

As Introduced

**126th General Assembly
Regular Session
2005-2006**

H. B. No. 115

Representatives Setzer, Reinhard, Webster

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A BILL

To amend sections 3301.075, 3313.843, and 3319.17 and 1
to enact sections 3301.0713, 3312.01 to 3312.14, 2
and 3313.845 of the Revised Code to establish the 3
Educational Regional Service System and the EMIS 4
Advisory Board. 5

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

Section 1. That sections 3301.075, 3313.843, and 3319.17 be 6
amended and sections 3301.0713, 3312.01, 3312.02, 3312.03, 7
3312.04, 3312.05, 3312.06, 3312.07, 3312.08, 3312.09, 3312.10, 8
3312.11, 3312.12, 3312.13, 3312.14, and 3313.845 of the Revised 9
Code be enacted to read as follows: 10

Sec. 3301.075. The state board of education shall adopt rules 11
governing the purchasing and leasing of data processing services 12
and equipment for all local, exempted village, city, and joint 13
vocational school districts and all educational service centers. 14
Such rules shall include provisions for the establishment of an 15
Ohio education computer network under procedures, guidelines, and 16
specifications of the department of education. 17

The department shall administer funds appropriated for the 18
Ohio education computer network to ensure its efficient and 19
economical operation and shall approve no more than twenty-seven 20

data acquisition sites to operate concurrently. Such sites shall
be approved for funding in accordance with rules of the state
board adopted under this section that shall provide for the
superintendent of public instruction to require the membership of
each data acquisition site to be composed of combinations of
school districts and educational service centers having sufficient
students to support an efficient, economical comprehensive program
of computer services to member districts and educational service
centers. However, no such rule shall prohibit a school district or
educational service center from receiving computer services from
any data acquisition site established under this section. Each
data acquisition site shall be organized in accordance with
section 3313.92 or Chapter 167. of the Revised Code.

The department of education may contract with an independent
for profit or nonprofit entity to provide current and historical
information on Ohio government through the Ohio education computer
network to school district libraries operating in accordance with
section 3375.14 of the Revised Code in order to assist school
teachers in social studies course instruction and support student
research projects. Any such contract shall be awarded in
accordance with Chapter 125. of the Revised Code.

Sec. 3301.0713. (A) There is hereby established the education
management information system advisory board. The board shall make
recommendations to the department of education for improving the
operation of the education management information system
established under section 3301.0714 of the Revised Code. Topics
that may be addressed by the recommendations include the
definitions used for the data maintained in the system, reporting
deadlines, rules and guidelines for the operation of the system
adopted by the state board of education pursuant to section
3301.0714 of the Revised Code, and any other issues raised by

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<u>education personnel who work with the system.</u>	52
<u>(B) The board shall consist of the following members:</u>	53
<u>(1) Two members of the state board, appointed by the state board;</u>	54 55
<u>(2) One person appointed by the Ohio educational service center association;</u>	56 57
<u>(3) One person appointed by the buckeye association of school administrators;</u>	58 59
<u>(4) One person appointed by the Ohio association of school business officials;</u>	60 61
<u>(5) One person appointed by the Ohio association of EMIS professionals;</u>	62 63
<u>(6) One representative of four-year institutions of higher education, appointed by the Ohio board of regents;</u>	64 65
<u>(7) One representative of two-year institutions of higher education, appointed by the Ohio association of community colleges;</u>	66 67 68
<u>(8) Two representatives of the department, appointed by the superintendent of public instruction;</u>	69 70
<u>(9) Two persons appointed by the management council of the Ohio education computer network.</u>	71 72
<u>The chairpersons of the education committees of the senate and house of representatives, or their designees, shall be ex officio, nonvoting members of the board.</u>	73 74 75
<u>(C) Members of the board initially appointed under division (A) of this section shall serve until January 1, 2008. Thereafter, terms of office shall be for two years, each term ending on the same day of the same month as did the term that it succeeds. Each</u>	76 77 78 79

member shall hold office from the date of appointment until the
end of the term for which the member was appointed. Members may be
reappointed.

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(D) Vacancies shall be filled in the same manner as the
original appointment. Any member appointed to fill a vacancy
occurring prior to the expiration of the term for which the
member's predecessor was appointed shall hold office for the
remainder of that term. Members shall receive no compensation for
their services.

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(E) The chairpersons of the education committees of the
senate and house of representatives, or their designees, shall
alternate annually as chairperson of the board. The board shall
meet once every two months and at other times upon the call of the
chairperson.

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(F) If at any time the education management information
system is replaced with a new system for collecting financial and
student performance data for school districts and buildings, the
board established by this section shall continue to function in
the manner prescribed by this section in relation to the new data
collection system after the new system is operational.

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Sec. 3312.01. The educational regional service system is
hereby established. The system shall support state and school
efforts to improve school effectiveness and student achievement.
Services shall be provided under the system to school districts,
community schools established under Chapter 3314. of the Revised
Code, and chartered nonpublic schools.

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The system shall consist of the following:

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(A) The state regional alliance advisory board established
under section 3312.13 of the Revised Code;

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(B) The advisory councils and subcommittees established under

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sections 3312.03 and 3312.05 of the Revised Code; 110

(C) A fiscal agent for each of the regions as configured 111
under section 3312.02 of the Revised Code; 112

(D) Educational service centers, special education regional 113
resource centers established under section 3312.10 of the Revised 114
Code, data acquisition sites established under section 3301.075 of 115
the Revised Code, and other regional education service providers. 116

Educational service centers shall provide the services that 117
they are specifically required to provide by the Revised Code and 118
may enter into agreements pursuant to section 3313.843, 3313.844, 119
or 3313.845 of the Revised Code for the provision of other 120
services. Any educational service center selected to be a fiscal 121
agent for its region pursuant to section 3312.07 of the Revised 122
Code shall continue to operate as an educational service center 123
for the part of the region that comprises its territory. Special 124
education regional resource centers and data acquisition sites may 125
enter into agreements for the provision of services pursuant to 126
section 3312.12 of the Revised Code. 127

No school district, community school, or chartered nonpublic 128
school shall be required to receive services from an educational 129
service center, special education regional resource center, or 130
data acquisition site in the region in which the district or 131
school is located, except that a local school district shall 132
receive any services required by the Revised Code to be provided 133
by an educational service center to the local school districts in 134
its territory from the educational service center in whose 135
territory the district is located. 136

Sec. 3312.02. There shall be the following sixteen regions in 137
the educational regional service system: 138

(A) Region one shall consist of the territory contained in 139

<u>Defiance, Fulton, Hancock, Henry, Lucas, Paulding, Putnam,</u>	140
<u>Sandusky, Van Wert, Williams, and Wood counties.</u>	141
<u>(B) Region two shall consist of the territory contained in</u>	142
<u>Erie, Huron, Lorain, and Ottawa counties.</u>	143
<u>(C) Region three shall consist of the territory contained in</u>	144
<u>Cuyahoga county.</u>	145
<u>(D) Region four shall consist of the territory contained in</u>	146
<u>Geauga and Lake counties.</u>	147
<u>(E) Region five shall consist of the territory contained in</u>	148
<u>Ashtabula, Mahoning, and Trumbull counties.</u>	149
<u>(F) Region six shall consist of the territory contained in</u>	150
<u>Allen, Auglaize, Hardin, Logan, Mercer, and Shelby counties.</u>	151
<u>(G) Region seven shall consist of the territory contained in</u>	152
<u>Crawford, Knox, Marion, Morrow, Richland, Seneca, and Wyandot</u>	153
<u>counties.</u>	154
<u>(H) Region eight shall consist of the territory contained in</u>	155
<u>Ashland, Columbiana, Holmes, Stark, and Wayne counties.</u>	156
<u>(I) Region nine shall consist of the territory contained in</u>	157
<u>Clark, Darke, Greene, Miami, Montgomery, and Preble counties.</u>	158
<u>(J) Region ten shall consist of the territory contained in</u>	159
<u>Champaign, Delaware, Fairfield, Franklin, Licking, Madison,</u>	160
<u>Pickaway, and Union counties.</u>	161
<u>(K) Region eleven shall consist of the territory contained in</u>	162
<u>Belmont, Carroll, Coshocton, Guernsey, Harrison, Jefferson,</u>	163
<u>Monroe, Morgan, Muskingum, Noble, and Tuscarawas counties.</u>	164
<u>(L) Region twelve shall consist of the territory contained in</u>	165
<u>Butler, Clermont, Hamilton, and Warren counties.</u>	166
<u>(M) Region thirteen shall consist of the territory contained</u>	167
<u>in Brown, Clinton, Fayette, and Highland counties.</u>	168

(N) Region fourteen shall consist of the territory contained 169
in Adams, Jackson, Lawrence, Pike, Ross, and Scioto counties. 170

(O) Region fifteen shall consist of the territory contained 171
in Athens, Gallia, Hocking, Meigs, Perry, Vinton, and Washington 172
counties. 173

(P) Region sixteen shall consist of the territory contained 174
in Medina, Portage, and Summit counties. 175

Sec. 3312.03. (A) Each region of the educational regional 176
service system shall be under the direction of an advisory 177
council. Except as provided in division (F) of this section, each 178
advisory council shall consist of the following members and the 179
members appointed under division (B) of this section: 180

(1) The superintendent of each educational service center in 181
the region; 182

(2) The director of the special education regional resource 183
center in the region; 184

(3) The superintendent of the school district in the region 185
with the smallest student population; 186

(4) The superintendent of the school district in the region 187
with the largest student population; 188

(5) The director of each data acquisition site located in the 189
region; 190

(6) One representative of a four-year institution of higher 191
education located in the region, or in an adjacent region if there 192
is no such institution, appointed by the Ohio board of regents; 193

(7) One representative of a two-year institution of higher 194
education located in the region, or in an adjacent region if there 195
is no such institution, appointed by the Ohio association of 196
community colleges. 197

<u>(B) The members of the advisory council listed in division</u>	198
<u>(A) of this section, upon a majority vote, shall appoint the</u>	199
<u>following members to serve on the council:</u>	200
<u>(1) One member of a board of education of a city school</u>	201
<u>district in the region;</u>	202
<u>(2) One member of a board of education of an exempted village</u>	203
<u>school district in the region;</u>	204
<u>(3) One member of a board of education of a local school</u>	205
<u>district in the region;</u>	206
<u>(4) One representative of business;</u>	207
<u>(5) One employee of an education technology center. However,</u>	208
<u>no education technology center shall have more than two employees</u>	209
<u>serving on advisory councils at the same time.</u>	210
<u>(C) Each advisory council annually shall elect a chairperson</u>	211
<u>and vice-chairperson from among its members.</u>	212
<u>(D) For two years after its initial meeting, each advisory</u>	213
<u>council shall hold regular meetings at least monthly to conduct</u>	214
<u>council business and may hold other meetings at the call of the</u>	215
<u>chairperson. Subsequently, all meetings shall be called by the</u>	216
<u>chairperson.</u>	217
<u>(E) Advisory council members shall receive no compensation</u>	218
<u>for their services.</u>	219
<u>(F) Any advisory council may increase its membership beyond</u>	220
<u>the members required by divisions (A) and (B) of this section by</u>	221
<u>adopting a resolution specifying the number of additional members,</u>	222
<u>their manner of appointment, and any eligibility criteria for</u>	223
<u>appointment.</u>	224
<u>Sec. 3312.04. The advisory council of each region of the</u>	225
<u>educational regional service system shall do all of the following:</u>	226

<u>(A) Identify regional needs and priorities for educational services;</u>	227 228
<u>(B) Develop policies to coordinate the delivery of services to school districts, community schools, and chartered nonpublic schools in a manner that responds to regional needs and priorities;</u>	229 230 231 232
<u>(C) Make recommendations to the fiscal agent for the region regarding the expenditure of funds available to the region for implementation of state and regional education initiatives;</u>	233 234 235
<u>(D) Monitor implementation of state and regional education initiatives by educational service centers, special education regional resource centers, data acquisition sites, and other regional service providers to ensure that the terms of the performance contracts entered into by the fiscal agent for the region under section 3312.08 of the Revised Code are being met.</u>	236 237 238 239 240 241
Sec. 3312.05. <u>(A) The advisory council of each region of the educational regional service system shall establish the following specialized subcommittees of the council:</u>	242 243 244
<u>(1) A school improvement subcommittee, which shall include representatives of community schools and education personnel with expertise in the area of school improvement;</u>	245 246 247
<u>(2) An education technology subcommittee, which shall include classroom teachers or curriculum coordinators, parents, elementary and secondary school principals, representatives of chartered nonpublic schools, representatives of business, and representatives of two-year and four-year institutions of higher education;</u>	248 249 250 251 252 253
<u>(3) A professional development subcommittee, which shall include classroom teachers, principals, school district superintendents, curriculum coordinators, representatives of</u>	254 255 256

chartered nonpublic schools, and representatives of two-year and 257
four-year institutions of higher education; 258

(4) A special education subcommittee, which shall consist of 259
the members of the governing board of the special education 260
regional resource center in the region; 261

(5) A data acquisition site subcommittee, which shall consist 262
of the members of the governing authority of each data acquisition 263
site located in the region. 264

(B) The advisory council shall appoint persons who reside or 265
practice their occupations in the region to serve on the 266
subcommittees established under divisions (A)(1) to (3) of this 267
section. If the advisory council is unable to appoint such a 268
person to a subcommittee, the council shall appoint a similarly 269
situated person from an adjacent region. 270

(C) An advisory council may establish additional 271
subcommittees as needed to address topics of interest to the 272
council. Members of any additional subcommittee shall be appointed 273
by the advisory council and shall include a diverse range of 274
education personnel with expertise in the topic addressed by the 275
subcommittee and representatives of individuals or groups with an 276
interest in the topic. 277

(D) Any member of an advisory council may participate in the 278
deliberations of any subcommittee established by the council. 279

Sec. 3312.06. Each advisory council subcommittee established 280
under section 3312.05 of the Revised Code shall make 281
recommendations to the advisory council regarding the 282
implementation of state and regional education initiatives in the 283
subcommittee's area of specialization. The recommendations may 284
include strategies to tailor state education initiatives to 285
regional needs and priorities or to maximize funds available to 286

the region for the provision of services in the subcommittee's 287
area of specialization. 288

Sec. 3312.07. (A) Not later than July 1, 2005, the department 289
of education shall select a school district or educational service 290
center in each region of the educational regional service system 291
to be the fiscal agent for the region. For this purpose, the 292
department shall issue a request for proposals from districts and 293
service centers interested in being a fiscal agent. The department 294
shall select each fiscal agent based upon the following criteria: 295

(1) Capability to serve as a fiscal agent as demonstrated by 296
a satisfactory audit record and prior experience serving as a 297
fiscal agent; 298

(2) Adequate capacity in terms of facilities, personnel, and 299
other relevant resources; 300

(3) Evidence that the school district's or educational 301
service center's role as a fiscal agent would result in minimal 302
disruption to its responsibilities as a district or service 303
center; 304

(4) Demonstrated intent to limit fees for administering a 305
performance contract entered into under section 3312.08 of the 306
Revised Code to not more than four per cent of the value of the 307
contract. 308

(B) If no school district or educational service center in a 309
region responds to the request for proposals issued by the 310
department, the department shall select a district or service 311
center in the region that meets the criteria in division (A) of 312
this section to be the fiscal agent for the region. 313

Sec. 3312.08. Each fiscal agent selected by the department of 314
education pursuant to section 3312.07 of the Revised Code shall do 315

all of the following: 316

(A) Enter into performance contracts with the department in accordance with section 3312.09 of the Revised Code for the implementation of state and regional education initiatives; 317
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(B) Receive federal and state funds for the implementation of state and regional education initiatives and disburse those funds to educational service centers, special education regional resource centers, data acquisition sites, and other regional service providers; 320
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(C) Implement any expenditure of funds recommended by the advisory council for the region pursuant to section 3312.04 of the Revised Code for the implementation of state and regional education initiatives, unless there are insufficient funds available to the region to pay for the recommended expenditure, the recommended expenditure violates a provision of the Revised Code or rule of the state board of education regarding such expenditure, or the terms of any performance contract under which the funds have been made available to the region prohibit the recommended expenditure; 325
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(D) Exercise fiscal oversight of the implementation of state and regional education initiatives. 335
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Sec. 3312.09. Each performance contract entered into by the department of education and the fiscal agent of a region for implementation of a state or regional education initiative shall include the following: 337
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(A) A definition of the services to be provided to school districts, community schools, and chartered nonpublic schools in the region; 341
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(B) Expected outcomes from the provision of the services 344

<u>defined in the contract;</u>	345
<u>(C) The method the department will use to evaluate whether</u>	346
<u>the expected outcomes have been achieved;</u>	347
<u>(D) A requirement that the fiscal agent develop and implement</u>	348
<u>a corrective action plan if the results of the evaluation are</u>	349
<u>unsatisfactory;</u>	350
<u>(E) Data reporting requirements;</u>	351
<u>(F) A requirement that a member of the advisory council in</u>	352
<u>the region be a member of the state regional alliance advisory</u>	353
<u>board established under section 3312.13 of the Revised Code.</u>	354
<u>Sec. 3312.10. As used in this section and section 3312.11 of</u>	355
<u>the Revised Code, "handicapped child," "related services," and</u>	356
<u>"other educational agency" have the same meanings as in section</u>	357
<u>3323.01 of the Revised Code.</u>	358
<u>Each region of the educational regional service system shall</u>	359
<u>be served by a special education regional resource center. Each</u>	360
<u>special education regional resource center shall assist school</u>	361
<u>districts, community schools, and other educational agencies in</u>	362
<u>the provision of special education and related services to</u>	363
<u>handicapped children. In providing services to handicapped</u>	364
<u>children, a special education regional resource center shall</u>	365
<u>comply with all provisions of Chapter 3323. of the Revised Code</u>	366
<u>and federal law regarding the education of handicapped children.</u>	367
<u>Sec. 3312.11. (A) Each special education regional resource</u>	368
<u>center shall be under the supervision of a governing board. The</u>	369
<u>governing board shall oversee the delivery of special education</u>	370
<u>and related services to school districts, community schools, and</u>	371
<u>other educational agencies in accordance with policies of the</u>	372
<u>advisory council developed pursuant to section 3312.04 of the</u>	373

Revised Code. 374

(B) Within thirty days after the effective date of this 375
section, the governing board of each special education regional 376
resource center in existence on the effective date shall adopt a 377
resolution establishing policies concerning the size and 378
composition of the board, the manner in which members will be 379
appointed, any eligibility criteria for appointment, and the terms 380
of service for members. The resolution shall comply with divisions 381
(C) and (D) of this section. 382

(C) Each special education regional resource center governing 383
board shall include at least the following members: 384

(1) Two classroom teachers, one of whom shall be a special 385
education teacher; 386

(2) One principal or school district superintendent; 387

(3) One representative of community schools; 388

(4) One parent of a handicapped child; 389

(5) One representative of a four-year institution of higher 390
education located in the region, or in an adjacent region if there 391
is no such institution; 392

(6) One representative of a two-year institution of higher 393
education located in the region, or in an adjacent region if there 394
is no such institution. 395

(D) Members shall receive no compensation for their services. 396

Sec. 3312.12. The board of education of a city, exempted 397
village, or local school district or the governing authority of a 398
community school may enter into an agreement, through the adoption 399
of identical resolutions, with the governing board of a special 400
education regional resource center or the governing authority of a 401

data acquisition site, under which the special education regional 402
resource center or data acquisition site will provide services to 403
the school district or community school. Services provided under 404
the agreement and the amount to be paid for such services shall be 405
mutually agreed to by the parties to the agreement, and shall be 406
specified in the agreement. Payment for services specified in the 407
agreement shall be the sole responsibility of the board of 408
education or community school governing authority and shall be 409
made directly to the special education regional resource center or 410
data acquisition site providing the services. 411

Sec. 3312.13. (A) The state regional alliance advisory board 412
is hereby created. The board shall consist of the following 413
members: 414

(1) One member of the advisory council of each region of the 415
educational regional service system, appointed by the council; 416

(2) One member of the state board of education, appointed by 417
the state board; 418

(3) One representative of four-year institutions of higher 419
education, appointed by the Ohio board of regents; 420

(4) One representative of two-year institutions of higher 421
education, appointed by the Ohio association of community 422
colleges; 423

(5) One representative of the department of education, 424
appointed by the superintendent of public instruction; 425

(6) One representative of the governor, appointed by the 426
governor; 427

(7) One classroom teacher, appointed jointly by the Ohio 428
education association and the Ohio federation of teachers; 429

(8) One parent, appointed by the Ohio parent teacher 430

association; 431

(9) One representative of business, appointed by the Ohio 432
chamber of commerce. 433

The superintendent of public instruction and the chairpersons 434
of the education committees of the senate and house of 435
representatives, or their designees, shall be ex officio, 436
nonvoting members of the board. 437

(B) All appointed members of the board shall serve at the 438
pleasure of their appointing authorities. 439

(C) Members shall receive no compensation for their services. 440

(D) The superintendent of public instruction, or the 441
superintendent's designee, shall be the chairperson of the board. 442
For two years after its initial meeting, the board shall hold 443
regular meetings at least monthly to conduct board business and 444
may hold other meetings at the call of the chairperson. 445
Subsequently, all meetings shall be called by the chairperson. 446

Sec. 3312.14. The state regional alliance advisory board 447
shall do all of the following: 448

(A) Identify issues concerning the operation of the 449
educational regional service system that may require action by the 450
state board of education or the department of education; 451

(B) Promote communication and coordination among the state 452
board, the department, fiscal agents, advisory councils, and users 453
of the educational regional service system regarding issues 454
affecting the operation of the system and statewide education 455
initiatives; 456

(C) Make recommendations regarding quality standards for the 457
delivery of services to school districts and schools through the 458
educational regional service system. Copies of the recommendations 459

shall be provided to any official or governing authority that the 460
board determines should be advised of the content of the 461
recommendations. 462

Sec. 3313.843. (A) Notwithstanding division (D) of section 463
3311.52 of the Revised Code, this section does not apply to either 464
of the following: 465

(1) Any cooperative education school district; 466

(2) Any city or exempted village school district with a total 467
student count of thirteen thousand or more determined pursuant to 468
section 3317.03 of the Revised Code that has not entered into one 469
or more agreements pursuant to this section prior to July 1, 1993, 470
unless the district's total student count did not exceed thirteen 471
thousand at the time it entered into an initial agreement under 472
this section. 473

(B) The board of education of a city or exempted village 474
school district and the governing board of an educational service 475
center ~~with territory in a county in which the city or exempted~~ 476
~~village school district also has territory~~ may enter into an 477
agreement, through adoption of identical resolutions, under which 478
the educational service center governing board will provide 479
services to the city or exempted village school district. 480

Services provided under the agreement shall be specified in 481
the agreement, and may include any one or a combination of the 482
following: supervisory teachers; in-service and continuing 483
education programs for city or exempted village school district 484
personnel; curriculum services as provided to the local school 485
districts under the supervision of the service center governing 486
board; research and development programs; academic instruction for 487
which the governing board employs teachers pursuant to section 488
3319.02 of the Revised Code; and assistance in the provision of 489

special accommodations and classes for handicapped students. 490
Services included in the agreement shall be provided to the city 491
or exempted village district in the same manner they are provided 492
to local school districts under the governing board's supervision, 493
unless otherwise specified in the agreement. The city or exempted 494
village board of education shall reimburse the educational service 495
center governing board pursuant to section 3317.11 of the Revised 496
Code. 497

(C)~~(1)~~ If an educational service center received funding 498
under division (B) of former section 3317.11 or division (F) of 499
section 3317.11 of the Revised Code for an agreement under this 500
section involving a city school district whose total student count 501
was less than thirteen thousand, the service center may continue 502
to receive funding under that division for such an agreement in 503
any subsequent year if the city district's total student count 504
exceeds thirteen thousand. However, only the first thirteen 505
thousand pupils in the formula ADM of such district shall be 506
included in determining the amount of the per pupil subsidy the 507
service center shall receive under division (F) of section 3317.11 508
of the Revised Code. 509

~~(2) If, prior to July 1, 1998, an educational service center 510
received funding under division (B) of former section 3317.11 of 511
the Revised Code for a period of at least three years, for a good 512
faith agreement under this section involving a city school 513
district with no territory in the county in which the educational 514
service center has territory, that educational service center and 515
that city school district may enter into an agreement under this 516
section, and the service center shall receive funding under 517
division (F) of section 3317.11 of the Revised Code for any such 518
agreement, notwithstanding the territorial boundaries of the 519
service center and the city school district. 520~~

(D) Any agreement entered into pursuant to this section shall 521

be valid only if a copy is filed with the department of education 522
by the first day of the school year for which the agreement is in 523
effect. 524

Sec. 3313.845. The board of education of a city, exempted 525
village, or local school district and the governing board of an 526
educational service center may enter into an agreement, through 527
adoption of identical resolutions, under which the educational 528
service center will provide services to the school district. 529
Services provided under the agreement and the amount to be paid 530
for such services shall be mutually agreed to by the district 531
board of education and the service center governing board, and 532
shall be specified in the agreement. Payment for services 533
specified in the agreement shall be made pursuant to division (D) 534
of section 3317.11 of the Revised Code and shall not include any 535
deduction under division (B), (C), or (F) of that section. Any 536
agreement entered into pursuant to this section shall be valid 537
only if a copy is filed with the department of education by the 538
first day of the school year for which the agreement is in effect. 539

The authority granted under this section to the boards of 540
education of city and exempted village school districts is in 541
addition to the authority granted to such boards under section 542
3313.843 of the Revised Code. No city or exempted village district 543
that is eligible to receive services from an educational service 544
center under section 3313.843 of the Revised Code may receive any 545
of the services described in division (B) of that section pursuant 546
to an agreement entered into with an educational service center 547
under this section. 548

If a local school district enters into an agreement with an 549
educational service center under this section and the district is 550
not located within the territory of the service center, the 551
agreement shall not require the district to receive any 552

supervisory services described in division (B) of section 3317.11 553
of the Revised Code from the service center. The supervisory 554
services described in that section shall be provided to the 555
district by the educational service center of the territory in 556
which the district is located. 557

Sec. 3319.17. (A) As used in this section, "interdistrict 558
contract" means any contract or agreement entered into by an 559
educational service center governing board and another board or 560
other public entity pursuant to section 3313.17, 3313.841, 561
3313.842, 3313.843, 3313.844, 3313.845, 3313.91, or 3323.08 of the 562
Revised Code, including any such contract or agreement for the 563
provision of services funded under division (L) of section 564
3317.024 of the Revised Code or provided in any unit approved 565
under section 3317.05 of the Revised Code. 566

(B) When, for any of the following reasons that apply to any 567
city, exempted village, local, or joint vocational school district 568
or any educational service center, the board decides that it will 569
be necessary to reduce the number of teachers it employs, it may 570
make a reasonable reduction: 571

(1) In the case of any district or service center, return to 572
duty of regular teachers after leaves of absence including leaves 573
provided pursuant to division (B) of section 3314.10 of the 574
Revised Code, suspension of schools, or territorial changes 575
affecting the district or center; 576

(2) In the case of any city, exempted village, local, or 577
joint vocational school district, decreased enrollment of pupils 578
in the district; 579

(3) In the case of any governing board of a service center 580
providing any particular service directly to pupils pursuant to 581
one or more interdistrict contracts requiring such service, 582

reduction in the total number of pupils the governing board is 583
required to provide with the service under all interdistrict 584
contracts as a result of the termination or nonrenewal of one or 585
more of these interdistrict contracts; 586

(4) In the case of any governing board providing any 587
particular service that it does not provide directly to pupils 588
pursuant to one or more interdistrict contracts requiring such 589
service, reduction in the total level of the service the governing 590
board is required to provide under all interdistrict contracts as 591
a result of the termination or nonrenewal of one or more of these 592
interdistrict contracts. 593

(C) In making any such reduction, any city, exempted village, 594
local, or joint vocational school board shall proceed to suspend 595
contracts in accordance with the recommendation of the 596
superintendent of schools who shall, within each teaching field 597
affected, give preference to teachers on continuing contracts and 598
to teachers who have greater seniority. In making any such 599
reduction, any governing board of a service center shall proceed 600
to suspend contracts in accordance with the recommendation of the 601
superintendent who shall, within each teaching field or service 602
area affected, give preference to teachers on continuing contracts 603
and to teachers who have greater seniority. 604

The teachers whose continuing contracts are suspended by any 605
board pursuant to this section shall have the right of restoration 606
to continuing service status by that board in the order of 607
seniority of service in the district if and when teaching 608
positions become vacant or are created for which any of such 609
teachers are or become qualified. 610

Section 2. That existing sections 3301.075, 3313.843, and 611
3319.17 of the Revised Code are hereby repealed. 612

Section 3. Subject to appropriations of the General Assembly, 613
funding for the operation of the Educational Regional Service 614
System established by this act shall begin July 1, 2005. It is the 615
intent of the General Assembly to make any appropriations 616
necessary to implement this act in the operating budget for the 617
2005-2007 fiscal biennium. 618

Section 4. (A) The Ohio Board of Regents and the Ohio 619
Association of Community Colleges shall make appointments to the 620
advisory councils established under section 3312.03 of the Revised 621
Code within thirty days after the effective date of this section. 622
Each advisory council shall make the appointments required by 623
division (B) of that section within forty-five days after the 624
effective date of this section. 625

(B) Each advisory council shall make the appointments to the 626
advisory council subcommittees required by division (B) of section 627
3312.05 of the Revised Code within sixty days after the effective 628
date of this section. 629

(C) Appointments to the State Regional Alliance Advisory 630
Board established by section 3312.13 of the Revised Code shall be 631
made within sixty days after the effective date of this section. 632

(D) Appointments to the Education Management Information 633
System Advisory Board established by section 3301.0713 of the 634
Revised Code shall be made within thirty days after the effective 635
date of this section. 636

Section 5. It is the intent of the General Assembly to make 637
the following changes, and any appropriations necessary to 638
implement the changes, in the operating budget for the 2005-2007 639
fiscal biennium: 640

(A) Eliminate the regional offices of the Department of 641
Education's Office of Early Childhood Education; 642

(B) Eliminate regional professional development centers and 643
transfer their functions and responsibilities to educational 644
service centers and the special education regional resource 645
centers established under section 3312.10 of the Revised Code; 646

(C) Limit the Department to the employment of one person to 647
perform the job duties of both an area coordinator and a fiscal 648
consultant in each of the nine regions for which the Department 649
has established a field office to provide fiscal assistance to 650
school districts. It is the intent of the General Assembly that 651
these persons operate under the joint supervision of the advisory 652
councils established under section 3312.03 of the Revised Code 653
with territory in the region served by the applicable field office 654
and that the advisory councils adapt the job duties of these 655
persons to meet regional needs. 656

(D) Eliminate the area media centers funded by the Ohio 657
SchoolNet Commission and transfer their functions and 658
responsibilities to the state system of libraries established 659
pursuant to Chapter 3375. of the Revised Code. 660