

As Introduced

**124th General Assembly
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H. B. No. 236

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Strahorn**

A B I L L

To amend section 3317.023 of the Revised Code to 1
increase the number of full-time equivalent 2
educational service personnel that must be employed 3
by school districts from five to six per 1000 4
students, and to require that one of these 5
full-time equivalent educational service persons be 6
a school nurse. 7

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

Section 1. That section 3317.023 of the Revised Code be 8
amended to read as follows: 9

Sec. 3317.023. (A) Notwithstanding section 3317.022 of the 10
Revised Code, the amounts required to be paid to a district under 11
this chapter shall be adjusted by the amount of the computations 12
made under divisions (B) to (K) of this section. 13

As used in this section: 14

(1) "Classroom teacher" means a licensed employee who 15
provides direct instruction to pupils, excluding teachers funded 16
from money paid to the district from federal sources; educational 17
service personnel; and vocational and special education teachers. 18

(2) "Educational service personnel" shall not include such 19

specialists funded from money paid to the district from federal sources or assigned full-time to vocational or special education students and classes and may only include those persons employed in the eight specialist areas in a pattern approved by the department of education under guidelines established by the state board of education.

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(3) "Annual salary" means the annual base salary stated in the state minimum salary schedule for the performance of the teacher's regular teaching duties that the teacher earns for services rendered for the first full week of October of the fiscal year for which the adjustment is made under division (C) of this section. It shall not include any salary payments for supplemental teachers contracts.

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(4) "Regular student population" means the formula ADM plus the number of students reported as enrolled in the district pursuant to division (A)(1) of section 3313.981 of the Revised Code; minus the number of students reported under division (A)(2) of section 3317.03 of the Revised Code; minus the FTE of students reported under division (B)(5), (6), (7), (8), or (9) of that section who are enrolled in a vocational education class or receiving special education; and minus one-fourth of the students enrolled concurrently in a joint vocational school district.

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(5) "State share percentage" has the same meaning as in section 3317.022 of the Revised Code.

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(6) "VEPD" means a school district or group of school districts designated by the department of education as being responsible for the planning for and provision of vocational education services to students within the district or group.

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(7) "Lead district" means a school district, including a joint vocational school district, designated by the department as a VEPD, or designated to provide primary vocational education

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leadership within a VEPD composed of a group of districts. 51

(B) If the district employs less than one full-time 52
equivalent classroom teacher for each twenty-five pupils in the 53
regular student population in any school district, deduct the sum 54
of the amounts obtained from the following computations: 55

(1) Divide the number of the district's full-time equivalent 56
classroom teachers employed by one twenty-fifth; 57

(2) Subtract the quotient in division (B) of this section (1) 58
from the district's regular student population; 59

(3) Multiply the difference in division (B) of this section 60
(2) by seven hundred fifty-two dollars. 61

(C) If a positive amount, add one-half of the amount obtained 62
by multiplying the number of full-time equivalent classroom 63
teachers by: 64

(1) The mean annual salary of all full-time equivalent 65
classroom teachers employed by the district at their respective 66
training and experience levels minus; 67

(2) The mean annual salary of all such teachers at their 68
respective levels in all school districts receiving payments under 69
this section. 70

The number of full-time equivalent classroom teachers used in 71
this computation shall not exceed one twenty-fifth of the 72
district's regular student population. In calculating the 73
district's mean salary under this division, those full-time 74
equivalent classroom teachers with the highest training level 75
shall be counted first, those with the next highest training level 76
second, and so on, in descending order. Within the respective 77
training levels, teachers with the highest years of service shall 78
be counted first, the next highest years of service second, and so 79
on, in descending order. 80

(D) This division does not apply to a school district that 81
has entered into an agreement under division (A) of section 82
3313.42 of the Revised Code. Deduct the amount obtained from the 83
following computations if the district employs fewer than five six 84
full-time equivalent educational service personnel, including 85
elementary school art, music, and physical education teachers, 86
counselors, librarians, visiting teachers, school social workers, 87
and school nurses for each one thousand pupils in the regular 88
student population or if one of such persons is not a school 89
nurse: 90

(1) Divide the number of full-time equivalent educational 91
service personnel employed by the district by five six 92
one-thousandths; 93

(2) Subtract the quotient in division (D) of this section (1) 94
from the district's regular student population; 95

(3) Multiply the difference in division (D) of this section 96
(2) by ninety-four dollars. 97

(E) If a local school district, or a city or exempted village 98
school district to which a governing board of an educational 99
service center provides services pursuant to section 3313.843 of 100
the Revised Code, deduct the amount of the payment required for 101
the reimbursement of the governing board under section 3317.11 of 102
the Revised Code. 103

(F)(1) If the district is required to pay to or entitled to 104
receive tuition from another school district under division (C)(2) 105
or (3) of section 3313.64 or section 3313.65 of the Revised Code, 106
or if the superintendent of public instruction is required to 107
determine the correct amount of tuition and make a deduction or 108
credit under section 3317.08 of the Revised Code, deduct and 109
credit such amounts as provided in division (I) of section 3313.64 110
or section 3317.08 of the Revised Code. 111

(2) For each child for whom the district is responsible for 112
tuition or payment under division (A)(1) of section 3317.082 or 113
section 3323.091 of the Revised Code, deduct the amount of tuition 114
or payment for which the district is responsible. 115

(G) If the district has been certified by the superintendent 116
of public instruction under section 3313.90 of the Revised Code as 117
not in compliance with the requirements of that section, deduct an 118
amount equal to ten per cent of the amount computed for the 119
district under section 3317.022 of the Revised Code. 120

(H) If the district has received a loan from a commercial 121
lending institution for which payments are made by the 122
superintendent of public instruction pursuant to division (E)(3) 123
of section 3313.483 of the Revised Code, deduct an amount equal to 124
such payments. 125

(I)(1) If the district is a party to an agreement entered 126
into under division (D), (E), or (F) of section 3311.06 or 127
division (B) of section 3311.24 of the Revised Code and is 128
obligated to make payments to another district under such an 129
agreement, deduct an amount equal to such payments if the district 130
school board notifies the department in writing that it wishes to 131
have such payments deducted. 132

(2) If the district is entitled to receive payments from 133
another district that has notified the department to deduct such 134
payments under division (I)(1) of this section, add the amount of 135
such payments. 136

(J) If the district is required to pay an amount of funds to 137
a cooperative education district pursuant to a provision described 138
by division (B)(4) of section 3311.52 or division (B)(8) of 139
section 3311.521 of the Revised Code, deduct such amounts as 140
provided under that provision and credit those amounts to the 141
cooperative education district for payment to the district under 142

division (B)(1) of section 3317.19 of the Revised Code. 143

(K)(1) If a district is educating a student entitled to 144
attend school in another district pursuant to a shared education 145
contract, compact, or cooperative education agreement other than 146
an agreement entered into pursuant to section 3313.842 of the 147
Revised Code, credit to that educating district on an FTE basis 148
both of the following: 149

(a) An amount equal to the formula amount times the cost of 150
doing business factor of the school district where the student is 151
entitled to attend school pursuant to section 3313.64 or 3313.65 152
of the Revised Code; 153

(b) An amount equal to the formula amount times the state 154
share percentage times any multiple applicable to the student 155
pursuant to section 3317.013 or 3317.014 of the Revised Code. 156

(2) Deduct any amount credited pursuant to division (K)(1) of 157
this section from amounts paid to the school district in which the 158
student is entitled to attend school pursuant to section 3313.64 159
or 3313.65 of the Revised Code. 160

(3) If the district is required by a shared education 161
contract, compact, or cooperative education agreement to make 162
payments to an educational service center, deduct the amounts from 163
payments to the district and add them to the amounts paid to the 164
service center pursuant to section 3317.11 of the Revised Code. 165

(L)(1) If a district, including a joint vocational school 166
district, is a lead district of a VEPD, credit to that district 167
the amounts calculated for all the school districts within that 168
VEPD pursuant to division (E)(2) of section 3317.022 of the 169
Revised Code. 170

(2) Deduct from each appropriate district that is not a lead 171
district, the amount attributable to that district that is 172
credited to a lead district under division (L)(1) of this section. 173

Section 2. That existing section 3317.023 of the Revised Code 174
is hereby repealed. 175