grades 7289
six through twelve; 7290

(9) Employment of an individual who has successfully	7291
completed the bright new leaders for Ohio schools program as a	7292
principal or an assistant principal under section 3319.272 of	7293
the Revised Code;	7294
<u>(10) Reduced class size;</u>	7295
<u>(11) One year of quality preschool for every child who is</u>	7296
<u>four years of age and identified as economically disadvantaged;</u>	7297
<u>(12) Student mentoring programs;</u>	7298
<u>(13) Family engagement pertinent to enhanced student</u>	7299
<u>educational success;</u>	7300
<u>(14) District-wide professional development to provide</u>	7301
<u>greater insight into the needs, culture, and perspective of</u>	7302
<u>disadvantaged populations and enhanced ability to recognize and</u>	7303
<u>address those needs;</u>	7304
<u>(15) Mental health services;</u>	7305
<u>(16) Services for homeless youth;</u>	7306
<u>(17) Services for child welfare involving youth;</u>	7307
<u>(18) Community liaisons;</u>	7308
<u>(19) Physical health care services;</u>	7309
<u>(20) Mentoring programs;</u>	7310
<u>(21) Family engagement and support services;</u>	7311
<u>(22) City connects programming;</u>	7312
<u>(23) Professional development regarding the provision of</u>	7313
<u>trauma informed care;</u>	7314
<u>(24) Professional development regarding cultural</u>	7315

competence; 7316

(25) Student services provided prior to or after the 7317
regularly scheduled school day or any time school is not in 7318
session. 7319

(C) At the end of each fiscal year, each city, local, 7320
exempted village, or joint vocational school district, community 7321
school, and STEM school shall submit a report to the department 7322
of education ~~describing through the education management~~ 7323
information system established under section 3301.0714 of the 7324
Revised Code that describes the initiative or initiatives on 7325
which the district's or school's ~~economically disadvantaged-~~ 7326
~~funds-disadvantaged pupil impact aid~~ were spent during that 7327
fiscal year. 7328

(D) Starting in 2015, the department shall submit a report 7329
of the information it receives under division (C) of this 7330
section to the General Assembly not later than the first day of 7331
December of each odd-numbered year in accordance with section 7332
101.68 of the Revised Code. 7333

Sec. 3317.60. (A) (1) The department of education shall 7334
conduct a study that does both of the following: 7335

(a) Reviews the criteria used in the current school 7336
funding formula to define "economically disadvantaged students" 7337
in order to determine the effectiveness of the criteria; 7338

(b) Researches how other states define "economically 7339
disadvantaged students" and how "economically disadvantaged 7340
students" are addressed in other states' school funding 7341
formulas. 7342

The department shall submit a report of its findings to 7343
the individuals prescribed in division (B) of this section not 7344

later than December 31, ~~2020~~2022.

7345

(2) The department of education, in consultation with the department of job and family services and stakeholder groups determined appropriate by the department, shall prepare a report including both of the following:

7346

7347

7348

7349

(a) A review of early child initiatives in Ohio, including preschool, head start, and other early learning opportunities for young children;

7350

7351

7352

(b) Information regarding how other states support early learning opportunities for young children.

7353

7354

The department of education shall submit the report to the individuals prescribed in division (B) of this section not later than December 31, ~~2020~~2022.

7355

7356

7357

(B) The reports prepared under division (A) of this section shall be submitted to all of the following:

7358

7359

(1) The president and minority leader of the senate;

7360

(2) The speaker and minority leader of the house of representatives;

7361

7362

(3) The members of the standing committees of the house of representatives and the senate that consider legislation regarding primary and secondary education;

7363

7364

7365

(4) The school funding oversight commission created in section 3317.64 of the Revised Code.

7366

7367

Sec. 3317.61. (A) (1) (a) The office of budget and management shall, in consultation with the department of education, create an inventory of all state budget line items that, in the office's determination, provide funding services to

7368

7369

7370

7371

children that includes all of the following information: 7372

(i) The fiscal year 2019 funding for each line item; 7373

(ii) A brief description of services provided by each line item; 7374
7375

(iii) Estimates of funding and program descriptions of all line items that are also used to fund other types of programs, including a description explaining how those different programs interact and for whom they are provided; 7376
7377
7378
7379

(iv) A preliminary analysis of policy implications regarding the potential creation and funding of "wrap-around services," as defined by the office, including health clinics provided in educational settings. 7380
7381
7382
7383

(b) The data shall be disaggregated into three categories based on students' age ranges as follows: 7384
7385

(i) Students receiving special education services for a disability specified in divisions (A) to (F) of section 3317.013 of the Revised Code between zero and twenty-one years of age; 7386
7387
7388

(ii) Students not described by division (A)(1)(b)(i) of this section between zero and four years of age; and 7389
7390

(iii) Students not described in division (A)(1)(b)(i) of this section between five and eighteen years of age. 7391
7392

Additionally, the data shall be disaggregated into service categories that may be provided by multiple agencies, funds, and line items, such as children's mental health, children's physical health, child nutrition, early childhood education, primary and secondary education, special education, juvenile detention services, and any other categories that receive significant state and federal funding. 7393
7394
7395
7396
7397
7398
7399

(c) The office shall submit the inventory to the 7400
individuals prescribed in division (B) of this section not later 7401
than December 31, 2022. 7402

(2) The department of education shall conduct an 7403
evaluation of all of the following topics regarding special 7404
education: 7405

(a) The categories of special education students specified 7406
under section 3317.013 of the Revised Code and the funding 7407
amounts corresponding to those categories; 7408

(b) Best practices for providing education to special 7409
education students; 7410

(c) Protocols for providing treatment to special education 7411
students; 7412

(d) Technology to enhance the provision of special 7413
education; 7414

(e) Costs of providing special education; 7415

(f) Transportation of special education students. 7416

The department shall submit a report of its findings and 7417
recommendations to the individuals prescribed in division (B) of 7418
this section not later than December 31, 2022. 7419

(3) The department of education shall, in collaboration 7420
with the auditor of state and a workgroup established by the 7421
department that consists of educators, auditors, and employees 7422
of the department, review the funding reporting protocols and 7423
requirements for gifted services with the intention of 7424
recommending improvements regarding accountability for the 7425
spending of gifted funds paid to city, local, and exempted 7426
village school districts under section 3317.022 of the Revised 7427

Code. The department shall submit a report of its findings and 7428
recommendations to the individuals prescribed in division (B) of 7429
this section not later than December 31, 2022. 7430

(4) The department of education shall develop 7431
recommendations for an incentive program for school districts in 7432
rural areas of the state that provide services to students 7433
identified as gifted under division (A), (B), (C), or (D) of 7434
section 3324.03 of the Revised Code and submit a report of its 7435
findings to the individuals prescribed in division (B) of this 7436
section not later than December 31, 2022. 7437

(5) The department of education shall, in collaboration 7438
with the auditor of state and the Ohio educational service 7439
center association, conduct an evaluation of educational service 7440
centers, including all of the following: 7441

(a) Services provided; 7442

(b) Cost of existing services; 7443

(c) The ability to generate revenue for providing 7444
nonmandatory services and offset fixed costs with that revenue; 7445

(d) The average operating cost per pupil; 7446

(e) The effectiveness and efficiency of all educational 7447
service centers. 7448

The department shall submit a report of its findings and a 7449
recommendation for a funding formula for educational service 7450
centers to the individuals prescribed in division (B) of this 7451
section not later than December 31, 2022. 7452

(6) The department of education shall evaluate the current 7453
funding amounts and required services for all categories of 7454
English learners described in section 3317.016 of the Revised 7455

Code. The department shall submit a report of its findings to 7456
the individuals prescribed in division (B) of this section not 7457
later than December 31, 2022. 7458

(7) The department of education shall conduct a study of 7459
the cost to educate students enrolled in internet- or computer- 7460
based community schools and shall consult with these schools 7461
while conducting this study. The department shall submit a 7462
result of its findings to the individuals prescribed in division 7463
(B) of this section not later than December 31, 2022. 7464

(B) Reports prepared under divisions (A) (1), (2), (3), 7465
(4), (5), (6), and (7) of this section shall be submitted to all 7466
of the following: 7467

(1) The chair, vice chair, and ranking minority member of 7468
the finance committees of the house of representatives and the 7469
senate; 7470

(2) The chair, vice chair, and ranking minority member of 7471
the finance subcommittees regarding primary and secondary 7472
education of the house of representatives and the senate; 7473

(3) The chair, vice chair, and ranking minority member of 7474
the standing committees of the house of representatives and the 7475
senate that consider legislation regarding primary and secondary 7476
education; 7477

(4) The superintendent of public instruction; 7478

(5) The president of the state board of education; 7479

(6) The school funding oversight commission created in 7480
section 3317.64 of the Revised Code. 7481

(C) It is the intent of the general assembly that the 7482
recommendations developed under division (A) (5) of this section 7483

be the basis of legislation enacted by the general assembly in 7484
order to take effect for fiscal year 2023 and that the 7485
recommendations developed under divisions (A) (2), (3), (4), (6), 7486
and (7) of this section be the basis of legislation enacted by 7487
the general assembly in order to take effect for fiscal year 7488
2024. 7489

Sec. 3317.62. (A) The department of education, in 7490
consultation with community school governing authorities and 7491
other appropriate stakeholders, shall evaluate the cost of 7492
operating community schools on a per-pupil or other reasonable 7493
basis as a replacement for the discontinuance of a fixed per- 7494
pupil formula amount. 7495

(B) Not later than December 31, 2022, the department shall 7496
submit its findings to all of the following: 7497

(1) The chair, vice chair, and ranking minority member of 7498
the finance committees of the house of representatives and the 7499
senate; 7500

(2) The chair, vice chair, and ranking minority member of 7501
the finance subcommittees regarding primary and secondary 7502
education of the house of representatives and the senate; 7503

(3) The chair, vice chair, and ranking minority member of 7504
the standing committees of the house of representatives and the 7505
senate that consider legislation regarding primary and secondary 7506
education; 7507

(4) The superintendent of public instruction; 7508

(5) The president of the state board of education; 7509

(6) The school funding oversight commission created in 7510
section 3317.64 of the Revised Code. 7511

Sec. 3317.63. (A) A joint legislative task force to 7512
examine transportation of community school and nonpublic school 7513
students is hereby established and shall consist of six members, 7514
three of whom shall be appointed by the speaker of the house of 7515
representatives and three of whom shall be appointed by the 7516
president of the senate. The speaker of the house of 7517
representatives and president of the senate shall appoint a 7518
chairperson and vice-chairperson or co-chairpersons for the task 7519
force. 7520

(B) The task force, in consultation with the 7521
superintendent of public instruction, the auditor of state, and 7522
other stakeholders, shall study the transportation of such 7523
students and determine methods to create greater efficiency and 7524
minimize costs in transporting such students. The task force 7525
shall report its findings and a recommendation for a funding 7526
formula for the transportation of such students to the speaker 7527
of the house of representatives, the president of the senate, 7528
and the school funding oversight commission created in section 7529
3317.64 of the Revised Code not later than December 31, 2022. 7530

Sec. 3317.64. (A) The school funding oversight commission 7531
is hereby created. The commission shall do all of the following: 7532

(1) Evaluate and analyze the manner in which the funding 7533
requirements of H.B. 305 of the 133rd general assembly are being 7534
implemented and make recommendations to the general assembly to 7535
ensure that, if at all possible, the funding priorities 7536
specified in H.B. 305 of the 133rd general assembly are 7537
implemented as directed and that all other provisions are funded 7538
as equitably and evenly as possible as additional funding 7539
becomes available; 7540

(2) Analyze and make recommendations to the general 7541

assembly regarding any appropriate adjustments to the provisions 7542
of H.B. 305 of the 133rd general assembly for inflation, 7543
technology developments, changes in instructional methodology, 7544
or the use of databases; 7545

(3) Review and analyze the findings or implications of any 7546
of the studies authorized in section 3317.60, 3317.61, 3317.62, 7547
or 3317.63 of the Revised Code as amended or enacted by H.B. 305 7548
of the 133rd general assembly, as those studies become 7549
available, or any other school funding studies authorized in 7550
related legislation and make appropriate recommendations to the 7551
general assembly; 7552

(4) Upon the implementation of the provisions of H.B. 305 7553
of the 133rd general assembly, assess the impact of its 7554
calculations and other basic concepts and make recommendations 7555
to the general assembly regarding appropriate modifications to 7556
those calculations and other basic concepts; 7557

(5) Generally monitor the implementation of the provisions 7558
of H.B. 305 of the 133rd general assembly to ensure that they 7559
are implemented in a timely and effective manner that is 7560
consistent with the intent of the general assembly at the time 7561
those provisions were enacted and make recommendations to the 7562
general assembly regarding its implementation. 7563

(B) The school funding oversight commission shall consist 7564
of the following members: 7565

(1) Four members of the house of representatives, 7566
appointed by the speaker of the house of representatives, and 7567
four members of the senate, appointed by the president of the 7568
senate. Not more than five of the members appointed under 7569
division (B) (1) of this section shall be of the same political 7570

party.

7571

(2) Four school district superintendents, appointed by the
superintendent of public instruction with advice from those
statewide organizations that represent school district
superintendents, and four school district treasurers, appointed
by the superintendent of public instruction with advice from
those statewide organizations that represent school district
treasurers. The superintendent of public instruction shall
attempt to ensure that the school district superintendents and
treasurers appointed under division (B) (2) of this section
represent a combination of urban, suburban, and rural school
districts.

7572
7573
7574
7575
7576
7577
7578
7579
7580
7581
7582

(3) Eight parents, four of whom shall be male and four of
whom shall be female, appointed by the governor. In making
appointments under division (B) (3) of this section, the governor
shall attempt to ensure that the parents appointed are a
combination of parents of students who are enrolled in, will
enroll in, or were enrolled in urban, suburban, and rural school
districts.

7583
7584
7585
7586
7587
7588
7589

(C) All members of the commission shall be appointed prior
to the commission's first meeting as prescribed in division (D)
of this section. Half of the members appointed under each of
divisions (B) (1), (2), and (3) of this section shall be
appointed for two-year terms, and half of the members appointed
under each of divisions (B) (1), (2), and (3) of this section
shall be appointed for four-year terms. Thereafter, all members
shall be appointed for four-year terms. No member shall be
eligible for reappointment except for those members appointed
for initial two-year terms.

7590
7591
7592
7593
7594
7595
7596
7597
7598
7599

(D) Not later than one year after the effective date of

7600

this section, the superintendent of public instruction shall 7601
call the first meeting of the school funding oversight 7602
commission. At that meeting, the members of the commission shall 7603
select a chair and vice-chair of the commission. Thereafter, the 7604
commission shall meet at least once every six months at the call 7605
of the chair. 7606

Sec. 3319.57. (A) A grant program is hereby established 7607
under which the department of education shall award grants to 7608
assist certain schools in a city, exempted village, local, or 7609
joint vocational school district in implementing one of the 7610
following innovations: 7611

(1) The use of instructional specialists to mentor and 7612
support classroom teachers; 7613

(2) The use of building managers to supervise the 7614
administrative functions of school operation so that a school 7615
principal can focus on supporting instruction, providing 7616
instructional leadership, and engaging teachers as part of the 7617
instructional leadership team; 7618

(3) The reconfiguration of school leadership structure in 7619
a manner that allows teachers to serve in leadership roles so 7620
that teachers may share the responsibility for making and 7621
implementing school decisions; 7622

(4) The adoption of new models for restructuring the 7623
school day or school year, such as including teacher planning 7624
and collaboration time as part of the school day; 7625

(5) The creation of smaller schools or smaller units 7626
within larger schools for the purpose of facilitating teacher 7627
collaboration to improve and advance the professional practice 7628
of teaching; 7629

(6) The implementation of "grow your own" recruitment 7630
strategies that are designed to assist individuals who show a 7631
commitment to education become licensed teachers, to assist 7632
experienced teachers obtain licensure in subject areas for which 7633
there is need, and to assist teachers in becoming principals; 7634

(7) The provision of better conditions for new teachers, 7635
such as reduced teaching load and reduced class size; 7636

(8) The provision of incentives to attract qualified 7637
mathematics, science, or special education teachers; 7638

(9) The development and implementation of a partnership 7639
with teacher preparation programs at colleges and universities 7640
to help attract teachers qualified to teach in shortage areas; 7641

(10) The implementation of a program to increase the 7642
cultural competency of both new and veteran teachers; 7643

(11) The implementation of a program to increase the 7644
subject matter competency of veteran teachers. 7645

(B) To qualify for a grant to implement one of the 7646
innovations described in division (A) of this section, a school 7647
must meet both of the following criteria: 7648

(1) Be hard to staff, as defined by the department. 7649

(2) Use existing school district funds for the 7650
implementation of the innovation in an amount equal to the grant 7651
amount multiplied by (1 - the district's state share ~~index~~ 7652
percentage for the fiscal year in which the grant is awarded). 7653

For purposes of division (B) (2) of this section, "state 7654
share ~~index~~percentage" has the same meaning as in section 7655
3317.02 of the Revised Code. 7656

(C) The amount and number of grants awarded under this 7657
section shall be determined by the department based on any 7658
appropriations made by the general assembly for grants under 7659
this section. 7660

(D) The state board of education shall adopt rules for the 7661
administration of this grant program. 7662

Sec. 3324.09. Not later than the thirtieth day of October 7663
of each year, the department of education shall publish on its 7664
web site each school district's expenditures for the previous 7665
fiscal year of funds received under division (A) ~~(7)~~ (6) of 7666
section 3317.022 of the Revised Code for the identification of 7667
and services provided to the district's gifted students. 7668

Sec. 3326.31. As used in sections 3326.31 to 3326.50 of 7669
the Revised Code: 7670

(A) (1) "Category one career-technical education student" 7671
means a student who is receiving the career-technical education 7672
services described in division (A) (1) of section 3317.014 of the 7673
Revised Code. 7674

(2) "Category two career-technical student" means a 7675
student who is receiving the career-technical education services 7676
described in division ~~(B)~~ (A) (2) of section 3317.014 of the 7677
Revised Code. 7678

(3) "Category three career-technical student" means a 7679
student who is receiving the career-technical education services 7680
described in division ~~(C)~~ (A) (3) of section 3317.014 of the 7681
Revised Code. 7682

(4) "Category four career-technical student" means a 7683
student who is receiving the career-technical education services 7684
described in division ~~(D)~~ (A) (4) of section 3317.014 of the 7685

Revised Code. 7686

(5) "Category five career-technical education student" 7687
means a student who is receiving the career-technical education 7688
services described in division ~~(E)~~ (A) (5) of section 3317.014 of 7689
the Revised Code. 7690

(B) (1) "Category one English learner" means an English 7691
learner described in division (A) of section 3317.016 of the 7692
Revised Code. 7693

(2) "Category two English learner" means an English 7694
learner described in division (B) of section 3317.016 of the 7695
Revised Code. 7696

(3) "Category three English learner" means an English 7697
learner described in division (C) of section 3317.016 of the 7698
Revised Code. 7699

(C) (1) "Category one special education student" means a 7700
student who is receiving special education services for a 7701
disability specified in division (A) of section 3317.013 of the 7702
Revised Code. 7703

(2) "Category two special education student" means a 7704
student who is receiving special education services for a 7705
disability specified in division (B) of section 3317.013 of the 7706
Revised Code. 7707

(3) "Category three special education student" means a 7708
student who is receiving special education services for a 7709
disability specified in division (C) of section 3317.013 of the 7710
Revised Code. 7711

(4) "Category four special education student" means a 7712
student who is receiving special education services for a 7713

disability specified in division (D) of section 3317.013 of the
Revised Code.

7714
7715

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

7716
7717
7718
7719

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

7720
7721
7722
7723

(D) ~~"Formula amount" has the same meaning as in section~~
~~3317.02 of the Revised Code. "Economically disadvantaged index~~
~~for a science, technology, engineering, and mathematics school"~~
~~means the square of the quotient of the percentage of students~~
~~enrolled in the school who are identified as economically~~
~~disadvantaged as defined by the department of education, divided~~
~~by the percentage of students in the statewide ADM identified as~~
~~economically disadvantaged. For purposes of this calculation,~~
~~the "statewide ADM" equals the "statewide ADM" for city, local,~~
~~and exempted village school districts described in division (F)~~
~~(1) of section 3317.02 of the Revised Code.~~

7724
7725
7726
7727
7728
7729
7730
7731
7732
7733
7734

(E) "Funding base" means the following:

7735

(a) For a science, technology, engineering, and
mathematics school that was in operation for the entirety of
fiscal year 2020, the amount paid to the school for that fiscal
year under divisions (A), (B), (C), (D), (F), and (G) of section
3326.33 of the Revised Code as those divisions existed prior to
the effective date of this amendment in accordance with division
(A) of Section 265.235 of H.B. 166 of the 133rd general assembly

7736
7737
7738
7739
7740
7741
7742

and the amount, if any, paid to the school for that fiscal year 7743
under section 3326.41 of the Revised Code in accordance with 7744
division (B) of Section 265.235 of H.B. 166 of the 133rd general 7745
assembly; 7746

(b) For a science, technology, engineering, and 7747
mathematics school that was in operation for part of fiscal year 7748
2020, the amount that would have been paid to the school for 7749
that fiscal year under divisions (A), (B), (C), (D), (F), and 7750
(G) of section 3326.33 of the Revised Code as those divisions 7751
existed prior to the effective date of this amendment in 7752
accordance with division (A) of Section 265.235 of H.B. 166 of 7753
the 133rd general assembly if the school had been in operation 7754
for the entirety of that fiscal year, as calculated by the 7755
department, and the amount that would have been paid to the 7756
school for that fiscal year under section 3326.41 of the Revised 7757
Code in accordance with division (B) of Section 265.235 of H.B. 7758
166 of the 133rd general assembly, if any, if the school had 7759
been in operation for the entirety of that fiscal year, as 7760
calculated by the department; 7761

(c) For a science, technology, engineering, and 7762
mathematics school that was not in operation for fiscal year 7763
2020, the amount that would have been paid to the school if it 7764
was in operation for that school year under divisions (A), (B), 7765
(C), (D), (F), and (G) of section 3326.33 of the Revised Code as 7766
those divisions existed prior to the effective date of this 7767
amendment in accordance with division (A) of Section 265.235 of 7768
H.B. 166 of the 133rd general assembly if the school had been in 7769
operation for the entirety of that fiscal year, as calculated by 7770
the department, and the amount that would have been paid to the 7771
school for that fiscal year under section 3326.41 of the Revised 7772
Code in accordance with division (B) of Section 265.235 of H.B. 7773

166 of the 133rd general assembly, if any, if the school had 7774
been in operation for the entirety of that fiscal year, as 7775
calculated by the department. 7776

(F) "IEP" means an individualized education program as 7777
defined in section 3323.01 of the Revised Code. 7778

~~(F)~~ (G) A science, technology, engineering, and 7779
mathematics school's "phase-in percentage" for a fiscal year is 7780
equal to the phase-in percentage for that fiscal year for city, 7781
local, exempted village, and joint vocational school districts 7782
as defined in section 3317.02 of the Revised Code. 7783

(H) "Resident district" means the school district in which 7784
a student is entitled to attend school under section 3313.64 or 7785
3313.65 of the Revised Code. 7786

~~(G) "State education aid" has the same meaning as in~~ 7787
~~section 5751.20 of the Revised Code.~~ (I) "Statewide average base 7788
cost per pupil" and "statewide average career-technical base 7789
cost per pupil" have the same meanings as in section 3317.02 of 7790
the Revised Code. 7791

Sec. 3326.32. Each science, technology, engineering, and 7792
mathematics school shall report to the department of education, 7793
in the form and manner required by the department, all of the 7794
following information: 7795

(A) The total number of students enrolled in the school 7796
who are residents of this state; 7797

(B) The number of students reported under division (A) of 7798
this section who are receiving special education and related 7799
services pursuant to an IEP; 7800

(C) For each student reported under division (B) of this 7801

section, which category specified in divisions (A) to (F) of 7802
section 3317.013 of the Revised Code applies to the student; 7803

(D) The full-time equivalent number of students reported 7804
under division (A) of this section who are enrolled in career- 7805
technical education programs or classes described in each of 7806
divisions (A) (1), ~~(B) (2)~~, ~~(C) (3)~~, ~~(D) (4)~~, and ~~(E) (5)~~ of section 7807
3317.014 of the Revised Code that are provided by the STEM 7808
school; 7809

(E) The number of students reported under division (A) of 7810
this section who are English learners and which category 7811
specified in divisions (A) to (C) of section 3317.016 of the 7812
Revised Code applies to each student; 7813

(F) The number of students reported under division (A) of 7814
this section who are economically disadvantaged, as defined by 7815
the department. A student shall not be categorically excluded 7816
from the number reported under division (F) of this section 7817
based on anything other than family income. 7818

(G) The resident district of each student reported under 7819
division (A) of this section; 7820

(H) The total number of students enrolled in the school 7821
who are not residents of this state and any additional 7822
information regarding these students that the department 7823
requires the school to report. The school shall not receive any 7824
payments under this chapter for students reported under this 7825
division. 7826

(I) Any additional information the department determines 7827
necessary to make payments under this chapter. 7828

Sec. 3326.33. (A) For each fiscal year, the department of 7829
education shall pay to each science, technology, engineering, 7830

and mathematics school established under this chapter or, if the 7831
school is part of a group of STEM schools under section 3326.031 7832
of the Revised Code, to the governing body of that group an 7833
amount equal to the lesser of the following: 7834

(1) The following sum: 7835

The school's funding base + {[the sum of the per pupil amounts 7836
calculated for the school for that fiscal year under divisions 7837
(B) (1), (2), and (4) of this section + the sum of the per pupil 7838
amounts calculated for the school for that fiscal year under 7839
division (A) of section 3326.39 of the Revised Code + the amount 7840
calculated for the school for that fiscal year under division 7841
(B) of section 3326.39 of the Revised Code) - the school's 7842
funding base] X the school's phase-in percentage for that fiscal 7843
year} + the sum of the per pupil amounts of disadvantaged pupil 7844
impact aid calculated for that fiscal year under division (B) (3) 7845
of this section 7846

(2) The following sum: 7847

The sum of the per pupil amounts calculated for the school for 7848
that fiscal year under division (B) of this section + the sum of 7849
the per pupil amounts calculated for the school for that fiscal 7850
year under division (A) of section 3326.39 of the Revised Code + 7851
the amount calculated for the school for that fiscal year under 7852
division (B) of section 3326.39 of the Revised Code 7853

(B) For each student enrolled in a science, technology, 7854
engineering, and mathematics school established under this 7855
chapter, on a full-time equivalency basis, the department of 7856
education annually shall deduct from the state education aid of 7857
a student's resident school district and, if necessary, from the 7858
payment made to the district under sections 321.24 and 323.156 7859

~~of the Revised Code and pay to the school or, if the student is~~ 7860
~~enrolled in a school that is part of a group of STEM schools~~ 7861
~~under section 3326.031 of the Revised Code, to the governing~~ 7862
~~body of that group the sum~~ calculate all of the following: 7863

~~(A) An opportunity grant in an amount equal to the formula~~ 7864
~~amount;~~ (1) The school's base cost per pupil for that fiscal 7865
year, calculated as follows: 7866

The aggregate base cost calculated for the school for that 7867
fiscal year under section 3326.43 of the Revised Code / the 7868
number of students enrolled in the school for that fiscal year 7869

~~(B) The per pupil amount of targeted assistance funds~~ 7870
~~calculated under division (A) of section 3317.0217 of the~~ 7871
~~Revised Code for the student's resident district, as determined~~ 7872
~~by the department, X 0.25;~~ 7873

~~(C) (2) Additional state aid for special education and~~ 7874
~~related services provided under Chapter 3323. of the Revised~~ 7875
~~Code as follows:~~ 7876

~~(1) (a) If the student is a category one special education~~ 7877
~~student, the amount~~ multiple specified in division (A) of 7878
section 3317.013 of the Revised Code X the statewide average 7879
base cost per pupil for that fiscal year; 7880

~~(2) (b) If the student is a category two special education~~ 7881
~~student, the amount~~ multiple specified in division (B) of 7882
section 3317.013 of the Revised Code X the statewide average 7883
base cost per pupil for that fiscal year; 7884

~~(3) (c) If the student is a category three special~~ 7885
~~education student, the amount~~ multiple specified in division (C) 7886
of section 3317.013 of the Revised Code X the statewide average 7887
base cost per pupil for that fiscal year; 7888

~~(4)~~ (d) If the student is a category four special 7889
education student, the ~~amount~~ multiple specified in division (D) 7890
of section 3317.013 of the Revised Code X the statewide average 7891
base cost per pupil for that fiscal year; 7892

~~(5)~~ (e) If the student is a category five special 7893
education student, the ~~amount~~ multiple specified in division (E) 7894
of section 3317.013 of the Revised Code X the statewide average 7895
base cost per pupil for that fiscal year; 7896

~~(6)~~ (f) If the student is a category six special education 7897
student, the ~~amount~~ multiple specified in division (F) of 7898
section 3317.013 of the Revised Code X the statewide average 7899
base cost per pupil for that fiscal year. 7900

~~(D) If the student is in kindergarten through third grade,~~ 7901
~~\$320;~~ 7902

~~(E)~~ (3) If the student is economically disadvantaged, an 7903
amount of disadvantaged pupil impact aid equal to the following: 7904

~~\$272-\$422~~ X the ~~resident district's~~ school's economically 7905
disadvantaged index 7906

~~(F)~~ (4) English learner funds, as follows: 7907

~~(1)~~ (a) If the student is a category one English learner, 7908
the ~~amount~~ multiple specified in division (A) of section 7909
3317.016 of the Revised Code X the statewide average base cost 7910
per pupil for that fiscal year; 7911

~~(2)~~ (b) If the student is a category two English learner, 7912
the ~~amount~~ multiple specified in division (B) of section 7913
3317.016 of the Revised Code X the statewide average base cost 7914
per pupil for that fiscal year; 7915

~~(3)~~ (c) If the student is a category three English 7916

learner, the ~~amount-multiple~~ specified in division (C) of 7917
section 3317.016 of the Revised Code X the statewide average 7918
base cost per pupil for that fiscal year. 7919

~~(G) Career-technical education funds as follows:—~~ 7920

~~(1) If the student is a category one career-technical~~ 7921
~~education student, the amount specified in division (A) of~~ 7922
~~section 3317.014 of the Revised Code;—~~ 7923

~~(2) If the student is a category two career-technical~~ 7924
~~education student, the amount specified in division (B) of~~ 7925
~~section 3317.014 of the Revised Code;—~~ 7926

~~(3) If the student is a category three career-technical~~ 7927
~~education student, the amount specified in division (C) of~~ 7928
~~section 3317.014 of the Revised Code;—~~ 7929

~~(4) If the student is a category four career-technical~~ 7930
~~education student, the amount specified in division (D) of~~ 7931
~~section 3317.014 of the Revised Code;—~~ 7932

~~(5) If the student is a category five career-technical~~ 7933
~~education student, the amount specified in division (E) of~~ 7934
~~section 3317.014 of the Revised Code.—~~ 7935

~~Deduction and payment of funds under division (G) of this~~ 7936
~~section is subject to approval under section 3317.161 of the~~ 7937
~~Revised Code.—~~ 7938

Sec. 3326.39. (A) For each student enrolled in a science, 7939
technology, engineering, and mathematics school established 7940
under this chapter, on a full-time equivalency basis, the 7941
department of education shall pay career-technical education 7942
funds as follows: 7943

(1) If the student is a category one career-technical 7944

education student, the multiple specified in division (A)(1) of 7945
section 3317.014 of the Revised Code X the statewide average 7946
career-technical base cost per pupil for that fiscal year; 7947

(2) If the student is a category two career-technical 7948
education student, the multiple specified in division (A)(2) of 7949
section 3317.014 of the Revised Code X the statewide average 7950
career-technical base cost per pupil for that fiscal year; 7951

(3) If the student is a category three career-technical 7952
education student, the multiple specified in division (A)(3) of 7953
section 3317.014 of the Revised Code X the statewide average 7954
career-technical base cost per pupil for that fiscal year; 7955

(4) If the student is a category four career-technical 7956
education student, the multiple specified in division (A)(4) of 7957
section 3317.014 of the Revised Code X the statewide average 7958
career-technical base cost per pupil for that fiscal year; 7959

(5) If the student is a category five career-technical 7960
education student, the multiple specified in division (A)(5) of 7961
section 3317.014 of the Revised Code X the statewide average 7962
career-technical base cost per pupil for that fiscal year. 7963

Payment of funds under division (A) of this section is 7964
subject to approval under section 3317.161 of the Revised Code. 7965

(B) Subject to division (I) of section 3317.023 of the 7966
Revised Code, the department of education shall pay career- 7967
technical associated services funds to each science, technology, 7968
engineering, and mathematics school as follows: 7969

The multiple for career-technical education associated services 7970
specified under division (B) of section 3317.014 of the Revised 7971
Code X the statewide average career-technical base cost per 7972
pupil for that fiscal year X the number of the school's students 7973

enrolled in career-technical education

7974

(C) Subject to division (I) of section 3317.023 of the
Revised Code, the department shall pay career awareness and
exploration funds to each science, technology, engineering, and
mathematics school as follows:

7975

7976

7977

7978

The number of students enrolled in the science, technology,
engineering, and mathematics school X \$2.50, for fiscal year
2020, \$5, for fiscal year 2021, \$7.50, for fiscal year 2022, or
\$10, for fiscal year 2023 and each fiscal year thereafter

7979

7980

7981

7982

(D) In any fiscal year, a STEM school receiving funds
under division ~~(G)~~ (A) of this section ~~3326.33~~ of the ~~Revised~~
Code shall spend those funds only for the purposes that the
department designates as approved for career-technical education
expenses. Career-technical ~~educational~~ education expenses
approved by the department shall include only expenses connected
to the delivery of career-technical programming to career-
technical students. The department shall require the school to
report data annually so that the department may monitor the
school's compliance with the requirements regarding the manner
in which funding received under division ~~(G)~~ (A) of this section
~~3326.33~~ of the ~~Revised Code~~ may be spent.

7983

7984

7985

7986

7987

7988

7989

7990

7991

7992

7993

7994

~~(B)~~ (E) All funds received under division ~~(G)~~ (A) of this
section ~~3326.33~~ of the ~~Revised Code~~ shall be spent in the
following manner:

7995

7996

7997

(1) At least seventy-five per cent of the funds shall be
spent on curriculum development, purchase, and implementation;
instructional resources and supplies; industry-based program
certification; student assessment, credentialing, and placement;
curriculum specific equipment purchases and leases; career-

7998

7999

8000

8001

8002

technical student organization fees and expenses; home and 8003
agency linkages; work-based learning experiences; professional 8004
development; and other costs directly associated with career- 8005
technical education programs including development of new 8006
programs. 8007

(2) Not more than twenty-five per cent of the funds shall 8008
be used for personnel expenditures. 8009

(F) In any fiscal year, a science, technology, 8010
engineering, and mathematics school receiving funds under 8011
division (H) of section 3317.014 of the Revised Code shall spend 8012
those funds only for the following purposes: 8013

(1) Delivery of career awareness programs to students 8014
enrolled in grades kindergarten through twelve; 8015

(2) Provision of a common, consistent curriculum to 8016
students throughout their primary and secondary education; 8017

(3) Assistance to teachers in providing a career 8018
development curriculum to students; 8019

(4) Development of a career development plan for each 8020
student that stays with that student for the duration of the 8021
student's primary and secondary education; 8022

(5) Provision of opportunities for students to engage in 8023
activities, such as career fairs, hands-on experiences, and job 8024
shadowing, across all career pathways at each grade level. 8025

The department may deny payment under division (C) of this 8026
section to any school that the department determines is using 8027
funds paid under division (H) of section 3317.014 of the Revised 8028
Code for other purposes. 8029

Sec. 3326.40. A STEM school shall spend the funds it 8030

receives under division ~~(E)~~ (B) (3) of section 3326.33 of the 8031
Revised Code in accordance with section 3317.25 of the Revised 8032
Code. 8033

Sec. 3326.43. (A) As used in this section: 8034

(1) "Average teacher cost" for a fiscal year has the same 8035
meaning as in section 3317.011 of the Revised Code. 8036

(2) "Base cost enrolled ADM" has the same meaning as in 8037
section 3317.02 of the Revised Code. 8038

(B) When calculating a science, technology, engineering, 8039
and mathematics school's aggregate base cost under this section, 8040
the department shall use data from fiscal year 2018 for the 8041
average teacher cost. 8042

(C) A science, technology, engineering, and mathematics 8043
school's aggregate base cost for a fiscal year shall be equal to 8044
the following sum: 8045

The school's teacher base cost for that fiscal year computed 8046
under division (D) of this section + the school's student 8047
support base cost for that fiscal year computed under division 8048
(E) of this section + the school's leadership and accountability 8049
base cost for that fiscal year computed under division (F) of 8050
this section + the school's building leadership and operations 8051
base cost for that fiscal year computed under division (G) of 8052
this section 8053

(D) The department of education shall compute a science, 8054
technology, engineering, and mathematics school's teacher base 8055
cost for a fiscal year as follows: 8056

(1) Calculate the school's classroom teacher cost for that 8057
fiscal year as follows: 8058

<u>(a) Determine the full-time equivalency of students</u>	8059
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8060
<u>kindergarten and divide that number by 20;</u>	8061
<u>(b) Determine the full-time equivalency of students</u>	8062
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8063
<u>grades one through three and divide that number by 23;</u>	8064
<u>(c) Determine the full-time equivalency of students</u>	8065
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8066
<u>grades four through eight but are not enrolled in a career-</u>	8067
<u>technical education program or class described under section</u>	8068
<u>3317.014 of the Revised Code and divide that number by 25;</u>	8069
<u>(d) Determine the full-time equivalency of students</u>	8070
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8071
<u>grades nine through twelve but are not enrolled in a career-</u>	8072
<u>technical education program or class described under section</u>	8073
<u>3317.014 of the Revised Code and divide that number by 27;</u>	8074
<u>(e) Determine the full-time equivalency of students</u>	8075
<u>enrolled in the school for that fiscal year that are enrolled in</u>	8076
<u>a career-technical education program or class, as reported under</u>	8077
<u>division (B) (2) (d) of section 3314.08 of the Revised Code, and</u>	8078
<u>divide that number by 18;</u>	8079
<u>(f) Compute the sum of the quotients obtained under</u>	8080
<u>divisions (D) (1) (a), (b), (c), (d), and (e) of this section;</u>	8081
<u>(g) Compute the classroom teacher cost by multiplying the</u>	8082
<u>average teacher cost for that fiscal year by the sum computed</u>	8083
<u>under division (D) (1) (f) of this section.</u>	8084
<u>(2) Calculate the school's special teacher cost for that</u>	8085
<u>fiscal year as follows:</u>	8086

<u>(a) Divide the number of students enrolled in the school</u>	8087
<u>for that fiscal year by 150;</u>	8088
<u>(b) Compute the special teacher cost by multiplying the</u>	8089
<u>quotient obtained under division (D) (2) (a) of this section by</u>	8090
<u>the average teacher cost for that fiscal year.</u>	8091
<u>(3) Calculate the school's substitute teacher cost for</u>	8092
<u>that fiscal year in accordance with the following formula:</u>	8093
<u>(a) Compute the substitute teacher daily rate with</u>	8094
<u>benefits by multiplying the substitute teacher daily rate of \$90</u>	8095
<u>by 1.16;</u>	8096
<u>(b) Compute the substitute teacher cost in accordance with</u>	8097
<u>the following formula:</u>	8098
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	8099
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	8100
<u>the amount computed under division (D) (3) (a) of this section X 5</u>	8101
<u>(4) Calculate the school's professional development cost</u>	8102
<u>for that fiscal year in accordance with the following formula:</u>	8103
<u>(The sum computed under division (D) (1) (f) of this section + the</u>	8104
<u>quotient obtained under division (D) (2) (a) of this section) X</u>	8105
<u>[(the sum of divisions (A) (10) (a) and (b) of section 3317.011 of</u>	8106
<u>the Revised Code for that fiscal year)/180] X 4</u>	8107
<u>(5) Calculate the school's teacher base cost for that</u>	8108
<u>fiscal year, which equals the sum of divisions (D) (1), (2), (3),</u>	8109
<u>and (4) of this section.</u>	8110
<u>(E) The department shall compute a science, technology,</u>	8111
<u>engineering, and mathematics school's student support base cost</u>	8112
<u>for a fiscal year as follows:</u>	8113

The number of students enrolled in the school for that fiscal 8114
year X 0.90 X [(the sum of the student support base cost 8115
calculated for all city, local, and exempted village school 8116
districts in the state for that fiscal year under division (E) 8117
of section 3317.011 of the Revised Code - the sum of the 8118
athletic co-curricular activities cost calculated for all city, 8119
local, and exempted village school districts in the state for 8120
that fiscal year under division (E) (5) of section 3317.011 of 8121
the Revised Code) / the sum of the base cost enrolled ADMs of 8122
all of the city, local, and exempted village school districts in 8123
the state for that fiscal year] 8124

(F) The department shall compute a science, technology, 8125
engineering, and mathematics school's leadership and 8126
accountability base cost for a fiscal year as follows: 8127

The number of students enrolled in the school for that fiscal 8128
year X 0.90 X (the sum of the leadership and accountability base 8129
cost calculated for all city, local, and exempted village school 8130
districts in the state for that fiscal year under division (F) 8131
of section 3317.011 of the Revised Code / the sum of the base 8132
cost enrolled ADMs of all of the city, local, and exempted 8133
village school districts in the state for that fiscal year) 8134

(G) The department shall compute a science, technology, 8135
engineering, and mathematics school's building leadership and 8136
operations base cost for a fiscal year as follows: 8137

The number of students enrolled in the school for that fiscal 8138
year X 0.90 X (the sum of the building leadership and 8139
accountability base cost calculated for all city, local, and 8140
exempted village school districts in the state for that fiscal 8141
year under division (G) of section 3317.011 of the Revised 8142
Code / the sum of the base cost enrolled ADMs of all of the 8143

city, local, and exempted village school districts in the state 8144
for that fiscal year) 8145

Sec. 3326.51. (A) As used in this section: 8146

(1) "Resident district" has the same meaning as in section 8147
3326.31 of the Revised Code. 8148

(2) "STEM school sponsoring district" means a municipal, 8149
city, local, exempted village, or joint vocational school 8150
district that governs and controls a STEM school pursuant to 8151
this section. 8152

(B) Notwithstanding any other provision of this chapter to 8153
the contrary: 8154

(1) If a proposal for a STEM school submitted under 8155
section 3326.03 of the Revised Code proposes that the governing 8156
body of the school be the board of education of a municipal, 8157
city, local, exempted village, or joint vocational school 8158
district that is one of the partners submitting the proposal, 8159
and the STEM committee approves that proposal, that school 8160
district board shall govern and control the STEM school as one 8161
of the schools of its district. 8162

(2) The STEM school sponsoring district shall maintain a 8163
separate accounting for the STEM school as a separate and 8164
distinct operational unit within the district's finances. The 8165
auditor of state, in the course of an annual or biennial audit 8166
of the school district serving as the STEM school sponsoring 8167
district, shall audit that school district for compliance with 8168
the financing requirements of this section. 8169

(3) With respect to students enrolled in a STEM school 8170
whose resident district is the STEM school sponsoring district: 8171

(a) The department of education shall make ~~no deductions~~ 8172
~~under section 3326.33~~ payments to the school in accordance with 8173
sections 3326.31 to 3326.49 of the Revised Code from the STEM 8174
school sponsoring district's state payments. 8175

(b) ~~The STEM school sponsoring district shall ensure that~~ 8176
~~it allocates to the STEM school funds equal to or exceeding the~~ 8177
~~amount that would be calculated pursuant to division (B) of~~ 8178
~~section 3313.981 of the Revised Code for the students attending~~ 8179
~~the school whose resident district is the STEM school sponsoring~~ 8180
~~district.~~ 8181

~~(e)~~ The STEM school sponsoring district is responsible for 8182
providing children with disabilities with a free appropriate 8183
public education under Chapter 3323. of the Revised Code. 8184

~~(d)~~ (c) The STEM school sponsoring district shall provide 8185
student transportation in accordance with laws and policies 8186
generally applicable to the district. 8187

(4) With respect to students enrolled in the STEM school 8188
whose resident district is another school district, the 8189
department shall ~~make no payments or deductions under sections~~ 8190
~~3326.31 to 3326.49 of the Revised Code. Instead, consider~~ the 8191
students ~~shall be considered as open enrollment students and the~~ 8192
~~department shall make payments and deductions to the school in~~ 8193
accordance with ~~section 3313.981~~ sections 3326.31 to 3326.49 of 8194
the Revised Code. ~~The STEM school sponsoring district shall~~ 8195
~~allocate the payments to the STEM school. The STEM school~~ 8196
~~sponsoring district may enter into financial agreements with the~~ 8197
~~students' resident districts, which agreements may provide~~ 8198
~~financial support in addition to the funds received from the~~ 8199
~~open enrollment calculation. The STEM school sponsoring district~~ 8200
~~shall allocate all such additional funds to the STEM school.~~ 8201

~~(5) Where the department is required to make, deny, reduce, or adjust payments to a STEM school sponsoring district pursuant to this section, it shall do so in such a manner that the STEM school sponsoring district may allocate that action to the STEM school.~~

~~(6)~~ A STEM school sponsoring district and its board may assign its district employees to the STEM school, in which case section 3326.18 of the Revised Code shall not apply. The district and board may apply any other resources of the district to the STEM school in the same manner that it applies district resources to other district schools.

~~(7)~~ (6) Provisions of this chapter requiring a STEM school and its governing body to comply with specified laws as if it were a school district and in the same manner as a board of education shall instead require such compliance by the STEM school sponsoring district and its board of education, respectively, with respect to the STEM school. Where a STEM school or its governing body is required to perform a specific duty or permitted to take a specific action under this chapter, that duty is required to be performed or that action is permitted to be taken by the STEM school sponsoring district or its board of education, respectively, with respect to the STEM school.

~~(8)~~ (7) No provision of this chapter limits the authority, as provided otherwise by law, of a school district and its board of education to levy taxes and issue bonds secured by tax revenues.

~~(9)~~ (8) The treasurer of the STEM school sponsoring district or, if the STEM school sponsoring district is a municipal school district, the chief financial officer of the

district, shall have all of the respective rights, authority, 8232
exemptions, and duties otherwise conferred upon the treasurer or 8233
chief financial officer by the Revised Code. 8234

Sec. 3327.01. Notwithstanding division (D) of section 8235
3311.19 and division (D) of section 3311.52 of the Revised Code, 8236
this section and sections 3327.011, 3327.012, and 3327.02 of the 8237
Revised Code do not apply to any joint vocational or cooperative 8238
education school district. 8239

In all city, local, and exempted village school districts 8240
where resident school pupils in grades kindergarten through 8241
eight live more than two miles from the school for which the 8242
state board of education prescribes minimum standards pursuant 8243
to division (D) of section 3301.07 of the Revised Code and to 8244
which they are assigned by the board of education of the 8245
district of residence or to and from the nonpublic or community 8246
school which they attend, the board of education shall provide 8247
transportation for such pupils to and from that school except as 8248
provided in section 3327.02 of the Revised Code. 8249

In all city, local, and exempted village school districts 8250
where pupil transportation is required under a career-technical 8251
plan approved by the state board of education under section 8252
3313.90 of the Revised Code, for any student attending a career- 8253
technical program operated by another school district, including 8254
a joint vocational school district, as prescribed under that 8255
section, the board of education of the student's district of 8256
residence shall provide transportation from the public high 8257
school operated by that district to which the student is 8258
assigned to the career-technical program. 8259

In all city, local, and exempted village school districts, 8260
the board may provide transportation for resident school pupils 8261

in grades nine through twelve to and from the high school to 8262
which they are assigned by the board of education of the 8263
district of residence or to and from the nonpublic or community 8264
high school which they attend for which the state board of 8265
education prescribes minimum standards pursuant to division (D) 8266
of section 3301.07 of the Revised Code. 8267

A board of education shall not be required to transport 8268
elementary or high school pupils to and from a nonpublic or 8269
community school where such transportation would require more 8270
than thirty minutes of direct travel time as measured by school 8271
bus from the public school building to which the pupils would be 8272
assigned if attending the public school designated by the 8273
district of residence. 8274

Where it is impractical to transport a pupil by school 8275
conveyance, a board of education may offer payment, in lieu of 8276
providing such transportation in accordance with section 3327.02 8277
of the Revised Code. 8278

A board of education shall not be required to transport 8279
elementary or high school pupils to and from a nonpublic or 8280
community school on Saturday or Sunday, unless a board of 8281
education and a nonpublic or community school have an agreement 8282
in place to do so before the first day of July of the school 8283
year in which the agreement takes effect. 8284

In all city, local, and exempted village school districts, 8285
the board shall provide transportation for all children who are 8286
so disabled that they are unable to walk to and from the school 8287
for which the state board of education prescribes minimum 8288
standards pursuant to division (D) of section 3301.07 of the 8289
Revised Code and which they attend. In case of dispute whether 8290
the child is able to walk to and from the school, the health 8291

commissioner shall be the judge of such ability. In all city, 8292
exempted village, and local school districts, the board shall 8293
provide transportation to and from school or special education 8294
classes for mentally disabled children in accordance with 8295
standards adopted by the state board of education. 8296

When transportation of pupils is provided the conveyance 8297
shall be run on a time schedule that shall be adopted and put in 8298
force by the board not later than ten days after the beginning 8299
of the school term. The operator of every school bus or motor 8300
van owned and operated by any school district or educational 8301
service center or privately owned and operated under contract 8302
with any school district or service center in this state shall 8303
make a good faith effort to transport students enrolled in 8304
preschool through twelfth grades to their respective public and 8305
nonpublic schools not sooner than thirty minutes prior to the 8306
beginning of school and to be available to pick them up not 8307
later than thirty minutes after the close of their respective 8308
schools each day. 8309

The cost of any transportation service authorized by this 8310
section shall be paid first out of federal funds, if any, 8311
available for the purpose of pupil transportation, and secondly 8312
out of state appropriations, in accordance with regulations 8313
adopted by the state board of education. 8314

No transportation of any pupils shall be provided by any 8315
board of education to or from any school which in the selection 8316
of pupils, faculty members, or employees, practices 8317
discrimination against any person on the grounds of race, color, 8318
religion, or national origin. 8319

Sec. 3327.016. The board of education of each city, local, 8320
or exempted village school district that owns and operates buses 8321

for transporting students may contract, in writing, with a 8322
public or private not-for-profit agency, group, or organization, 8323
with a municipal corporation or other political subdivision or 8324
agency of the state, or with an agency of the federal government 8325
to operate its buses to assist the agency, group, organization, 8326
or political subdivision in the fulfillment of its legitimate 8327
activities and in times of emergency. These contracts shall be 8328
entered into under the authority of the school district as a 8329
political subdivision and shall not be considered commerce. When 8330
buses are made available to other agencies, groups, 8331
organizations, or political subdivisions under this section, the 8332
buses must be operated by individuals holding certificates 8333
issued by either the educational service center governing board 8334
that has entered into an agreement with the school district 8335
under section 3313.843 or 3313.845 of the Revised Code or the 8336
superintendent of the school district certifying that the 8337
individuals satisfy the requirements of section 3327.10 of the 8338
Revised Code. All state board of education regulations governing 8339
the operation of school buses when transporting students shall 8340
apply when buses are used in accordance with this section. 8341

Any board of education of a city, local, or exempted 8342
village school district that makes one or more of its vehicles 8343
available under this section shall procure liability and 8344
property damage insurance, as provided in section 3327.09 of the 8345
Revised Code, covering all vehicles used and passengers 8346
transported under this section. The board of education may 8347
recover expenses from contracting entities, not to exceed the 8348
costs of operation and insurance coverage. 8349

Sec. 3328.32. Each child enrolled in a college-preparatory 8350
boarding school established under this chapter shall be included 8351
in the ~~enrollment-formula~~ ADM and total ADM of the district in 8352

which the child is entitled to attend school ~~and in the~~
~~district's category one through six special education~~
~~enrollment, as appropriate,~~ as reported under section 3317.03 of
the Revised Code.

~~The department of education shall count that child in the~~
~~district's formula ADM, total ADM, and, as appropriate, category~~
~~one through six special education ADM.~~

Sec. 3328.34. (A) For each child enrolled in a college-
preparatory boarding school, as reported under section 3328.31
of the Revised Code, the department of education shall pay to
the school the sum of the amount ~~deducted from a participating~~
~~school district's account for that child under section 3328.33~~
~~of the Revised Code~~ eighty-five per cent of the operating
expenditure per pupil of the city, local, or exempted village
school district in which the child is entitled to attend school
plus the per-pupil boarding amount specified in division (B) of
this section.

As used in this division, a district's "operating
expenditure per pupil" is the total amount of state payments and
other nonfederal revenue spent by the district for operating
expenses during the previous fiscal year, divided by the
district's enrolled ADM, as that term is defined in section
3317.02 of the Revised Code, for the previous fiscal year.

(B) For the first fiscal year in which a college-
preparatory boarding school may be established under this
chapter, the "per-pupil boarding amount" is twenty-five thousand
dollars. For each fiscal year thereafter, that amount shall be
adjusted by the rate of inflation, as measured by the consumer
price index (all urban consumers, all items) prepared by the
bureau of labor statistics of the United States department of

labor, for the previous twelve-month period. 8383

(C) The state board of education may accept funds from 8384
federal and state noneducation support services programs for the 8385
purpose of funding the per pupil boarding amount prescribed in 8386
division (B) of this section. Notwithstanding any other 8387
provision of the Revised Code, the state board shall coordinate 8388
and streamline any noneducation program requirements in order to 8389
eliminate redundant or conflicting requirements, licensing 8390
provisions, and oversight by government programs or agencies. 8391
The applicable regulatory entities shall, to the maximum extent 8392
possible, use reports and financial audits provided by the 8393
auditor of state and coordinated by the department of education 8394
to eliminate or reduce contract and administrative reviews. 8395
Regulatory entities other than the state board may suggest 8396
reasonable additional items to be included in such reports and 8397
financial audits to meet any requirements of federal law. 8398
Reporting paperwork prepared for the state board shall be shared 8399
with and accepted by other state and local entities to the 8400
maximum extent feasible. 8401

(D) (1) Notwithstanding division (A) of this section, if, 8402
in any fiscal year, a college-preparatory boarding school 8403
receives federal funds for the purpose of supporting the 8404
school's operations, the amount of those federal funds shall be 8405
deducted from the total per-pupil boarding amount for all 8406
enrolled students paid by the department to the school for that 8407
fiscal year, unless the school's board of trustees and the 8408
department determine otherwise in a written agreement. Any 8409
portion of the total per-pupil boarding amount for all enrolled 8410
students remaining after the deduction of the federal funds 8411
shall be paid by the department to the school from state funds 8412
appropriated to the department. 8413

(2) Notwithstanding division (A) of this section, if, in any fiscal year, the department receives federal funds for the purpose of supporting the operations of a college-preparatory boarding school, the department shall use those federal funds, not including any portion of those funds designated for administration, to pay the school the total per-pupil boarding amount for all enrolled students for that fiscal year. Any portion of the total per-pupil boarding amount for all enrolled students remaining after the use of the federal funds shall be paid by the department to the school from state funds appropriated to the department.

(3) If any federal funds are used for the purpose prescribed in division (D)(1) or (2) of this section, the department shall comply with all requirements upon which the acceptance of the federal funds is conditioned, including any requirements set forth in the funding application submitted by the school or the department and, to the extent sufficient funds are appropriated by the general assembly, any requirements regarding maintenance of effort in expenditures.

Sec. 3365.01. As used in this chapter:

(A) "Articulated credit" means post-secondary credit that is reflected on the official record of a student at an institution of higher education only upon enrollment at that institution after graduation from a secondary school.

(B) "Default ceiling amount" means one of the following amounts, whichever is applicable:

(1) For a participant enrolled in a college operating on a semester schedule, the amount calculated according to the following formula:

((0.83 X ~~formula amount~~\$6,020) / 30) 8443

X number of enrolled credit hours 8444

(2) For a participant enrolled in a college operating on a 8445
quarter schedule, the amount calculated according to the 8446
following formula: 8447

((0.83 X ~~formula amount~~\$6,020) / 45) 8448

X number of enrolled credit hours 8449

(C) "Default floor amount" means twenty-five per cent of 8450
the default ceiling amount. 8451

(D) "Eligible out-of-state college" means any institution 8452
of higher education that is located outside of Ohio and is 8453
approved by the chancellor of higher education to participate in 8454
the college credit plus program. 8455

(E) "Fee" means any course-related fee and any other fee 8456
imposed by the college, but not included in tuition, for 8457
participation in the program established by this chapter. 8458

(F) ~~"Formula amount" has the same meaning as in section~~ 8459
~~3317.02 of the Revised Code.~~ 8460

~~(G)~~ "Governing entity" means a board of education of a 8461
school district, a governing authority of a community school 8462
established under Chapter 3314., a governing body of a STEM 8463
school established under Chapter 3326., or a board of trustees 8464
of a college-preparatory boarding school established under 8465
Chapter 3328. of the Revised Code. 8466

~~(H)~~ (G) "Home-instructed participant" means a student who 8467
has been excused from the compulsory attendance law for the 8468
purpose of home instruction under section 3321.04 of the Revised 8469

Code, and is participating in the program established by this 8470
chapter. 8471

~~(I)~~ (H) "Maximum per participant charge amount" means one 8472
of the following amounts, whichever is applicable: 8473

(1) For a participant enrolled in a college operating on a 8474
semester schedule, the amount calculated according to the 8475
following formula: 8476

((~~formula amount~~ \$6,020 / 30) 8477

X number of enrolled credit hours) 8478

(2) For a participant enrolled in a college operating on a 8479
quarter schedule, the amount calculated according to the 8480
following formula: 8481

((~~formula amount~~ \$6,020 / 45) 8482

X number of enrolled credit hours) 8483

~~(J)~~ (I) "Nonpublic secondary school" means a chartered 8484
school for which minimum standards are prescribed by the state 8485
board of education pursuant to division (D) of section 3301.07 8486
of the Revised Code. 8487

~~(K)~~ (J) "Number of enrolled credit hours" means the number 8488
of credit hours for a course in which a participant is enrolled 8489
during the previous term after the date on which a withdrawal 8490
from a course would have negatively affected the participant's 8491
transcripted grade, as prescribed by the college's established 8492
withdrawal policy. 8493

~~(L)~~ (K) "Parent" has the same meaning as in section 8494
3313.64 of the Revised Code. 8495

~~(M)~~ (L) "Participant" means any student enrolled in a 8496

college under the program established by this chapter. 8497

~~(N)~~ (M) "Partnering college" means a college with which a 8498
public or nonpublic secondary school has entered into an 8499
agreement in order to offer the program established by this 8500
chapter. 8501

~~(O)~~ (N) "Partnering secondary school" means a public or 8502
nonpublic secondary school with which a college has entered into 8503
an agreement in order to offer the program established by this 8504
chapter. 8505

~~(P)~~ (O) "Private college" means any of the following: 8506

(1) A nonprofit institution holding a certificate of 8507
authorization pursuant to Chapter 1713. of the Revised Code; 8508

(2) An institution holding a certificate of registration 8509
from the state board of career colleges and schools and program 8510
authorization for an associate or bachelor's degree program 8511
issued under section 3332.05 of the Revised Code; 8512

(3) A private institution exempt from regulation under 8513
Chapter 3332. of the Revised Code as prescribed in section 8514
3333.046 of the Revised Code. 8515

~~(Q)~~ (P) "Public college" means a "state institution of 8516
higher education" in section 3345.011 of the Revised Code, 8517
excluding the northeast Ohio medical university. 8518

~~(R)~~ (Q) "Public secondary school" means a school serving 8519
grades nine through twelve in a city, local, or exempted village 8520
school district, a joint vocational school district, a community 8521
school established under Chapter 3314., a STEM school 8522
established under Chapter 3326., or a college-preparatory 8523
boarding school established under Chapter 3328. of the Revised 8524

Code. 8525

~~(S)~~ (R) "School year" has the same meaning as in section 8526
3313.62 of the Revised Code. 8527

~~(T)~~ (S) "Secondary grade" means any of grades nine through 8528
twelve. 8529

~~(U)~~ (T) "Standard rate" means the amount per credit hour 8530
assessed by the college for an in-state student who is enrolled 8531
in an undergraduate course at that college, but who is not 8532
participating in the college credit plus program, as prescribed 8533
by the college's established tuition policy. 8534

~~(V)~~ (U) "Transcripted credit" means post-secondary credit 8535
that is conferred by an institution of higher education and is 8536
reflected on a student's official record at that institution 8537
upon completion of a course. 8538

Section 2. That existing sections 3301.0714, 3302.20, 8539
3310.08, 3310.41, 3310.51, 3310.54, 3310.56, 3313.64, 3313.98, 8540
3313.981, 3314.08, 3314.084, 3314.087, 3314.091, 3314.11, 8541
3314.20, 3315.18, 3317.013, 3317.014, 3317.016, 3317.02, 8542
3317.021, 3317.022, 3317.023, 3317.024, 3317.028, 3317.0212, 8543
3317.0213, 3317.0214, 3317.03, 3317.051, 3317.16, 3317.20, 8544
3317.25, 3317.60, 3319.57, 3324.09, 3326.31, 3326.32, 3326.33, 8545
3326.39, 3326.40, 3326.51, 3327.01, 3328.32, 3328.34, and 8546
3365.01 of the Revised Code are hereby repealed. 8547

Section 3. That sections 3310.55, 3314.085, 3314.53, 8548
3317.017, 3317.0215, 3317.0216, 3317.0217, 3317.0218, 3326.41, 8549
and 3328.33 of the Revised Code are hereby repealed. 8550

Section 4. All items in this section are hereby 8551
appropriated as designated out of any moneys in the state 8552
treasury to the credit of the designated fund. For all 8553

appropriations made in this act, those in the first column are 8554
for fiscal year 2020 and those in the second column are for 8555
fiscal year 2021. The appropriations made in this act are in 8556
addition to any other appropriations made for the FY 2020-FY 8557
2021 biennium. 8558

8559

	1	2	3	4	5
A	EDU DEPARTMENT OF EDUCATION				
B	State Lottery Fund Group				
C	7017	200611	Education Studies	\$	0 \$ 5,000,000
D	TOTAL	SLF	State Lottery Fund Group	\$	0 \$ 5,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$	0 \$ 5,000,000

EDUCATION STUDIES 8560

The foregoing appropriation item 200611, Education 8561
Studies, shall be used to fund the education-related studies 8562
required under sections 3317.60 to 3317.63 of the Revised Code. 8563

On July 1, 2021, or as soon as possible thereafter, the 8564
Superintendent of Public Instruction may certify to the Director 8565
of Budget and Management an amount up to the unexpended, 8566
unencumbered balance of the foregoing appropriation item 200611, 8567
Education Studies, at the end of fiscal year 2021 to be 8568
reappropriated to fiscal year 2022. The amount certified is 8569
hereby reappropriated to the same appropriation item for fiscal 8570
year 2022. 8571

Section 5. Within the limits set forth in this act, the 8572
Director of Budget and Management shall establish accounts 8573
indicating the source and amount of funds for each appropriation 8574
made in this act, and shall determine the form and manner in 8575
which appropriation accounts shall be maintained. Expenditures 8576
from appropriations contained in this act shall be accounted for 8577
as though made in H.B. 166 of the 133rd General Assembly. 8578

The appropriations made in this act are subject to all 8579
provisions of H.B. 166 of the 133rd General Assembly that are 8580
generally applicable to such appropriations. 8581

Section 6. The sections of the Revised Code amended and 8582
enacted by Sections 1 and 2 of this act, with the exception of 8583
sections 3317.0110, 3317.071, 3317.60, 3317.61, 3317.62, 8584
3317.63, and 3317.64 of the Revised Code, and Section 3 of this 8585
act take effect on July 1, 2021. Sections 3317.0110, 3317.071, 8586
3317.60, 3317.61, 3317.62, 3317.63, and 3317.64 of the Revised 8587
Code, as amended or enacted by Section 1 of this act, take 8588
effect on the effective date of this section. 8589

Section 7. It is the intent of the General Assembly to 8590
appropriate \$45,000,000 in each of fiscal years 2022 and 2023 to 8591
provide school bus purchase assistance as authorized in section 8592
3317.071 of the Revised Code. The appropriations will be 8593
supported by transfers of cash in the same amount in each fiscal 8594
year made by the Director of Budget and Management from the 8595
General Revenue Fund to the School Bus Purchase Fund (Fund 8596
5VU0). 8597

Section 8. It is the intent of the General Assembly to 8598
appropriate \$250,000 in each of fiscal years 2022 and 2023 for 8599
the transportation collaboration grants authorized in section 8600
3317.072 of the Revised Code. The appropriations will be 8601

supported by transfers of cash in the same amount in each fiscal 8602
year made by the Director of Budget and Management from the 8603
General Revenue Fund to the Transportation Collaboration Fund 8604
(Fund 5WX0) . 8605

Section 9. Section 3302.20 of the Revised Code is 8606
presented in this act as a composite of the section as amended 8607
by both Section 101.01 and Section 120.10 of H.B. 59 of the 8608
130th General Assembly. The General Assembly, applying the 8609
principle stated in division (B) of section 1.52 of the Revised 8610
Code that amendments are to be harmonized if reasonably capable 8611
of simultaneous operation, finds that the composite is the 8612
resulting version of the section in effect prior to the 8613
effective date of the section as presented in this act. 8614