

Am. Sub. H.B. 1
As Passed by the Senate
CC-5021-2

_____ moved to amend as follows:

In line 341, after "3302.03," insert "3302.031,"; after 1
"3304.231," insert "3307.31, 3307.64, 3309.41, 3309.48, 3309.51," 2
In line 342, after "3310.03," insert "3310.08, 3310.09,"; 3
after "3310.14," insert "3310.41,"; after "3311.059," insert 4
"3311.06, 3311.19, 3311.21, 3311.29, 3311.52, 3311.76,"; after 5
"3313.46," insert "3313.483,"; after "3313.53," insert "3313.55," 6
In line 343, after "3313.642," insert "3313.6410," 7
In line 344, after "3313.978," insert "3313.98, 3313.981,"; 8
after "3314.085," insert "3314.087, 3314.091, 3314.10, 3314.13," 9
In line 345, after "3315.37," insert "3316.041, 3316.06, 10
3316.20, 3317.01, 3317.011,"; after "3317.022," insert "3317.023, 11
3317.024, 3317.025, 3317.0210, 3317.0211, 3317.0216,"; after 12
"3317.03," insert "3317.031, 3317.04, 3317.061," 13
In line 346, after "3317.08," insert "3317.081, 3317.082, 14
3317.12, 3317.16, 3317.18, 3317.20, 3317.201,"; after "3318.011," 15
insert "3318.051,"; after "3319.08," insert "3319.088," 16
In line 349, after "3319.56," insert "3319.57," 17
In line 350, after "3323.05," insert "3323.091, 3323.14, 18
3323.142, 3324.05,"; after "3326.11," insert "3326.33,"; after 19
"3326.36," insert "3327.02, 3327.04, 3327.05,"; after "3327.10," 20

insert "3329.16," 21

In line 354, after "3345.66," insert "3349.242,"; after 22
 "3354.26," insert "3365.01," 23

In line 407, after "5126.044," insert "5126.05," 24

In line 408, after "5126.19," insert "5126.24," 25

In line 411, after "5715.251," insert "5715.26," 26

In line 438, after "3304.182," insert "3306.01, 3306.011, 27
 3306.012, 3306.02, 3306.03, 3306.04, 3306.05, 3306.051, 3306.052, 28
 3306.06, 3306.07, 3306.08, 3306.09, 3306.091, 3306.10, 3306.11, 29
 3306.12, 3306.13, 3306.18, 3306.19, 3306.191, 3306.192, 3306.21, 30
 3306.22, 3306.25, 3306.30, 3306.31, 3306.33, 3306.34, 3306.35, 31
 3306.40," 32

In line 441, after "3314.028," insert "3314.088,"; after 33
 "3314.44," insert "3317.018," 34

In line 442, after "3323.052," insert "3326.39," 35

In line 18768, strike through "Chapter" and insert "Chapters 36
3306. and" 37

Between lines 35502 and 35503, insert: 38

"**Sec. 3302.031.** In addition to the report cards required 39
 under section 3302.03 of the Revised Code, the department of 40
 education shall annually prepare the following reports for each 41
 school district and make a copy of each report available to the 42
 superintendent of each district: 43

(A) A funding and expenditure accountability report which 44
 shall consist of the amount of state aid payments the school 45
 district will receive during the fiscal year under ~~Chapter~~ 46
Chapters 3306. and 3317. of the Revised Code and any other fiscal 47
 data the department determines is necessary to inform the public 48

about the financial status of the district; 49

(B) A school safety and discipline report which shall consist 50
of statistical information regarding student safety and discipline 51
in each school building, including the number of suspensions and 52
expulsions disaggregated according to race and gender; 53

(C) A student equity report which shall consist of at least a 54
description of the status of teacher qualifications, library and 55
media resources, textbooks, classroom materials and supplies, and 56
technology resources for each district. To the extent possible, 57
the information included in the report required under this 58
division shall be disaggregated according to grade level, race, 59
gender, disability, and scores attained on tests required under 60
section 3301.0710 of the Revised Code. 61

(D) A school enrollment report which shall consist of 62
information about the composition of classes within each district 63
by grade and subject disaggregated according to race, gender, and 64
scores attained on tests required under section 3301.0710 of the 65
Revised Code; 66

(E) A student retention report which shall consist of the 67
number of students retained in their respective grade levels in 68
the district disaggregated by grade level, subject area, race, 69
gender, and disability; 70

(F) A school district performance report which shall describe 71
for the district and each building within the district the extent 72
to which the district or building meets each of the applicable 73
performance indicators established under section 3302.02 of the 74
Revised Code, the number of performance indicators that have been 75
achieved, and the performance index score. In calculating the 76
rates of achievement on the performance indicators and the 77
performance index scores for each report, the department shall 78
exclude all students with disabilities." 79

Between lines 35657 and 35658, insert:

"Sec. 3306.01. This chapter shall be administered by the state board of education. The superintendent of public instruction shall calculate the amounts payable to each school district and shall certify the amounts payable to each eligible district to the treasurer of the district as determined under this chapter. As soon as possible after such amounts are calculated, the superintendent shall certify to the treasurer of each school district the district's adjusted charge-off increase, as defined in section 5705.211 of the Revised Code. No moneys shall be distributed pursuant to this chapter without the approval of the controlling board.

The state board of education shall, in accordance with appropriations made by the general assembly, meet the financial obligations of this chapter.

Annually, the department of education shall calculate and report to each school district the district's adequacy amount utilizing the calculations in sections 3306.03 and 3306.13 of the Revised Code. The department shall calculate and report separately for each school district the district's total state and local funds for its students with disabilities, utilizing the calculations in sections 3306.05, 3306.11, and 3306.13 of the Revised Code. The department shall calculate and report separately for each school district the amount of funding calculated for each factor of the district's adequacy amount.

Not later than the thirty-first day of August of each fiscal year, the department of education shall provide to each school district a preliminary estimate of the amount of funding that the department calculates the district will receive under section 3306.13 of the Revised Code. Not later than the first day of

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December of each fiscal year, the department shall update that preliminary estimate. 110
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Moneys distributed pursuant to this chapter shall be calculated and paid on a fiscal year basis, beginning with the first day of July and extending through the thirtieth day of June. Unless otherwise provided, the moneys appropriated for each fiscal year shall be distributed at least monthly to each school district. The state board shall submit a yearly distribution plan to the controlling board at its first meeting in July. The state board shall submit any proposed midyear revision of the plan to the controlling board in January. Any year-end revision of the plan shall be submitted to the controlling board in June. If moneys appropriated for each fiscal year are distributed other than monthly, such distribution shall be on the same basis for each school district. 112
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The total amounts paid each month shall constitute, as nearly as possible, one-twelfth of the total amount payable for the entire year. 125
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Payments shall be calculated to reflect the reporting of formula ADM. Annualized periodic payments for each school district shall be based on the district's final student counts verified by the superintendent of public instruction based on reports under section 3317.03 of the Revised Code, as adjusted, if so ordered, under division (K) of that section. 128
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(A) Except as otherwise provided, payments under this chapter shall be made only to those school districts that comply with divisions (A)(1) to (3) of this section. 134
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(1) Each city, exempted village, and local school district shall levy for current operating expenses at least twenty mills. Levies for joint vocational or cooperative education school districts or county school financing districts, limited to or to 137
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the extent apportioned to current expenses, shall be included in 141
this qualification requirement. School district income tax levies 142
under Chapter 5748. of the Revised Code, limited to or to the 143
extent apportioned to current operating expenses, shall be 144
included in this qualification requirement to the extent 145
determined by the tax commissioner under division (D) of section 146
3317.021 of the Revised Code. 147

(2) Each city, exempted village, local, and joint vocational 148
school district, during the school year next preceding the fiscal 149
year for which payments are calculated under this chapter, shall 150
meet the requirement of section 3313.48 or 3313.481 of the Revised 151
Code, with regard to the minimum number of days or hours school 152
must be open for instruction with pupils in attendance, for 153
individualized parent-teacher conference and reporting periods, 154
and for professional meetings of teachers. The superintendent of 155
public instruction shall waive a number of days in accordance with 156
section 3317.01 of the Revised Code on which it had been necessary 157
for a school to be closed because of disease epidemic, hazardous 158
weather conditions, inoperability of school buses or other 159
equipment necessary to the school's operation, damage to a school 160
building, or other temporary circumstances due to utility failure 161
rendering the school building unfit for school use. 162

A school district shall not be considered to have failed to 164
comply with this division or section 3313.481 of the Revised Code 165
because schools were open for instruction but either twelfth grade 166
students were excused from attendance for up to three days or only 167
a portion of the kindergarten students were in attendance for up 168
to three days in order to allow for the gradual orientation to 169
school of such students. 170

The superintendent of public instruction shall waive the 171

requirements of this section with reference to the minimum number 172
of days or hours a school must be open for instruction with pupils 173
in attendance for the school year succeeding the school year in 174
which a board of education initiates a plan of operation pursuant 175
to section 3313.481 of the Revised Code. The minimum requirements 176
of this section shall again be applicable to the district 177
beginning with the school year commencing the second July 178
succeeding the initiation of the plan, and for each school year 179
thereafter. 180

A school district shall not be considered to have failed to 181
comply with this division or section 3313.48 or 3313.481 of the 182
Revised Code because schools were open for instruction but the 183
length of the regularly scheduled learning day, for any number of 184
days during the school year, was reduced by not more than two 185
hours due to hazardous weather conditions. 186

(3) Each city, exempted village, local, and joint vocational 187
school district shall have on file, and shall pay in accordance 188
with, a teachers' salary schedule which complies with section 189
3317.13 of the Revised Code. 190

(B) A school district board of education or educational 191
service center governing board that has not conformed with other 192
law, and the rules pursuant thereto, shall not participate in the 193
distribution of funds authorized by this chapter, except for good 194
and sufficient reason established to the satisfaction of the state 195
board of education and the state controlling board. 196

(C) All funds allocated to school districts under this 197
chapter, except those specifically allocated for other purposes, 198
shall be used only to pay current operating expenses or for either 199
of the following purposes: 200

(1) The modification or purchase of classroom space to 201
provide all-day kindergarten as required by section 3321.05 of the 202

Revised Code, provided the district certifies its shortage of 203
space for providing all-day kindergarten to the department of 204
education, in a manner specified by the department; 205

(2) The modification or purchase of classroom space to reduce 206
class sizes in grades kindergarten through three to attain the 207
goal of fifteen students per core teacher, provided the district 208
certifies its need for additional classroom space to the 209
department, in a manner specified by the department. 210

(D) On or before the last day of each month, the department 211
of education shall certify to the director of budget and 212
management for payment, for each county; 213

(1) (a) That portion of the allocation of money under section 214
3306.13 of the Revised Code that is required to be paid in that 215
month to each school district located wholly within the county 216
subsequent to the deductions described in division (D) (1) (b) of 217
this section; 218

(b) The amounts deducted from such allocation under sections 219
3307.31 and 3309.51 of the Revised Code for payment directly to 220
the school employees and state teachers retirement systems under 221
such sections. 222

(2) If the district is located in more than one county, an 223
apportionment of the amounts that would otherwise be certified 224
under division (D) (1) of this section. The amounts apportioned to 225
the county shall equal the amounts certified under division (D) (1) 226
of this section times the percentage of the district's resident 227
pupils who reside both in the district and in the county, based on 228
the average daily membership reported under division (A) of 229
section 3317.03 of the Revised Code in October of the prior fiscal 230
year. 231

Sec. 3306.011. Beginning with fiscal year 2010, the payments 232

prescribed by this chapter supersede and replace the payments 233
described under sections 3317.012, 3317.013, 3317.014, 3317.022, 234
3317.029, 3317.0216, 3317.0217, and 3317.16 of the Revised Code, 235
except as otherwise provided in section 3317.018 of the Revised 236
Code. 237

Sec. 3306.012. The form developed by the department of 238
education to calculate funding to a school district formerly known 239
as the form "SF-3," on and after the effective date of this 240
section shall be known as the "PASS form." As used in this section 241
and any section referring to the PASS form, "PASS" is an acronym 242
for "Pathway to Student Success." The form shall be revised as 243
necessary to reflect payments made under this chapter and Chapter 244
3317. of the Revised Code and shall be available to the public in 245
a format understandable to the average citizen. 246

Sec. 3306.02. As used in this chapter: 247

(A) "Adequacy amount" means the amount described in section 248
3306.03 of the Revised Code. 249

(B) "Building manager" means a person who supervises the 250
administrative (non-curricular, non-instructional) functions of 251
school operation so that a school principal can focus on 252
supporting instruction, providing instructional leadership, and 253
engaging teachers as part of the instructional leadership team. A 254
building manager may be, but is not required to be, a licensed 255
educator under section 3319.22 of the Revised Code. 256

(C) "Career-technical education teacher" means an education 257
professional who holds a valid license to provide specialized 258
instruction in career and technical courses. 259

(D) (1) "Category one special education ADM" means a school 260

district's formula ADM of children whose primary or only identified disability is a speech and language disability, as this term is defined pursuant to Chapter 3323. of the Revised Code. Beginning in fiscal year 2010, for any school district for which formula ADM means the number verified in the previous fiscal year, the category one special education ADM also shall be as verified from the previous year.

(2) "Category two special education ADM" means a school district's formula ADM of children identified as specific learning disabled or developmentally disabled, as these terms are defined pursuant to Chapter 3323. of the Revised Code, or as having an other health impairment-minor, as defined in this section. Beginning in fiscal year 2010, for any school district for which formula ADM means the number verified in the previous fiscal year, the category two special education ADM also shall be as verified from the previous year.

(3) "Category three special education ADM" means a school district's formula ADM of children identified as hearing disabled or severe behavior disabled, as these terms are defined pursuant to Chapter 3323. of the Revised Code. Beginning in fiscal year 2010, for any school district for which formula ADM means the number verified in the previous fiscal year, the category three special education ADM also shall be as verified from the previous year.

(4) "Category four special education ADM" means a school district's formula ADM of children identified as vision impaired, as this term is defined pursuant to Chapter 3323. of the Revised Code, or as having an other health impairment-major, as defined in this section. Beginning in fiscal year 2010, for any school district for which formula ADM means the number verified in the previous fiscal year, the category four special education ADM also

shall be as verified from the previous year.

(5) "Category five special education ADM" means a school district's formula ADM of children identified as orthopedically disabled or as having multiple disabilities, as these terms are defined pursuant to Chapter 3323. of the Revised Code. Beginning in fiscal year 2010, for any school district for which formula ADM means the number verified in the previous fiscal year, the category five special education ADM also shall be as verified from the previous year.

(6) "Category six special education ADM" means a school district's formula ADM of children identified as autistic, having traumatic brain injuries, or as both visually and hearing impaired, as these terms are defined pursuant to Chapter 3323. of the Revised Code. Beginning in fiscal year 2010, for any school district for which formula ADM means the number verified in the previous fiscal year, the category six special education ADM also shall be as verified from the previous year.

(E) "Class one effective operating tax rate" of a school district means the quotient obtained by dividing the district's class one taxes charged and payable for current expenses, excluding taxes levied under sections 5705.194 to 5705.197, 5705.199, 5705.213, and 5705.219 of the Revised Code, by the district's class one taxable value.

(F) "Core teacher" means an education professional who provides instruction in English-language arts, mathematics, science, social studies, or foreign languages.

(G) "Counselor" means a person with a valid educator license issued pursuant to section 3319.22 of the Revised Code who provides pre-college and career counseling, general academic counseling, course planning, and other counseling services that are not related to a student's individualized education plan, as

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defined in section 3323.01 of the Revised Code. 323

(H) (1) "Formula ADM" means, for a city, local, or exempted 324
village school district, the average daily membership described in 325
division (A) of section 3317.03 of the Revised Code, as verified 326
by the superintendent of public instruction and adjusted if so 327
ordered under division (K) of that section, further adjusted by 328
the department of education, as follows: 329

(a) Count only twenty per cent of the number of joint 330
vocational school district students counted under division (A) (3) 331
of section 3317.03 of the Revised Code; 332

(b) Add twenty per cent of the number of students who are 333
entitled to attend school in the district under section 3313.64 or 334
3313.65 of the Revised Code and are enrolled in another school 335
district under a career-technical educational compact. 336

(2) In making calculations under this chapter that utilize 337
formula ADM, the department shall use the formula ADM derived from 338
the final, verified, and adjusted average daily membership 339
described under division (A) of section 3317.03 of the Revised 340
Code for the prior fiscal year, unless such average daily 341
membership for the current fiscal year exceeds that number by two 342
per cent or more. In that case, the department shall derive the 343
formula ADM from such average daily membership for the current 344
fiscal year. 345

(3) For fiscal year 2010, the department shall calculate 346
formula ADM on the basis of the final, verified, and adjusted 347
average daily membership, described in division (A) of the version 348
of section 3317.03 of the Revised Code in effect on and after the 349
effective date of this amendment, for October 2008 unless such 350
average daily membership for October 2009 exceeds that number by 351
two per cent or more. In that case, the department shall derive 352
the formula ADM from such average daily membership for October 353

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(I) "Gifted coordinator" means a person who holds a valid educator license issued under section 3319.22 of the Revised Code, meets the qualifications for a gifted coordinator specified in the operating standards for identifying and serving gifted students prescribed in rules adopted by the state board of education, and provides coordination services for gifted students in accordance with those standards.

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(J) "Gifted intervention specialist" means a person who holds a valid gifted intervention specialist license or endorsement issued under section 3319.22 of the Revised Code and serves gifted students in accordance with the operating standards for identifying and serving gifted students prescribed in rules adopted by the state board of education.

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

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(L) "Lead teacher" means a teacher who provides mentoring and coaching for new teachers. A lead teacher also assists in coordinating professional development activities, in the development of professional learning communities, and in common planning time, and assists teachers in developing project-based, real-world learning activities for their students. The lead teacher position shall be a rotating position in which an individual shall serve no more than three years. After lead teacher licenses become available under section 3319.22 of the Revised Code, only teachers who hold that license shall be appointed as lead teachers. Until that time, each school district shall designate qualifications for the lead teacher position that are comparable to the licensing requirements, and shall give preference for appointment to the position to teachers who are certified by the national board for professional teaching

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standards or who meet the qualifications for a "master teacher" 385
established by the educator standards board. 386

(M) "Limited English proficiency teacher" means a person who 387
provides instruction in English as a second language. 388

(N) "Medically fragile child" means a child to whom all of 389
the following apply: 390

(1) The child requires the services of a doctor of medicine 391
or osteopathic medicine at least once a week due to the 392
instability of the child's medical condition. 393

(2) The child requires the services of a registered nurse on 394
a daily basis. 395

(3) The child is at risk of institutionalization in a 396
hospital, skilled nursing facility, or intermediate care facility 397
for the mentally retarded. 398

(O) "Ohio educational challenge factor" means an index to 399
adjust the funding amount for each school district to account for 400
student and community socioeconomic factors affecting teacher 401
recruitment and retention, professional development, and other 402
factors related to quality instruction. The Ohio educational 403
challenge factor for each school district includes the district's 404
college attainment rate of population, wealth per pupil, and 405
concentration of poverty, and is listed in section 3306.051 of the 406
Revised Code. 407

(P) "Organizational unit" means, for the purpose of 408
calculating a school district's adequacy amount under this 409
chapter, a unit used to index a school district's formula ADM in 410
certain grade levels. Calculating the number of organizational 411
units in a school district functions to allocate the state's 412
resources in a manner that achieves a thorough, efficient, and 413
adequate educational system that provides the appropriate services 414

to students enrolled in that district. In recognition of the fact
 that students have different educational needs at each
 developmental stage, organizational units group the grade levels
 into elementary school units, middle school units, and high school
 units. Except as provided in division (C) of section 3306.04 of
 the Revised Code, a school district's "organizational units" is
 the sum of its elementary school units, middle school units, and
 high school units.

(Q) A child may be identified as having an "other health
 impairment-major" if the child's condition meets the definition of
 "other health impaired" established in rules adopted by the state
 board of education prior to July 1, 2001, and if either of the
 following apply:

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

(2) The child is determined by the superintendent of public
 instruction to be a medically fragile child. A school district may
 petition the superintendent of public instruction for a
 determination that a child is a medically fragile child.

(R) A child may be identified as having an "other health
 impairment-minor" if the child's condition meets the definition of
 "other health impaired" established in rules adopted by the state
 board of education prior to July 1, 2001, but the child's
 condition does not meet either of the conditions specified in
 division (Q)(1) or (2) of this section.

(S) "Potential value" of a school district means:

(1) For a district with a class one effective operating rate
 that is less than twenty and one-tenth effective mills, the sum of

its total taxable value plus its tax exempt value; 445

(2) For a district with a class one effective operating rate that is greater than or equal to twenty and one-tenth effective mills, the sum of its recognized valuation plus its tax exempt value. 446
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(T) "Principal" means a person who provides management oversight of building operations, academic leadership for the teaching professionals, and other administrative duties. 450
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(U) "Property exemption value" means the amount certified for a school district under divisions (A) (6) and (7) of section 3317.021 of the Revised Code. 454
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(V) "Recognized valuation" means the amount calculated for a school district pursuant to section 3317.015 of the Revised Code. 457
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(W) "School nurse wellness coordinator" means a person who has fulfilled the requirements for the issuance of a school nurse wellness coordinator license under section 3319.221 of the Revised Code. 459
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(X) "Small school district" means a city, local, or exempted village school district that has a formula ADM of less than four hundred eighteen students in grades kindergarten through twelve. 463
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(Y) "Special education" has the same meaning as in section 3323.01 of the Revised Code. 466
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(Z) "Special education teacher" means a teacher who holds the necessary license issued pursuant to section 3319.22 of the Revised Code to meet the unique needs of children with disabilities. 468
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(AA) "Special education teacher's aide" means a person providing support for special education teachers and other 472
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associated duties. 474

(BB) "Specialist teacher" means a person holding a valid educator's license, issued pursuant to section 3319.22 of the Revised Code, who provides instruction in dance, drama and theater, music, visual art, or physical education. 475
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(CC) "State share percentage" means the quotient of a school district's state share of the adequacy amount determined under section 3306.13 of the Revised Code divided by the total adequacy amount for the district as described in section 3306.03 of the Revised Code. If the quotient is a negative number, the district's state share percentage is zero. 479
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(DD) "Family and community liaisons" means individuals who provide assistance to students and their families, individuals who are linkage coordinators as described in section 3306.31 of the Revised Code, and may include individuals who hold valid licenses as family liaisons, social workers, and student advocates. 485
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(EE) "Supplemental teacher" means a person holding a valid educator license issued pursuant to section 3319.22 of the Revised Code, or qualified to secure such a license and approved by the school district to provide remedial services, intensive subject-based instruction, homework help, or other forms of supplemental instruction. 491
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(FF) "Targeted poverty indicator" means the percentage of a school district's students who are economically disadvantaged, as determined for purposes of the report card issued under section 3302.03 of the Revised Code. 497
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(GG) "Tax exempt value" of a school district means the amount certified for a school district under division (A)(4) of section 3317.021 of the Revised Code. 501
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(HH) "Total taxable value" means the sum of the amounts certified for a school district under divisions (A)(1) and (2) of section 3317.021 of the Revised Code. 504
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Sec. 3306.03. (A) The adequacy amount for each city, local, and exempted village school district is the sum of the following: 507
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(1) Instructional services support calculated under section 3306.05 of the Revised Code; 509
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(2) Additional services support calculated under section 3306.06 of the Revised Code; 511
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(3) Administrative services support calculated under section 3306.07 of the Revised Code; 513
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(4) Operations and maintenance support calculated under section 3306.08 of the Revised Code; 515
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(5) Gifted education and enrichment support calculated under sections 3306.09 and 3306.091, respectively, of the Revised Code; 517
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(6) Technology resources support calculated under section 3306.10 of the Revised Code; 519
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(7) The professional development factor, calculated by multiplying the sum of the school district's core teacher, specialist teacher, lead teacher, and special education teacher positions, all as calculated under sections 3306.05 and 3306.11 of the Revised Code, by \$1,833 in fiscal years 2010 and 2011; 521
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(8) The instructional materials factor, calculated by multiplying the school district's formula ADM by \$165. The instructional materials factor for each city, local, and exempted village school district shall be adjusted by multiplying this calculated amount by 0.20 in fiscal year 2010, by 0.30 in fiscal year 2011, by 0.40 in fiscal years 2012 and 2013, by 0.60 in fiscal years 2014 and 2015, and by 0.80 in fiscal years 2016 and 526
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(B) The state share of the adequacy amount paid to each school district shall be determined under section 3306.13 of the Revised Code. 534
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(C) Funding for career-technical education teachers and career-technical education program operations shall be calculated under section 3306.052 of the Revised Code. Transportation support shall be calculated under section 3306.12 of the Revised Code. Both are in addition to the state share of the adequacy amount. 537
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Sec. 3306.04. (A) For purposes of calculating the adequacy amount for each city, local, and exempted village school district, the department of education shall calculate the number of the district's organizational units. 543
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(B) Except for a small school district, each school district's "organizational units" is the sum of its elementary school units, middle school units, and high school units, as follows: 547
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(1) The number of the district's elementary school organizational units is calculated by dividing its formula ADM for grades kindergarten to five by four hundred eighteen. 551
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(2) The number of the district's middle school organizational units is calculated by dividing its formula ADM for grades six to eight by five hundred fifty-seven. 554
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(3) The number of the district's high school organizational units is calculated by dividing its formula ADM for grades nine to twelve by seven hundred thirty-three. 557
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(C) For each small school district, the number of organizational units is one organizational unit. 560
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(D) Each school district, regardless of its formula ADM, 562
shall have at least one organizational unit. 563

Sec. 3306.05. (A) The instructional services support 564
component of the adequacy amount for each city, local, and 565
exempted village school district is the sum of the following: 566

(1) The core teacher factor; 567

(2) The specialist teacher factor; 568

(3) The lead teacher factor; 569

(4) The special education teacher factor; 570

(5) The special education teacher's aide factor; 571

(6) The limited English proficiency teacher factor; 572

(7) The supplemental teacher factor. 573

(B) Each factor listed in division (A) of this section shall 574
be calculated by multiplying the Ohio educational challenge 575
factor, specified for the district in section 3306.051 of the 576
Revised Code, times the statewide base teacher salary of \$56,902 577
in fiscal year 2010 and \$57,812 in fiscal year 2011, times the 578
number of positions funded, as follows: 579

(1) The number of core teacher positions funded shall be 580
calculated by dividing the district's formula ADM in grades four 581
to twelve by twenty-five, and then adding that number to the 582
quotient of the district's formula ADM in grades kindergarten to 583
three divided by the following: 584

(a) In fiscal years 2010 and 2011, nineteen; 585

(b) In fiscal years 2012 and 2013, seventeen; 586

(c) In fiscal year 2014 and in each fiscal year thereafter, 587
fifteen. 588

(2) The number of specialist teacher positions funded shall 589
be calculated by multiplying the number of core teacher positions 590
determined under division (B)(1) of this section for grades 591
kindergarten to eight by one-fifth, and by multiplying the number 592
of core teacher positions determined for grades nine to twelve by 593
one-fourth. 594

(3) The number of lead teacher positions funded shall equal 595
the number of the district's organizational units. 596

(4) The number of special education teacher positions and 597
special education teacher's aide positions funded shall be 598
calculated as provided in section 3306.11 of the Revised Code. 599

(5) The number of limited English proficiency teacher 600
positions funded shall be calculated by multiplying the district's 601
formula ADM times the district's percentage of limited English 602
proficient students, as defined in 20 U.S.C. 7801, and then 603
dividing that product by one hundred; 604

(6) The number of supplemental teacher positions funded shall 605
be calculated by multiplying the district's formula ADM times its 606
targeted poverty indicator, and then dividing that product by one 607
hundred. 608

(C) Each school district shall account separately for 609
expenditures of the amounts received for instructional services 610
support under this section and report that information to the 611
department of education. 612

Sec. 3306.051. (A) The Ohio educational challenge factor is 613
based on the following characteristics: 614

(1) The college attainment rate of the school district's 615
population; 616

(2) The district's wealth per pupil, based on property 617

valuation and federal adjusted gross income; 618

(3) The district's concentration of poverty, based on its targeted poverty indicator. 619
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(B) The Ohio educational challenge factor for each city, local, and exempted village school district for fiscal years 2010 and 2011 shall equal the following: 621
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623

<u>School</u>		<u>Educational</u>	
		<u>Challenge</u>	
<u>District</u>	<u>County</u>	<u>Factor</u>	
<u>Ada Ex Vill SD</u>	<u>Hardin</u>	<u>1.276507</u>	624
<u>Adena Local SD</u>	<u>Ross</u>	<u>1.464992</u>	625
<u>Akron City SD</u>	<u>Summit</u>	<u>1.406389</u>	626
<u>Alexander Local SD</u>	<u>Athens</u>	<u>1.313935</u>	627
<u>Allen East Local SD</u>	<u>Allen</u>	<u>1.424432</u>	628
<u>Alliance City SD</u>	<u>Stark</u>	<u>1.412775</u>	629
<u>Amanda-Clearcreek Local SD</u>	<u>Fairfield</u>	<u>1.475639</u>	630
<u>Amherst Ex Vill SD</u>	<u>Lorain</u>	<u>1.075260</u>	631
<u>Anna Local SD</u>	<u>Shelby</u>	<u>1.145758</u>	632
<u>Ansonia Local SD</u>	<u>Darke</u>	<u>1.491442</u>	633
<u>Anthony Wayne Local SD</u>	<u>Lucas</u>	<u>0.967172</u>	634
<u>Antwerp Local SD</u>	<u>Paulding</u>	<u>1.388847</u>	635
<u>Arcadia Local SD</u>	<u>Hancock</u>	<u>1.099092</u>	636
<u>Arcanum Butler Local SD</u>	<u>Darke</u>	<u>1.232531</u>	637
<u>Archbold-Area Local SD</u>	<u>Fulton</u>	<u>1.061622</u>	638
<u>Arlington Local SD</u>	<u>Hancock</u>	<u>1.209353</u>	639
<u>Ashland City SD</u>	<u>Ashland</u>	<u>1.165340</u>	640
<u>Ashtabula Area City SD</u>	<u>Ashtabula</u>	<u>1.382239</u>	641
<u>Athens City SD</u>	<u>Athens</u>	<u>1.111632</u>	642
<u>Aurora City SD</u>	<u>Portage</u>	<u>0.926606</u>	643
<u>Austintown Local SD</u>	<u>Mahoning</u>	<u>1.199890</u>	644
<u>Avon Lake City SD</u>	<u>Lorain</u>	<u>0.907126</u>	645

<u>Avon Local SD</u>	<u>Lorain</u>	<u>0.956278</u>	649
<u>Ayersville Local SD</u>	<u>Defiance</u>	<u>1.083115</u>	650
<u>Barberton City SD</u>	<u>Summit</u>	<u>1.378977</u>	651
<u>Barnesville Ex Vill SD</u>	<u>Belmont</u>	<u>1.336210</u>	652
<u>Batavia Local SD</u>	<u>Clermont</u>	<u>1.237613</u>	653
<u>Bath Local SD</u>	<u>Allen</u>	<u>1.162598</u>	654
<u>Bay Village City SD</u>	<u>Cuyahoga</u>	<u>0.872927</u>	655
<u>Beachwood City SD</u>	<u>Cuyahoga</u>	<u>0.788347</u>	656
<u>Beaver Local SD</u>	<u>Columbiana</u>	<u>1.326577</u>	657
<u>Beavercreek City SD</u>	<u>Greene</u>	<u>0.922944</u>	658
<u>Bedford City SD</u>	<u>Cuyahoga</u>	<u>1.146404</u>	659
<u>Bellaire Local SD</u>	<u>Belmont</u>	<u>1.553266</u>	660
<u>Bellefontaine City SD</u>	<u>Logan</u>	<u>1.316875</u>	661
<u>Bellevue City SD</u>	<u>Huron</u>	<u>1.224385</u>	662
<u>Belpre City SD</u>	<u>Washington</u>	<u>1.189101</u>	663
<u>Benjamin Logan Local SD</u>	<u>Logan</u>	<u>1.092906</u>	664
<u>Benton Carroll Salem Local SD</u>	<u>Ottawa</u>	<u>1.064360</u>	665
<u>Berea City SD</u>	<u>Cuyahoga</u>	<u>1.076406</u>	666
<u>Berkshire Local SD</u>	<u>Geauga</u>	<u>1.031217</u>	667
<u>Berlin-Milan Local SD</u>	<u>Erie</u>	<u>1.080029</u>	668
<u>Berne Union Local SD</u>	<u>Fairfield</u>	<u>1.212285</u>	669
<u>Bethel Local SD</u>	<u>Miami</u>	<u>1.042841</u>	670
<u>Bethel-Tate Local SD</u>	<u>Clermont</u>	<u>1.467173</u>	671
<u>Bettsville Local SD</u>	<u>Seneca</u>	<u>1.266982</u>	672
<u>Bexley City SD</u>	<u>Franklin</u>	<u>0.811340</u>	673
<u>Big Walnut Local SD</u>	<u>Delaware</u>	<u>0.967045</u>	674
<u>Black River Local SD</u>	<u>Medina</u>	<u>1.235165</u>	675
<u>Blanchester Local SD</u>	<u>Clinton</u>	<u>1.464462</u>	676
<u>Bloom Carroll Local SD</u>	<u>Fairfield</u>	<u>1.019268</u>	677
<u>Bloomfield-Mespo Local SD</u>	<u>Trumbull</u>	<u>1.242742</u>	678
<u>Bloom-Vernon Local SD</u>	<u>Scioto</u>	<u>1.550611</u>	679
<u>Bluffton Ex Vill SD</u>	<u>Allen</u>	<u>1.110535</u>	680

<u>Boardman Local SD</u>	<u>Mahoning</u>	<u>1.059697</u>	681
<u>Botkins Local SD</u>	<u>Shelby</u>	<u>1.160687</u>	682
<u>Bowling Green City SD</u>	<u>Wood</u>	<u>0.994699</u>	683
<u>Bradford Ex Vill SD</u>	<u>Miami</u>	<u>1.501180</u>	684
<u>Brecksville-Broadview Hts City SD</u>	<u>Cuyahoga</u>	<u>0.907332</u>	685
<u>Bridgeport Ex Vill SD</u>	<u>Belmont</u>	<u>1.400416</u>	686
<u>Bright Local SD</u>	<u>Highland</u>	<u>1.514786</u>	687
<u>Bristol Local SD</u>	<u>Trumbull</u>	<u>1.311147</u>	688
<u>Brookfield Local SD</u>	<u>Trumbull</u>	<u>1.254722</u>	689
<u>Brooklyn City SD</u>	<u>Cuyahoga</u>	<u>1.095906</u>	690
<u>Brookville Local SD</u>	<u>Montgomery</u>	<u>1.117308</u>	691
<u>Brown Local SD</u>	<u>Carroll</u>	<u>1.200260</u>	692
<u>Brunswick City SD</u>	<u>Medina</u>	<u>1.070900</u>	693
<u>Bryan City SD</u>	<u>Williams</u>	<u>1.147033</u>	694
<u>Buckeye Central Local SD</u>	<u>Crawford</u>	<u>1.318612</u>	695
<u>Buckeye Local SD</u>	<u>Ashtabula</u>	<u>1.205162</u>	696
<u>Buckeye Local SD</u>	<u>Jefferson</u>	<u>1.289405</u>	697
<u>Buckeye Local SD</u>	<u>Medina</u>	<u>1.045651</u>	698
<u>Buckeye Valley Local SD</u>	<u>Delaware</u>	<u>1.000444</u>	699
<u>Bucyrus City SD</u>	<u>Crawford</u>	<u>1.523808</u>	700
<u>Caldwell Ex Vill SD</u>	<u>Noble</u>	<u>1.326424</u>	701
<u>Cambridge City SD</u>	<u>Guernsey</u>	<u>1.499755</u>	702
<u>Campbell City SD</u>	<u>Mahoning</u>	<u>1.595858</u>	703
<u>Canal Winchester Local SD</u>	<u>Franklin</u>	<u>1.106260</u>	704
<u>Canfield Local SD</u>	<u>Mahoning</u>	<u>0.947954</u>	705
<u>Canton City SD</u>	<u>Stark</u>	<u>1.585014</u>	706
<u>Canton Local SD</u>	<u>Stark</u>	<u>1.232137</u>	707
<u>Cardinal Local SD</u>	<u>Geauga</u>	<u>1.108513</u>	708
<u>Cardington-Lincoln Local SD</u>	<u>Morrow</u>	<u>1.470847</u>	709
<u>Carey Ex Vill SD</u>	<u>Wyandot</u>	<u>1.236865</u>	710
<u>Carlisle Local SD</u>	<u>Warren</u>	<u>1.238244</u>	711
<u>Carrollton Ex Vill SD</u>	<u>Carroll</u>	<u>1.267127</u>	712

<u>Cedar Cliff Local SD</u>	<u>Greene</u>	<u>1.196668</u>	713
<u>Celina City SD</u>	<u>Mercer</u>	<u>1.175680</u>	714
<u>Centerburg Local SD</u>	<u>Knox</u>	<u>1.226160</u>	715
<u>Centerville City SD</u>	<u>Montgomery</u>	<u>0.874900</u>	716
<u>Central Local SD</u>	<u>Defiance</u>	<u>1.471967</u>	717
<u>Chagrin Falls Ex Vill SD</u>	<u>Cuyahoga</u>	<u>0.773955</u>	718
<u>Champion Local SD</u>	<u>Trumbull</u>	<u>1.138977</u>	719
<u>Chardon Local SD</u>	<u>Geauga</u>	<u>0.970334</u>	720
<u>Chesapeake Union Ex Vill SD</u>	<u>Lawrence</u>	<u>1.588621</u>	721
<u>Chillicothe City SD</u>	<u>Ross</u>	<u>1.213102</u>	722
<u>Chippewa Local SD</u>	<u>Wayne</u>	<u>1.085963</u>	723
<u>Cincinnati City SD</u>	<u>Hamilton</u>	<u>1.160152</u>	724
<u>Circleville City SD</u>	<u>Pickaway</u>	<u>1.242114</u>	725
<u>Clark-Shawnee Local SD</u>	<u>Clark</u>	<u>1.060460</u>	726
<u>Clay Local SD</u>	<u>Scioto</u>	<u>1.438160</u>	727
<u>Claymont City SD</u>	<u>Tuscarawas</u>	<u>1.549650</u>	728
<u>Clear Fork Valley Local SD</u>	<u>Richland</u>	<u>1.313111</u>	729
<u>Clearview Local SD</u>	<u>Lorain</u>	<u>1.541988</u>	730
<u>Clermont-Northeastern Local SD</u>	<u>Clermont</u>	<u>1.156191</u>	731
<u>Cleveland Hts-Univ Hts City SD</u>	<u>Cuyahoga</u>	<u>1.034050</u>	732
<u>Cleveland Municipal SD</u>	<u>Cuyahoga</u>	<u>1.591903</u>	733
<u>Clinton-Massie Local SD</u>	<u>Clinton</u>	<u>1.133361</u>	734
<u>Cloverleaf Local SD</u>	<u>Medina</u>	<u>1.075321</u>	735
<u>Clyde-Green Springs Ex Vill SD</u>	<u>Sandusky</u>	<u>1.316544</u>	736
<u>Coldwater Ex Vill SD</u>	<u>Mercer</u>	<u>1.379071</u>	737
<u>College Corner Local SD</u>	<u>Preble</u>	<u>1.316130</u>	738
<u>Colonel Crawford Local SD</u>	<u>Crawford</u>	<u>1.091023</u>	739
<u>Columbia Local SD</u>	<u>Lorain</u>	<u>1.030821</u>	740
<u>Columbiana Ex Vill SD</u>	<u>Columbiana</u>	<u>1.137881</u>	741
<u>Columbus City SD</u>	<u>Franklin</u>	<u>1.266133</u>	742
<u>Columbus Grove Local SD</u>	<u>Putnam</u>	<u>1.244911</u>	743
<u>Conneaut Area City SD</u>	<u>Ashtabula</u>	<u>1.525711</u>	744

<u>Conotton Valley Union Local SD</u>	<u>Harrison</u>	<u>1.345678</u>	745
<u>Continental Local SD</u>	<u>Putnam</u>	<u>1.396089</u>	746
<u>Copley-Fairlawn City SD</u>	<u>Summit</u>	<u>0.909191</u>	747
<u>Cory-Rawson Local SD</u>	<u>Hancock</u>	<u>1.146248</u>	748
<u>Coshocton City SD</u>	<u>Coshocton</u>	<u>1.385980</u>	749
<u>Coventry Local SD</u>	<u>Summit</u>	<u>1.095527</u>	750
<u>Covington Ex Vill SD</u>	<u>Miami</u>	<u>1.157932</u>	751
<u>Crestline Ex Vill SD</u>	<u>Crawford</u>	<u>1.374339</u>	752
<u>Crestview Local SD</u>	<u>Columbiana</u>	<u>1.310088</u>	753
<u>Crestview Local SD</u>	<u>Richland</u>	<u>1.481045</u>	754
<u>Crestview Local SD</u>	<u>Van Wert</u>	<u>1.373754</u>	755
<u>Crestwood Local SD</u>	<u>Portage</u>	<u>1.129538</u>	756
<u>Crooksville Ex Vill SD</u>	<u>Perry</u>	<u>1.573427</u>	757
<u>Cuyahoga Falls City SD</u>	<u>Summit</u>	<u>1.094856</u>	758
<u>Cuyahoga Heights Local SD</u>	<u>Cuyahoga</u>	<u>0.898436</u>	759
<u>Dalton Local SD</u>	<u>Wayne</u>	<u>1.092859</u>	760
<u>Danbury Local SD</u>	<u>Ottawa</u>	<u>0.971857</u>	761
<u>Danville Local SD</u>	<u>Knox</u>	<u>1.494103</u>	762
<u>Dawson-Bryant Local SD</u>	<u>Lawrence</u>	<u>1.648169</u>	763
<u>Dayton City SD</u>	<u>Montgomery</u>	<u>1.448163</u>	764
<u>Deer Park Community City SD</u>	<u>Hamilton</u>	<u>1.020600</u>	765
<u>Defiance City SD</u>	<u>Defiance</u>	<u>1.325040</u>	766
<u>Delaware City SD</u>	<u>Delaware</u>	<u>1.113757</u>	767
<u>Delphos City SD</u>	<u>Allen</u>	<u>1.157538</u>	768
<u>Dover City SD</u>	<u>Tuscarawas</u>	<u>1.140054</u>	769
<u>Dublin City SD</u>	<u>Franklin</u>	<u>0.867517</u>	770
<u>East Cleveland City SD</u>	<u>Cuyahoga</u>	<u>1.581708</u>	771
<u>East Clinton Local SD</u>	<u>Clinton</u>	<u>1.462780</u>	772
<u>East Guernsey Local SD</u>	<u>Guernsey</u>	<u>1.515285</u>	773
<u>East Holmes Local SD</u>	<u>Holmes</u>	<u>1.139627</u>	774
<u>East Knox Local SD</u>	<u>Knox</u>	<u>1.155805</u>	775
<u>East Liverpool City SD</u>	<u>Columbiana</u>	<u>1.590185</u>	776

<u>East Muskingum Local SD</u>	<u>Muskingum</u>	<u>1.207660</u>	777
<u>East Palestine City SD</u>	<u>Columbiana</u>	<u>1.344973</u>	778
<u>Eastern Local SD</u>	<u>Brown</u>	<u>1.331577</u>	779
<u>Eastern Local SD</u>	<u>Meigs</u>	<u>1.512415</u>	780
<u>Eastern Local SD</u>	<u>Pike</u>	<u>1.581268</u>	781
<u>Eastwood Local SD</u>	<u>Wood</u>	<u>1.126743</u>	782
<u>Eaton Community Schools City SD</u>	<u>Preble</u>	<u>1.136722</u>	783
<u>Edgerton Local SD</u>	<u>Williams</u>	<u>1.306016</u>	784
<u>Edgewood City SD</u>	<u>Butler</u>	<u>1.233147</u>	785
<u>Edison Local SD</u>	<u>Jefferson</u>	<u>1.199355</u>	786
<u>Edon-Northwest Local SD</u>	<u>Williams</u>	<u>1.318268</u>	787
<u>Elgin Local SD</u>	<u>Marion</u>	<u>1.333351</u>	788
<u>Elida Local SD</u>	<u>Allen</u>	<u>1.174016</u>	789
<u>Elmwood Local SD</u>	<u>Wood</u>	<u>1.457047</u>	790
<u>Elyria City SD</u>	<u>Lorain</u>	<u>1.284154</u>	791
<u>Euclid City SD</u>	<u>Cuyahoga</u>	<u>1.257378</u>	792
<u>Evergreen Local SD</u>	<u>Fulton</u>	<u>1.132215</u>	793
<u>Fairbanks Local SD</u>	<u>Union</u>	<u>1.029919</u>	794
<u>Fairborn City SD</u>	<u>Greene</u>	<u>1.169324</u>	795
<u>Fairfield City SD</u>	<u>Butler</u>	<u>1.120999</u>	796
<u>Fairfield Local SD</u>	<u>Highland</u>	<u>1.476728</u>	797
<u>Fairfield Union Local SD</u>	<u>Fairfield</u>	<u>1.305113</u>	798
<u>Fairland Local SD</u>	<u>Lawrence</u>	<u>1.298842</u>	799
<u>Fairlawn Local SD</u>	<u>Shelby</u>	<u>1.450135</u>	800
<u>Fairless Local SD</u>	<u>Stark</u>	<u>1.342312</u>	801
<u>Fairport Harbor Ex Vill SD</u>	<u>Lake</u>	<u>1.074627</u>	802
<u>Fairview Park City SD</u>	<u>Cuyahoga</u>	<u>0.917044</u>	803
<u>Fayetteville-Perry Local SD</u>	<u>Brown</u>	<u>1.232747</u>	804
<u>Federal Hocking Local SD</u>	<u>Athens</u>	<u>1.504926</u>	805
<u>Felicity-Franklin Local SD</u>	<u>Clermont</u>	<u>1.545885</u>	806
<u>Field Local SD</u>	<u>Portage</u>	<u>1.063508</u>	807
<u>Findlay City SD</u>	<u>Hancock</u>	<u>1.134799</u>	808

<u>Finneytown Local SD</u>	<u>Hamilton</u>	<u>1.067569</u>	809
<u>Firelands Local SD</u>	<u>Lorain</u>	<u>1.084064</u>	810
<u>Forest Hills Local SD</u>	<u>Hamilton</u>	<u>0.918825</u>	811
<u>Fort Frye Local SD</u>	<u>Washington</u>	<u>1.247229</u>	812
<u>Fort Loramie Local SD</u>	<u>Shelby</u>	<u>1.228727</u>	813
<u>Fort Recovery Local SD</u>	<u>Mercer</u>	<u>1.390459</u>	814
<u>Fostoria City SD</u>	<u>Seneca</u>	<u>1.398532</u>	815
<u>Franklin City SD</u>	<u>Warren</u>	<u>1.181691</u>	816
<u>Franklin Local SD</u>	<u>Muskingum</u>	<u>1.516304</u>	817
<u>Franklin-Monroe Local SD</u>	<u>Darke</u>	<u>1.155467</u>	818
<u>Fredericktown Local SD</u>	<u>Knox</u>	<u>1.206674</u>	819
<u>Fremont City SD</u>	<u>Sandusky</u>	<u>1.222520</u>	820
<u>Frontier Local SD</u>	<u>Washington</u>	<u>1.548391</u>	821
<u>Gahanna-Jefferson City SD</u>	<u>Franklin</u>	<u>0.937449</u>	822
<u>Galion City SD</u>	<u>Crawford</u>	<u>1.340599</u>	823
<u>Gallia County Local SD</u>	<u>Gallia</u>	<u>1.180183</u>	824
<u>Gallipolis City SD</u>	<u>Gallia</u>	<u>1.309992</u>	825
<u>Garaway Local SD</u>	<u>Tuscarawas</u>	<u>1.168729</u>	826
<u>Garfield Heights City SD</u>	<u>Cuyahoga</u>	<u>1.275039</u>	827
<u>Geneva Area City SD</u>	<u>Ashtabula</u>	<u>1.241353</u>	828
<u>Genoa Area Local SD</u>	<u>Ottawa</u>	<u>1.144052</u>	829
<u>Georgetown Ex Vill SD</u>	<u>Brown</u>	<u>1.330521</u>	830
<u>Gibsonburg Ex Vill SD</u>	<u>Sandusky</u>	<u>1.447493</u>	831
<u>Girard City SD</u>	<u>Trumbull</u>	<u>1.331051</u>	832
<u>Gorham Fayette Local SD</u>	<u>Fulton</u>	<u>1.474052</u>	833
<u>Goshen Local SD</u>	<u>Clermont</u>	<u>1.330935</u>	834
<u>Graham Local SD</u>	<u>Champaign</u>	<u>1.232041</u>	835
<u>Grand Valley Local SD</u>	<u>Ashtabula</u>	<u>1.254268</u>	836
<u>Grandview Heights City SD</u>	<u>Franklin</u>	<u>0.884845</u>	837
<u>Granville Ex Vill SD</u>	<u>Licking</u>	<u>0.945199</u>	838
<u>Green Local SD</u>	<u>Scioto</u>	<u>1.368399</u>	839
<u>Green Local SD</u>	<u>Summit</u>	<u>1.028315</u>	840

<u>Green Local SD</u>	<u>Wayne</u>	<u>1.206381</u>	841
<u>Greeneview Local SD</u>	<u>Greene</u>	<u>1.148655</u>	842
<u>Greenfield Ex Vill SD</u>	<u>Highland</u>	<u>1.511212</u>	843
<u>Greenon Local SD</u>	<u>Clark</u>	<u>1.063320</u>	844
<u>Greenville City SD</u>	<u>Darke</u>	<u>1.182750</u>	845
<u>Groveport Madison Local SD</u>	<u>Franklin</u>	<u>1.237531</u>	846
<u>Hamilton City SD</u>	<u>Butler</u>	<u>1.370018</u>	847
<u>Hamilton Local SD</u>	<u>Franklin</u>	<u>1.517435</u>	848
<u>Hardin Northern Local SD</u>	<u>Hardin</u>	<u>1.241016</u>	849
<u>Hardin-Houston Local SD</u>	<u>Shelby</u>	<u>1.235363</u>	850
<u>Harrison Hills City SD</u>	<u>Harrison</u>	<u>1.285541</u>	851
<u>Heath City SD</u>	<u>Licking</u>	<u>1.159649</u>	852
<u>Hicksville Ex Vill SD</u>	<u>Defiance</u>	<u>1.451150</u>	853
<u>Highland Local SD</u>	<u>Medina</u>	<u>0.966108</u>	854
<u>Highland Local SD</u>	<u>Morrow</u>	<u>1.319540</u>	855
<u>Hilliard City SD</u>	<u>Franklin</u>	<u>0.985085</u>	856
<u>Hillsboro City SD</u>	<u>Highland</u>	<u>1.326287</u>	857
<u>Hillsdale Local SD</u>	<u>Ashland</u>	<u>1.192263</u>	858
<u>Holgate Local SD</u>	<u>Henry</u>	<u>1.480580</u>	859
<u>Hopewell-Loudon Local SD</u>	<u>Seneca</u>	<u>1.094095</u>	860
<u>Howland Local SD</u>	<u>Trumbull</u>	<u>0.997232</u>	861
<u>Hubbard Ex Vill SD</u>	<u>Trumbull</u>	<u>1.217366</u>	862
<u>Huber Heights City SD</u>	<u>Montgomery</u>	<u>1.189895</u>	863
<u>Hudson Local SD</u>	<u>Summit</u>	<u>0.867982</u>	864
<u>Huntington Local SD</u>	<u>Ross</u>	<u>1.563988</u>	865
<u>Huron City SD</u>	<u>Erie</u>	<u>0.953062</u>	866
<u>Independence Local SD</u>	<u>Cuyahoga</u>	<u>0.877361</u>	867
<u>Indian Creek Local SD</u>	<u>Jefferson</u>	<u>1.194894</u>	868
<u>Indian Hill Ex Vill SD</u>	<u>Hamilton</u>	<u>0.769421</u>	869
<u>Indian Lake Local SD</u>	<u>Logan</u>	<u>1.177268</u>	870
<u>Indian Valley Local SD</u>	<u>Tuscarawas</u>	<u>1.490431</u>	871
<u>Ironton City SD</u>	<u>Lawrence</u>	<u>1.372550</u>	872

<u>Jackson Center Local SD</u>	<u>Shelby</u>	<u>1.222754</u>	873
<u>Jackson City SD</u>	<u>Jackson</u>	<u>1.339235</u>	874
<u>Jackson Local SD</u>	<u>Stark</u>	<u>0.936952</u>	875
<u>Jackson-Milton Local SD</u>	<u>Mahoning</u>	<u>1.120098</u>	876
<u>James A Garfield Local SD</u>	<u>Portage</u>	<u>1.221108</u>	877
<u>Jefferson Area Local SD</u>	<u>Ashtabula</u>	<u>1.231486</u>	878
<u>Jefferson Local SD</u>	<u>Madison</u>	<u>1.217465</u>	879
<u>Jefferson Township Local SD</u>	<u>Montgomery</u>	<u>1.349631</u>	880
<u>Jennings Local SD</u>	<u>Putnam</u>	<u>1.233214</u>	881
<u>Johnstown-Monroe Local SD</u>	<u>Licking</u>	<u>1.068628</u>	882
<u>Jonathan Alder Local SD</u>	<u>Madison</u>	<u>1.087918</u>	883
<u>Joseph Badger Local SD</u>	<u>Trumbull</u>	<u>1.217508</u>	884
<u>Kalida Local SD</u>	<u>Putnam</u>	<u>1.134357</u>	885
<u>Kelleys Island Local SD</u>	<u>Erie</u>	<u>0.897093</u>	886
<u>Kenston Local SD</u>	<u>Geauga</u>	<u>0.888370</u>	887
<u>Kent City SD</u>	<u>Portage</u>	<u>1.292091</u>	888
<u>Kenton City SD</u>	<u>Hardin</u>	<u>1.341240</u>	889
<u>Kettering City SD</u>	<u>Montgomery</u>	<u>1.039020</u>	890
<u>Keystone Local SD</u>	<u>Lorain</u>	<u>1.095731</u>	891
<u>Kings Local SD</u>	<u>Warren</u>	<u>0.944617</u>	892
<u>Kirtland Local SD</u>	<u>Lake</u>	<u>0.869122</u>	893
<u>La Brae Local SD</u>	<u>Trumbull</u>	<u>1.509648</u>	894
<u>Lake Local SD</u>	<u>Stark</u>	<u>1.105350</u>	895
<u>Lake Local SD</u>	<u>Wood</u>	<u>1.092732</u>	896
<u>Lakeview Local SD</u>	<u>Trumbull</u>	<u>1.050113</u>	897
<u>Lakewood City SD</u>	<u>Cuyahoga</u>	<u>1.082658</u>	898
<u>Lakewood Local SD</u>	<u>Licking</u>	<u>1.161169</u>	899
<u>Lakota Local SD</u>	<u>Butler</u>	<u>0.991612</u>	900
<u>Lakota Local SD</u>	<u>Sandusky</u>	<u>1.334058</u>	901
<u>Lancaster City SD</u>	<u>Fairfield</u>	<u>1.181921</u>	902
<u>Lebanon City SD</u>	<u>Warren</u>	<u>1.057278</u>	903
<u>Ledgemont Local SD</u>	<u>Geauga</u>	<u>1.089874</u>	904

<u>Leetonia Ex Vill SD</u>	<u>Columbiana</u>	<u>1.492636</u>	905
<u>Leipsic Local SD</u>	<u>Putnam</u>	<u>1.358612</u>	906
<u>Lexington Local SD</u>	<u>Richland</u>	<u>1.055083</u>	907
<u>Liberty Benton Local SD</u>	<u>Hancock</u>	<u>1.100796</u>	908
<u>Liberty Center Local SD</u>	<u>Henry</u>	<u>1.243394</u>	909
<u>Liberty Local SD</u>	<u>Trumbull</u>	<u>1.143199</u>	910
<u>Liberty Union-Thurston Local SD</u>	<u>Fairfield</u>	<u>1.153214</u>	911
<u>Licking Heights Local SD</u>	<u>Licking</u>	<u>1.099699</u>	912
<u>Licking Valley Local SD</u>	<u>Licking</u>	<u>1.315180</u>	913
<u>Lima City SD</u>	<u>Allen</u>	<u>1.609824</u>	914
<u>Lincolnview Local SD</u>	<u>Van Wert</u>	<u>1.304841</u>	915
<u>Lisbon Ex Vill SD</u>	<u>Columbiana</u>	<u>1.485931</u>	916
<u>Little Miami Local SD</u>	<u>Warren</u>	<u>1.000131</u>	917
<u>Lockland City SD</u>	<u>Hamilton</u>	<u>1.263116</u>	918
<u>Logan Elm Local SD</u>	<u>Pickaway</u>	<u>1.144691</u>	919
<u>Logan-Hocking Local SD</u>	<u>Hocking</u>	<u>1.351308</u>	920
<u>London City SD</u>	<u>Madison</u>	<u>1.168705</u>	921
<u>Lorain City SD</u>	<u>Lorain</u>	<u>1.606260</u>	922
<u>Lordstown Local SD</u>	<u>Trumbull</u>	<u>1.028907</u>	923
<u>Loudonville-Perrysville Ex Vill</u>	<u>Ashland</u>	<u>1.239646</u>	924
<u>SD</u>			
<u>Louisville City SD</u>	<u>Stark</u>	<u>1.145913</u>	925
<u>Loveland City SD</u>	<u>Hamilton</u>	<u>0.952906</u>	926
<u>Lowellville Local SD</u>	<u>Mahoning</u>	<u>1.444465</u>	927
<u>Lucas Local SD</u>	<u>Richland</u>	<u>1.148773</u>	928
<u>Lynchburg-Clay Local SD</u>	<u>Highland</u>	<u>1.487133</u>	929
<u>Mad River Local SD</u>	<u>Montgomery</u>	<u>1.516797</u>	930
<u>Madeira City SD</u>	<u>Hamilton</u>	<u>0.902798</u>	931
<u>Madison Local SD</u>	<u>Butler</u>	<u>1.149365</u>	932
<u>Madison Local SD</u>	<u>Lake</u>	<u>1.210499</u>	933
<u>Madison Local SD</u>	<u>Richland</u>	<u>1.260875</u>	934
<u>Madison-Plains Local SD</u>	<u>Madison</u>	<u>1.111244</u>	935

<u>Manchester Local SD</u>	<u>Summit</u>	<u>1.072196</u>	936
<u>Manchester Local SD</u>	<u>Adams</u>	<u>1.093117</u>	937
<u>Mansfield City SD</u>	<u>Richland</u>	<u>1.413073</u>	938
<u>Maple Heights City SD</u>	<u>Cuyahoga</u>	<u>1.369670</u>	939
<u>Mapleton Local SD</u>	<u>Ashland</u>	<u>1.244822</u>	940
<u>Maplewood Local SD</u>	<u>Trumbull</u>	<u>1.306471</u>	941
<u>Margaretta Local SD</u>	<u>Erie</u>	<u>1.101795</u>	942
<u>Mariemont City SD</u>	<u>Hamilton</u>	<u>0.888848</u>	943
<u>Marietta City SD</u>	<u>Washington</u>	<u>1.142004</u>	944
<u>Marion City SD</u>	<u>Marion</u>	<u>1.561608</u>	945
<u>Marion Local SD</u>	<u>Mercer</u>	<u>1.395959</u>	946
<u>Marlington Local SD</u>	<u>Stark</u>	<u>1.198789</u>	947
<u>Martins Ferry City SD</u>	<u>Belmont</u>	<u>1.598533</u>	948
<u>Marysville Ex Vill SD</u>	<u>Union</u>	<u>1.084320</u>	949
<u>Mason City SD</u>	<u>Warren</u>	<u>0.992155</u>	950
<u>Massillon City SD</u>	<u>Stark</u>	<u>1.355745</u>	951
<u>Mathews Local SD</u>	<u>Trumbull</u>	<u>1.030473</u>	952
<u>Maumee City SD</u>	<u>Lucas</u>	<u>0.996440</u>	953
<u>Mayfield City SD</u>	<u>Cuyahoga</u>	<u>0.851001</u>	954
<u>Maysville Local SD</u>	<u>Muskingum</u>	<u>1.517598</u>	955
<u>McComb Local SD</u>	<u>Hancock</u>	<u>1.301153</u>	956
<u>McDonald Local SD</u>	<u>Trumbull</u>	<u>1.429212</u>	957
<u>Mechanicsburg Ex Vill SD</u>	<u>Champaign</u>	<u>1.243229</u>	958
<u>Medina City SD</u>	<u>Medina</u>	<u>1.005089</u>	959
<u>Meigs Local SD</u>	<u>Meigs</u>	<u>1.584300</u>	960
<u>Mentor Ex Vill SD</u>	<u>Lake</u>	<u>0.964461</u>	961
<u>Miami East Local SD</u>	<u>Miami</u>	<u>1.121995</u>	962
<u>Miami Trace Local SD</u>	<u>Fayette</u>	<u>1.228492</u>	963
<u>Miamisburg City SD</u>	<u>Montgomery</u>	<u>1.114930</u>	964
<u>Middletown City SD</u>	<u>Butler</u>	<u>1.257163</u>	965
<u>Midview Local SD</u>	<u>Lorain</u>	<u>1.092786</u>	966
<u>Milford Ex Vill SD</u>	<u>Clermont</u>	<u>1.018109</u>	967

<u>Millcreek-West Unity Local SD</u>	<u>Williams</u>	<u>1.351879</u>	968
<u>Miller City-New Cleveland Local SD</u>	<u>Putnam</u>	<u>1.379562</u>	969
<u>Milton-Union Ex Vill SD</u>	<u>Miami</u>	<u>1.221554</u>	970
<u>Minerva Local SD</u>	<u>Stark</u>	<u>1.326538</u>	971
<u>Minford Local SD</u>	<u>Scioto</u>	<u>1.509434</u>	972
<u>Minster Local SD</u>	<u>Auglaize</u>	<u>1.068103</u>	973
<u>Mississinawa Valley Local SD</u>	<u>Darke</u>	<u>1.517760</u>	974
<u>Mogadore Local SD</u>	<u>Summit</u>	<u>1.115527</u>	975
<u>Mohawk Local SD</u>	<u>Wyandot</u>	<u>1.149449</u>	976
<u>Monroe Local SD</u>	<u>Butler</u>	<u>0.988156</u>	977
<u>Monroeville Local SD</u>	<u>Huron</u>	<u>1.105963</u>	978
<u>Montpelier Ex Vill SD</u>	<u>Williams</u>	<u>1.484169</u>	979
<u>Morgan Local SD</u>	<u>Morgan</u>	<u>1.515632</u>	980
<u>Mount Gilead Ex Vill SD</u>	<u>Morrow</u>	<u>1.303456</u>	981
<u>Mount Healthy City SD</u>	<u>Hamilton</u>	<u>1.385527</u>	982
<u>Mount Vernon City SD</u>	<u>Knox</u>	<u>1.222667</u>	983
<u>Napoleon City SD</u>	<u>Henry</u>	<u>1.219862</u>	984
<u>National Trail Local SD</u>	<u>Preble</u>	<u>1.337309</u>	985
<u>Nelsonville-York City SD</u>	<u>Athens</u>	<u>1.554619</u>	986
<u>New Albany-Plain Local SD</u>	<u>Franklin</u>	<u>0.863212</u>	987
<u>New Boston Local SD</u>	<u>Scioto</u>	<u>1.589690</u>	988
<u>New Bremen Local SD</u>	<u>Auglaize</u>	<u>1.127253</u>	989
<u>New Knoxville Local SD</u>	<u>Auglaize</u>	<u>1.217764</u>	990
<u>New Lebanon Local SD</u>	<u>Montgomery</u>	<u>1.462491</u>	991
<u>New Lexington City SD</u>	<u>Perry</u>	<u>1.545076</u>	992
<u>New London Local SD</u>	<u>Huron</u>	<u>1.474130</u>	993
<u>New Miami Local SD</u>	<u>Butler</u>	<u>1.573547</u>	994
<u>New Philadelphia City SD</u>	<u>Tuscarawas</u>	<u>1.184127</u>	995
<u>New Richmond Ex Vill SD</u>	<u>Clermont</u>	<u>1.121137</u>	996
<u>New Riegel Local SD</u>	<u>Seneca</u>	<u>1.393211</u>	997
<u>Newark City SD</u>	<u>Licking</u>	<u>1.252280</u>	998

<u>Newbury Local SD</u>	<u>Geauga</u>	<u>0.944732</u>	999
<u>Newcomerstown Ex Vill SD</u>	<u>Tuscarawas</u>	<u>1.529126</u>	1000
<u>Newton Falls Ex Vill SD</u>	<u>Trumbull</u>	<u>1.313730</u>	1001
<u>Newton Local SD</u>	<u>Miami</u>	<u>1.224466</u>	1002
<u>Niles City SD</u>	<u>Trumbull</u>	<u>1.334003</u>	1003
<u>Noble Local SD</u>	<u>Noble</u>	<u>1.480889</u>	1004
<u>Nordonia Hills City SD</u>	<u>Summit</u>	<u>0.934080</u>	1005
<u>North Baltimore Local SD</u>	<u>Wood</u>	<u>1.308125</u>	1006
<u>North Canton City SD</u>	<u>Stark</u>	<u>1.003775</u>	1007
<u>North Central Local SD</u>	<u>Wayne</u>	<u>1.223714</u>	1008
<u>North Central Local SD</u>	<u>Williams</u>	<u>1.324444</u>	1009
<u>North College Hill City SD</u>	<u>Hamilton</u>	<u>1.379521</u>	1010
<u>North Fork Local SD</u>	<u>Licking</u>	<u>1.226601</u>	1011
<u>North Olmsted City SD</u>	<u>Cuyahoga</u>	<u>1.055678</u>	1012
<u>North Ridgeville City SD</u>	<u>Lorain</u>	<u>1.035395</u>	1013
<u>North Royalton City SD</u>	<u>Cuyahoga</u>	<u>0.943948</u>	1014
<u>North Union Local SD</u>	<u>Union</u>	<u>1.325953</u>	1015
<u>Northeastern Local SD</u>	<u>Clark</u>	<u>1.119356</u>	1016
<u>Northeastern Local SD</u>	<u>Defiance</u>	<u>1.078723</u>	1017
<u>Northern Local SD</u>	<u>Perry</u>	<u>1.254464</u>	1018
<u>Northmont City SD</u>	<u>Montgomery</u>	<u>1.099334</u>	1019
<u>Northmor Local SD</u>	<u>Morrow</u>	<u>1.234469</u>	1020
<u>Northridge Local SD</u>	<u>Licking</u>	<u>1.112137</u>	1021
<u>Northridge Local SD</u>	<u>Montgomery</u>	<u>1.313654</u>	1022
<u>Northwest Local SD</u>	<u>Hamilton</u>	<u>1.097477</u>	1023
<u>Northwest Local SD</u>	<u>Scioto</u>	<u>1.585245</u>	1024
<u>Northwest Local SD</u>	<u>Stark</u>	<u>1.188706</u>	1025
<u>Northwestern Local SD</u>	<u>Clark</u>	<u>1.124065</u>	1026
<u>Northwestern Local SD</u>	<u>Wayne</u>	<u>1.480021</u>	1027
<u>Northwood Local SD</u>	<u>Wood</u>	<u>1.172657</u>	1028
<u>Norton City SD</u>	<u>Summit</u>	<u>1.077363</u>	1029
<u>Norwalk City SD</u>	<u>Huron</u>	<u>1.238518</u>	1030

<u>Norwood City SD</u>	<u>Hamilton</u>	<u>1.203977</u>	1031
<u>Oak Hill Union Local SD</u>	<u>Jackson</u>	<u>1.517445</u>	1032
<u>Oak Hills Local SD</u>	<u>Hamilton</u>	<u>1.009889</u>	1033
<u>Oakwood City SD</u>	<u>Montgomery</u>	<u>0.888026</u>	1034
<u>Oberlin City SD</u>	<u>Lorain</u>	<u>1.151305</u>	1035
<u>Ohio Valley Local SD</u>	<u>Adams</u>	<u>1.546394</u>	1036
<u>Old Fort Local SD</u>	<u>Seneca</u>	<u>1.154292</u>	1037
<u>Olentangy Local SD</u>	<u>Delaware</u>	<u>0.873909</u>	1038
<u>Olmsted Falls City SD</u>	<u>Cuyahoga</u>	<u>1.034716</u>	1039
<u>Ontario Local SD</u>	<u>Richland</u>	<u>1.017660</u>	1040
<u>Orange City SD</u>	<u>Cuyahoga</u>	<u>0.767949</u>	1041
<u>Oregon City SD</u>	<u>Lucas</u>	<u>1.149614</u>	1042
<u>Orrville City SD</u>	<u>Wayne</u>	<u>1.220908</u>	1043
<u>Osnaburg Local SD</u>	<u>Stark</u>	<u>1.161056</u>	1044
<u>Otsego Local SD</u>	<u>Wood</u>	<u>1.085754</u>	1045
<u>Ottawa Hills Local SD</u>	<u>Lucas</u>	<u>0.807704</u>	1046
<u>Ottawa-Glandorf Local SD</u>	<u>Putnam</u>	<u>1.129901</u>	1047
<u>Ottoville Local SD</u>	<u>Putnam</u>	<u>1.155937</u>	1048
<u>Painsville City Local SD</u>	<u>Lake</u>	<u>1.576006</u>	1049
<u>Painsville Township Local SD</u>	<u>Lake</u>	<u>0.979713</u>	1050
<u>Paint Valley Local SD</u>	<u>Ross</u>	<u>1.511112</u>	1051
<u>Pandora-Gilboa Local SD</u>	<u>Putnam</u>	<u>1.207508</u>	1052
<u>Parkway Local SD</u>	<u>Mercer</u>	<u>1.451914</u>	1053
<u>Parma City SD</u>	<u>Cuyahoga</u>	<u>1.096590</u>	1054
<u>Patrick Henry Local SD</u>	<u>Henry</u>	<u>1.314110</u>	1055
<u>Paulding Ex Vill SD</u>	<u>Paulding</u>	<u>1.316904</u>	1056
<u>Perkins Local SD</u>	<u>Erie</u>	<u>1.006525</u>	1057
<u>Perry Local SD</u>	<u>Allen</u>	<u>1.252464</u>	1058
<u>Perry Local SD</u>	<u>Lake</u>	<u>1.014880</u>	1059
<u>Perry Local SD</u>	<u>Stark</u>	<u>1.155570</u>	1060
<u>Perrysburg Ex Vill SD</u>	<u>Wood</u>	<u>0.941179</u>	1061
<u>Pettisville Local SD</u>	<u>Fulton</u>	<u>1.215972</u>	1062

<u>Pickerington Local SD</u>	<u>Fairfield</u>	<u>1.078034</u>	1063
<u>Pike-Delta-York Local SD</u>	<u>Fulton</u>	<u>1.225338</u>	1064
<u>Piqua City SD</u>	<u>Miami</u>	<u>1.252751</u>	1065
<u>Plain Local SD</u>	<u>Stark</u>	<u>1.101022</u>	1066
<u>Pleasant Local SD</u>	<u>Marion</u>	<u>1.066006</u>	1067
<u>Plymouth-Shiloh Local SD</u>	<u>Richland</u>	<u>1.539933</u>	1068
<u>Poland Local SD</u>	<u>Mahoning</u>	<u>0.976878</u>	1069
<u>Port Clinton City SD</u>	<u>Ottawa</u>	<u>1.045171</u>	1070
<u>Portsmouth City SD</u>	<u>Scioto</u>	<u>1.560445</u>	1071
<u>Preble-Shawnee Local SD</u>	<u>Preble</u>	<u>1.253492</u>	1072
<u>Princeton City SD</u>	<u>Hamilton</u>	<u>0.989700</u>	1073
<u>Put-In-Bay Local SD</u>	<u>Ottawa</u>	<u>0.870887</u>	1074
<u>Pymatuning Valley Local SD</u>	<u>Ashtabula</u>	<u>1.357539</u>	1075
<u>Ravenna City SD</u>	<u>Portage</u>	<u>1.258270</u>	1076
<u>Reading Community City SD</u>	<u>Hamilton</u>	<u>1.138957</u>	1077
<u>Revere Local SD</u>	<u>Summit</u>	<u>0.811916</u>	1078
<u>Reynoldsburg City SD</u>	<u>Franklin</u>	<u>1.185729</u>	1079
<u>Richmond Heights Local SD</u>	<u>Cuyahoga</u>	<u>0.988219</u>	1080
<u>Ridgedale Local SD</u>	<u>Marion</u>	<u>1.232091</u>	1081
<u>Ridgemont Local SD</u>	<u>Hardin</u>	<u>1.315320</u>	1082
<u>Ridgewood Local SD</u>	<u>Coshocton</u>	<u>1.499377</u>	1083
<u>Ripley-Union-Lewis Local SD</u>	<u>Brown</u>	<u>1.518737</u>	1084
<u>Rittman Ex Vill SD</u>	<u>Wayne</u>	<u>1.341158</u>	1085
<u>River Valley Local SD</u>	<u>Marion</u>	<u>1.144948</u>	1086
<u>River View Local SD</u>	<u>Coshocton</u>	<u>1.255718</u>	1087
<u>Riverdale Local SD</u>	<u>Hardin</u>	<u>1.463411</u>	1088
<u>Riverside Local SD</u>	<u>Logan</u>	<u>1.477936</u>	1089
<u>Rock Hill Local SD</u>	<u>Lawrence</u>	<u>1.590768</u>	1090
<u>Rocky River City SD</u>	<u>Cuyahoga</u>	<u>0.840017</u>	1091
<u>Rolling Hills Local SD</u>	<u>Guernsey</u>	<u>1.513489</u>	1092
<u>Rootstown Local SD</u>	<u>Portage</u>	<u>1.084884</u>	1093
<u>Ross Local SD</u>	<u>Butler</u>	<u>1.128779</u>	1094

<u>Rossford Ex Vill SD</u>	<u>Wood</u>	<u>1.080899</u>	1095
<u>Russia Local SD</u>	<u>Shelby</u>	<u>1.374251</u>	1096
<u>Salem City SD</u>	<u>Columbiana</u>	<u>1.180687</u>	1097
<u>Sandusky City SD</u>	<u>Erie</u>	<u>1.300930</u>	1098
<u>Sandy Valley Local SD</u>	<u>Stark</u>	<u>1.331965</u>	1099
<u>Scioto Valley Local SD</u>	<u>Pike</u>	<u>1.526714</u>	1100
<u>Sebring Local SD</u>	<u>Mahoning</u>	<u>1.501056</u>	1101
<u>Seneca East Local SD</u>	<u>Seneca</u>	<u>1.233540</u>	1102
<u>Shadyside Local SD</u>	<u>Belmont</u>	<u>1.206383</u>	1103
<u>Shaker Heights City SD</u>	<u>Cuyahoga</u>	<u>0.930871</u>	1104
<u>Shawnee Local SD</u>	<u>Allen</u>	<u>1.008274</u>	1105
<u>Sheffield-Sheffield Lake City SD</u>	<u>Lorain</u>	<u>1.122898</u>	1106
<u>Shelby City SD</u>	<u>Richland</u>	<u>1.248437</u>	1107
<u>Sidney City SD</u>	<u>Shelby</u>	<u>1.240389</u>	1108
<u>Solon City SD</u>	<u>Cuyahoga</u>	<u>0.895529</u>	1109
<u>South Central Local SD</u>	<u>Huron</u>	<u>1.497606</u>	1110
<u>South Euclid-Lyndhurst City SD</u>	<u>Cuyahoga</u>	<u>1.002369</u>	1111
<u>South Point Local SD</u>	<u>Lawrence</u>	<u>1.517360</u>	1112
<u>South Range Local SD</u>	<u>Mahoning</u>	<u>1.076772</u>	1113
<u>Southeast Local SD</u>	<u>Portage</u>	<u>1.237090</u>	1114
<u>Southeast Local SD</u>	<u>Wayne</u>	<u>1.180842</u>	1115
<u>Southeastern Local SD</u>	<u>Clark</u>	<u>1.160870</u>	1116
<u>Southeastern Local SD</u>	<u>Ross</u>	<u>1.513790</u>	1117
<u>Southern Local SD</u>	<u>Columbiana</u>	<u>1.537098</u>	1118
<u>Southern Local SD</u>	<u>Meigs</u>	<u>1.547346</u>	1119
<u>Southern Local SD</u>	<u>Perry</u>	<u>1.600707</u>	1120
<u>Southington Local SD</u>	<u>Trumbull</u>	<u>1.160291</u>	1121
<u>Southwest Licking Local SD</u>	<u>Licking</u>	<u>1.065949</u>	1122
<u>Southwest Local SD</u>	<u>Hamilton</u>	<u>1.093489</u>	1123
<u>South-Western City SD</u>	<u>Franklin</u>	<u>1.265187</u>	1124
<u>Spencerville Local SD</u>	<u>Allen</u>	<u>1.301749</u>	1125
<u>Springboro Community City SD</u>	<u>Warren</u>	<u>0.960788</u>	1126

<u>Springfield City SD</u>	<u>Clark</u>	<u>1.552526</u>	1127
<u>Springfield Local SD</u>	<u>Lucas</u>	<u>1.056764</u>	1128
<u>Springfield Local SD</u>	<u>Mahoning</u>	<u>1.192990</u>	1129
<u>Springfield Local SD</u>	<u>Summit</u>	<u>1.196328</u>	1130
<u>St Bernard-Elmwood Place City SD</u>	<u>Hamilton</u>	<u>1.248092</u>	1131
<u>St Clairsville-Richland City SD</u>	<u>Belmont</u>	<u>1.150841</u>	1132
<u>St Henry Consolidated Local SD</u>	<u>Mercer</u>	<u>1.382949</u>	1133
<u>St Marys City SD</u>	<u>Auglaize</u>	<u>1.150444</u>	1134
<u>Steubenville City SD</u>	<u>Jefferson</u>	<u>1.365647</u>	1135
<u>Stow-Munroe Falls City SD</u>	<u>Summit</u>	<u>0.974464</u>	1136
<u>Strasburg-Franklin Local SD</u>	<u>Tuscarawas</u>	<u>1.147256</u>	1137
<u>Streetsboro City SD</u>	<u>Portage</u>	<u>1.023340</u>	1138
<u>Strongsville City SD</u>	<u>Cuyahoga</u>	<u>0.942379</u>	1139
<u>Struthers City SD</u>	<u>Mahoning</u>	<u>1.530919</u>	1140
<u>Stryker Local SD</u>	<u>Williams</u>	<u>1.237584</u>	1141
<u>Sugarcreek Local SD</u>	<u>Greene</u>	<u>0.946787</u>	1142
<u>Swanton Local SD</u>	<u>Fulton</u>	<u>1.077057</u>	1143
<u>Switzerland Of Ohio Local SD</u>	<u>Monroe</u>	<u>1.363501</u>	1144
<u>Sycamore Community City SD</u>	<u>Hamilton</u>	<u>0.805157</u>	1145
<u>Sylvania City SD</u>	<u>Lucas</u>	<u>0.919772</u>	1146
<u>Symmeh Valley Local SD</u>	<u>Lawrence</u>	<u>1.554601</u>	1147
<u>Talawanda City SD</u>	<u>Butler</u>	<u>1.090290</u>	1148
<u>Tallmadge City SD</u>	<u>Summit</u>	<u>1.039240</u>	1149
<u>Teays Valley Local SD</u>	<u>Pickaway</u>	<u>1.231537</u>	1150
<u>Tecumseh Local SD</u>	<u>Clark</u>	<u>1.318724</u>	1151
<u>Three Rivers Local SD</u>	<u>Hamilton</u>	<u>0.992195</u>	1152
<u>Tiffin City SD</u>	<u>Seneca</u>	<u>1.200469</u>	1153
<u>Tipp City Ex Vill SD</u>	<u>Miami</u>	<u>1.056646</u>	1154
<u>Toledo City SD</u>	<u>Lucas</u>	<u>1.362225</u>	1155
<u>Toronto City SD</u>	<u>Jefferson</u>	<u>1.279649</u>	1156
<u>Triad Local SD</u>	<u>Champaign</u>	<u>1.247663</u>	1157
<u>Tri-County North Local SD</u>	<u>Preble</u>	<u>1.220510</u>	1158

<u>Trimble Local SD</u>	<u>Athens</u>	<u>1.608740</u>	1159
<u>Tri-Valley Local SD</u>	<u>Muskingum</u>	<u>1.302648</u>	1160
<u>Tri-Village Local SD</u>	<u>Darke</u>	<u>1.253812</u>	1161
<u>Triway Local SD</u>	<u>Wayne</u>	<u>1.201400</u>	1162
<u>Trotwood-Madison City SD</u>	<u>Montgomery</u>	<u>1.536714</u>	1163
<u>Troy City SD</u>	<u>Miami</u>	<u>1.128451</u>	1164
<u>Tuscarawas Valley Local SD</u>	<u>Tuscarawas</u>	<u>1.133251</u>	1165
<u>Tuslaw Local SD</u>	<u>Stark</u>	<u>1.149109</u>	1166
<u>Twin Valley Community Local SD</u>	<u>Preble</u>	<u>1.226702</u>	1167
<u>Twinsburg City SD</u>	<u>Summit</u>	<u>0.954737</u>	1168
<u>Union Local SD</u>	<u>Belmont</u>	<u>1.472803</u>	1169
<u>Union Scioto Local SD</u>	<u>Ross</u>	<u>1.459022</u>	1170
<u>United Local SD</u>	<u>Columbiana</u>	<u>1.456646</u>	1171
<u>Upper Arlington City SD</u>	<u>Franklin</u>	<u>0.763445</u>	1172
<u>Upper Sandusky Ex Vill SD</u>	<u>Wyandot</u>	<u>1.211886</u>	1173
<u>Upper Scioto Valley Local SD</u>	<u>Hardin</u>	<u>1.481493</u>	1174
<u>Urbana City SD</u>	<u>Champaign</u>	<u>1.245402</u>	1175
<u>Valley Local SD</u>	<u>Scioto</u>	<u>1.556395</u>	1176
<u>Valley View Local SD</u>	<u>Montgomery</u>	<u>1.134885</u>	1177
<u>Van Buren Local SD</u>	<u>Hancock</u>	<u>0.986475</u>	1178
<u>Van Wert City SD</u>	<u>Van Wert</u>	<u>1.302853</u>	1179
<u>Vandalia-Butler City SD</u>	<u>Montgomery</u>	<u>0.982917</u>	1180
<u>Vanlue Local SD</u>	<u>Hancock</u>	<u>1.225490</u>	1181
<u>Vermilion Local SD</u>	<u>Erie</u>	<u>1.101326</u>	1182
<u>Versailles Ex Vill SD</u>	<u>Darke</u>	<u>1.234253</u>	1183
<u>Vinton County Local SD</u>	<u>Vinton</u>	<u>1.581898</u>	1184
<u>Wadsworth City SD</u>	<u>Medina</u>	<u>1.221864</u>	1185
<u>Walnut Township Local SD</u>	<u>Fairfield</u>	<u>1.169550</u>	1186
<u>Wapakoneta City SD</u>	<u>Auglaize</u>	<u>1.218209</u>	1187
<u>Warren City SD</u>	<u>Trumbull</u>	<u>1.557959</u>	1188
<u>Warren Local SD</u>	<u>Washington</u>	<u>1.298018</u>	1189
<u>Warrensville Heights City SD</u>	<u>Cuyahoga</u>	<u>1.261012</u>	1190

<u>Washington Court House City SD</u>	<u>Fayette</u>	<u>1.333465</u>	1191
<u>Washington Local SD</u>	<u>Lucas</u>	<u>1.172637</u>	1192
<u>Washington-Nile Local SD</u>	<u>Scioto</u>	<u>1.547444</u>	1193
<u>Waterloo Local SD</u>	<u>Portage</u>	<u>1.150614</u>	1194
<u>Wauseon Ex Vill SD</u>	<u>Fulton</u>	<u>1.299620</u>	1195
<u>Waverly City SD</u>	<u>Pike</u>	<u>1.469624</u>	1196
<u>Wayne Local SD</u>	<u>Warren</u>	<u>1.056943</u>	1197
<u>Wayne Trace Local SD</u>	<u>Paulding</u>	<u>1.323577</u>	1198
<u>Waynesfield-Goshen Local SD</u>	<u>Auglaize</u>	<u>1.402136</u>	1199
<u>Weathersfield Local SD</u>	<u>Trumbull</u>	<u>1.207306</u>	1200
<u>Wellington Ex Vill SD</u>	<u>Lorain</u>	<u>1.219534</u>	1201
<u>Wellston City SD</u>	<u>Jackson</u>	<u>1.550848</u>	1202
<u>Wellsville Local SD</u>	<u>Columbiana</u>	<u>1.568998</u>	1203
<u>West Branch Local SD</u>	<u>Mahoning</u>	<u>1.297805</u>	1204
<u>West Carrollton City SD</u>	<u>Montgomery</u>	<u>1.220862</u>	1205
<u>West Clermont Local SD</u>	<u>Clermont</u>	<u>1.059095</u>	1206
<u>West Geauga Local SD</u>	<u>Gauga</u>	<u>0.858500</u>	1207
<u>West Holmes Local SD</u>	<u>Holmes</u>	<u>1.243758</u>	1208
<u>West Liberty-Salem Local SD</u>	<u>Champaign</u>	<u>1.221358</u>	1209
<u>West Muskingum Local SD</u>	<u>Muskingum</u>	<u>1.138872</u>	1210
<u>Western Brown Local SD</u>	<u>Brown</u>	<u>1.508565</u>	1211
<u>Western Local SD</u>	<u>Pike</u>	<u>1.616394</u>	1212
<u>Western Reserve Local SD</u>	<u>Huron</u>	<u>1.309909</u>	1213
<u>Western Reserve Local SD</u>	<u>Mahoning</u>	<u>1.091041</u>	1214
<u>Westerville City SD</u>	<u>Franklin</u>	<u>0.963748</u>	1215
<u>Westfall Local SD</u>	<u>Pickaway</u>	<u>1.311966</u>	1216
<u>Westlake City SD</u>	<u>Cuyahoga</u>	<u>0.820277</u>	1217
<u>Wheelersburg Local SD</u>	<u>Scioto</u>	<u>1.305562</u>	1218
<u>Whitehall City SD</u>	<u>Franklin</u>	<u>1.402068</u>	1219
<u>Wickliffe City SD</u>	<u>Lake</u>	<u>0.994269</u>	1220
<u>Willard City SD</u>	<u>Huron</u>	<u>1.358778</u>	1221
<u>Williamsburg Local SD</u>	<u>Clermont</u>	<u>1.225041</u>	1222

<u>Willoughby-Eastlake City SD</u>	<u>Lake</u>	<u>1.069333</u>	1223
<u>Wilmington City SD</u>	<u>Clinton</u>	<u>1.169459</u>	1224
<u>Windham Ex Vill SD</u>	<u>Portage</u>	<u>1.584385</u>	1225
<u>Winton Woods City SD</u>	<u>Hamilton</u>	<u>1.120204</u>	1226
<u>Wolf Creek Local SD</u>	<u>Washington</u>	<u>1.158506</u>	1227
<u>Woodmore Local SD</u>	<u>Sandusky</u>	<u>1.082991</u>	1228
<u>Woodridge Local SD</u>	<u>Summit</u>	<u>0.956249</u>	1229
<u>Wooster City SD</u>	<u>Wayne</u>	<u>1.128544</u>	1230
<u>Worthington City SD</u>	<u>Franklin</u>	<u>0.896897</u>	1231
<u>Wynford Local SD</u>	<u>Crawford</u>	<u>1.300946</u>	1232
<u>Wyoming City SD</u>	<u>Hamilton</u>	<u>0.871194</u>	1233
<u>Xenia Community City SD</u>	<u>Greene</u>	<u>1.223093</u>	1234
<u>Yellow Springs Ex Vill SD</u>	<u>Greene</u>	<u>0.955678</u>	1235
<u>Youngstown City SD</u>	<u>Mahoning</u>	<u>1.634946</u>	1236
<u>Zane Trace Local SD</u>	<u>Ross</u>	<u>1.222296</u>	1237
<u>Zanesville City SD</u>	<u>Muskingum</u>	<u>1.389095</u>	1238

Sec. 3306.052. Each city, local, and exempted village school district shall receive funding for career-technical education teachers and career-technical education program operations for fiscal years 2010 and 2011 as follows:

(A) For fiscal year 2010, each district shall receive an amount equal to the amount the district received for fiscal year 2009 under division (E) of section 3317.022 of the Revised Code, as that section existed for that fiscal year, times 1.0075.

(B) For fiscal year 2011, each district shall receive an amount equal to the amount the district received for fiscal year 2010 under division (A) of this section times 1.0075.

Each school district that receives funds under this section shall spend the funds only for purposes the department of education designates as approved for vocational education expenses. Vocational education expenses approved by the department

shall include only expenses connected to the delivery of
 career-technical programming to students enrolled in
 state-approved career-technical programs. The department shall
 require each school district to report data annually so that the
 department may monitor the district's compliance with the
 requirements regarding the manner in which funding received under
 this section may be spent.

Sec. 3306.06. (A) The additional services support component
 of the adequacy amount for each city, local, and exempted village
 school district is the sum of the following:

- (1) The family and community liaison factor;
- (2) The counselor factor;
- (3) The summer remediation factor;
- (4) The school nurse wellness coordinator factor;
- (5) The district health professional factor.

(B) (1) The family and community liaison factor shall be
 calculated by multiplying the school district's formula ADM times
 its targeted poverty indicator and dividing the product by
 seventy-five, and then multiplying the quotient by the product of
 the applicable Ohio educational challenge factor times \$38,633, in
 fiscal year 2010, and times \$39,381, in fiscal year 2011.

(2) The counselor factor shall be calculated by dividing the
 district's formula ADM for grades six to twelve by two hundred
 fifty, and then multiplying the quotient by a dollar amount for
 each fiscal year established by law. No counselor factor shall be
 calculated and paid for fiscal years 2010 and 2011.

(3) The summer remediation program factor shall be calculated
 by multiplying the district's formula ADM times its targeted
 poverty indicator times fifty per cent, which represents the

anticipated participation rate, dividing that product by thirty, 1284
which is the assumed student-to-teacher ratio for summer 1285
remediation, and multiplying that quotient by the product of 1286
\$3,000 times the applicable Ohio educational challenge factor. 1287

(4) The school nurse wellness coordinator factor shall be 1288
calculated by multiplying the number of the district's 1289
organizational units times a dollar amount for each fiscal year 1290
established by law, except that in a small school district, the 1291
school nurse wellness coordinator factor shall be zero. No school 1292
nurse wellness coordinator factor shall be calculated and paid for 1293
fiscal years 2010 and 2011. 1294

(5) The district health professional factor for each district 1295
equals a dollar amount specified by law for each fiscal year. No 1296
district health professional factor shall be calculated and paid 1297
for fiscal years 2010 and 2011. 1298

(C) In adopting expenditure and reporting standards under 1299
section 3306.25 of the Revised Code, the superintendent of public 1300
instruction shall include standards that encourage school 1301
districts to give preference to employing or obtaining the 1302
services of licensed school nurses with funds received for the 1303
school nurse wellness coordinator factor and the district health 1304
professional factor. 1305

(D) Each school district shall account separately for 1306
expenditures of the amounts received for additional services 1307
support under this section and report that information to the 1308
department of education. 1309

Sec. 3306.07. (A) The administrative services support 1310
component of the adequacy amount for each city, local, and 1311
exempted village school district is the sum of the following: 1312

(1) The district administration factor; 1313

(2) The principal factor; 1314

(3) The administrative support personnel factor; 1315

(B)(1) The district administration factor equals \$187,176 in 1316
fiscal year 2010 and \$190,801 in fiscal year 2011. 1317

(2) The principal factor shall be calculated by multiplying 1318
the number of the district's organizational units times \$89,563 in 1319
fiscal year 2010 and \$91,297 in fiscal year 2011. However, each 1320
type 1 or type 2 school district shall receive for a principal 1321
factor an amount not less than the applicable dollar amount 1322
specified in this paragraph times the number of school buildings 1323
in the district for which the department of education issued a 1324
report card under section 3302.03 of the Revised Code for the 1325
prior school year. As used in this division, "type 1 school 1326
district" means a school district characterized as a type 1 1327
(rural/agricultural, high poverty, low median income) district, 1328
and "type 2 school district" means a school district characterized 1329
as a type 2 (rural/agricultural, small student population, low 1330
poverty, low to moderate median income), in the typology of 1331
districts published by the department in July 2007. 1332

(3) The administrative support personnel factor is funding 1333
determined for building managers, secretaries, and 1334
noninstructional aides. 1335

(a) The funding for building managers shall be calculated by 1336
multiplying \$33,624 in fiscal year 2010 and \$34,275 in fiscal year 1337
2011 times the number of the district's organizational units. 1338

(b) The funding for secretaries shall be calculated by 1339
multiplying \$33,624 in fiscal year 2010 and \$34,275 in fiscal year 1340
2011 times the number of the district's organizational units, 1341
where two additional secretaries shall be funded for each high 1342
school organizational unit. 1343

(c) The funding for noninstructional aides shall be a dollar amount set by law for each fiscal year times the number of the district's organizational units, where the organizational units are multiplied by two in the case of elementary school and middle school organizational units and by three in case of high school organizational units.

However, each small school district shall receive funding for one building manager, one secretary, and one noninstructional aide. Every other city, local, and exempted village school district shall receive funding for at least one building manager, one secretary, and one noninstructional aide.

No funding shall be calculated and paid for noninstructional aides for fiscal years 2010 and 2011.

(C) Each school district shall account separately for the amounts received for administrative services support under this section and report that information to the department of education.

Sec. 3306.08. (A) The operations and maintenance support component of the adequacy amount for each city, local, and exempted village school district shall be calculated by multiplying the district's formula ADM times \$884.

(B) The operations and maintenance support for each city, local, and exempted village school district shall be adjusted by multiplying the calculated amount by 0.45 in fiscal years 2010 and 2011, and by 0.75 in fiscal years 2012 and 2013.

(C) Each school district shall account separately for expenditures of the amounts received for operations and maintenance support under this section and report that information to the department of education.

Sec. 3306.09. (A) The gifted education support component of 1373
the adequacy amount for each city, local, and exempted village 1374
school district is the sum of the following: 1375

(1) The gifted identification factor; 1376

(2) The gifted coordinator factor; 1377

(3) The gifted intervention specialist factor; 1378

(4) The gifted intervention specialist professional 1379
development factor. 1380

(B)(1) The gifted identification factor shall be calculated 1381
by multiplying the district's formula ADM times \$5. 1382

(2) The gifted coordinator factor shall be calculated by 1383
multiplying \$66,375 in fiscal year 2010 and \$67,660 in fiscal year 1384
2011 times the quotient of the district's formula ADM divided by 1385
two thousand five hundred. 1386

(3) The gifted intervention specialist factor shall be 1387
calculated by multiplying the number of the district's 1388
organizational units times the Ohio educational challenge factor 1389
specified for the district in section 3306.051 of the Revised Code 1390
times the statewide base teacher salary specified in section 1391
3306.05 of the Revised Code. 1392

(4) The gifted intervention specialist professional 1393
development factor shall be calculated by multiplying the number 1394
of the district's organizational units times the 1395
per-teaching-position dollar amount specified for the professional 1396
development factor in division (A)(7) of section 3306.03 of the 1397
Revised Code. 1398

(C) The gifted intervention specialist factor and the gifted 1399
intervention specialist professional development factor for each 1400
city, local, and exempted village school district, shall be 1401

adjusted by multiplying the calculated amount by 0.20 in fiscal 1402
year 2010, by 0.30 in fiscal year 2011, by 0.40 in fiscal years 1403
2012 and 2013, by 0.60 in fiscal years 2014 and 2015, and by 0.80 1404
in fiscal years 2016 and 2017. 1405

(D) A school district that does not submit an annual report 1406
under section 3324.05 of the Revised Code, or that reports zero 1407
students identified as gifted, shall receive zero funding for the 1408
gifted coordinator factor, the gifted intervention specialist 1409
factor, and the gifted intervention specialist professional 1410
development factor. 1411

(E) Each school district shall expend the funds calculated 1412
under the gifted education support component in accordance with 1413
rules adopted under section 3306.25 of the Revised Code. Those 1414
rules shall require that such funds be spent only for the 1415
employment of staff to serve students identified as gifted, in 1416
accordance with Chapter 3324. of the Revised Code, or for other 1417
services to such students. The rules shall be aligned with the 1418
operating standards for identifying and serving gifted students 1419
prescribed in rules adopted by the state board of education. 1420
Notwithstanding anything to the contrary in section 3306.25 of the 1421
Revised Code, the rules regarding the expenditure and reporting of 1422
funds for the gifted education support component adopted under 1423
that section shall take effect July 1, 2011. 1424

Subject to approval by the department of education, a school 1425
district may use up to fifteen per cent of the portion of the 1426
gifted intervention specialist factor attributable to the grade 1427
six through twelve formula ADM to support access to services 1428
provided by the district that are not services described in 1429
Chapter 3324. of the Revised Code but are specified in gifted 1430
students' written education plans prepared in accordance with the 1431
state board's operating standards for identifying and serving 1432

gifted students.

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(F) Each school district shall account separately for expenditures of the amounts received for gifted identification, gifted coordinators, gifted intervention specialists, and gifted intervention specialist professional development under this section and report that information to the department of education.

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(G) (1) Each city, local, and exempted village school district that received for fiscal year 2009 unit funding for gifted student services under division (L) of section 3317.024 and division (E) of section 3317.05 of the Revised Code, as those sections existed for that fiscal year, shall spend in each fiscal year thereafter for services to identified gifted students from the funds received under this chapter an amount not less than the aggregate amount received for such gifted unit funding for fiscal year 2009.

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(2) Each city, local, and exempted village school district that, in fiscal year 2009, received gifted student services from an educational service center, which service center received for fiscal year 2009 unit funding for gifted student services, shall in each fiscal year thereafter do either of the following:

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(a) Obtain gifted student services from an educational service center that are comparable to the gifted student services provided to the district with gifted unit funding in fiscal year 2009 by an educational service center;

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(b) Spend for services to identified gifted students from the funds received under this chapter an amount not less than the amount of gifted unit funding expended by an educational service center in fiscal year 2009 for the district's students.

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(3) No district to which division (G) (1) or (2) of this section applies shall apply for or receive a waiver under section

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3306.40 of the Revised Code from the spending requirements 1463
prescribed in those divisions or under division (E) of this 1464
section. 1465

(4) Each educational service center that received for fiscal 1466
year 2009 unit funding for gifted student services shall spend 1467
from its state funds in each fiscal year thereafter for services 1468
to identified gifted students an amount not less than the 1469
aggregate amount received for gifted unit funding for fiscal year 1470
2009. No educational service center to which division (G) (4) of 1471
this section shall receive any waiver of this requirement. 1472

(H) A city, local, or exempted village school district that 1473
did not receive for fiscal year 2009 unit funding for gifted 1474
student services under division (L) of section 3317.024 and 1475
division (E) of section 3317.05 of the Revised Code, as those 1476
sections existed for that fiscal year, may apply for a waiver 1477
under section 3306.40 of the Revised Code from any expenditure 1478
requirements prescribed under division (E) of this section. 1479
Notwithstanding anything to the contrary in section 3306.40 of the 1480
Revised Code, the first waiver granted to a district pursuant to 1481
this division shall not be effective for longer than two years, 1482
and any subsequent renewal of that waiver shall not be effective 1483
for longer than one year. 1484

Sec. 3306.091. (A) The enrichment support component of the 1485
adequacy amount for each city, local, and exempted village school 1486
district shall be calculated by multiplying the district's formula 1487
ADM times \$100 times the Ohio educational challenge factor. 1488

(B) The enrichment support for each city, local, and exempted 1489
village school district shall be adjusted by multiplying the 1490
calculated amount by 0.20 in fiscal year 2010, by 0.30 in fiscal 1491
year 2011, by 0.40 in fiscal years 2012 and 2013, by 0.60 in 1492

fiscal years 2014 and 2015, and by 0.80 in fiscal years 2016 and 2017. 1493
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(C) The enrichment support component shall be used for purposes other than services for students identified as gifted delivered in accordance with Chapter 3324. of the Revised Code. A district may spend the enrichment support component to pay for enrichment activities that may encourage the intellectual and creative pursuits of all students, including the fine arts. 1495
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(D) Each school district shall account separately for expenditures of the amounts received for enrichment support under this section and report that information to the department of education. 1501
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Sec. 3306.10. (A) The technology resources support component of the adequacy amount for each city, local, and exempted village school district is the sum of the following: 1505
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(1) The licensed librarian and media specialist factor; 1508

(2) The technical equipment factor. 1509

(B) (1) The licensed librarian and media specialist factor shall be calculated by multiplying the number of the district's organizational units times \$60,000. 1510
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(2) The technical equipment factor shall be calculated by multiplying the district's formula ADM times \$250. 1513
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(C) The licensed librarian and media specialist factor and the technical equipment factor for each city, local, and exempted village school district shall be adjusted by multiplying the calculated amounts by 0.20 in fiscal year 2010, by 0.30 in fiscal year 2011, by 0.40 in fiscal years 2012 and 2013, by 0.60 in fiscal years 2014 and 2015, and by 0.80 in fiscal years 2016 and 2017. 1515
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(D) Each school district shall account separately for the amounts received for technology resources support under this section and report that information to the department of education. 1522
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Sec. 3306.11. (A) For the purpose of calculating a school district's instructional services support under section 3306.05 of the Revised Code, the number of special education teacher positions used in calculating the special education teacher factor, and the number of special education teacher's aide positions used in calculating the special education teacher's aide factor shall be calculated as set forth in this section. 1526
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(B) (1) The number of special education teacher positions shall be calculated by multiplying the sum of the weighted number of children with disabilities calculated under division (C) of this section times nine-tenths, and then dividing that product by twenty. 1533
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(2) The number of special education teacher's aide positions shall be calculated by dividing the number of special education teacher positions calculated under division (B) (1) of this section by two, and multiplying that quotient by 0.50 in fiscal years 2010 and 2011. 1538
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(C) The weighted number of children with disabilities for a school district is the sum of: 1543
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(1) 0.2906 times the district's category one special education ADM; 1545
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(2) 0.7374 times the district's category two special education ADM; 1547
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(3) 1.7716 times the district's category three special education ADM; 1549
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<u>(4) 2.3643 times the district's category four special</u>	1551
<u>education ADM;</u>	1552
<u>(5) 3.2022 times the district's category five special</u>	1553
<u>education ADM;</u>	1554
<u>(6) 4.7205 times the district's category six special</u>	1555
<u>education ADM.</u>	1556
<u>(D) Each school district shall account separately for</u>	1557
<u>expenditures of the amounts received for resources for children</u>	1558
<u>with disabilities under this section and section 3306.05 of the</u>	1559
<u>Revised Code and report that information to the department of</u>	1560
<u>education. Those amounts may be used to pay for providers of</u>	1561
<u>related services, as defined in section 3323.01 of the Revised</u>	1562
<u>Code, for children with disabilities.</u>	1563
<u>Sec. 3306.12. (A) As used in this section:</u>	1564
<u>(1) "Assigned bus" means a school bus used to transport</u>	1565
<u>qualifying riders.</u>	1566
<u>(2) "Nontraditional ridership" means the average number of</u>	1567
<u>qualifying riders who are enrolled in a community school</u>	1568
<u>established under Chapter 3314. of the Revised Code, in a STEM</u>	1569
<u>school established under Chapter 3326. of the Revised Code, or in</u>	1570
<u>a nonpublic school and are provided school bus service by a school</u>	1571
<u>district during the first full week of October.</u>	1572
<u>(3) "Qualifying riders" means resident students enrolled in</u>	1573
<u>regular education in grades kindergarten to twelve who are</u>	1574
<u>provided school bus service by a school district and who live more</u>	1575
<u>than one mile from the school they attend, including students with</u>	1576
<u>dual enrollment in a joint vocational school district or a</u>	1577
<u>cooperative education school district, and students enrolled in a</u>	1578
<u>community school, STEM school, or nonpublic school.</u>	1579

(4) "Qualifying ridership" means the average number of 1580
qualifying riders who are provided school bus service by a school 1581
district during the first full week of October. 1582

(5) "Rider density" means the number of qualifying riders per 1583
square mile of a school district. 1584

(6) "School bus service" means a school district's 1585
transportation of qualifying riders in any of the following types 1586
of vehicles: 1587

(a) School buses owned or leased by the district; 1588

(b) School buses operated by a private contractor hired by 1589
the district; 1590

(c) School buses operated by another school district or 1591
entity with which the district has contracted, either as part of a 1592
consortium for the provision of transportation or otherwise. 1593

(B) Not later than the fifteenth day of October each year, 1594
each city, local, and exempted village school district shall 1595
report to the department of education its qualifying ridership, 1596
nontraditional ridership, number of qualifying riders per assigned 1597
bus, and any other information requested by the department. 1598
Subsequent adjustments to the reported numbers shall be made only 1599
in accordance with rules adopted by the department. 1600

(C) The department shall calculate the statewide 1601
transportation cost per student as follows: 1602

(1) Determine each city, local, and exempted village school 1603
district's transportation cost per student by dividing the 1604
district's total costs for school bus service in the previous 1605
fiscal year by its qualifying ridership in the previous fiscal 1606
year. 1607

(2) After excluding districts that do not provide school bus 1608

service and the ten districts with the highest transportation 1609
costs per student and the ten districts with the lowest 1610
transportation costs per student, divide the aggregate cost for 1611
school bus service for the remaining districts in the previous 1612
fiscal year by the aggregate qualifying ridership of those 1613
districts in the previous fiscal year. 1614

(D) The department shall calculate the statewide 1615
transportation cost per mile as follows: 1616

(1) Determine each city, local, and exempted village school 1617
district's transportation cost per mile by dividing the district's 1618
total costs for school bus service in the previous fiscal year by 1619
its total number of miles driven for school bus service in the 1620
previous fiscal year. 1621

(2) After excluding districts that do not provide school bus 1622
service and the ten districts with the highest transportation 1623
costs per mile and the ten districts with the lowest 1624
transportation costs per mile, divide the aggregate cost for 1625
school bus service for the remaining districts in the previous 1626
fiscal year by the aggregate miles driven for school bus service 1627
in those districts in the previous fiscal year. 1628

(E) The department shall calculate each city, local, and 1629
exempted village school district's transportation base payment as 1630
follows: 1631

(1) Multiply the statewide transportation cost per student by 1632
the district's qualifying ridership for the current fiscal year. 1633

(2) Multiply the statewide transportation cost per mile by 1634
the district's total number of miles driven for school bus service 1635
in the current fiscal year. 1636

(3) Multiply the greater of the amounts calculated under 1637
divisions (E)(1) and (2) of this section by the greater of sixty 1638

per cent or the district's state share percentage.

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(F) The department shall calculate each city, local, and
exempted village school district's nontraditional ridership
adjustment according to the following formula:

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(nontraditional ridership for the current fiscal year /
qualifying ridership for the current fiscal year) X 0.1 X
transportation base payment

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(G) If a city, local, and exempted village school district
offers school bus service to all resident students who are
enrolled in regular education in district schools in grades nine
to twelve and who live more than one mile from the school they
attend, the department shall calculate the district's high school
ridership adjustment according to the following formula:

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0.025 X transportation base payment

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(H) If a city, local, and exempted village school district
offers school bus service to students enrolled in grades
kindergarten to eight who live more than one mile, but two miles
or less, from the school they attend, the department shall
calculate an additional adjustment according to the following
formula:

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0.025 X transportation base payment

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(I) (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
qualifying riders per assigned bus as adjusted to reflect the
district's rider density in comparison to the rider density of all
other districts. The department shall post on the department's web
site each district's target number of qualifying riders per
assigned bus and a description of how the target number was

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determined.

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(2) The department shall determine each school district's efficiency index by dividing the district's median number of qualifying riders per assigned bus by its target number of qualifying riders per assigned bus.

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(3) The department shall determine each city, local, and exempted village school district's efficiency adjustment as follows:

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(a) If the district's efficiency index is equal to or greater than 1.5, the efficiency adjustment shall be calculated according to the following formula:

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0.1 X transportation base payment

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(b) If the district's efficiency index is less than 1.5 but equal to or greater than 1.0, the efficiency adjustment shall be calculated according to the following formula:

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[(efficiency index - 1) / 5] X transportation base payment

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(c) If the district's efficiency index is less than 1.0, the efficiency adjustment shall be zero.

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(J) The department shall pay each city, local, and exempted village school district the lesser of the following:

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(1) The sum of the amounts calculated under divisions (E) to (H) and (I)(3) of this section;

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(2) The district's total costs for school bus service for the prior fiscal year.

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(K) In addition to funds paid under division (J) of this section, each city, local, and exempted village district shall receive in accordance with rules adopted by the state board of education a payment for students transported by means other than school bus service and whose transportation is not funded under

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division (G) of section 3317.024 of the Revised Code. The rules shall include provisions for school district reporting of such students.

(L)(1) In fiscal years 2010 and 2011, the department shall pay each district a pro rata portion of the amounts calculated under division (J) of this section and described in division (K) of this section, based on state appropriations.

(2) In addition to the prorated payment under division (L)(1) of this section, in fiscal years 2010 and 2011, the department shall pay each school district that meets the conditions prescribed in division (L)(3) of this section an additional amount equal to the following product:

(a) The difference of (i) the amounts calculated under division (J) of this section and prescribed in division (K) of this section minus (ii) that prorated payment; times

(b) 0.30 in fiscal year 2010 and 0.70 in fiscal year 2011.

(3) Division (L)(2) of this section applies to each school district that meets all of the following conditions:

(a) The district qualifies for the calculation of a payment under division (J) of this section because it transports students on board-owned or contractor-owned school buses.

(b) The district's local wealth per pupil, calculated as prescribed in section 3317.0217 of the Revised Code, is at or below the median local wealth per pupil of all districts that qualify for calculation of a payment under division (J) of this section.

(c) The district's rider density is at or below the median rider density of all districts that qualify for calculation of a payment under division (J) of this section.

Sec. 3306.13. (A) The department of education shall compute 1728
and distribute to each city, local, and exempted village school 1729
district the state share of the adequacy amount for the fiscal 1730
year by subtracting the district's charge-off amount calculated 1731
under division (B) of this section from its adequacy amount 1732
calculated under section 3306.03 of the Revised Code. 1733

(B)(1) For districts with a class one effective operating tax 1734
rate that is less than twenty and one-tenth effective mills as of 1735
the first day of July of the current fiscal year, the charge-off 1736
amount equals the applicable charge-off rate, prescribed in 1737
division (C) of this section, times the sum of the district's 1738
total taxable value plus its property exemption value. 1739

(2) For districts with a class one effective operating tax 1740
rate that is greater than or equal to twenty and one-tenth class 1741
one effective mills as of the first day of July of the current 1742
fiscal year, the charge-off amount equals the applicable 1743
charge-off rate, prescribed in division (C) of this section, times 1744
the sum of the district's recognized valuation plus its property 1745
exemption value. 1746

If the difference obtained from the calculation is a negative 1747
number, the state share shall be zero. 1748

(3)(a) For each school district for which the tax exempt 1749
value of the district equals or exceeds twenty-five per cent of 1750
the potential value of the district, the department shall 1751
calculate the difference between the district's tax exempt value 1752
and twenty-five per cent of the district's potential value. 1753

(b) For each school district to which division (B)(3)(a) of 1754
this section applies, the department shall adjust the total 1755
taxable value used in the calculation under division (B)(1) of 1756
this section or the recognized valuation used in the calculation 1757

under division (B) (2) of this section by subtracting from it the amount calculated under division (B) (3) (a) of this section. 1758
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(C) The charge-off rate shall be as follows: 1760

(1) In fiscal years 2010 and 2011, 0.022; 1761

(2) In fiscal years 2012 and 2013, 0.021; 1762

(3) In fiscal year 2014 and in each fiscal year thereafter, 1763
0.020. 1764

(D) The department shall use the information obtained under section 3317.021 of the Revised Code during the calendar year in which the fiscal year begins to calculate the district state shares under this section. 1765
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Sec. 3306.18. On or before the fifteenth day of July of each year, the superintendent of public instruction shall certify to the state board of education the amount each city, local, and exempted village school district expended in the previous fiscal year on each factor of the district's adequacy amount. 1769
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Sec. 3306.19. (A) The department of education shall calculate and pay transitional aid in fiscal years 2010 and 2011 to each city, local, and exempted village school district in accordance with this section. For fiscal year 2010, the amount of a district's transitional aid shall be the positive difference of ninety-nine per cent of its transitional aid base for that fiscal year minus the sum of its state share of the adequacy amount calculated under section 3306.13 of the Revised Code plus the amount calculated for career-technical education under section 3306.052 of the Revised Code plus the prorated transportation funding calculated under division (L) (1) of section 3306.12 of the Revised Code. For fiscal year 2011, the amount of a district's transitional aid shall be the positive difference of ninety-eight 1774
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per cent of its transitional aid base for that fiscal year minus 1787
the sum of its state share of the adequacy amount calculated under 1788
section 3306.13 of the Revised Code plus the amount calculated for 1789
career-technical education under section 3306.052 of the Revised 1790
Code plus the prorated transportation funding calculated under 1791
division (L) (1) of section 3306.12 of the Revised Code. 1792

(1) The transitional aid guarantee base for each city, local, 1793
and exempted village school district for fiscal year 2010 equals 1794
the sum of the following computed for fiscal year 2009, as 1795
reconciled by the department, less any general revenue fund 1796
spending reductions ordered by the governor under section 126.05 1797
of the Revised Code: 1798

(a) Base-cost funding under division (A) of section 3317.022 1799
of the Revised Code; 1800

(b) Special education and related services additional 1801
weighted funding under division (C) (1) of section 3317.022 of the 1802
Revised Code; 1803

(c) Speech services funding under division (C) (4) of section 1804
3317.022 of the Revised Code; 1805

(d) Vocational education additional weighted funding under 1806
division (E) of section 3317.022 of the Revised Code; 1807

(e) GRADS funding under division (N) of section 3317.024 of 1808
the Revised Code; 1809

(f) Adjustments for classroom teachers and educational 1810
service personnel under divisions (B), (C), and (D) of section 1811
3317.023 of the Revised Code; 1812

(g) Gifted education units under division (L) of section 1813
3317.024 and section 3317.05 of the Revised Code; 1814

(h) Transportation under Section 269.20.80 of Am. Sub. H.B. 1815

119 of the 127th general assembly; 1816

(i) The excess cost supplement under division (F) of section 3317.022 of the Revised Code; 1817
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(j) The charge-off supplement under section 3317.0216 of the Revised Code; 1819
1820

(k) Transitional aid under Section 269.30.80 of Am. Sub. H.B. 119 of the 127th general assembly. 1821
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(2) The transitional aid guarantee base for each city, local, and exempted village school district for fiscal year 2011 equals the following difference: 1823
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(a) The sum of the district's state share of the adequacy amount calculated under section 3306.13 of the Revised Code plus the district's career-technical education funding calculated under division (L)(1) of section 3306.052 of the Revised Code plus the district's prorated transportation funding calculated under division (L)(1) of section 3306.12 of the Revised Code plus any transitional aid payment under this section for fiscal year 2010, as the sum is adjusted under division (B)(1) of this section, if applicable; minus 1826
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(b) Any general revenue fund spending reductions ordered by the governor for fiscal year 2010 under section 126.05 of the Revised Code. 1835
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(B) Notwithstanding any provision of this chapter to the contrary: 1838
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(1) The combination of the state share of the adequacy amount plus the prorated transportation funding under division (L)(1) of section 3306.12 of the Revised Code for any city, local, or exempted village school district for fiscal year 2010 shall not exceed 1.0075 times the difference of its transitional aid guarantee base for fiscal year 2010 minus the amount described in 1840
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division (A)(1)(d) of this section.

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(2) The combination of the state share of the adequacy amount plus the prorated transportation funding under division (L)(1) of section 3306.12 of the Revised Code for any city, local, or exempted village school district for fiscal year 2011 shall not exceed 1.0075 times the difference of its transitional aid guarantee base for fiscal year 2011 minus the amount paid to the district under division (A) of section 3306.052 of the Revised Code.

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Sec. 3306.191. The department of education shall calculate and pay additional transitional aid in fiscal year 2011 to a city, local, and exempted village school district equal to the following:

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(0.98 X the district's state education aid for fiscal year 2010) - the district's state education aid for fiscal year 2011

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If the result is a negative number, no payment shall be paid under this section.

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As used in this section, "state education aid" has the same meaning as in section 5751.20 of the Revised Code.

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Sec. 3306.192. In fiscal year 2012 and in each fiscal year thereafter, the department of education shall pay a city, local, or exempted village school district additional funds computed as follows:

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(A) The statewide per pupil amount paid for chartered nonpublic school students - (the sum of the district's payments under sections 3306.052, 3306.12, 3306.13, and 3306.19 of the Revised Code/its formula ADM); times

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(B) The district's formula ADM.

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If the result is a negative number, no payment shall be made under this section. 1874
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As used in this section, the "statewide per pupil amount paid for chartered nonpublic school for students" means the statewide per pupil amount paid under sections 3317.06 and 3317.063 of the Revised Code, combined, for the current fiscal year, as calculated by the department. 1876
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Sec. 3306.21. Nothing in this chapter shall be construed to affect or limit the authority of a school district, community school, or STEM school to contract with an educational service center, under sections 3313.843, 3313.844, 3313.845, 3314.022, and 3326.45 of the Revised Code, for the provision of any services for which funds are calculated and paid under this chapter. 1881
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Sec. 3306.22. Nothing in this chapter shall be construed to prohibit a school district from using funds calculated and paid under this chapter to establish, operate, or participate in a joint or cooperative program under section 3313.842 of the Revised Code. 1887
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Sec. 3306.25. (A) The superintendent of public instruction shall adopt rules, in accordance with Chapter 119. of the Revised Code, prescribing standards for the expenditure of funds calculated under this chapter and for the reporting of expenditures of those funds for particular funded components, as determined by the superintendent, so that those funds are directed toward the purposes for which they were calculated. 1892
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The superintendent shall classify the components into the following categories: 1899
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(1) Core academic strategy components, which shall be 1901

considered those components that are fundamental to successful education practices in the twenty-first century for all students; 1902
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(2) Academic improvement components, which shall be considered those components that have been demonstrated to make the greatest improvement in the academic achievement of underperforming students; 1904
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(3) Other components. 1908

The superintendent shall determine the funded components included in each category. 1909
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(B) The rules adopted for core academic strategy components under division (A) (1) of this section shall prescribe standards for expenditure and reporting. The rules shall afford districts degrees of flexibility in determining how to spend funds calculated for the components included in that category depending on the district's current performance rating under section 3302.03 of the Revised Code. The higher the rating, the greater flexibility the rules shall provide. Districts rated excellent shall not be subject to the expenditure standards, but shall comply with the reporting standards. 1911
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(C) The rules adopted for academic improvement components under division (A) (2) of this section shall prescribe standards for expenditure and reporting and shall apply only to school districts that have been declared to be in academic emergency or academic watch, under section 3302.03 of the Revised Code, for two or more consecutive years, beginning with the ratings of districts issued under that section in the fiscal year that begins two years prior to the effective date of rules adopted under division (A) (2) of this section. 1921
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(D) The rules adopted under division (A) (3) of this section shall prescribe only reporting standards and shall not prescribe 1930
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<u>spending requirements or standards. The rules shall apply to all</u>	1932
<u>school districts.</u>	1933
<u>(E) The rules shall take effect pursuant to a schedule</u>	1934
<u>determined by the superintendent. However:</u>	1935
<u>(1) The rules adopted under division (A)(1) of this section</u>	1936
<u>prescribing reporting standards for core academic strategy</u>	1937
<u>components shall not take effect before July 1, 2010.</u>	1938
<u>(2) The rules adopted under division (A)(1) of this section</u>	1939
<u>prescribing expenditure standards for core academic strategy</u>	1940
<u>components shall not take effect before July 1, 2011.</u>	1941
<u>(3) The rules adopted under division (A)(2) of this section</u>	1942
<u>prescribing reporting standards for academic improvement</u>	1943
<u>components shall not take effect before July 1, 2010.</u>	1944
<u>(4) The rules adopted under division (A)(2) of this section</u>	1945
<u>prescribing expenditure standards for academic improvement</u>	1946
<u>components shall not take effect before July 1, 2011.</u>	1947
<u>(5) The rules adopted under division (A)(3) of this section</u>	1948
<u>prescribing reporting standards for other components shall not</u>	1949
<u>take effect before July 1, 2010.</u>	1950
<u>(F) Each school district shall comply with each applicable</u>	1951
<u>rule adopted under this section beginning on the effective date of</u>	1952
<u>that rule.</u>	1953
<u>Sec. 3306.30. (A) The board of education of each city, local,</u>	1954
<u>and exempted village school district annually shall submit to the</u>	1955
<u>department of education, by the date and in the manner prescribed</u>	1956
<u>by the superintendent of public instruction, a plan describing how</u>	1957
<u>the district will deploy the funds received under this chapter.</u>	1958
<u>The plan shall deploy the funds received for each component of the</u>	1959
<u>adequacy amount, shall comply with any applicable expenditure or</u>	1960

reporting standard prescribed by rule adopted under section 3306.25 of the Revised Code, and shall comply with the operating standards adopted under division (D) (3) of section 3301.07 of the Revised Code and any directive of the superintendent of public instruction, unless a waiver has been granted under section 3306.40 of the Revised Code. In the case of a district to which section 3306.31 of the Revised Code applies, the plan shall include the deployment of funds for the purposes described in divisions (B) and (D) of that section.

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(B) The department annually shall reconcile each spending plan submitted under this section with the actual spending of the district. If the department finds that a district has not complied with any applicable expenditure or reporting standard prescribed by rule adopted under section 3306.25 of the Revised Code, the department shall proceed to take action under section 3306.33 of the Revised Code.

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(C) If a school district fails to submit a spending plan as required by this section or, as applicable, section 3306.31 of the Revised Code, the department shall proceed to take action under section 3306.33 of the Revised Code.

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Sec. 3306.31. (A) This section applies to any city, local, or exempted village school district that has a three-year average graduation rate, as defined in section 3301.0711 of the Revised Code, of eighty per cent or less.

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(B) The board of education of each school district to which this section applies shall implement actions prescribed by the governor's closing the achievement gap initiative in each of the following:

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(1) Each high school;

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(2) Each elementary or middle school in which less than fifty per cent of the students have attained a proficient score on the fourth or seventh grade achievement assessments in English language arts or mathematics required under section 3301.0710 of the Revised Code.

(C) The board of education of each school district to which this section applies shall work with the department of education and the governor's closing the achievement gap initiative in developing its annual spending plan prior to submitting the plan under section 3306.30 of the Revised Code.

(D) The board of each district to which this section applies shall create and staff, in each organizational unit, at least one position funded under division (A)(1) of section 3306.06 of the Revised Code. Each such position shall function as a linkage coordinator for closing the achievement gap and increasing the graduation rate. A linkage coordinator is a person, meeting guidelines established by the governor's closing the achievement gap initiative, who shall work with and who is the primary mentor, coach, and motivator for students identified as at risk of not graduating, as defined by the governor's closing the achievement gap initiative, and who coordinates those students' participation in academic programs, social service programs, out-of-school cultural and work-related experiences, and in-school and out-of-school mentoring programs, based on the students' needs. The linkage coordinator shall coordinate remedial disciplinary plans as needed and work with school personnel to gather student academic information and to engage parents of targeted students. The linkage coordinator shall serve as a liaison between the school and the governor's closing the achievement gap initiative and shall participate in all professional development activities as directed by the closing the achievement gap initiative. The

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linkage coordinator shall establish and coordinate the work of academic promotion teams, which shall address the academic and social needs of the identified students. The membership of teams in different schools may vary and may include the linkage coordinator, parents, teachers, principals, school nurses, school counselors, probation officers, or other school personnel or members of the community.

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(E) The governor's closing the achievement gap initiative shall work with each organizational unit of a school district to which this section applies to assess the progress in implementing prescribed activities, as required under division (B) of this section, and shall assist linkage coordinators, administrators, and other school staff in ensuring compliance with the district's spending plan required under section 3306.30 of the Revised Code.

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(F) The items related to implementing divisions (B) and (D) of this section included in the spending plan of a district to which this section applies are subject to the approval of the superintendent of public instruction and the governor's closing the achievement gap initiative. If they disapprove those items in the plan, the state superintendent shall do one of the following:

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(1) Modify the items related to implementing divisions (B) and (D) of this section in the plan as the state superintendent considers appropriate and notify the district board of the modifications. The district board shall comply with the plan as modified by the state superintendent.

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(2) Return the spending plan and require the district board to modify the items related to implementing divisions (B) and (D) of this section in the plan according to the state superintendent's instructions or recommendations. The district board shall modify the plan according to the state superintendent's instructions or recommendations and return the

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modified plan by a date specified by the state superintendent. 2052

(G) The department shall work with the governor's closing the achievement gap initiative in reconciling, under division (B) of section 3306.30 of the Revised Code, the spending plan submitted by a district to which this section applies with the district's actual spending. 2053
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Sec. 3306.33. (A) Not earlier than July 1, 2011, the department of education shall take action under this section with respect to a school district in either of the following circumstances: 2058
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(1) The department determines that the school district has failed to comply with any applicable expenditure or reporting standard prescribed by rule adopted under section 3306.25 of the Revised Code. 2062
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(2) The district fails to submit a spending plan under section 3306.30 and, if applicable, section 3306.31 of the Revised Code. 2066
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(B) When a circumstance described in division (A) of this section applies, the department shall provide the school district with technical assistance to bring the district into compliance with the expenditure and reporting standards adopted under section 3306.25 of the Revised Code and the requirements of this chapter, as applicable to the circumstance triggering action under this section. In addition, the board of the district shall take all of the following actions: 2069
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(1) Develop and submit to the department a three-year operations improvement plan containing all of the following: 2077
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(a) An analysis of the reasons for the failure to meet the applicable expenditure or reporting standards or requirements of 2079
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this chapter; 2081

(b) Specific strategies the board will use to address the problems in meeting the standards or requirements; 2082
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(c) Identification of the resources the board will use to meet the standards or requirements; 2084
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(d) A description of how the board will measure its progress in meeting the standards or requirements. 2086
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If the district is required to have a continuous improvement plan under section 3302.04 of the Revised Code, the three-year operations improvement plan required by this section shall be aligned with the continuous improvement plan. 2088
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(2) Notify the parent or guardian of each student served by the district either in writing or by electronic means, of the standards or requirements that were not met, the actions being taken to meet the standards or requirements, and any progress achieved in the immediately preceding school year toward meeting the standards or requirements. 2092
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(3) Present the plan, and take public testimony with respect to it, in a public hearing before the board. 2098
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(C) When a circumstance described in division (A) of this section applies to a school district for a second consecutive year, whether it is the same or a different circumstance, the department shall provide the district with technical assistance to bring the district into compliance with the expenditure or reporting standards adopted under section 3306.25 of the Revised Code and the requirements of this chapter, as applicable to the circumstance triggering action under this section. In addition, both of the following apply: 2100
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(1) The board shall take all of the actions prescribed in divisions (B)(1) to (3) of this section; 2109
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(2) The department shall establish a state intervention team to evaluate all aspects of the district's operations, including, but not limited to, management, instructional methods, resource allocation, and scheduling. The intervention team shall include teachers and administrators recognized as outstanding in their fields. The team shall make recommendations regarding methods for bringing the district into compliance with the applicable standards adopted under section 3306.25 of the Revised Code and requirements of this chapter. The superintendent of public instruction shall establish guidelines for the intervention teams. The district shall pay the costs of the intervention team.

(D) When a circumstance described in division (A) of this section applies to a school district for a third consecutive year, whether it is the same or a different circumstance as in the preceding years, the superintendent of public instruction shall either:

(1) Establish an accountability compliance commission under section 3306.34 of the Revised Code;

(2) Appoint a trustee who shall govern the district in place of the board of education of the school district until the beginning of the first year that none of the circumstances described in division (A) of this section apply to the district.

(E) When a circumstance described in division (A) of this section applies to a school district for a fourth consecutive year, whether it is the same or a different circumstance as in the preceding years, the state board of education shall proceed under section 3301.16 of the Revised Code to revoke the district's charter.

(F) At any time, the state board may proceed under section 3301.16 of the Revised Code to revoke the charter of a school

district that fails to meet the operating standards established 2142
under division (D)(3) of section 3301.07 of the Revised Code or 2143
fails to comply with this section. 2144

Sec. 3306.34. (A) Each accountability compliance commission 2145
appointed under division (D) of section 3306.33 of the Revised 2146
Code is a body both corporate and politic, constituting an agency 2147
and instrumentality of the state and performing essential 2148
governmental functions of the state. A commission shall be known 2149
as the "accountability compliance commission for 2150
(name of school district)," and, in that name, may exercise all 2151
authority vested in such a commission by this section. A separate 2152
commission shall be established for each school district for which 2153
the superintendent of public instruction opts to establish a 2154
commission under division (D) of section 3306.33 of the Revised 2155
Code. 2156

(B) Each accountability commission shall consist of three 2157
members, one of whom shall be appointed by the governor, one of 2158
whom shall be appointed by the superintendent of public 2159
instruction, and one of whom shall be appointed by the auditor of 2160
state. 2161

All members shall serve at the pleasure of the appointing 2162
authority during the life of the commission. In the event of the 2163
death, resignation, incapacity, removal, or ineligibility to serve 2164
of a member, the appointing authority shall appoint a successor 2165
within fifteen days after the vacancy occurs. Members shall serve 2166
without compensation, but shall be paid by the commission their 2167
necessary and actual expenses incurred while engaged in the 2168
business of the commission. 2169

(C) Immediately after appointment of the initial members of 2170
an accountability compliance commission, the state superintendent 2171

shall call the first meeting of the commission and shall cause 2172
written notice of the time, date, and place of that meeting to be 2173
given to each member of the commission at least forty-eight hours 2174
in advance of the meeting. The first meeting shall include an 2175
overview of the commission's roles and responsibilities, the 2176
requirements of section 2921.42 and Chapter 102. of the Revised 2177
Code as they pertain to commission members, the requirements of 2178
section 121.22 of the Revised Code, and the provisions of division 2179
(F) of this section. At its first meeting, the commission shall 2180
adopt temporary bylaws in accordance with division (D) of this 2181
section to govern its operations until the adoption of permanent 2182
bylaws. 2183

The state superintendent shall designate a chairperson for 2184
the commission from among the members. The chairperson shall call 2185
and conduct meetings, set meeting agendas, and serve as a liaison 2186
between the commission and the district board of education. The 2187
chairperson also shall appoint a secretary, who shall not be a 2188
member of the commission. 2189

The department of education shall provide administrative 2190
support for the commission, provide data requested by the 2191
commission, and inform the commission of available state resources 2192
that could assist the commission in its work. 2193

(D) Each accountability compliance commission may adopt and 2194
alter bylaws and rules, which shall not be subject to section 2195
111.15 or Chapter 119. of the Revised Code, for the conduct of its 2196
affairs and for the manner, subject to this section, in which its 2197
powers and functions shall be exercised and embodied. 2198

(E) Two members of an accountability compliance commission 2199
constitute a quorum of the commission. The affirmative vote of two 2200
members of the commission is necessary for any action taken by 2201
vote of the commission. No vacancy in the membership of the 2202

commission shall impair the rights of a quorum by such vote to 2203
exercise all the rights and perform all the duties of the 2204
commission. Members of the commission are not disqualified from 2205
voting by reason of the functions of any other office they hold 2206
and are not disqualified from exercising the functions of the 2207
other office with respect to the school district, its officers, or 2208
the commission. 2209

(F) The members of an accountability compliance commission, 2210
the state superintendent, and any person authorized to act on 2211
behalf of or assist them shall not be personally liable or subject 2212
to any suit, judgment, or claim for damages resulting from the 2213
exercise of or failure to exercise the powers, duties, and 2214
functions granted to them in regard to their functioning under 2215
this section, but the commission, state superintendent, and such 2216
other persons shall be subject to mandamus proceedings to compel 2217
performance of their duties under this section. 2218

(G) Each member of an accountability compliance commission 2219
shall file the statement described in section 102.02 of the 2220
Revised Code with the Ohio ethics commission. The statement shall 2221
be confidential, subject to review, as described in division (B) 2222
of that section. 2223

(H) Meetings of each accountability compliance commission 2224
shall be subject to section 121.22 of the Revised Code. 2225

(I) Each accountability compliance commission shall seek 2226
input from the district board of education regarding ways to 2227
improve the district's operations and compliance with the 2228
requirements of this chapter and the expenditure and reporting 2229
standards prescribed by rule adopted under section 3306.25 of the 2230
Revised Code, but any decision of the commission related to any 2231
authority granted to the commission under this section shall be 2232
final. 2233

<u>The commission may do any of the following:</u>	2234
<u>(1) Prepare and submit the school district's spending plan required under section 3306.30 and, if applicable, section 3306.31 of the Revised Code;</u>	2235 2236 2237
<u>(2) Appoint school building administrators and reassign administrative personnel;</u>	2238 2239
<u>(3) Terminate the contracts of administrators or administrative personnel. The commission shall not be required to comply with section 3319.16 of the Revised Code with respect to any contract terminated under this division.</u>	2240 2241 2242 2243
<u>(4) Contract with a private entity to perform school or district management functions;</u>	2244 2245
<u>(5) Establish a budget for the district and approve district appropriations and expenditures, unless a financial planning and supervision commission has been established for the district pursuant to section 3316.05 of the Revised Code;</u>	2246 2247 2248 2249
<u>(6) Exercise the powers, duties, and functions with respect to the district as are granted to a financial planning and supervision commission with respect to a school district under divisions (A)(1) to (4) of section 3316.07 of the Revised Code, unless a financial planning and supervision commission has been established for the district.</u>	2250 2251 2252 2253 2254 2255
<u>(J) If the board of education of a school district for which an accountability compliance commission has been established renews any collective bargaining agreement under Chapter 4117. of the Revised Code during the existence of the commission, the board shall not enter into any agreement that would render any decision of the commission unenforceable.</u>	2256 2257 2258 2259 2260 2261
<u>(K) An accountability compliance commission shall cease to exist at the beginning of the first year that none of the</u>	2262 2263

circumstances described in division (A) of section 3306.33 of the Revised Code apply to the district. 2264
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Sec. 3306.35. The department of education shall develop a form, which shall be known as the "Formula Accountability and Transparency" form or "FACT" form. The department annually shall issue and publish on its web site a FACT form for each city, local, and exempted village school district. The form shall compare the payments to the district under each component prescribed by this chapter with the district's deployment of those payments as indicated in its spending plan submitted under section 3306.30 and, if applicable, 3306.31 of the Revised Code. The form shall not be the basis of any actions under section 3306.33 of the Revised Code but shall be a public document to inform parents, students, and taxpayers about the district's spending. 2266
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Sec. 3306.40. The board of education of a school district may apply to the superintendent of public instruction for a waiver of any standard or requirement of this chapter, including any applicable expenditure or reporting standard prescribed by rule adopted under section 3306.25 of the Revised Code, or a waiver of any operating standard adopted under division (D)(3) of section 3301.07 of the Revised Code. 2279
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The state board of education shall adopt standards for the approval or disapproval of waivers under this section. The state superintendent shall consider every application for a waiver, and shall determine whether to grant or deny a waiver in accordance with the state board's standards. For each waiver granted, the state superintendent shall specify the period of time during which the waiver is in effect, which shall not exceed five years. A district may apply to renew a waiver. 2286
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Sec. 3307.31. (A) Payments by boards of education and governing authorities of community schools to the state teachers retirement system, as provided in sections 3307.29 and 3307.291 of the Revised Code, shall be made from the amount allocated under section 3314.08, Chapter 3306., or Chapter 3317. of the Revised Code prior to its distribution to the individual school districts or community schools. The amount due from each school district or community school shall be certified by the secretary of the system to the superintendent of public instruction monthly, or at such times as may be determined by the state teachers retirement board.

The superintendent shall deduct, from the amount allocated to each district or community school under section 3314.08, Chapter 3306., or Chapter 3317. of the Revised Code, the entire amounts due to the system from such district or school upon the certification to the superintendent by the secretary thereof.

The superintendent shall certify to the director of budget and management the amounts thus due the system for payment.

(B) Payments to the state teachers retirement system by a science, technology, engineering, and mathematics school shall be deducted from the amount allocated under section 3326.33 of the Revised Code and shall be made in the same manner as payments by boards of education under this section.

Sec. 3307.64. A disability benefit recipient, notwithstanding section 3319.13 of the Revised Code, shall retain membership in the state teachers retirement system and shall be considered on leave of absence during the first five years following the effective date of a disability benefit.

The state teachers retirement board shall require any

disability benefit recipient to submit to an annual medical 2323
 examination by a physician selected by the board, except that the 2324
 board may waive the medical examination if the board's physician 2325
 certifies that the recipient's disability is ongoing. If a 2326
 disability benefit recipient refuses to submit to a medical 2327
 examination, the recipient's disability benefit shall be suspended 2328
 until the recipient withdraws the refusal. If the refusal 2329
 continues for one year, all the recipient's rights under and to 2330
 the disability benefit shall be terminated as of the effective 2331
 date of the original suspension. 2332

After the examination, the examiner shall report and certify 2333
 to the board whether the disability benefit recipient is no longer 2334
 physically and mentally incapable of resuming the service from 2335
 which the recipient was found disabled. If the board concurs in a 2336
 report by the examining physician that the disability benefit 2337
 recipient is no longer incapable, the payment of a disability 2338
 benefit shall be terminated not later than the following 2339
 thirty-first day of August or upon employment as a teacher prior 2340
 thereto. If the leave of absence has not expired, the board shall 2341
 so certify to the disability benefit recipient's last employer 2342
 before being found disabled that the recipient is no longer 2343
 physically and mentally incapable of resuming service that is the 2344
 same or similar to that from which the recipient was found 2345
 disabled. If the recipient was under contract at the time the 2346
 recipient was found disabled, the employer by the first day of the 2347
 next succeeding year shall restore the recipient to the 2348
 recipient's previous position and salary or to a position and 2349
 salary similar thereto, unless the recipient was dismissed or 2350
 resigned in lieu of dismissal for dishonesty, misfeasance, 2351
 malfeasance, or conviction of a felony. 2352

A disability benefit shall terminate if the disability 2353

benefit recipient becomes employed as a teacher in any public or private school or institution in this state or elsewhere. An individual receiving a disability benefit from the system shall be ineligible for any employment as a teacher and it shall be unlawful for any employer to employ the individual as a teacher. If any employer should employ or reemploy the individual prior to the termination of a disability benefit, the employer shall file notice of employment with the board designating the date of the employment. If the individual should be paid both a disability benefit and also compensation for teaching service for all or any part of the same month, the secretary of the board shall certify to the employer or to the superintendent of public instruction the amount of the disability benefit received by the individual during the employment, which amount shall be deducted from any amount due the employing district under ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code or shall be paid by the employer to the annuity and pension reserve fund.

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Each disability benefit recipient shall file with the board an annual statement of earnings, current medical information on the recipient's condition, and any other information required in rules adopted by the board. The board may waive the requirement that a disability benefit recipient file an annual statement of earnings or current medical information if the board's physician certifies that the recipient's disability is ongoing.

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The board shall annually examine the information submitted by the recipient. If a disability benefit recipient refuses to file the statement or information, the disability benefit shall be suspended until the statement and information are filed. If the refusal continues for one year, the recipient's right to the disability benefit shall be terminated as of the effective date of the original suspension.

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A disability benefit also may be terminated by the board at 2385
the request of the disability benefit recipient. 2386

If disability retirement under section 3307.63 of the Revised 2387
Code is terminated for any reason, the annuity and pension 2388
reserves at that time in the annuity and pension reserve fund 2389
shall be transferred to the teachers' savings fund and the 2390
employers' trust fund, respectively. If the total disability 2391
benefit paid was less than the amount of the accumulated 2392
contributions of the member transferred to the annuity and pension 2393
reserve fund at the time of the member's disability retirement, 2394
then the difference shall be transferred from the annuity and 2395
pension reserve fund to another fund as required. In determining 2396
the amount of a member's account following the termination of 2397
disability retirement for any reason, the total amount paid shall 2398
be charged against the member's refundable account. 2399

If a disability allowance paid under section 3307.631 of the 2400
Revised Code is terminated for any reason, the reserve on the 2401
allowance at that time in the annuity and pension reserve fund 2402
shall be transferred from that fund to the employers' trust fund. 2403

If a former disability benefit recipient again becomes a 2404
contributor, other than as an other system retirant under section 2405
3307.35 of the Revised Code, to this retirement system, the school 2406
employees retirement system, or the public employees retirement 2407
system, and completes at least two additional years of service 2408
credit, the former disability benefit recipient shall receive 2409
credit for the period as a disability benefit recipient. 2410

Sec. 3309.41. (A) A disability benefit recipient shall retain 2411
membership status and shall be considered on leave of absence from 2412
employment during the first five years following the effective 2413
date of a disability benefit, notwithstanding any contrary 2414

provisions in Chapter 124. or 3319. of the Revised Code. 2415

(B) The school employees retirement board shall require a 2416
 disability benefit recipient to undergo an annual medical 2417
 examination, except that the board may waive the medical 2418
 examination if the board's physician or physicians certify that 2419
 the recipient's disability is ongoing. Should any disability 2420
 benefit recipient refuse to submit to a medical examination, the 2421
 recipient's disability benefit shall be suspended until withdrawal 2422
 of the refusal. Should the refusal continue for one year, all the 2423
 recipient's rights in and to the disability benefit shall be 2424
 terminated as of the effective date of the original suspension. 2425

(C) On completion of the examination by an examining 2426
 physician or physicians selected by the board, the physician or 2427
 physicians shall report and certify to the board whether the 2428
 disability benefit recipient is no longer physically and mentally 2429
 incapable of resuming the service from which the recipient was 2430
 found disabled. If the board concurs in the report that the 2431
 disability benefit recipient is no longer incapable, the payment 2432
 of the disability benefit shall be terminated not later than three 2433
 months after the date of the board's concurrence or upon 2434
 employment as an employee. If the leave of absence has not 2435
 expired, the retirement board shall certify to the disability 2436
 benefit recipient's last employer before being found disabled that 2437
 the recipient is no longer physically and mentally incapable of 2438
 resuming service that is the same or similar to that from which 2439
 the recipient was found disabled. The employer shall restore the 2440
 recipient to the recipient's previous position and salary or to a 2441
 position and salary similar thereto not later than the first day 2442
 of the first month following termination of the disability 2443
 benefit, unless the recipient was dismissed or resigned in lieu of 2444
 dismissal for dishonesty, misfeasance, malfeasance, or conviction 2445
 of a felony. 2446

(D) Each disability benefit recipient shall file with the board an annual statement of earnings, current medical information on the recipient's condition, and any other information required in rules adopted by the board. The board may waive the requirement that a disability benefit recipient file an annual statement of earnings or current medical information on the recipient's condition if the board's physician or physicians certify that the recipient's disability is ongoing.

The board shall annually examine the information submitted by the recipient. If a disability benefit recipient refuses to file the statement or information, the disability benefit shall be suspended until the statement and information are filed. If the refusal continues for one year, the recipient's right to the disability benefit shall be terminated as of the effective date of the original suspension.

(E) If a disability benefit recipient is employed by an employer covered by this chapter, the recipient's disability benefit shall cease.

(F) If disability retirement under section 3309.40 of the Revised Code is terminated for any reason, the annuity and pension reserves at that time in the annuity and pension reserve fund shall be transferred to the employees' savings fund and the employers' trust fund, respectively. If the total disability benefit paid is less than the amount of the accumulated contributions of the member transferred into the annuity and pension reserve fund at the time of the member's disability retirement, the difference shall be transferred from the annuity and pension reserve fund to another fund as may be required. In determining the amount of a member's account following the termination of disability retirement for any reason, the amount paid shall be charged against the member's refundable account.

If a disability allowance paid under section 3309.401 of the Revised Code is terminated for any reason, the reserve on the allowance at that time in the annuity and pension reserve fund shall be transferred from that fund to the employers' trust fund.

The board may terminate a disability benefit at the request of the recipient.

(G) If a disability benefit is terminated and a former disability benefit recipient again becomes a contributor, other than as an other system retirant as defined in section 3309.341 of the Revised Code, to this system, the public employees retirement system, or the state teachers retirement system, and completes an additional two years of service credit after the termination of the disability benefit, the former disability benefit recipient shall be entitled to full service credit for the period as a disability benefit recipient.

(H) If any employer employs any member who is receiving a disability benefit, the employer shall file notice of employment with the retirement board, designating the date of employment. In case the notice is not filed, the total amount of the benefit paid during the period of employment prior to notice shall be paid from amounts allocated under ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code prior to its distribution to the school district in which the disability benefit recipient was so employed.

Sec. 3309.48. Any employee who left the service of an employer after attaining age sixty-five or over and such employer had failed or refused to deduct and transmit to the school employees retirement system the employee contributions as required by section 3309.47 of the Revised Code during any year for which membership was compulsory as determined by the school employees retirement board, shall be granted service credit without cost,

which shall be considered as total service credit for the purposes 2508
of meeting the qualifications for service retirement provided by 2509
the law in effect on and retroactive to the first eligible 2510
retirement date following the date such employment terminated, but 2511
shall not be paid until formal application for such allowance on a 2512
form provided by the retirement board is received in the office of 2513
the retirement system. The total service credit granted under this 2514
section shall not exceed ten years for any such employee. 2515

The liability incurred by the retirement board because of the 2516
service credit granted under this section shall be determined by 2517
the retirement board, the cost of which shall be equal to an 2518
amount that is determined by applying the combined employee and 2519
employer rates of contribution against the compensation of such 2520
employee at the rates of contribution and maximum salary 2521
provisions in effect during such employment for each year for 2522
which credit is granted, together with interest at the rate to be 2523
credited accumulated contributions at retirement, compounded 2524
annually from the first day of the month payment was due the 2525
retirement system to and including the month of deposit, the total 2526
amount of which shall be collected from the employer. Such amounts 2527
shall be certified by the retirement board to the superintendent 2528
of public instruction, who shall deduct the amount due the system 2529
from any funds due the affected school district under ~~Chapter~~ 2530
Chapters 3306. and 3317. of the Revised Code. The superintendent 2531
shall certify to the director of budget and management the amount 2532
due the system for payment. The total amount paid shall be 2533
deposited into the employers' trust fund, and shall not be 2534
considered as accumulated contributions of the employee in the 2535
event of ~~his~~ the employee's death or withdrawal of funds. 2536

Sec. 3309.51. (A) Each employer shall pay annually into the 2537
employers' trust fund, in such monthly or less frequent 2538

installments as the school employees retirement board requires, an amount certified by the school employees retirement board, which shall be as required by Chapter 3309. of the Revised Code.

Payments by school district boards of education to the employers' trust fund of the school employees retirement system may be made from the amounts allocated under ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code prior to their distribution to the individual school districts. The amount due from each school district may be certified by the secretary of the system to the superintendent of public instruction monthly, or at such times as is determined by the school employees retirement board.

Payments by governing authorities of community schools to the employers' trust fund of the school employees retirement system shall be made from the amounts allocated under section 3314.08 of the Revised Code prior to their distribution to the individual community schools. The amount due from each community school shall be certified by the secretary of the system to the superintendent of public instruction monthly, or at such times as determined by the school employees retirement board.

Payments by a science, technology, engineering, and mathematics school to the employers' trust fund of the school employees retirement system shall be made from the amounts allocated under section 3326.33 of the Revised Code prior to their distribution to the school. The amount due from a science, technology, engineering, and mathematics school shall be certified by the secretary of the school employees retirement system to the superintendent of public instruction monthly, or at such times as determined by the school employees retirement board.

(B) The superintendent shall deduct from the amount allocated to each community school under section 3314.08 of the Revised

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Code, to each school district under ~~Chapter~~ Chapters 3306. and 2570
 3317. of the Revised Code, or to each science, technology, 2571
 engineering, and mathematics school under section 3326.33 of the 2572
 Revised Code the entire amounts due to the school employees 2573
 retirement system from such school or school district upon the 2574
 certification to the superintendent by the secretary thereof. 2575

(C) Where an employer fails or has failed or refuses to make 2576
 payments to the employers' trust fund, as provided for under 2577
 Chapter 3309. of the Revised Code, the secretary of the school 2578
 employees retirement system may certify to the state 2579
 superintendent of public instruction, monthly or at such times as 2580
 is determined by the school employees retirement board, the amount 2581
 due from such employer, and the superintendent shall deduct from 2582
 the amount allocated to the employer under section 3314.08 or 2583
 3326.33 or Chapter 3306. or 3317. of the Revised Code, as 2584
 applicable, the entire amounts due to the system from the employer 2585
 upon the certification to the superintendent by the secretary of 2586
 the school employees retirement system. 2587

(D) The superintendent shall certify to the director of 2588
 budget and management the amounts thus due the system for 2589
 payment." 2590

Between lines 35777 and 35778, insert: 2591

"**Sec. 3310.08.** (A) The amount paid for an eligible student 2592
 under the educational choice scholarship pilot program shall be 2593
 the lesser of the tuition of the chartered nonpublic school in 2594
 which the student is enrolled or the maximum amount prescribed in 2595
 section 3310.09 of the Revised Code. 2596

(B) (1) The department shall pay to the parent of each 2597
 eligible student for whom a scholarship is awarded under the 2598
 program, or to the student if at least eighteen years of age, 2599

periodic partial payments of the scholarship. 2600

(2) The department shall proportionately reduce or terminate the payments for any student who withdraws from a chartered nonpublic school prior to the end of the school year. 2601
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(C) (1) The department shall deduct five thousand two hundred dollars from the payments made to each school district under ~~Chapter Chapters~~ 3306. and 3317. and, if necessary, sections 321.24 and 323.156 of the Revised Code ~~one of the following amounts, as applicable,~~ for each eligible student awarded a scholarship under the educational choice scholarship pilot program who is entitled under section 3313.64 or 3313.65 of the Revised Code to attend school in the district+ 2604
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~~(a) For each scholarship student enrolled in kindergarten, two thousand seven hundred dollars;~~ 2612
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~~(b) For each scholarship student enrolled in grades one to twelve, five thousand two hundred dollars.~~ 2614
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The amount deducted under division (C) (1) of this section funds scholarships for students under both the educational choice scholarship pilot program and the pilot project scholarship program under sections 3313.974 to 3313.979 of the Revised Code. 2616
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(2) If the department reduces or terminates payments to a parent or a student, as prescribed in division (B) (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 (C) (1) of this section. 2620
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(D) In the case of any school district from which a deduction is made under division (C) of this section, the department shall 2628
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disclose on the district's SF-3 form, or any successor to that form used to calculate a district's state funding for operating expenses, a comparison of the following:

(1) The district's ~~state base cost~~ state share of the adequacy amount payment, as calculated under ~~division (A)(1) of section 3317.022 3306.13~~ of the Revised Code ~~prior to making the adjustments under divisions (A)(2) and (3) of that section,~~ with the scholarship students included in the district's formula ADM;

(2) What the district's state ~~base cost~~ share of the adequacy amount payment would have been, as calculated under ~~division (A)(1) of that section prior to making the adjustments under divisions (A)(2) and (3) of that section,~~ if the scholarship students were not included in the district's formula ADM.

This comparison shall display both the aggregate difference between the amounts described in divisions (D)(1) and (2) of this section, and the quotient of that aggregate difference divided by the number of eligible students for whom deductions are made under division (C) of this section.

Sec. 3310.09. ~~(A)~~ The maximum amount awarded to an eligible student ~~in fiscal year 2007~~ under the educational choice scholarship pilot program shall be as follows:

~~(1)(A)~~ For grades kindergarten through eight, four thousand ~~two~~ five hundred ~~fifty~~ dollars;

~~(2)(B)~~ For grades nine through twelve, five thousand three hundred dollars.

~~(B)~~ In ~~fiscal year 2008~~ and in each ~~fiscal year thereafter,~~ the ~~maximum amount awarded under the program shall be the applicable maximum amount awarded in the previous fiscal year increased by the same percentage by which the general assembly~~

~~increased the formula amount, as defined in section 3317.02 of the Revised Code, from the previous fiscal year.~~ 2659
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Between lines 35839 and 35840, insert: 2661

"Sec. 3310.41. (A) As used in this section: 2662

(1) "Alternative public provider" means either of the 2663
following providers that agrees to enroll a child in the 2664
provider's special education program to implement the child's 2665
individualized education program and to which the child's parent 2666
owes fees for the services provided to the child: 2667

(a) A school district that is not the school district in 2668
which the child is entitled to attend school; 2669

(b) A public entity other than a school district. 2670

(2) "Entitled to attend school" means entitled to attend 2671
school in a school district under section 3313.64 or 3313.65 of 2672
the Revised Code. 2673

(3) "Formula ADM" and "category six special education ADM" 2674
have the same meanings as in section 3317.02 of the Revised Code. 2675

(4) "Preschool child with a disability" and "individualized 2676
education program" have the same meanings as in section 3323.01 of 2677
the Revised Code. 2678

(5) "Parent" has the same meaning as in section 3313.64 of 2679
the Revised Code, except that "parent" does not mean a parent 2680
whose custodial rights have been terminated. 2681

(6) "Preschool scholarship ADM" means the number of preschool 2682
children with disabilities reported under division (B) (3) (h) of 2683
section 3317.03 of the Revised Code. 2684

(7) "Qualified special education child" is a child for whom 2685
all of the following conditions apply: 2686

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

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

(c) The child either:

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

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

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

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

(B) There is hereby established the autism scholarship program. Under the program, the department of education shall pay a scholarship to the parent of each qualified special education child upon application of that parent pursuant to procedures and deadlines established by rule of the state board of education. Each scholarship shall be used only to pay tuition for the child

on whose behalf the scholarship is awarded to attend a special
education program that implements the child's individualized
education program and that is operated by an alternative public
provider or by a registered private provider. Each scholarship
shall be in an amount not to exceed the lesser of the tuition
charged for the child by the special education program or twenty
thousand dollars. The purpose of the scholarship is to permit the
parent of a qualified special education child the choice to send
the child to a special education program, instead of the one
operated by or for the school district in which the child is
entitled to attend school, to receive the services prescribed in
the child's individualized education program once the
individualized education program is finalized. A scholarship under
this section shall not be awarded to the parent of a child while
the child's individualized education program is being developed by
the school district in which the child is entitled to attend
school, or while any administrative or judicial mediation or
proceedings with respect to the content of the child's
individualized education program are pending. A scholarship under
this section shall not be used for a child to attend a public
special education program that operates under a contract, compact,
or other bilateral agreement between the school district in which
the child is entitled to attend school and another school district
or other public provider, or for a child to attend a community
school established under Chapter 3314. of the Revised Code.
However, nothing in this section or in any rule adopted by the
state board shall prohibit a parent whose child attends a public
special education program under a contract, compact, or other
bilateral agreement, or a parent whose child attends a community
school, from applying for and accepting a scholarship under this
section so that the parent may withdraw the child from that
program or community school and use the scholarship for the child

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to attend a special education program for which the parent is required to pay for services for the child. A child attending a special education program with a scholarship under this section shall continue to be entitled to transportation to and from that program in the manner prescribed by law.

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(C) (1) As prescribed in divisions (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.

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(2) In each fiscal year, the department shall deduct from the amounts paid to each school district under ~~Chapter~~ Chapters 3306. and 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. The When computing the school district's instructional services support under section 3306.05 of the Revised Code, the department shall add the district's preschool scholarship ADM to

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the district's formula ADM. 2780

The scholarships deducted shall be considered as an approved 2781
 special education and related services expense ~~for the purpose of~~ 2782
 the school ~~district's compliance with division (C)(5) of section~~ 2783
~~3317.022 of the Revised Code~~ district. 2784

(3) From time to time, the department shall make a payment to 2785
 the parent of each qualified special education child for whom a 2786
 scholarship has been awarded under this section. The scholarship 2787
 amount shall be proportionately reduced in the case of any such 2788
 child who is not enrolled in the special education program for 2789
 which a scholarship was awarded under this section for the entire 2790
 school year. The department shall make no payments to the parent 2791
 of a child while any administrative or judicial mediation or 2792
 proceedings with respect to the content of the child's 2793
 individualized education program are pending. 2794

(D) A scholarship shall not be paid to a parent for payment 2795
 of tuition owed to a nonpublic entity unless that entity is a 2796
 registered private provider. The department shall approve entities 2797
 that meet the standards established by rule of the state board for 2798
 the program established under this section. 2799

(E) The state board shall adopt rules under Chapter 119. of 2800
 the Revised Code prescribing procedures necessary to implement 2801
 this section, including, but not limited to, procedures and 2802
 deadlines for parents to apply for scholarships, standards for 2803
 registered private providers, and procedures for approval of 2804
 entities as registered private providers." 2805

Between lines 36389 and 36390, insert: 2806

"Sec. 3311.06. (A) As used in this section: 2807

(1) "Annexation" and "annexed" mean annexation for municipal 2808
 purposes under sections 709.02 to 709.37 of the Revised Code. 2809

(2) "Annexed territory" means territory that has been annexed for municipal purposes to a city served by an urban school district, but on September 24, 1986, has not been transferred to the urban school district.

(3) "Urban school district" means a city school district with an average daily membership for the 1985-1986 school year in excess of twenty thousand that is the school district of a city that contains annexed territory.

(4) "Annexation agreement" means an agreement entered into under division (F) of this section that has been approved by the state board of education or an agreement entered into prior to September 24, 1986, that meets the requirements of division (F) of this section and has been filed with the state board.

(B) The territory included within the boundaries of a city, local, exempted village, or joint vocational school district shall be contiguous except where a natural island forms an integral part of the district, where the state board of education authorizes a noncontiguous school district, as provided in division (E)(1) of this section, or where a local school district is created pursuant to section 3311.26 of the Revised Code from one or more local school districts, one of which has entered into an agreement under section 3313.42 of the Revised Code.

(C) (1) When all of the territory of a school district is annexed to a city or village, such territory thereby becomes a part of the city school district or the school district of which the village is a part, and the legal title to school property in such territory for school purposes shall be vested in the board of education of the city school district or the school district of which the village is a part.

(2) When the territory so annexed to a city or village comprises part but not all of the territory of a school district,

the said territory becomes part of the city school district or the school district of which the village is a part only upon approval by the state board of education, unless the district in which the territory is located is a party to an annexation agreement with the city school district.

Any urban school district that has not entered into an annexation agreement with any other school district whose territory would be affected by any transfer under this division and that desires to negotiate the terms of transfer with any such district shall conduct any negotiations under division (F) of this section as part of entering into an annexation agreement with such a district.

Any school district, except an urban school district, desiring state board approval of a transfer under this division shall make a good faith effort to negotiate the terms of transfer with any other school district whose territory would be affected by the transfer. Before the state board may approve any transfer of territory to a school district, except an urban school district, under this section, it must receive the following:

(a) A resolution requesting approval of the transfer, passed by at least one of the school districts whose territory would be affected by the transfer;

(b) Evidence determined to be sufficient by the state board to show that good faith negotiations have taken place or that the district requesting the transfer has made a good faith effort to hold such negotiations;

(c) If any negotiations took place, a statement signed by all boards that participated in the negotiations, listing the terms agreed on and the points on which no agreement could be reached.

(D) The state board of education shall adopt rules governing

negotiations held by any school district except an urban school district pursuant to division (C)(2) of this section. The rules shall encourage the realization of the following goals:

(1) A discussion by the negotiating districts of the present and future educational needs of the pupils in each district;

(2) The educational, financial, and territorial stability of each district affected by the transfer;

(3) The assurance of appropriate educational programs, services, and opportunities for all the pupils in each participating district, and adequate planning for the facilities needed to provide these programs, services, and opportunities.

Districts involved in negotiations under such rules may agree to share revenues from the property included in the territory to be transferred, establish cooperative programs between the participating districts, and establish mechanisms for the settlement of any future boundary disputes.

(E)(1) If territory annexed after September 24, 1986, is part of a school district that is a party to an annexation agreement with the urban school district serving the annexing city, the transfer of such territory shall be governed by the agreement. If the agreement does not specify how the territory is to be dealt with, the boards of education of the district in which the territory is located and the urban school district shall negotiate with regard to the transfer of the territory which shall be transferred to the urban school district unless, not later than ninety days after the effective date of municipal annexation, the boards of education of both districts, by resolution adopted by a majority of the members of each board, agree that the territory will not be transferred and so inform the state board of education.

If territory is transferred under this division the transfer shall take effect on the first day of July occurring not sooner than ninety-one days after the effective date of the municipal annexation. Territory transferred under this division need not be contiguous to the district to which it is transferred.

(2) Territory annexed prior to September 24, 1986, by a city served by an urban school district shall not be subject to transfer under this section if the district in which the territory is located is a party to an annexation agreement or becomes a party to such an agreement not later than ninety days after September 24, 1986. If the district does not become a party to an annexation agreement within the ninety-day period, transfer of territory shall be governed by division (C) (2) of this section. If the district subsequently becomes a party to an agreement, territory annexed prior to September 24, 1986, other than territory annexed under division (C) (2) of this section prior to the effective date of the agreement, shall not be subject to transfer under this section.

(F) An urban school district may enter into a comprehensive agreement with one or more school districts under which transfers of territory annexed by the city served by the urban school district after September 24, 1986, shall be governed by the agreement. Such agreement must provide for the establishment of a cooperative education program under section 3313.842 of the Revised Code in which all the parties to the agreement are participants and must be approved by resolution of the majority of the members of each of the boards of education of the school districts that are parties to it. An agreement may provide for interdistrict payments based on local revenue growth resulting from development in any territory annexed by the city served by the urban school district.

An agreement entered into under this division may be altered, 2932
modified, or terminated only by agreement, by resolution approved 2933
by the majority of the members of each board of education, of all 2934
school districts that are parties to the agreement, except that 2935
with regard to any provision that affects only the urban school 2936
district and one of the other districts that is a party, that 2937
district and the urban district may modify or alter the agreement 2938
by resolution approved by the majority of the members of the board 2939
of that district and the urban district. Alterations, 2940
modifications, terminations, and extensions of an agreement 2941
entered into under this division do not require approval of the 2942
state board of education, but shall be filed with the board after 2943
approval and execution by the parties. 2944

If an agreement provides for interdistrict payments, each 2945
party to the agreement, except any school district specifically 2946
exempted by the agreement, shall agree to make an annual payment 2947
to the urban school district with respect to any of its territory 2948
that is annexed territory in an amount not to exceed the amount 2949
certified for that year under former section 3317.029 of the 2950
Revised Code as that section existed prior to July 1, 1998; except 2951
that such limitation of annual payments to amounts certified under 2952
former section 3317.029 of the Revised Code does not apply to 2953
agreements or extensions of agreements entered into on or after 2954
June 1, 1992, unless such limitation is expressly agreed to by the 2955
parties. The agreement may provide that all or any part of the 2956
payment shall be waived if the urban school district receives its 2957
payment with respect to such annexed territory under former 2958
section 3317.029 of the Revised Code and that all or any part of 2959
such payment may be waived if the urban school district does not 2960
receive its payment with respect to such annexed territory under 2961
such section. 2962

With respect to territory that is transferred to the urban school district after September 24, 1986, the agreement may provide for annual payments by the urban school district to the school district whose territory is transferred to the urban school district subsequent to annexation by the city served by the urban school district.

(G) In the event territory is transferred from one school district to another under this section, an equitable division of the funds and indebtedness between the districts involved shall be made under the supervision of the state board of education and that board's decision shall be final. Such division shall not include funds payable to or received by a school district under Chapter 3306. or 3317. of the Revised Code or payable to or received by a school district from the United States or any department or agency thereof. In the event such transferred territory includes real property owned by a school district, the state board of education, as part of such division of funds and indebtedness, shall determine the true value in money of such real property and all buildings or other improvements thereon. The board of education of the school district receiving such territory shall forthwith pay to the board of education of the school district losing such territory such true value in money of such real property, buildings, and improvements less such percentage of the true value in money of each school building located on such real property as is represented by the ratio of the total enrollment in day classes of the pupils residing in the territory transferred enrolled at such school building in the school year in which such annexation proceedings were commenced to the total enrollment in day classes of all pupils residing in the school district losing such territory enrolled at such school building in such school year. The school district receiving such payment shall place the proceeds thereof in its sinking fund or bond retirement

fund. 2995

(H) The state board of education, before approving such 2996
transfer of territory, shall determine that such payment has been 2997
made and shall apportion to the acquiring school district such 2998
percentage of the indebtedness of the school district losing the 2999
territory as is represented by the ratio that the assessed 3000
valuation of the territory transferred bears to the total assessed 3001
valuation of the entire school district losing the territory as of 3002
the effective date of the transfer, provided that in ascertaining 3003
the indebtedness of the school district losing the territory the 3004
state board of education shall disregard such percentage of the 3005
par value of the outstanding and unpaid bonds and notes of said 3006
school district issued for construction or improvement of the 3007
school building or buildings for which payment was made by the 3008
acquiring district as is equal to the percentage by which the true 3009
value in money of such building or buildings was reduced in fixing 3010
the amount of said payment. 3011

(I) No transfer of school district territory or division of 3012
funds and indebtedness incident thereto, pursuant to the 3013
annexation of territory to a city or village shall be completed in 3014
any other manner than that prescribed by this section regardless 3015
of the date of the commencement of such annexation proceedings, 3016
and this section applies to all proceedings for such transfers and 3017
divisions of funds and indebtedness pending or commenced on or 3018
after October 2, 1959. 3019

Sec. 3311.19. (A) The management and control of a joint 3020
vocational school district shall be vested in the joint vocational 3021
school district board of education. Where a joint vocational 3022
school district is composed only of two or more local school 3023
districts located in one county, or when all the participating 3024
districts are in one county and the boards of such participating 3025

districts so choose, the educational service center governing 3026
 board of the county in which the joint vocational school district 3027
 is located shall serve as the joint vocational school district 3028
 board of education. Where a joint vocational school district is 3029
 composed of local school districts of more than one county, or of 3030
 any combination of city, local, or exempted village school 3031
 districts or educational service centers, unless administration by 3032
 the educational service center governing board has been chosen by 3033
 all the participating districts in one county pursuant to this 3034
 section, the board of education of the joint vocational school 3035
 district shall be composed of one or more persons who are members 3036
 of the boards of education from each of the city or exempted 3037
 village school districts or members of the educational service 3038
 centers' governing boards affected to be appointed by the boards 3039
 of education or governing boards of such school districts and 3040
 educational service centers. In such joint vocational school 3041
 districts the number and terms of members of the joint vocational 3042
 school district board of education and the allocation of a given 3043
 number of members to each of the city and exempted village 3044
 districts and educational service centers shall be determined in 3045
 the plan for such district, provided that each such joint 3046
 vocational school district board of education shall be composed of 3047
 an odd number of members. 3048

(B) Notwithstanding division (A) of this section, a governing 3049
 board of an educational service center that has members of its 3050
 governing board serving on a joint vocational school district 3051
 board of education may make a request to the joint vocational 3052
 district board that the joint vocational school district plan be 3053
 revised to provide for one or more members of boards of education 3054
 of local school districts that are within the territory of the 3055
 educational service district and within the joint vocational 3056
 school district to serve in the place of or in addition to its 3057

educational service center governing board members. If agreement 3058
is obtained among a majority of the boards of education and 3059
governing boards that have a member serving on the joint 3060
vocational school district board of education and among a majority 3061
of the local school district boards of education included in the 3062
district and located within the territory of the educational 3063
service center whose board requests the substitution or addition, 3064
the state board of education may revise the joint vocational 3065
school district plan to conform with such agreement. 3066

(C) If the board of education of any school district or 3067
educational service center governing board included within a joint 3068
vocational district that has had its board or governing board 3069
membership revised under division (B) of this section requests the 3070
joint vocational school district board to submit to the state 3071
board of education a revised plan under which one or more joint 3072
vocational board members chosen in accordance with a plan revised 3073
under such division would again be chosen in the manner prescribed 3074
by division (A) of this section, the joint vocational board shall 3075
submit the revised plan to the state board of education, provided 3076
the plan is agreed to by a majority of the boards of education 3077
represented on the joint vocational board, a majority of the local 3078
school district boards included within the joint vocational 3079
district, and each educational service center governing board 3080
affected by such plan. The state board of education may revise the 3081
joint vocational school district plan to conform with the revised 3082
plan. 3083

(D) The vocational schools in such joint vocational school 3084
district shall be available to all youth of school age within the 3085
joint vocational school district subject to the rules adopted by 3086
the joint vocational school district board of education in regard 3087
to the standards requisite to admission. A joint vocational school 3088

district board of education shall have the same powers, duties, 3089
 and authority for the management and operation of such joint 3090
 vocational school district as is granted by law, except by this 3091
 chapter and Chapters 124., 3306., 3317., 3323., and 3331. of the 3092
 Revised Code, to a board of education of a city school district, 3093
 and shall be subject to all the provisions of law that apply to a 3094
 city school district, except such provisions in this chapter and 3095
 Chapters 124., 3306., 3317., 3323., and 3331. of the Revised Code. 3096

(E) Where a governing board of an educational service center 3097
 has been designated to serve as the joint vocational school 3098
 district board of education, the educational service center 3099
 superintendent shall be the executive officer for the joint 3100
 vocational school district, and the governing board may provide 3101
 for additional compensation to be paid to the educational service 3102
 center superintendent by the joint vocational school district, but 3103
 the educational service center superintendent shall have no 3104
 continuing tenure other than that of educational service center 3105
 superintendent. The superintendent of schools of a joint 3106
 vocational school district shall exercise the duties and authority 3107
 vested by law in a superintendent of schools pertaining to the 3108
 operation of a school district and the employment and supervision 3109
 of its personnel. The joint vocational school district board of 3110
 education shall appoint a treasurer of the joint vocational school 3111
 district who shall be the fiscal officer for such district and who 3112
 shall have all the powers, duties, and authority vested by law in 3113
 a treasurer of a board of education. Where a governing board of an 3114
 educational service center has been designated to serve as the 3115
 joint vocational school district board of education, such board 3116
 may appoint the educational service center superintendent as the 3117
 treasurer of the joint vocational school district. 3118

(F) Each member of a joint vocational school district board 3119

of education may be paid such compensation as the board provides 3120
 by resolution, but it shall not exceed one hundred twenty-five 3121
 dollars per member for each meeting attended plus mileage, at the 3122
 rate per mile provided by resolution of the board, to and from 3123
 meetings of the board. 3124

The board may provide by resolution for the deduction of 3125
 amounts payable for benefits under section 3313.202 of the Revised 3126
 Code. 3127

Each member of a joint vocational school district board may 3128
 be paid such compensation as the board provides by resolution for 3129
 attendance at an approved training program, provided that such 3130
 compensation shall not exceed sixty dollars per day for attendance 3131
 at a training program three hours or fewer in length and one 3132
 hundred twenty-five dollars a day for attendance at a training 3133
 program longer than three hours in length. However, no board 3134
 member shall be compensated for the same training program under 3135
 this section and section 3313.12 of the Revised Code. 3136

Sec. 3311.21. (A) In addition to the resolutions authorized 3137
 by sections 5705.194, 5705.199, 5705.21, 5705.212, and 5705.213 of 3138
 the Revised Code, the board of education of a joint vocational or 3139
 cooperative education school district by a vote of two-thirds of 3140
 its full membership may at any time adopt a resolution declaring 3141
 the necessity to levy a tax in excess of the ten-mill limitation 3142
 for a period not to exceed ten years to provide funds for any one 3143
 or more of the following purposes, which may be stated in the 3144
 following manner in such resolution, the ballot, and the notice of 3145
 election: purchasing a site or enlargement thereof and for the 3146
 erection and equipment of buildings; for the purpose of enlarging, 3147
 improving, or rebuilding thereof; for the purpose of providing for 3148
 the current expenses of the joint vocational or cooperative school 3149
 district; or for a continuing period for the purpose of providing 3150

for the current expenses of the joint vocational or cooperative 3151
 education school district. The resolution shall specify the amount 3152
 of the proposed rate and, if a renewal, whether the levy is to 3153
 renew all, or a portion of, the existing levy, and shall specify 3154
 the first year in which the levy will be imposed. If the levy 3155
 provides for but is not limited to current expenses, the 3156
 resolution shall apportion the annual rate of the levy between 3157
 current expenses and the other purpose or purposes. Such 3158
 apportionment may but need not be the same for each year of the 3159
 levy, but the respective portions of the rate actually levied each 3160
 year for current expenses and the other purpose or purposes shall 3161
 be limited by such apportionment. The portion of any such rate 3162
 actually levied for current expenses of a joint vocational or 3163
 cooperative education school district shall be used in applying 3164
division (A) (1) of section 3306.01 and division (A) of section 3165
 3317.01 of the Revised Code. The portion of any such rate not 3166
 apportioned to the current expenses of a joint vocational or 3167
 cooperative education school district shall be used in applying 3168
 division (B) of this section. On the adoption of such resolution, 3169
 the joint vocational or cooperative education school district 3170
 board of education shall certify the resolution to the board of 3171
 elections of the county containing the most populous portion of 3172
 the district, which board shall receive resolutions for filing and 3173
 send them to the boards of elections of each county in which 3174
 territory of the district is located, furnish all ballots for the 3175
 election as provided in section 3505.071 of the Revised Code, and 3176
 prepare the election notice; and the board of elections of each 3177
 county in which the territory of such district is located shall 3178
 make the other necessary arrangements for the submission of the 3179
 question to the electors of the joint vocational or cooperative 3180
 education school district at the next primary or general election 3181
 occurring not less than seventy-five days after the resolution was 3182

received from the joint vocational or cooperative education school 3183
district board of education, or at a special election to be held 3184
at a time designated by the district board of education consistent 3185
with the requirements of section 3501.01 of the Revised Code, 3186
which date shall not be earlier than seventy-five days after the 3187
adoption and certification of the resolution. 3188

The board of elections of the county or counties in which 3189
territory of the joint vocational or cooperative education school 3190
district is located shall cause to be published in one or more 3191
newspapers of general circulation in that district an 3192
advertisement of the proposed tax levy question together with a 3193
statement of the amount of the proposed levy once a week for two 3194
consecutive weeks, prior to the election at which the question is 3195
to appear on the ballot, and, if the board of elections operates 3196
and maintains a web site, the board also shall post a similar 3197
advertisement on its web site for thirty days prior to that 3198
election. 3199

If a majority of the electors voting on the question of 3200
levying such tax vote in favor of the levy, the joint vocational 3201
or cooperative education school district board of education shall 3202
annually make the levy within the district at the rate specified 3203
in the resolution and ballot or at any lesser rate, and the county 3204
auditor of each affected county shall annually place the levy on 3205
the tax list and duplicate of each school district in the county 3206
having territory in the joint vocational or cooperative education 3207
school district. The taxes realized from the levy shall be 3208
collected at the same time and in the same manner as other taxes 3209
on the duplicate, and the taxes, when collected, shall be paid to 3210
the treasurer of the joint vocational or cooperative education 3211
school district and deposited to a special fund, which shall be 3212
established by the joint vocational or cooperative education 3213
school district board of education for all revenue derived from 3214

any tax levied pursuant to this section and for the proceeds of
anticipation notes which shall be deposited in such fund. After
the approval of the levy, the joint vocational or cooperative
education school district board of education may anticipate a
fraction of the proceeds of the levy and from time to time, during
the life of the levy, but in any year prior to the time when the
tax collection from the levy so anticipated can be made for that
year, issue anticipation notes in an amount not exceeding fifty
per cent of the estimated proceeds of the levy to be collected in
each year up to a period of five years after the date of the
issuance of the notes, less an amount equal to the proceeds of the
levy obligated for each year by the issuance of anticipation
notes, provided that the total amount maturing in any one year
shall not exceed fifty per cent of the anticipated proceeds of the
levy for that year. Each issue of notes shall be sold as provided
in Chapter 133. of the Revised Code, and shall, except for such
limitation that the total amount of such notes maturing in any one
year shall not exceed fifty per cent of the anticipated proceeds
of the levy for that year, mature serially in substantially equal
installments, during each year over a period not to exceed five
years after their issuance.

(B) Prior to the application of section 319.301 of the
Revised Code, the rate of a levy that is limited to, or to the
extent that it is apportioned to, purposes other than current
expenses shall be reduced in the same proportion in which the
district's total valuation increases during the life of the levy
because of additions to such valuation that have resulted from
improvements added to the tax list and duplicate.

(C) The form of ballot cast at an election under division (A)
of this section shall be as prescribed by section 5705.25 of the
Revised Code.

Sec. 3311.29. (A) Except as provided under division (B) or 3246
 (C) of this section, no school district shall be created and no 3247
 school district shall exist which does not maintain within such 3248
 district public schools consisting of grades kindergarten through 3249
 twelve and any such existing school district not maintaining such 3250
 schools shall be dissolved and its territory joined with another 3251
 school district or districts by order of the state board of 3252
 education if no agreement is made among the surrounding districts 3253
 voluntarily, which order shall provide an equitable division of 3254
 the funds, property, and indebtedness of the dissolved school 3255
 district among the districts receiving its territory. The state 3256
 board of education may authorize exceptions to school districts 3257
 where topography, sparsity of population, and other factors make 3258
 compliance impracticable. 3259

The superintendent of public instruction is without authority 3260
 to distribute funds under ~~sections 3317.022 to 3317.025~~ Chapter 3261
3306. or 3317. of the Revised Code to any school district that 3262
 does not maintain schools with grades kindergarten through twelve 3263
 and to which no exception has been granted by the state board of 3264
 education. 3265

(B) Division (A) of this section does not apply to any joint 3266
 vocational school district or any cooperative education school 3267
 district established pursuant to divisions (A) to (C) of section 3268
 3311.52 of the Revised Code. 3269

(C) (1) (a) Except as provided in division (C) (3) of this 3270
 section, division (A) of this section does not apply to any 3271
 cooperative education school district established pursuant to 3272
 section 3311.521 of the Revised Code nor to the city, exempted 3273
 village, or local school districts that have territory within such 3274
 a cooperative education district. 3275

(b) The cooperative district and each city, exempted village, or local district with territory within the cooperative district shall maintain the grades that the resolution adopted or amended pursuant to section 3311.521 of the Revised Code specifies.

(2) Any cooperative education school district described under division (C)(1) of this section that fails to maintain the grades it is specified to operate shall be dissolved by order of the state board of education unless prior to such an order the cooperative district is dissolved pursuant to section 3311.54 of the Revised Code. Any such order shall provide for the equitable adjustment, division, and disposition of the assets, property, debts, and obligations of the district among each city, local, and exempted village school district whose territory is in the cooperative district and shall provide that the tax duplicate of each city, local, and exempted village school district whose territory is in the cooperative district shall be bound for and assume its share of the outstanding indebtedness of the cooperative district.

(3) If any city, exempted village, or local school district described under division (C)(1) of this section fails to maintain the grades it is specified to operate the cooperative district within which it has territory shall be dissolved in accordance with division (C)(2) of this section and upon that dissolution any city, exempted village, or local district failing to maintain grades kindergarten through twelve shall be subject to the provisions for dissolution in division (A) of this section.

Sec. 3311.52. A cooperative education school district may be established pursuant to divisions (A) to (C) of this section or pursuant to section 3311.521 of the Revised Code.

(A) A cooperative education school district may be

established upon the adoption of identical resolutions within a 3306
sixty-day period by a majority of the members of the board of 3307
education of each city, local, and exempted village school 3308
district that is within the territory of a county school financing 3309
district. 3310

A copy of each resolution shall be filed with the governing 3311
board ~~of education~~ of the educational service center which created 3312
the county school financing district. Upon the filing of the last 3313
such resolution, the educational service center governing board 3314
shall immediately notify each board of education filing such a 3315
resolution of the date on which the last resolution was filed. 3316

Ten days after the date on which the last resolution is filed 3317
with the educational service center governing board or ten days 3318
after the last of any notices required under division (C) of this 3319
section is received by the educational service center governing 3320
board, whichever is later, the county school financing district 3321
shall be dissolved and the new cooperative education school 3322
district and the board of education of the cooperative education 3323
school district shall be established. 3324

On the date that any county school financing district is 3325
dissolved and a cooperative education school district is 3326
established under this section, each of the following shall apply: 3327

(1) The territory of the dissolved district becomes the 3328
territory of the new district. 3329

(2) Any outstanding tax levy in force in the dissolved 3330
district shall be spread over the territory of the new district 3331
and shall remain in force in the new district until the levy 3332
expires or is renewed. 3333

(3) Any funds of the dissolved district shall be paid over in 3334
full to the new district. 3335

(4) Any net indebtedness of the dissolved district shall be assumed in full by the new district. As used in division (A) (4) of this section, "net indebtedness" means the difference between the par value of the outstanding and unpaid bonds and notes of the dissolved district and the amount held in the sinking fund and other indebtedness retirement funds for their redemption.

When a county school financing district is dissolved and a cooperative education school district is established under this section, the governing board of the educational service center that created the dissolved district shall give written notice of this fact to the county auditor and the board of elections of each county having any territory in the new district.

(B) The resolutions adopted under division (A) of this section shall include all of the following provisions:

(1) Provision that the governing board of the educational service center which created the county school financing district shall be the board of education of the cooperative education school district, except that provision may be made for the composition, selection, and terms of office of an alternative board of education of the cooperative district, which board shall include at least one member selected from or by the members of the board of education of each city, local, and exempted village school district and at least one member selected from or by the members of the educational service center governing board within the territory of the cooperative district;

(2) Provision that the treasurer and superintendent of the educational service center which created the county school financing district shall be the treasurer and superintendent of the cooperative education school district, except that provision may be made for the selection of a treasurer or superintendent of the cooperative district other than the treasurer or

superintendent of the educational service center, which provision
shall require one of the following:

(a) The selection of one person as both the treasurer and
superintendent of the cooperative district, which provision may
require such person to be the treasurer or superintendent of any
city, local, or exempted village school district or educational
service center within the territory of the cooperative district;

(b) The selection of one person as the treasurer and another
person as the superintendent of the cooperative district, which
provision may require either one or both such persons to be
treasurers or superintendents of any city, local, or exempted
village school districts or educational service center within the
territory of the cooperative district.

(3) A statement of the educational program the board of
education of the cooperative education school district will
conduct, including but not necessarily limited to the type of
educational program, the grade levels proposed for inclusion in
the program, the timetable for commencing operation of the
program, and the facilities proposed to be used or constructed to
be used by the program;

(4) A statement of the annual amount, or the method for
determining that amount, of funds or services or facilities that
each city, local, and exempted village school district within the
territory of the cooperative district is required to pay to or
provide for the use of the board of education of the cooperative
education school district;

(5) Provision for adopting amendments to the provisions of
divisions (B) (2) to (4) of this section.

(C) If the resolutions adopted under division (A) of this
section provide for a board of education of the cooperative

education school district that is not the governing board of the
 educational service center that created the county school
 financing district, each board of education of each city, local,
 or exempted village school district and the governing board of the
 educational service center within the territory of the cooperative
 district shall, within thirty days after the date on which the
 last resolution is filed with the educational service center
 governing board under division (A) of this section, select one or
 more members of the board of education of the cooperative district
 as provided in the resolutions filed with the educational service
 center governing board. Each such board shall immediately notify
 the educational ~~services~~ service center governing board of each
 such selection.

(D) Except for the powers and duties in this chapter and
 Chapters 124., 3306., 3317., 3318., 3323., and 3331. of the
 Revised Code, a cooperative education school district established
 pursuant to divisions (A) to (C) of this section or pursuant to
 section 3311.521 of the Revised Code has all the powers of a city
 school district and its board of education has all the powers and
 duties of a board of education of a city school district with
 respect to the educational program specified in the resolutions
 adopted under division (A) of this section. All laws applicable to
 a city school district or the board of education or the members of
 the board of education of a city school district, except such laws
 in this chapter and Chapters 124., 3306., 3317., 3318., 3323., and
 3331. of the Revised Code, are applicable to a cooperative
 education school district and its board.

The treasurer and superintendent of a cooperative education
 school district shall have the same respective duties and powers
 as a treasurer and superintendent of a city school district,
 except for any powers and duties in this chapter and Chapters

124., 3306., 3317., 3318., 3323., and 3331. of the Revised Code. 3428

(E) For purposes of this title, any student included in the 3429
 formula ADM certified for any city, exempted village, or local 3430
 school district under section 3317.03 of the Revised Code by 3431
 virtue of being counted, in whole or in part, in the average daily 3432
 membership of a cooperative education school district under 3433
 division (A)(2)(f) of that section shall be construed to be 3434
 enrolled both in that city, exempted village, or ~~village~~ local 3435
 school district and in that cooperative education school district. 3436
 This division shall not be construed to mean that any such 3437
 individual student may be counted more than once for purposes of 3438
 determining the average daily membership of any one school 3439
 district. 3440

Sec. 3311.76. (A) Notwithstanding Chapters 3302., 3306., and 3441
 3317. of the Revised Code, upon written request of the district 3442
 chief executive officer the state superintendent of public 3443
 instruction may exempt a municipal school district from any rules 3444
 adopted under Title XXXIII of the Revised Code except for any rule 3445
 adopted under Chapter 3307. or 3309., sections 3319.07 to 3319.21, 3446
 or Chapter 3323. of the Revised Code, and may authorize a 3447
 municipal school district to apply funds allocated to the district 3448
 under ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code, except 3449
 those specifically allocated to purposes other than current 3450
 expenses, to the payment of debt charges on the district's public 3451
 obligations. The request must specify the provisions from which 3452
 the district is seeking exemption or the application requested and 3453
 the reasons for the request. The state superintendent shall 3454
 approve the request if the superintendent finds the requested 3455
 exemption or application is in the best interest of the district's 3456
 students. The superintendent shall approve or disapprove the 3457
 request within thirty days and shall notify the district board and 3458

the district chief executive officer of approval or reasons for 3459
disapproving the request. 3460

(B) In addition to the rights, authority, and duties 3461
conferred upon a municipal school district and its board of 3462
education in sections 3311.71 to 3311.76 of the Revised Code, a 3463
municipal school district and its board shall have all of the 3464
rights, authority, and duties conferred upon a city school 3465
district and its board by law that are not inconsistent with 3466
sections 3311.71 to 3311.76 of the Revised Code." 3467

Between lines 36492 and 36493, insert: 3468

"Sec. 3313.483. (A) A board of education, upon the adoption 3469
of a resolution stating that it may be financially unable to open 3470
on the day or to remain open for instruction on all days set forth 3471
in its adopted school calendar and pay all obligated expenses, or 3472
the superintendent of public instruction upon the issuance of 3473
written notification under division (B) of section 3313.489 of the 3474
Revised Code, shall request the auditor of state to determine 3475
whether such situation exists. The auditor shall deliver a copy of 3476
each request from a board of education to the superintendent of 3477
public instruction. In the case of a school district not under a 3478
fiscal emergency pursuant to Chapter 3316. of the Revised Code the 3479
auditor shall not issue a finding under this section until written 3480
notification is received from the superintendent pursuant to 3481
section 3313.487 of the Revised Code. 3482

(B) If the auditor of state finds that the board of education 3483
has attempted to avail itself to the fullest extent authorized by 3484
law of all lawful revenue sources available to it except those 3485
authorized by section 5705.21 of the Revised Code, the auditor 3486
shall certify that finding to the superintendent of public 3487
instruction and the state board of education and shall certify the 3488
operating deficit the district will have at the end of the fiscal 3489

year if it commences or continues operating its instructional 3490
 program in accordance with its adopted school calendar and pays 3491
 all obligated expenses. 3492

(C) No board of education may delay the opening of its 3493
 schools or close its schools for financial reasons. Upon the 3494
 request of the superintendent of public instruction, the attorney 3495
 general shall seek injunctive relief and any other relief required 3496
 to enforce this prohibition in the court of common pleas of 3497
 Franklin county. The court of common pleas of Franklin county has 3498
 exclusive original jurisdiction over all such actions. 3499

(D) Upon the receipt of any certification of an operating 3500
 deficit from the auditor of state, a board of education shall make 3501
 application to a commercial bank, underwriter, or other 3502
 prospective lender or purchaser of its obligations for a loan in 3503
 an amount sufficient to enable the district to open or remain open 3504
 for instruction on all days set forth in its adopted school 3505
 calendar but not to exceed the amount of the deficit certified. 3506

(E) (1) Any board of education that has applied for and been 3507
 denied a loan from a commercial bank, underwriter, or other 3508
 prospective lender or purchaser of its obligations pursuant to 3509
 division (D) of this section shall submit to the superintendent of 3510
 public instruction a plan for implementing reductions in the 3511
 school district's budget; apply for a loan from a commercial bank, 3512
 underwriter, or other prospective lender or purchaser of its 3513
 obligations in an amount not to exceed its certified deficit; and 3514
 provide the superintendent such information as the superintendent 3515
 requires concerning its application for such a loan. The board of 3516
 education of a school district declared to be under a fiscal watch 3517
 pursuant to division (A) of section 3316.03 of the Revised Code 3518
 may, upon approval of the superintendent, utilize the financial 3519
 plan required by section 3316.04 of the Revised Code, or 3520

applicable parts thereof, as the plan required under this 3521
division. The board of education of a school district declared to 3522
be under a fiscal emergency pursuant to division (B) of section 3523
3316.03 of the Revised Code may utilize the financial recovery 3524
plan for the district, or applicable parts thereof, as the plan 3525
required under this division. Except for the plan of a school 3526
district under a fiscal emergency, the superintendent shall 3527
evaluate, make recommendations concerning, and approve or 3528
disapprove each plan. When a plan is submitted, the superintendent 3529
shall immediately notify the members of the general assembly whose 3530
legislative districts include any or all of the territory of the 3531
school district submitting the plan. 3532

(2) The superintendent shall submit to the controlling board 3533
a copy of each plan the superintendent approves, or each plan 3534
submitted by a district under a fiscal emergency pursuant to 3535
division (B) of section 3316.03 of the Revised Code, and the 3536
general terms of each proposed loan, and shall make 3537
recommendations regarding the plan and whether a proposed loan to 3538
the board of education should be approved for payment as provided 3539
in division (E)(3) of this section. The controlling board shall 3540
approve or disapprove the plan and the proposed loan presented to 3541
it by the superintendent. In the case of a district not under a 3542
fiscal emergency pursuant to division (B) of section 3316.03 of 3543
the Revised Code, the controlling board may require a board of 3544
education to implement the superintendent's recommendations for 3545
expenditure reductions or impose other requirements. Loan 3546
repayments shall be in accordance with a schedule approved by the 3547
superintendent, except that the principal amount of the loan shall 3548
be payable in monthly, semiannual, or annual installments of 3549
principal and interest that are substantially equal principal and 3550
interest installments. Except as otherwise provided in division 3551
(E)(2) of this section, repayment shall be made no later than the 3552

fifteenth day of June of the second fiscal year following the approval of the loan. A school district with a certified deficit in excess of either twenty-five million dollars or fifteen per cent of the general fund expenditures of the district during the fiscal year shall repay the loan no later than the fifteenth day of June of the tenth fiscal year following the approval of the loan. In deciding whether to approve or disapprove a proposed loan, the controlling board shall consider the deficit certified by the auditor of state pursuant to this section. A board of education that has an outstanding loan approved pursuant to this section with a repayment date of more than two fiscal years after the date of approval of such loan may not apply for another loan with such a repayment date until the outstanding loan has been repaid.

(3) If a board of education has submitted and received controlling board approval of a plan and proposed loan in accordance with this section, the superintendent of public instruction shall report to the controlling board the actual amounts loaned to the board of education. Such board of education shall request the superintendent to pay any funds the board of education would otherwise receive pursuant to ~~sections 3317.022 to 3317.025~~ Chapter 3306. of the Revised Code first directly to the holders of the board of education's notes, or an agent thereof, such amounts as are specified under the terms of the loan. Such payments shall be made only from and to the extent of money appropriated by the general assembly for purposes of such sections. No note or other obligation of the board of education under the loan constitutes an obligation nor a debt or a pledge of the faith, credit, or taxing power of the state, and the holder or owner of such note or obligation has no right to have taxes levied by the general assembly for the payment of such note or obligation, and such note or obligation shall contain a statement

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to that effect.

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(4) Pursuant to the terms of such a loan, a board of education may issue its notes in anticipation of the collection of its voted levies for current expenses or its receipt of such state funds or both. Such notes shall be issued in accordance with division (E) of section 133.10 of the Revised Code and constitute Chapter 133. securities to the extent such division and the otherwise applicable provisions of Chapter 133. of the Revised Code are not inconsistent with this section, provided that in any event sections 133.24 and 5705.21 and divisions (A), (B), (C), and (E) (2) of section 133.10 of the Revised Code do not apply to such notes.

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(5) Notwithstanding section 133.36 or 3313.17, any other section of the Revised Code, or any other provision of law, a board of education that has received a loan under this section may not declare bankruptcy, so long as any portion of such loan remains unpaid.

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(F) Under this section and sections 3313.4810 and 3313.4811, "board of education" or "district board" includes the financial planning and supervision commission of a school district under a fiscal emergency pursuant to Chapter 3316. of the Revised Code where such commission chooses to exercise the powers and duties otherwise required of the district board of education under this section and sections 3313.4810 and 3313.4811 of the Revised Code."

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Between lines 36637 and 36638, insert:

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"Sec. 3313.55. The board of education of any school district in which is located a state, district, county, or municipal hospital for children with epilepsy or any public institution, except state institutions for the care and treatment of delinquent, unstable, or socially maladjusted children, shall make

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provision for the education of all educable children therein; 3615
 except that in the event another school district within the same 3616
 county or an adjoining county is the source of sixty per cent or 3617
 more of the children in said hospital or institution, the board of 3618
 that school district shall make provision for the education of all 3619
 the children therein. In any case in which a board provides 3620
 educational facilities under this section, the board that provides 3621
 the facilities shall be entitled to all moneys authorized for the 3622
 attendance of pupils as provided in Chapter 3306. or 3317. of the 3623
 Revised Code, tuition as provided in section 3317.08 of the 3624
 Revised Code, and such additional compensation as is provided for 3625
 crippled children in sections 3323.01 to 3323.12 of the Revised 3626
 Code. Any board that provides the educational facilities for 3627
 children in county or municipal institutions established for the 3628
 care and treatment of children who are delinquent, unstable, or 3629
 socially maladjusted shall not be entitled to any moneys provided 3630
 for crippled children in sections 3323.01 to 3323.12 of the 3631
 Revised Code." 3632

Between lines 37659 and 37660, insert: 3633

"Sec. 3313.6410. This section applies to any school that is 3634
 operated by a school district and in which the enrolled students 3635
 work primarily on assignments in nonclassroom-based learning 3636
 opportunities provided via an internet- or other computer-based 3637
 instructional method. 3638

(A) Any school to which this section applies shall withdraw 3639
 from the school any student who, for two consecutive school years, 3640
 has failed to participate in the spring administration of any test 3641
 prescribed under section 3301.0710 or 3301.0712 of the Revised 3642
 Code for the student's grade level and was not excused from the 3643
 test pursuant to division (C) (1) or (3) of section 3301.0711 of 3644
 the Revised Code, regardless of whether a waiver was granted for 3645

the student under division (E) of section 3317.03 of the Revised Code. The school shall report any such student's data verification code, as assigned pursuant to section 3301.0714 of the Revised Code, to the department of education to be added to the list maintained by the department under section 3314.26 of the Revised Code.

(B) No school to which this section applies shall receive any state funds under Chapter 3306. or 3317. of the Revised Code for any enrolled student whose data verification code appears on the list maintained by the department under section 3314.26 of the Revised Code. Notwithstanding any provision of the Revised Code to the contrary, the parent of any such student shall pay tuition to the school district that operates the school in an amount equal to the state funds the district otherwise would receive for that student, as determined by the department. A school to which this section applies may withdraw any student for whom the parent does not pay tuition as required by this division."

Between lines 38152 and 38153, insert:

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

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

(1) "Parent" means either of the natural or adoptive parents of a student, except under the following conditions:

(a) When the marriage of the natural or adoptive parents of the student has been terminated by a divorce, dissolution of

marriage, or annulment or the natural or adoptive parents of the student are living separate and apart under a legal separation decree and the court has issued an order allocating the parental rights and responsibilities with respect to the student, "parent" means the residential parent as designated by the court except that "parent" means either parent when the court issues a shared parenting decree.

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

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

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

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

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

(5) "Adjacent district joint vocational student" means an adjacent district student who enrolls in a city, exempted village, or local school district pursuant to this section and who also enrolls in a joint vocational school district that does not contain the territory of the district for which that student is a native student and does contain the territory of the city, exempted village, or local district in which the student enrolls.

(6) "Formula amount" has the same meaning as in section

3317.02 of the Revised Code. 3706

(7) "Adjusted formula amount" means the sum of the formula amount plus the per pupil amount of the base funding supplements specified in divisions (C)(1) to (4) of section 3317.012 of the Revised Code for fiscal year 2009. 3707
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(8) "Poverty line" means the poverty line established by the director of the United States office of management and budget as revised by the director of the office of community services in accordance with section 673(2) of the "Community Services Block Grant Act," 95 Stat. 1609, 42 U.S.C.A. 9902, as amended. 3711
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(9) "IEP" has the same meaning as in section 3323.01 of the Revised Code. 3716
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(10) "Other district" means a city, exempted village, or local school district having territory outside of the territory of a district adopting a resolution under this section. 3718
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(11) "Other district student" means a student entitled under section 3313.64 or 3313.65 of the Revised Code to attend school in an other district. 3721
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(12) "Other district joint vocational student" means a student who is enrolled in any city, exempted village, or local school district and who also enrolls in a joint vocational school district that does not contain the territory of the district for which that student is a native student in accordance with a policy adopted under section 3313.983 of the Revised Code. 3724
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(B)(1) The board of education of each city, local, and exempted village school district shall adopt a resolution establishing for the school district one of the following policies: 3730
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(a) A policy that entirely prohibits the enrollment of students from adjacent districts or other districts, other than 3734
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students for whom tuition is paid in accordance with section	3736
3317.08 of the Revised Code;	3737
(b) A policy that permits enrollment of students from all	3738
adjacent districts in accordance with policy statements contained	3739
in the resolution;	3740
(c) A policy that permits enrollment of students from all	3741
other districts in accordance with policy statements contained in	3742
the resolution.	3743
(2) A policy permitting enrollment of students from adjacent	3744
or from other districts, as applicable, shall provide for all of	3745
the following:	3746
(a) Application procedures, including deadlines for	3747
application and for notification of students and the	3748
superintendent of the applicable district whenever an adjacent or	3749
other district student's application is approved.	3750
(b) Procedures for admitting adjacent or other district	3751
applicants free of any tuition obligation to the district's	3752
schools, including, but not limited to:	3753
(i) The establishment of district capacity limits by grade	3754
level, school building, and education program;	3755
(ii) A requirement that all native students wishing to be	3756
enrolled in the district will be enrolled and that any adjacent or	3757
other district students previously enrolled in the district shall	3758
receive preference over first-time applicants;	3759
(iii) Procedures to ensure that an appropriate racial balance	3760
is maintained in the district schools.	3761
(C) Except as provided in section 3313.982 of the Revised	3762
Code, the procedures for admitting adjacent or other district	3763
students, as applicable, shall not include:	3764

- (1) Any requirement of academic ability, or any level of athletic, artistic, or other extracurricular skills; 3765
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- (2) Limitations on admitting applicants because of disability, except that a board may refuse to admit a student receiving services under Chapter 3323. of the Revised Code, if the services described in the student's IEP are not available in the district's schools; 3767
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- (3) A requirement that the student be proficient in the English language; 3772
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- (4) Rejection of any applicant because the student has been subject to disciplinary proceedings, except that if an applicant has been suspended or expelled by the student's district for ten consecutive days or more in the term for which admission is sought or in the term immediately preceding the term for which admission is sought, the procedures may include a provision denying admission of such applicant. 3774
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- (D) (1) Each school board permitting only enrollment of adjacent district students shall provide information about the policy adopted under this section, including the application procedures and deadlines, to the superintendent and the board of education of each adjacent district and, upon request, to the parent of any adjacent district student. 3781
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- (2) Each school board permitting enrollment of other district students shall provide information about the policy adopted under this section, including the application procedures and deadlines, upon request, to the board of education of any other school district or to the parent of any student anywhere in the state. 3787
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- (E) Any school board shall accept all credits toward graduation earned in adjacent or other district schools by an adjacent or other district student or a native student. 3792
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(F) (1) No board of education may adopt a policy discouraging or prohibiting its native students from applying to enroll in the schools of an adjacent or any other district that has adopted a policy permitting such enrollment, except that:

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

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

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

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

(H) A resolution adopted by a board of education under this

section that entirely prohibits the enrollment of students from 3826
 adjacent and from other school districts does not abrogate any 3827
 agreement entered into under section 3313.841 or 3313.92 of the 3828
 Revised Code or any contract entered into under section 3313.90 of 3829
 the Revised Code between the board of education adopting the 3830
 resolution and the board of education of any adjacent or other 3831
 district or prohibit these boards of education from entering into 3832
 any such agreement or contract. 3833

(I) Nothing in this section shall be construed to permit or 3834
 require the board of education of a city, exempted village, or 3835
 local school district to exclude any native student of the 3836
 district from enrolling in the district. 3837

Sec. 3313.981. (A) The state board of education shall adopt 3838
 rules requiring all of the following: 3839

(1) The board of education of each city, exempted village, 3840
 and local school district to annually report to the department of 3841
 education all of the following: 3842

(a) The number of adjacent district or other district 3843
 students, as applicable, and adjacent district or other district 3844
 joint vocational students, as applicable, enrolled in the district 3845
 and the number of native students enrolled in adjacent or other 3846
 districts, in accordance with a policy adopted under division (B) 3847
 of section 3313.98 of the Revised Code; 3848

(b) Each adjacent district or other district student's or 3849
 adjacent district or other district joint vocational student's 3850
 date of enrollment in the district; 3851

(c) The full-time equivalent number of adjacent district or 3852
 other district students enrolled in vocational education programs 3853
 or classes described in division (A) of section 3317.014 of the 3854
 Revised Code and the full-time equivalent number of such students 3855

enrolled in vocational education programs or classes described in
division (B) of that section; 3856
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(d) Each native student's date of enrollment in an adjacent
or other district. 3858
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(2) The board of education of each joint vocational school
district to annually report to the department all of the 3860
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following: 3862

(a) The number of adjacent district or other district joint
vocational students, as applicable, enrolled in the district; 3863
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(b) The full-time equivalent number of adjacent district or
other district joint vocational students enrolled in vocational 3865
education programs or classes described in division (A) of section 3866
3317.014 of the Revised Code and the full-time equivalent number 3867
of such students enrolled in vocational education programs or 3868
classes described in division (B) of that section; 3869
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(c) For each adjacent district or other district joint
vocational student, the city, exempted village, or local school 3871
district in which the student is also enrolled. 3872
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(3) Prior to the first full school week in October each year,
the superintendent of each city, local, or exempted village school 3874
district that admits adjacent district or other district students 3875
or adjacent district or other district joint vocational students 3876
in accordance with a policy adopted under division (B) of section 3877
3313.98 of the Revised Code to notify each adjacent or other 3878
district where those students are entitled to attend school under 3879
section 3313.64 or 3313.65 of the Revised Code of the number of 3880
the adjacent or other district's native students who are enrolled 3881
in the superintendent's district under the policy. 3882
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The rules shall provide for the method of counting students 3884
who are enrolled for part of a school year in an adjacent or other 3885

district or as an adjacent district or other district joint 3886
 vocational student. 3887

(B) From the payments made to a city, exempted village, or 3888
 local school district under Chapter ~~3317-~~ 3306. of the Revised 3889
 Code, the department of education shall annually subtract both of 3890
 the following: 3891

(1) An amount equal to the number of the district's native 3892
 students reported under division (A) (1) of this section who are 3893
 enrolled in adjacent or other school districts pursuant to 3894
 policies adopted by such districts under division (B) of section 3895
 3313.98 of the Revised Code multiplied by the adjusted formula 3896
 amount ~~for the district~~; 3897

(2) The excess costs computed in accordance with division (E) 3898
 of this section for any such native students receiving special 3899
 education and related services in adjacent or other school 3900
 districts or as an adjacent district or other district joint 3901
 vocational student; 3902

(3) For the full-time equivalent number of the district's 3903
 native students reported under division (A) (1) (c) or (2) (b) of 3904
 this section as enrolled in vocational education programs or 3905
 classes described in section 3317.014 of the Revised Code, an 3906
 amount equal to the formula amount times the applicable multiple 3907
 prescribed by that section. 3908

(C) To the payments made to a city, exempted village, or 3909
 local school district under Chapter ~~3317-~~ 3306. of the Revised 3910
 Code, the department of education shall annually add all of the 3911
 following: 3912

(1) An amount equal to the adjusted formula amount ~~for the~~ 3913
~~district~~ multiplied by the remainder obtained by subtracting the 3914
 number of adjacent district or other district joint vocational 3915

students from the number of adjacent district or other district 3916
students enrolled in the district, as reported under division 3917
(A) (1) of this section; 3918

(2) The excess costs computed in accordance with division (E) 3919
of this section for any adjacent district or other district 3920
students, except for any adjacent or other district joint 3921
vocational students, receiving special education and related 3922
services in the district; 3923

(3) For the full-time equivalent number of the adjacent or 3924
other district students who are not adjacent district or other 3925
district joint vocational students and are reported under division 3926
(A) (1) (c) of this section as enrolled in vocational education 3927
programs or classes described in section 3317.014 of the Revised 3928
Code, an amount equal to the formula amount times the applicable 3929
multiple prescribed by that section; 3930

(4) An amount equal to the number of adjacent district or 3931
other district joint vocational students reported under division 3932
(A) (1) of this section multiplied by an amount equal to twenty per 3933
cent of the adjusted formula amount ~~for the district~~. 3934

(D) To the payments made to a joint vocational school 3935
district ~~under Chapter 3317. of the Revised Code~~, the department 3936
of education shall add, for each adjacent district or other 3937
district joint vocational student reported under division (A) (2) 3938
of this section, both of the following: 3939

(1) ~~An amount equal to the~~ The adjusted formula amount ~~of the~~ 3940
~~city, exempted village, or local school district in which the~~ 3941
~~student is also enrolled;~~ 3942

(2) An amount equal to the full-time equivalent number of 3943
students reported pursuant to division (A) (2) (b) of this section 3944
times the formula amount times the applicable multiple prescribed 3945
by section 3317.014 of the Revised Code. 3946

(E) (1) A city, exempted village, or local school board 3947
providing special education and related services to an adjacent or 3948
other district student in accordance with an IEP shall, pursuant 3949
to rules of the state board, compute the excess costs to educate 3950
such student as follows: 3951

(a) Subtract the adjusted formula amount ~~for the district~~ 3952
from the actual costs to educate the student; 3953

(b) From the amount computed under division (E) (1) (a) of this 3954
section subtract the amount of any funds received by the district 3955
under Chapter ~~3317-~~ 3306. of the Revised Code to provide special 3956
education and related services to the student. 3957

(2) The board shall report the excess costs computed under 3958
this division to the department of education. 3959

(3) If any student for whom excess costs are computed under 3960
division (E) (1) of this section is an adjacent or other district 3961
joint vocational student, the department of education shall add 3962
the amount of such excess costs to the payments made under Chapter 3963
~~3317-~~ 3306. of the Revised Code to the joint vocational school 3964
district enrolling the student. 3965

(F) As provided in division (D) (1) (b) of section 3317.03 of 3966
the Revised Code, no joint vocational school district shall count 3967
any adjacent or other district joint vocational student enrolled 3968
in the district in its formula ADM certified under section 3317.03 3969
of the Revised Code. 3970

(G) No city, exempted village, or local school district shall 3971
receive a payment under division (C) of this section for a 3972
student, and no joint vocational school district shall receive a 3973
payment under division (D) of this section for a student, if for 3974
the same school year that student is counted in the district's 3975
formula ADM certified under section 3317.03 of the Revised Code. 3976

(H) Upon request of a parent, and provided the board offers transportation to native students of the same grade level and distance from school under section 3327.01 of the Revised Code, a city, exempted village, or local school board enrolling an adjacent or other district student shall provide transportation for the student within the boundaries of the board's district, except that the board shall be required to pick up and drop off a nonhandicapped student only at a regular school bus stop designated in accordance with the board's transportation policy. Pursuant to rules of the state board of education, such board may reimburse the parent from funds received under ~~division (D) of~~ section ~~3317.022~~ 3306.12 of the Revised Code for the reasonable cost of transportation from the student's home to the designated school bus stop if the student's family has an income below the federal poverty line."

In line 38620, strike through "(A)" and insert "The deductions under division (C) and the payments under division (D) of this section for fiscal years 2010 and 2011 shall be made in accordance with section 3314.088 of the Revised Code."

(A)"

Between lines 39258 and 39259, insert:

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

(1) "Career-technical program" means vocational programs or classes described in division (A) or (B) of section 3317.014 of the Revised Code in which a student is enrolled.

(2) "Formula ADM," "category one or two vocational education ADM," and "FTE basis" have the same meanings as in section 3317.02 of the Revised Code.

(3) "Resident school district" means the city, exempted

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village, or local school district in which a student is entitled
to attend school under section 3313.64 or 3313.65 of the Revised
Code.

(B) Notwithstanding anything to the contrary in this chapter
or Chapter 3306. or 3317. of the Revised Code, a student enrolled
in a community school may simultaneously enroll in the
career-technical program operated by the student's resident school
district. On an FTE basis, the student's resident school district
shall count the student in the category one or two vocational
education ADM for the proportion of the time the student is
enrolled in the district's career-technical program and,
accordingly, the department of education shall calculate funds
under ~~Chapter~~ Chapters 3306. and 3317. for the district
attributable to the student for the proportion of time the student
attends the career-technical program. The community school shall
count the student in its enrollment report under section 3314.08
of the Revised Code and shall report to the department the
proportion of time that the student attends classes at the
community school. The department shall pay the community school
and deduct from the student's resident school district the amount
computed for the student under section 3314.08 of the Revised Code
in proportion to the fraction of the time on an FTE basis that the
student attends classes at the community school. "Full-time
equivalency" for a community school student, as defined in
division (L) of section 3314.08 of the Revised Code, does not
apply to the student.

Sec. 3314.088. (A) For purposes of applying sections 3314.08
and 3314.13 of the Revised Code to fiscal years 2010 and 2011:

(1) The base formula amount for community schools for fiscal
year 2010 is \$5,718 and for fiscal year 2011 is \$5,703. These
respective amounts shall be applied wherein sections 3314.08 and

3314.13 of the Revised Code the base formula amount is specified, 4037
except for deducting and paying amounts for special education 4038
weighted funding and vocational education weighted funding. 4039

(2) The base funding supplements under section 3317.012 of 4040
the Revised Code shall be deemed in each year to be the amounts 4041
specified in that section for fiscal year 2009. 4042

(3) Special education additional weighted funding shall be 4043
calculated by multiplying the applicable weight specified in 4044
section 3317.013 of the Revised Code for fiscal year 2009 times 4045
\$5,732. 4046

(4) Vocational education additional weighted funding shall be 4047
calculated by multiplying the applicable weight specified in 4048
section 3317.014 of the Revised Code for fiscal year 2009 times 4049
\$5,732. 4050

(5) The per pupil amounts paid to a school district under 4051
sections 3317.029 and 3317.0217 of the Revised Code shall be 4052
deemed to be the respective per pupil amounts paid under those 4053
sections to that district for fiscal year 2009. 4054

(6) A community school may receive all-day kindergarten 4055
payments under section 3314.13 of the Revised Code only for 4056
all-day kindergarten students who are entitled to attend school in 4057
school districts that, for fiscal year 2009, met the eligibility 4058
requirements of division (D) of section 3317.029 of the Revised 4059
Code. For students entitled to attend school in such school 4060
districts that actually received payment for all-day kindergarten 4061
for fiscal year 2009, the payments to community schools under 4062
section 3314.13 of the Revised Code shall be deducted from the 4063
school district's state education aid. For students entitled to 4064
attend school in such school districts that did not receive 4065
payment for all-day kindergarten for fiscal year 2009, the 4066
payments to community schools under section 3314.13 of the Revised 4067

Code shall be paid out of the funds appropriated under 4068
appropriation item 200550, foundation funding, as appropriated in 4069
section 265.10 of Am. Sub. H.B. 1 of the 128th General Assembly. 4070
As used in this division, "entitled to attend school" has the same 4071
meaning as in section 3314.08 of the Revised Code. 4072

(B) For purposes of applying section 3314.085 of the Revised 4073
Code to fiscal years 2010 and 2011, the minimum per pupil 4074
expenditure required for pupil instruction under that section is 4075
\$2,931, which equals the minimum amount required by that section 4076
for fiscal year 2009. 4077

Sec. 3314.091. (A) A school district is not required to 4078
provide transportation for any native student enrolled in a 4079
community school if the district board of education has entered 4080
into an agreement with the community school's governing authority 4081
that designates the community school as responsible for providing 4082
or arranging for the transportation of the district's native 4083
students to and from the community school. For any such agreement 4084
to be effective, it must be certified by the superintendent of 4085
public instruction as having met all of the following 4086
requirements: 4087

(1) It is submitted to the department of education by a 4088
deadline which shall be established by the department. 4089

(2) In accordance with divisions (C) (1) and (2) of this 4090
section, it specifies qualifications, such as residing a minimum 4091
distance from the school, for students to have their 4092
transportation provided or arranged. 4093

(3) The transportation provided by the community school is 4094
subject to all provisions of the Revised Code and all rules 4095
adopted under the Revised Code pertaining to pupil transportation. 4096

(4) The sponsor of the community school also has signed the 4097

agreement. 4098

(B) (1) For the school year that begins on July 1, 2007, a 4099
school district is not required to provide transportation for any 4100
native student enrolled in a community school, if the community 4101
school during the previous school year transported the students 4102
enrolled in the school or arranged for the students' 4103
transportation, even if that arrangement consisted of having 4104
parents transport their children to and from the school, but did 4105
not enter into an agreement to transport or arrange for 4106
transportation for those students under division (A) of this 4107
section, and if the governing authority of the community school by 4108
July 15, 2007, submits written notification to the district board 4109
of education stating that the governing authority is accepting 4110
responsibility for providing or arranging for the transportation 4111
of the district's native students to and from the community 4112
school. 4113

(2) For any school year subsequent to the school year that 4114
begins on July 1, 2007, a school district is not required to 4115
provide transportation for any native student enrolled in a 4116
community school if the governing authority of the community 4117
school, by the thirty-first day of January of the previous school 4118
year, submits written notification to the district board of 4119
education stating that the governing authority is accepting 4120
responsibility for providing or arranging for the transportation 4121
of the district's native students to and from the community 4122
school. If the governing authority of the community school has 4123
previously accepted responsibility for providing or arranging for 4124
the transportation of a district's native students to and from the 4125
community school, under division (B) (1) or (2) of this section, 4126
and has since relinquished that responsibility under division 4127
(B) (3) of this section, the governing authority shall not accept 4128

that responsibility again unless the district board consents to 4129
the governing authority's acceptance of that responsibility. 4130

(3) A governing authority's acceptance of responsibility 4131
under division (B)(1) or (2) of this section shall cover an entire 4132
school year, and shall remain in effect for subsequent school 4133
years unless the governing authority submits written notification 4134
to the district board that the governing authority is 4135
relinquishing the responsibility. However, a governing authority 4136
shall not relinquish responsibility for transportation before the 4137
end of a school year, and shall submit the notice relinquishing 4138
responsibility by the thirty-first day of January, in order to 4139
allow the school district reasonable time to prepare 4140
transportation for its native students enrolled in the school. 4141

(C)(1) A community school governing authority that enters 4142
into an agreement under division (A) of this section, or that 4143
accepts responsibility under division (B) of this section, shall 4144
provide or arrange transportation free of any charge for each of 4145
its enrolled students who is required to be transported under 4146
section 3327.01 of the Revised Code or who would otherwise be 4147
transported by the school district under the district's 4148
transportation policy. The governing authority shall report to the 4149
department of education the number of students transported or for 4150
whom transportation is arranged under this section in accordance 4151
with rules adopted by the state board of education. 4152

(2) The governing authority may provide or arrange 4153
transportation for any other enrolled student who is not eligible 4154
for transportation in accordance with division (C)(1) of this 4155
section and may charge a fee for such service up to the actual 4156
cost of the service. 4157

(3) Notwithstanding anything to the contrary in division 4158
(C)(1) or (2) of this section, a community school governing 4159

authority shall provide or arrange transportation free of any charge for any disabled student enrolled in the school for whom the student's individualized education program developed under Chapter 3323. of the Revised Code specifies transportation.

(D) (1) If a school district board and a community school governing authority elect to enter into an agreement under division (A) of this section, the department of education shall make payments to the community school according to the terms of the agreement for each student actually transported under division (C) (1) of this section.

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

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

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

(ii) The number of students included in the district's transportation ADM for the current fiscal year, as reported under division (B) (13) of section 3317.03 of the Revised Code, plus the number of students enrolled in the community school not counted in the district's transportation ADM who are transported under division (B) (1) or (2) of this section.

(b) For any fiscal year which the general assembly has specified that the transportation payments to school districts be calculated in accordance with ~~division (D) of section 3317.022~~ 3306.12 of the Revised Code and any rules of the state board of education implementing that ~~division~~ section, the payment to the community school shall be the amount so calculated that 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. The community school, however, is not required to use the same method to transport that student.

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.

(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 ~~division (D) of section 3317.022~~ 3306.12 of the Revised Code and the operating appropriations act.

(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.

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

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

Sec. 3314.10. (A)(1) The governing authority of any community
 school established under this chapter may employ teachers and
 nonteaching employees necessary to carry out its mission and

fulfill its contract. 4253

(2) Except as provided under division (A) (3) of this section, 4254
 employees hired under this section may organize and collectively 4255
 bargain pursuant to Chapter 4117. of the Revised Code. 4256
 Notwithstanding division (D) (1) of section 4117.06 of the Revised 4257
 Code, a unit containing teaching and nonteaching employees 4258
 employed under this section shall be considered an appropriate 4259
 unit. As applicable, employment under this section is subject to 4260
 either Chapter 3307. or 3309. of the Revised Code. 4261

(3) If a school is created by converting all or part of an 4262
 existing public school rather than by establishment of a new 4263
 start-up school, at the time of conversion, the employees of the 4264
 community school shall remain part of any collective bargaining 4265
 unit in which they were included immediately prior to the 4266
 conversion and shall remain subject to any collective bargaining 4267
 agreement for that unit in effect on the first day of July of the 4268
 year in which the community school initially begins operation and 4269
 shall be subject to any subsequent collective bargaining agreement 4270
 for that unit, unless a petition is certified as sufficient under 4271
 division (A) (6) of this section with regard to those employees. 4272
 Any new employees of the community school shall also be included 4273
 in the unit to which they would have been assigned had not the 4274
 conversion taken place and shall be subject to the collective 4275
 bargaining agreement for that unit unless a petition is certified 4276
 as sufficient under division (A) (6) of this section with regard to 4277
 those employees. 4278

Notwithstanding division (B) of section 4117.01 of the 4279
 Revised Code, the board of education of a school district and not 4280
 the governing authority of a community school shall be regarded, 4281
 for purposes of Chapter 4117. of the Revised Code, as the "public 4282
 employer" of the employees of a conversion community school 4283

subject to a collective bargaining agreement pursuant to division 4284
(A) (3) of this section unless a petition is certified under 4285
division (A) (6) of this section with regard to those employees. 4286
Only on and after the effective date of a petition certified as 4287
sufficient under division (A) (6) of this section shall division 4288
(A) (2) of this section apply to those employees of that community 4289
school and only on and after the effective date of that petition 4290
shall Chapter 4117. of the Revised Code apply to the governing 4291
authority of that community school with regard to those employees. 4292

(4) Notwithstanding sections 4117.03 to 4117.18 of the 4293
Revised Code and Section 4 of Amended Substitute Senate Bill No. 4294
133 of the 115th general assembly, the employees of a conversion 4295
community school who are subject to a collective bargaining 4296
agreement pursuant to division (A) (3) of this section shall cease 4297
to be subject to that agreement and all subsequent agreements 4298
pursuant to that division and shall cease to be part of the 4299
collective bargaining unit that is subject to that and all 4300
subsequent agreements, if a majority of the employees of that 4301
community school who are subject to that collective bargaining 4302
agreement sign and submit to the state employment relations board 4303
a petition requesting all of the following: 4304

(a) That all the employees of the community school who are 4305
subject to that agreement be removed from the bargaining unit that 4306
is subject to that agreement and be designated by the state 4307
employment relations board as a new and separate bargaining unit 4308
for purposes of Chapter 4117. of the Revised Code; 4309

(b) That the employee organization certified as the exclusive 4310
representative of the employees of the bargaining unit from which 4311
the employees are to be removed be certified as the exclusive 4312
representative of the new and separate bargaining unit for 4313
purposes of Chapter 4117. of the Revised Code; 4314

(c) That the governing authority of the community school be 4315
regarded as the "public employer" of these employees for purposes 4316
of Chapter 4117. of the Revised Code. 4317

(5) Notwithstanding sections 4117.03 to 4117.18 of the 4318
Revised Code and Section 4 of Amended Substitute Senate Bill No. 4319
133 of the 115th general assembly, the employees of a conversion 4320
community school who are subject to a collective bargaining 4321
agreement pursuant to division (A)(3) of this section shall cease 4322
to be subject to that agreement and all subsequent agreements 4323
pursuant to that division, shall cease to be part of the 4324
collective bargaining unit that is subject to that and all 4325
subsequent agreements, and shall cease to be represented by any 4326
exclusive representative of that collective bargaining unit, if a 4327
majority of the employees of the community school who are subject 4328
to that collective bargaining agreement sign and submit to the 4329
state employment relations board a petition requesting all of the 4330
following: 4331

(a) That all the employees of the community school who are 4332
subject to that agreement be removed from the bargaining unit that 4333
is subject to that agreement; 4334

(b) That any employee organization certified as the exclusive 4335
representative of the employees of that bargaining unit be 4336
decertified as the exclusive representative of the employees of 4337
the community school who are subject to that agreement; 4338

(c) That the governing authority of the community school be 4339
regarded as the "public employer" of these employees for purposes 4340
of Chapter 4117. of the Revised Code. 4341

(6) Upon receipt of a petition under division (A)(4) or (5) 4342
of this section, the state employment relations board shall check 4343
the sufficiency of the signatures on the petition. If the 4344
signatures are found sufficient, the board shall certify the 4345

sufficiency of the petition and so notify the parties involved, 4346
including the board of education, the governing authority of the 4347
community school, and any exclusive representative of the 4348
bargaining unit. The changes requested in a certified petition 4349
shall take effect on the first day of the month immediately 4350
following the date on which the sufficiency of the petition is 4351
certified under division (A) (6) of this section. 4352

(B) (1) The board of education of each city, local, and 4353
exempted village school district sponsoring a community school and 4354
the governing board of each educational service center in which a 4355
community school is located shall adopt a policy that provides a 4356
leave of absence of at least three years to each teacher or 4357
nonteaching employee of the district or service center who is 4358
employed by a conversion or new start-up community school 4359
sponsored by the district or located in the district or center for 4360
the period during which the teacher or employee is continuously 4361
employed by the community school. The policy shall also provide 4362
that any teacher or nonteaching employee may return to employment 4363
by the district or service center if the teacher or employee 4364
leaves or is discharged from employment with the community school 4365
for any reason, unless, in the case of a teacher, the board of the 4366
district or service center determines that the teacher was 4367
discharged for a reason for which the board would have sought to 4368
discharge the teacher under section 3319.16 of the Revised Code, 4369
in which case the board may proceed to discharge the teacher 4370
utilizing the procedures of that section. Upon termination of such 4371
a leave of absence, any seniority that is applicable to the person 4372
shall be calculated to include all of the following: all 4373
employment by the district or service center prior to the leave of 4374
absence; all employment by the community school during the leave 4375
of absence; and all employment by the district or service center 4376
after the leave of absence. The policy shall also provide that if 4377

any teacher holding valid certification returns to employment by 4378
the district or service center upon termination of such a leave of 4379
absence, the teacher shall be restored to the previous position 4380
and salary or to a position and salary similar thereto. If, as a 4381
result of teachers returning to employment upon termination of 4382
such leaves of absence, a school district or educational service 4383
center reduces the number of teachers it employs, it shall make 4384
such reductions in accordance with section 3319.17 or, if 4385
applicable, 3319.171 of the Revised Code. 4386

Unless a collective bargaining agreement providing otherwise 4387
is in effect for an employee of a conversion community school 4388
pursuant to division (A)(3) of this section, an employee on a 4389
leave of absence pursuant to this division shall remain eligible 4390
for any benefits that are in addition to benefits under Chapter 4391
3307. or 3309. of the Revised Code provided by the district or 4392
service center to its employees provided the employee pays the 4393
entire cost associated with such benefits, except that personal 4394
leave and vacation leave cannot be accrued for use as an employee 4395
of a school district or service center while in the employ of a 4396
community school unless the district or service center board 4397
adopts a policy expressly permitting this accrual. 4398

(2) While on a leave of absence pursuant to division (B)(1) 4399
of this section, a conversion community school shall permit a 4400
teacher to use sick leave accrued while in the employ of the 4401
school district from which the leave of absence was taken and 4402
prior to commencing such leave. If a teacher who is on such a 4403
leave of absence uses sick leave so accrued, the cost of any 4404
salary paid by the community school to the teacher for that time 4405
shall be reported to the department of education. The cost of 4406
employing a substitute teacher for that time shall be paid by the 4407
community school. The department of education shall add amounts to 4408

the payments made to a community school under this chapter as 4409
 necessary to cover the cost of salary reported by a community 4410
 school as paid to a teacher using sick leave so accrued pursuant 4411
 to this section. The department shall subtract the amounts of any 4412
 payments made to community schools under this division from 4413
 payments made to such sponsoring school district under ~~Chapter~~ 4414
Chapters 3306. and 3317. of the Revised Code. 4415

A school district providing a leave of absence and employee 4416
 benefits to a person pursuant to this division is not liable for 4417
 any action of that person while the person is on such leave and 4418
 employed by a community school. 4419

Sec. 3314.13. ~~(A)~~ Payments and deductions under this section 4420
for fiscal years 2010 and 2011 shall be made in accordance with 4421
section 3314.088 of the Revised Code. 4422

(A) As used in this section: 4423

(1) "All-day kindergarten" has the same meaning as in section 4424
 3317.029 of the Revised Code. 4425

(2) "Formula amount" has the same meaning as in section 4426
 3317.02 of the Revised Code. 4427

(B) Except as provided in division (C) of this section, the 4428
 department of education annually shall pay each community school 4429
 established under this chapter one-half of the formula amount for 4430
 each student to whom both of the following apply: 4431

(1) The student is entitled to attend school under section 4432
 3313.64 or 3313.65 of the Revised Code in a school district that 4433
 is eligible to receive a payment under division (D) of section 4434
 3317.029 of the Revised Code if it provides all-day kindergarten; 4435

(2) The student is reported by the community school as 4436
 enrolled in all-day kindergarten at the community school. 4437

(C) The department shall make no payments under this section 4438
to any internet- or computer-based community school. 4439

(D) If a student for whom payment is made under division (B) 4440
of this section is entitled to attend school in a district that 4441
receives any payment for all-day kindergarten under division (D) 4442
of section 3317.029 of the Revised Code, the department shall 4443
deduct the payment to the community school under this section from 4444
the amount paid that school district under that division. If that 4445
school district does not receive payment for all-day kindergarten 4446
under that division because it does not provide all-day 4447
kindergarten, the department shall pay the community school from 4448
state funds appropriated generally for poverty-based assistance to 4449
school districts. 4450

(E) The department shall adjust the amounts deducted from 4451
school districts and paid to community schools under this section 4452
to reflect any enrollments of students in all-day kindergarten in 4453
community schools for less than the equivalent of a full school 4454
year." 4455

Between lines 39388 and 39389, insert: 4456

"Sec. 3316.041. (A) Notwithstanding any provision of Chapter 4457
133. or sections 3313.483 to 3313.4811 of the Revised Code, and 4458
subject to the approval of the superintendent of public 4459
instruction, a school district that is in a state of fiscal watch 4460
declared under section 3316.03 of the Revised Code may restructure 4461
or refinance loans obtained or in the process of being obtained 4462
under section 3313.483 of the Revised Code if all of the following 4463
requirements are met: 4464

(1) The operating deficit certified for the school district 4465
for the current or preceding fiscal year under section 3313.483 of 4466
the Revised Code exceeds fifteen per cent of the district's 4467

general revenue fund for the fiscal year preceding the year for 4468
 which the certification of the operating deficit is made. 4469

(2) The school district voters have, during the period of the 4470
 fiscal watch, approved the levy of a tax under section 718.09, 4471
 718.10, 5705.194, 5705.21, or 5748.02 of the Revised Code that is 4472
 not a renewal or replacement levy, or a levy under section 4473
 5705.199 of the Revised Code, and that will provide new operating 4474
 revenue. 4475

(3) The board of education of the school district has adopted 4476
 or amended the financial plan required by section 3316.04 of the 4477
 Revised Code to reflect the restructured or refinanced loans, and 4478
 sets forth the means by which the district will bring projected 4479
 operating revenues and expenditures, and projected debt service 4480
 obligations, into balance for the life of any such loan. 4481

(B) Subject to the approval of the superintendent of public 4482
 instruction, the school district may issue securities to evidence 4483
 the restructuring or refinancing authorized by this section. Such 4484
 securities may extend the original period for repayment not to 4485
 exceed ten years, and may alter the frequency and amount of 4486
 repayments, interest or other financing charges, and other terms 4487
 or agreements under which the loans were originally contracted, 4488
 provided the loans received under sections 3313.483 of the Revised 4489
 Code are repaid from funds the district would otherwise receive 4490
 under ~~sections 3317.022 to 3317.025~~ Chapter 3306. of the Revised 4491
 Code, as required under division (E) (3) of section 3313.483 of the 4492
 Revised Code. Securities issued for the purpose of restructuring 4493
 or refinancing under this section shall be repaid in equal 4494
 payments and at equal intervals over the term of the debt and are 4495
 not eligible to be included in any subsequent proposal to 4496
 restructure or refinance. 4497

(C) Unless the district is declared to be in a state of 4498

fiscal emergency under division (D) of section 3316.04 of the Revised Code, a school district shall remain in a state of fiscal watch for the duration of the repayment period of any loan restructured or refinanced under this section.

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Sec. 3316.06. (A) Within one hundred twenty days after the first meeting of a school district financial planning and supervision commission, the commission shall adopt a financial recovery plan regarding the school district for which the commission was created. During the formulation of the plan, the commission shall seek appropriate input from the school district board and from the community. This plan shall contain the following:

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(1) Actions to be taken to:

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(a) Eliminate all fiscal emergency conditions declared to exist pursuant to division (B) of section 3316.03 of the Revised Code;

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(b) Satisfy any judgments, past-due accounts payable, and all past-due and payable payroll and fringe benefits;

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(c) Eliminate the deficits in all deficit funds, except that any prior year deficits in the textbook and instructional materials fund established pursuant to section 3315.17 of the Revised Code and the capital and maintenance fund established pursuant to section 3315.18 of the Revised Code shall be forgiven;

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(d) Restore to special funds any moneys from such funds that were used for purposes not within the purposes of such funds, or borrowed from such funds by the purchase of debt obligations of the school district with the moneys of such funds, or missing from the special funds and not accounted for, if any;

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(e) Balance the budget, avoid future deficits in any funds,

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and maintain on a current basis payments of payroll, fringe 4528
benefits, and all accounts; 4529

(f) Avoid any fiscal emergency condition in the future; 4530

(g) Restore the ability of the school district to market 4531
long-term general obligation bonds under provisions of law 4532
applicable to school districts generally. 4533

(2) The management structure that will enable the school 4534
district to take the actions enumerated in division (A)(1) of this 4535
section. The plan shall specify the level of fiscal and management 4536
control that the commission will exercise within the school 4537
district during the period of fiscal emergency, and shall 4538
enumerate respectively, the powers and duties of the commission 4539
and the powers and duties of the school board during that period. 4540
The commission may elect to assume any of the powers and duties of 4541
the school board it considers necessary, including all powers 4542
related to personnel, curriculum, and legal issues in order to 4543
successfully implement the actions described in division (A)(1) of 4544
this section. 4545

(3) The target dates for the commencement, progress upon, and 4546
completion of the actions enumerated in division (A)(1) of this 4547
section and a reasonable period of time expected to be required to 4548
implement the plan. The commission shall prepare a reasonable time 4549
schedule for progress toward and achievement of the requirements 4550
for the plan, and the plan shall be consistent with that time 4551
schedule. 4552

(4) The amount and purpose of any issue of debt obligations 4553
that will be issued, together with assurances that any such debt 4554
obligations that will be issued will not exceed debt limits 4555
supported by appropriate certifications by the fiscal officer of 4556
the school district and the county auditor. Debt obligations 4557
issued pursuant to section 133.301 of the Revised Code shall 4558

include assurances that such debt shall be in an amount not to
exceed the amount certified under division (B) of such section. If
the commission considers it necessary in order to maintain or
improve educational opportunities of pupils in the school
district, the plan may include a proposal to restructure or
refinance outstanding debt obligations incurred by the board under
section 3313.483 of the Revised Code contingent upon the approval,
during the period of the fiscal emergency, by district voters of a
tax levied under section 718.09, 718.10, 5705.194, 5705.21,
5748.02, or 5748.08 of the Revised Code that is not a renewal or
replacement levy, or a levy under section 5705.199 of the Revised
Code, and that will provide new operating revenue. Notwithstanding
any provision of Chapter 133. or sections 3313.483 to 3313.4811 of
the Revised Code, following the required approval of the district
voters and with the approval of the commission, the school
district may issue securities to evidence the restructuring or
refinancing. Those securities may extend the original period for
repayment, not to exceed ten years, and may alter the frequency
and amount of repayments, interest or other financing charges, and
other terms of agreements under which the debt originally was
contracted, at the discretion of the commission, provided that any
loans received pursuant to section 3313.483 of the Revised Code
shall be paid from funds the district would otherwise receive
under ~~sections 3317.022 to 3317.025~~ Chapter 3306. of the Revised
Code, as required under division (E) (3) of section 3313.483 of the
Revised Code. The securities issued for the purpose of
restructuring or refinancing the debt shall be repaid in equal
payments and at equal intervals over the term of the debt and are
not eligible to be included in any subsequent proposal for the
purpose of restructuring or refinancing debt under this section.

(B) Any financial recovery plan may be amended subsequent to
its adoption. Each financial recovery plan shall be updated

annually. 4591

(C) Each school district financial planning and supervision 4592
 commission shall submit the financial recovery plan it adopts or 4593
 updates under this section to the state superintendent of public 4594
 instruction for approval immediately following its adoption or 4595
 updating. The state superintendent shall evaluate the plan and 4596
 either approve or disapprove it within thirty calendar days from 4597
 the date of its submission. If the plan is disapproved, the state 4598
 superintendent shall recommend modifications that will render it 4599
 acceptable. No financial planning and supervision commission shall 4600
 implement a financial recovery plan that is adopted or updated on 4601
 or after April 10, 2001, unless the state superintendent has 4602
 approved it. 4603

Sec. 3316.20. (A) (1) The school district solvency assistance 4604
 fund is hereby created in the state treasury, to consist of such 4605
 amounts designated for the purposes of the fund by the general 4606
 assembly. The fund shall be used to provide assistance and grants 4607
 to school districts to enable them to remain solvent and to pay 4608
~~unforseeable~~ unforeseeable expenses of a temporary or emergency 4609
 nature that they are unable to pay from existing resources. 4610

(2) There is hereby created within the fund an account known 4611
 as the school district shared resource account, which shall 4612
 consist of money appropriated to it by the general assembly. The 4613
 money in the account shall be used solely for solvency assistance 4614
 to school districts that have been declared under division (B) of 4615
 section 3316.03 of the Revised Code to be in a state of fiscal 4616
 emergency. 4617

(3) There is hereby created within the fund an account known 4618
 as the catastrophic expenditures account, which shall consist of 4619
 money appropriated to the account by the general assembly plus all 4620

investment earnings of the fund. Money in the account shall be
used solely for the following:

(a) Solvency assistance to school districts that have been
declared under division (B) of section 3316.03 of the Revised Code
to be in a state of fiscal emergency, in the event that all money
in the shared resource account is utilized for solvency
assistance;

(b) Grants to school districts under division (C) of this
section.

(B) Solvency assistance payments under division (A) (2) or
(3) (a) of this section shall be made from the fund by the
superintendent of public instruction in accordance with rules
adopted by the director of budget and management, after consulting
with the superintendent, specifying approval criteria and
procedures necessary for administering the fund.

The fund shall be reimbursed for any solvency assistance
amounts paid under division (A) (2) or (3) (a) of this section not
later than the end of the second fiscal year following the fiscal
year in which the solvency assistance payment was made. If not
made directly by the school district, such reimbursement shall be
made by the director of budget and management from the amounts the
school district would otherwise receive pursuant to ~~sections~~
~~3317.022 to 3317.025~~ Chapter 3306. of the Revised Code, or from
any other funds appropriated for the district by the general
assembly. Reimbursements shall be credited to the respective
account from which the solvency assistance paid to the district
was deducted.

(C) The superintendent of public instruction may make
recommendations, and the controlling board may grant money from
the catastrophic expenditures account to any school district that
suffers an unforeseen catastrophic event that severely depletes

the district's financial resources. The superintendent shall make
 recommendations for the grants in accordance with rules adopted by
 the director of budget and management, after consulting with the
 superintendent. A school district shall not be required to repay
 any grant awarded to the district under this division, unless the
 district receives money from this state or a third party,
 including an agency of the government of the United States,
 specifically for the purpose of compensating the district for
 revenue lost or expenses incurred as a result of the unforeseen
 catastrophic event. If a school district receives a grant from the
 catastrophic expenditures account on the basis of the same
 circumstances for which an adjustment or recomputation is
 authorized under section 3317.025, 3317.026, 3317.027, 3317.028,
 3317.0210, or 3317.0211 of the Revised Code, the department of
 education shall reduce the adjustment or recomputation by an
 amount not to exceed the total amount of the grant, and an amount
 equal to the reduction shall be transferred, from the funding
 source from which the adjustment or recomputation would be paid,
 to the catastrophic expenditures account. Any adjustment or
 recomputation under such sections that is in excess of the total
 amount of the grant shall be paid to the school district.

Sec. 3317.01. As used in this section and section 3317.011 of
 the Revised Code, "school district," unless otherwise specified,
 means any city, local, exempted village, joint vocational, or
 cooperative education school district and any educational service
 center.

This chapter shall be administered by the state board of
 education. The superintendent of public instruction shall
 calculate the amounts payable to each school district and shall
 certify the amounts payable to each eligible district to the
 treasurer of the district as provided by this chapter. As soon as

possible after such amounts are calculated, the superintendent 4683
 shall certify to the treasurer of each school district the 4684
 district's adjusted charge-off increase, as defined in section 4685
 5705.211 of the Revised Code. No moneys shall be distributed 4686
 pursuant to this chapter without the approval of the controlling 4687
 board. 4688

The state board of education shall, in accordance with 4689
 appropriations made by the general assembly, meet the financial 4690
 obligations of this chapter. 4691

~~Annually, the department of education shall calculate and 4692
 report to each school district the district's total state and 4693
 local funds for providing an adequate basic education to the 4694
 district's nondisabled students, utilizing the determination in 4695
 section 3317.012 of the Revised Code. In addition, the department 4696
 shall calculate and report separately for each school district the 4697
 district's total state and local funds for providing an adequate 4698
 education for its students with disabilities, utilizing the 4699
 determinations in both sections 3317.012 and 3317.013 of the 4700
 Revised Code. 4701~~

~~Not later than the thirty first day of August of each fiscal 4702
 year, the department of education shall provide to each school 4703
 district and county MR/DD board a preliminary estimate of the 4704
 amount of funding that the department calculates the district will 4705
 receive under each of divisions (C) (1) and (4) of section 3317.022 4706
 of the Revised Code. No later than the first day of December of 4707
 each fiscal year, the department shall update that preliminary 4708
 estimate. 4709~~

Moneys distributed pursuant to this chapter shall be 4710
 calculated and paid on a fiscal year basis, beginning with the 4711
 first day of July and extending through the thirtieth day of June. 4712
 The moneys appropriated for each fiscal year shall be distributed 4713

~~at least monthly~~ periodically to each school district unless 4714
 otherwise provided for. The state board shall submit a yearly 4715
 distribution plan to the controlling board at its first meeting in 4716
 July. The state board shall submit any proposed midyear revision 4717
 of the plan to the controlling board in January. Any year-end 4718
 revision of the plan shall be submitted to the controlling board 4719
 in June. If moneys appropriated for each fiscal year are 4720
 distributed other than monthly, such distribution shall be on the 4721
 same basis for each school district. 4722

~~The total amounts paid each month shall constitute, as nearly 4723
 as possible, one twelfth of the total amount payable for the 4724
 entire year. 4725~~

~~Until fiscal year 2007, payments made during the first six 4726
 months of the fiscal year may be based on an estimate of the 4727
 amounts payable for the entire year. Payments made in the last six 4728
 months shall be based on the final calculation of the amounts 4729
 payable to each school district for that fiscal year. Payments 4730
 made in the last six months may be adjusted, if necessary, to 4731
 correct the amounts distributed in the first six months, and to 4732
 reflect enrollment increases when such are at least three per 4733
 cent. 4734~~

~~Beginning in fiscal year 2007, payments shall be calculated 4735
 to reflect the biannual reporting of average daily membership. In 4736
 fiscal year 2007 and in each fiscal year thereafter, annualized 4737
 periodic payments for each school district shall be based on the 4738
 district's final student counts verified by the superintendent of 4739
 public instruction based on reports under section 3317.03 of the 4740
 Revised Code, as adjusted, if so ordered, under division (K) of 4741
 that section, as follows: 4742~~

~~the sum of one half of the number of students verified 4743
 and adjusted for the first full week in October 4744~~

~~plus one half of the average of the numbers~~ 4745
~~verified and adjusted for the first full week~~ 4746
~~in October and for the first full week in February~~ 4747

Except as otherwise provided, payments under this chapter 4748
shall be made only to those school districts in which: 4749

(A) The school district, except for any educational service 4750
center and any joint vocational or cooperative education school 4751
district, levies for current operating expenses at least twenty 4752
mills. Levies for joint vocational or cooperative education school 4753
districts or county school financing districts, limited to or to 4754
the extent apportioned to current expenses, shall be included in 4755
this qualification requirement. School district income tax levies 4756
under Chapter 5748. of the Revised Code, limited to or to the 4757
extent apportioned to current operating expenses, shall be 4758
included in this qualification requirement to the extent 4759
determined by the tax commissioner under division (D) of section 4760
3317.021 of the Revised Code. 4761

(B) The school year next preceding the fiscal year for which 4762
such payments are authorized meets the requirement of section 4763
3313.48 or 3313.481 of the Revised Code, with regard to the 4764
minimum number of days or hours school must be open for 4765
instruction with pupils in attendance, for individualized 4766
parent-teacher conference and reporting periods, and for 4767
professional meetings of teachers. This requirement shall be 4768
waived by the superintendent of public instruction if it had been 4769
necessary for a school to be closed because of disease epidemic, 4770
hazardous weather conditions, inoperability of school buses or 4771
other equipment necessary to the school's operation, damage to a 4772
school building, or other temporary circumstances due to utility 4773
failure rendering the school building unfit for school use, 4774
provided that for those school districts operating pursuant to 4775

section 3313.48 of the Revised Code the number of days the school 4776
was actually open for instruction with pupils in attendance and 4777
for individualized parent-teacher conference and reporting periods 4778
is not less than one hundred seventy-five, or for those school 4779
districts operating on a trimester plan the number of days the 4780
school was actually open for instruction with pupils in attendance 4781
not less than seventy-nine days in any trimester, for those school 4782
districts operating on a quarterly plan the number of days the 4783
school was actually open for instruction with pupils in attendance 4784
not less than fifty-nine days in any quarter, or for those school 4785
districts operating on a pentamester plan the number of days the 4786
school was actually open for instruction with pupils in attendance 4787
not less than forty-four days in any pentamester. 4788

A school district shall not be considered to have failed to 4789
comply with this division or section 3313.481 of the Revised Code 4790
because schools were open for instruction but either twelfth grade 4791
students were excused from attendance for up to three days or only 4792
a portion of the kindergarten students were in attendance for up 4793
to three days in order to allow for the gradual orientation to 4794
school of such students. 4795

The superintendent of public instruction shall waive the 4796
requirements of this section with reference to the minimum number 4797
of days or hours school must be in session with pupils in 4798
attendance for the school year succeeding the school year in which 4799
a board of education initiates a plan of operation pursuant to 4800
section 3313.481 of the Revised Code. The minimum requirements of 4801
this section shall again be applicable to such a district 4802
beginning with the school year commencing the second July 4803
succeeding the initiation of one such plan, and for each school 4804
year thereafter. 4805

A school district shall not be considered to have failed to 4806

comply with this division or section 3313.48 or 3313.481 of the Revised Code because schools were open for instruction but the length of the regularly scheduled school day, for any number of days during the school year, was reduced by not more than two hours due to hazardous weather conditions.

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(C) The school district has on file, and is paying in accordance with, a teachers' salary schedule which complies with section 3317.13 of the Revised Code.

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A board of education or governing board of an educational service center which has not conformed with other law and the rules pursuant thereto, shall not participate in the distribution of funds authorized by sections 3317.022 to 3317.0211, 3317.11, 3317.16, 3317.17, and 3317.19 of the Revised Code, except for good and sufficient reason established to the satisfaction of the state board of education and the state controlling board.

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All funds allocated to school districts under this chapter, except those specifically allocated for other purposes, shall be used to pay current operating expenses only.

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Sec. 3317.011. On or before the ~~third Wednesday~~ last day of each month, the department of education shall certify to the director of budget and management for payment, for each county:

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(A) (1) That portion of the allocation of money under sections 3317.022 to 3317.0211, 3317.11, 3317.16, 3317.17, and 3317.19 of the Revised Code that is required to be paid in that month to each school district located wholly within the county subsequent to the deductions described in division (A) (2) of this section; and

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(2) The amounts deducted from such allocation under sections 3307.31 and 3309.51 of the Revised Code for payment directly to the school employees and state teachers retirement systems under such sections.

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(B) If the district is located in more than one county, an apportionment of the amounts that would otherwise be certified under division (A) of this section. The amounts apportioned to the county shall equal the amounts certified under division (A) of this section times the percentage of the district's resident pupils who reside both in the district and in the county, based on the average daily membership reported under division (A) of section 3317.03 of the Revised Code in October of the prior fiscal year."

Between lines 39432 and 39433, insert:

"Sec. 3317.018. (A) The department of education shall make no calculations or payments under Chapter 3317. of the Revised Code for any fiscal year except as prescribed in this section.

(B) School districts shall report student enrollment data as prescribed by section 3317.03 of the Revised Code, which data the department shall use to make payments under Chapters 3306. and 3317. of the Revised Code.

(C) The tax commissioner shall report data regarding tax valuation and receipts for school districts as prescribed by sections 3317.015, 3317.021, 3317.025, 3317.026, 3317.027, 3317.028, 3317.0210, 3317.0211, and 3317.08 and by division (M) of section 3317.02 of the Revised Code, which data the department shall use to make payments under Chapters 3306. and 3317. of the Revised Code.

(D) Unless otherwise specified by another provision of law, in addition to the payments prescribed by Chapter 3306. of the Revised Code, the department shall continue to make payments to or adjustments for school districts in fiscal years after fiscal year 2009 under the following provisions of Chapter 3317. of the Revised Code:

- (1) The catastrophic cost reimbursement under division (C) (3) of section 3317.022 of the Revised Code. No other payments shall be made under that section. 4867
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- (2) All payments or adjustments under section 3317.023 of the Revised Code, except no payments or adjustments shall be made under divisions (B), (C), and (D) of that section. 4870
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- (3) All payments or adjustments under section 3317.024 of the Revised Code, except no payments or adjustments shall be made under divisions (F), (L), and (N) of that section. 4873
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- (4) All payments and adjustments under sections 3317.025, 3317.026, 3317.027, 3317.028, 3317.0210, and 3317.0211 of the Revised Code; 4876
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- (5) Payments under section 3317.04 of the Revised Code; 4879
- (6) Unit payments under sections 3317.05, 3317.051, 3317.052, and 3317.053 of the Revised Code, except that no units for gifted funding are authorized after fiscal year 2009. 4880
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- (7) Payments under sections 3317.06, 3317.063, and 3317.064 of the Revised Code; 4883
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- (8) Payments under section 3317.07 of the Revised Code; 4885
- (9) Payments to educational service centers under section 3317.11 of the Revised Code; 4886
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- (10) The catastrophic cost reimbursement under division (E) of section 3317.16 of the Revised Code and excess cost reimbursements under division (G) of that section. No other payments shall be made under that section; 4888
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- (11) Payments under section 3317.17 of the Revised Code; 4892
- (12) Adjustments under section 3317.18 of the Revised Code; 4893
- (13) Payments to cooperative education school districts under 4894

<u>section 3317.19 of the Revised Code;</u>	4895
<u>(14) Payments to county MR/DD boards under section 3317.20 of the Revised Code;</u>	4896
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<u>(15) Payments to state institutions for weighted special education funding under section 3317.201 of the Revised Code.</u>	4898
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<u>(E) Sections 3317.016 and 3317.017 shall not apply to fiscal years after fiscal year 2009.</u>	4900
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<u>(F) This section does not affect the provisions of sections 3317.031, 3317.032, 3317.033, 3317.035, 3317.061, 3317.08, 3317.081, 3317.082, 3317.09, 3317.12, 3317.13, 3317.14, 3317.15, 3317.50, 3317.51, 3317.62, 3317.63, and 3317.64 of the Revised Code."</u>	4902
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Delete lines 39433 through 39629 and insert:	4907
 "Sec. 3317.02. As used in this chapter:	4908
(A) Unless otherwise specified, "school district" means city, local, and exempted village school districts.	4909
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(B) "Formula amount" means the base cost for the fiscal year specified in division (B) (4) of section 3317.012 of the Revised Code \$5,732 for fiscal year 2010 and fiscal year 2011.	4911
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(C) "FTE basis" means a count of students based on full-time equivalency, in accordance with rules adopted by the department of education pursuant to section 3317.03 of the Revised Code. In adopting its rules under this division, the department shall provide for counting any student in category one, two, three, four, five, or six special education ADM or in category one or two vocational education ADM in the same proportion the student is counted in formula ADM.	4914
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(D) "Formula ADM" means, for a city, local, or exempted	4922

village school district, ~~the final number verified by the~~ 4923
~~superintendent of public instruction, based on the number reported~~ 4924
~~pursuant to division (A) of section 3317.03 of the Revised Code,~~ 4925
~~as adjusted, if so ordered, under division (K) of that section~~ 4926
"formula ADM" as defined in section 3306.02 of the Revised Code. 4927
"Formula ADM" means, for a joint vocational school district, the 4928
final number verified by the superintendent of public instruction, 4929
based on the number reported pursuant to division (D) of section 4930
3317.03 of the Revised Code, as adjusted, if so ordered, under 4931
division (K) of that section. ~~Beginning in fiscal year 2007, for~~ 4932
~~payments in which formula ADM is a factor, the formula ADM for~~ 4933
~~each school district for the fiscal year is the sum of one half of~~ 4934
~~the number verified and adjusted for October of that fiscal year~~ 4935
~~plus one half of the average of the numbers verified and adjusted~~ 4936
~~for October and February of that fiscal year. For purposes of the~~ 4937
calculation of payments to or adjustments for a city, exempted 4938
village, local, or joint vocational school district under this 4939
chapter or under Chapter 3306. of the Revised Code, calculations 4940
required under Chapter 3318. of the Revised Code, or adjustments 4941
required under Chapter 3365. of the Revised Code, the department 4942
of education shall use the district's formula ADM for the previous 4943
fiscal year, unless the district's average daily membership 4944
reported and verified for the current fiscal year is at least two 4945
per cent greater than the formula ADM reported for the previous 4946
fiscal year, in which case the department shall use the district's 4947
formula ADM for the current fiscal year. 4948
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(E) "Three-year average formula ADM" means the average of 4950
formula ADMS for the preceding three fiscal years. 4951

(F) (1) "Category one special education ADM" means the average 4952
daily membership of children with disabilities receiving special 4953
education services for the disability specified in division 4954

~~(A)(D)(1) of section 3317.013 3306.02 of the Revised Code and reported under division (B)(5) or (D)(2)(b) of section 3317.03 of the Revised Code. Beginning in fiscal year 2007, the district's category one special education ADM for a fiscal year is the sum of one half of the number reported for October of that fiscal year plus one half of the average of the numbers reported for October and February of that fiscal year.~~

(2) "Category two special education ADM" means the average daily membership of children with disabilities receiving special education services for those disabilities specified in division ~~(B)(D)(2) of section 3317.013 3306.02 of the Revised Code and reported under division (B)(6) or (D)(2)(c) of section 3317.03 of the Revised Code. Beginning in fiscal year 2007, the district's category two special education ADM for a fiscal year is the sum of one half of the number reported for October of that fiscal year plus one half of the average of the numbers reported for October and February of that fiscal year.~~

(3) "Category three special education ADM" means the average daily membership of students receiving special education services for those disabilities specified in division ~~(C)(D)(3) of section 3317.013 3306.02 of the Revised Code, and reported under division (B)(7) or (D)(2)(d) of section 3317.03 of the Revised Code. Beginning in fiscal year 2007, the district's category three special education ADM for a fiscal year is the sum of one half of the number reported for October of that fiscal year plus one half of the average of the numbers reported for October and February of that fiscal year.~~

(4) "Category four special education ADM" means the average daily membership of students receiving special education services for those disabilities specified in division (D)(4) of section 3317.013 3306.02 of the Revised Code and reported under division

(B) (8) or (D) (2) (e) of section 3317.03 of the Revised Code. 4986

~~Beginning in fiscal year 2007, the district's category four~~ 4987

~~special education ADM for a fiscal year is the sum of one half of~~ 4988

~~the number reported for October of that fiscal year plus one half~~ 4989

~~of the average of the numbers reported for October and February of~~ 4990

~~that fiscal year.~~ 4991

(5) "Category five special education ADM" means the average 4992

daily membership of students receiving special education services 4993

for the disabilities specified in division ~~(E)~~ (D) (5) of section 4994

~~3317.013~~ 3306.02 of the Revised Code and reported under division 4995

(B) (9) or (D) (2) (f) of section 3317.03 of the Revised Code. 4996

~~Beginning in fiscal year 2007, the district's category five~~ 4997

~~special education ADM for a fiscal year is the sum of one half of~~ 4998

~~the number reported for October of that fiscal year plus one half~~ 4999

~~of the average of the numbers reported for October and February of~~ 5000

~~that fiscal year.~~ 5001

(6) "Category six special education ADM" means the average 5002

daily membership of students receiving special education services 5003

for the disabilities specified in division ~~(F)~~ (D) (6) of section 5004

~~3317.013~~ 3306.02 of the Revised Code and reported under division 5005

(B) (10) or (D) (2) (g) of section 3317.03 of the Revised Code. 5006

~~Beginning in fiscal year 2007, the district's category six special~~ 5007

~~education ADM for a fiscal year is the sum of one half of the~~ 5008

~~number reported for October of that fiscal year plus one half of~~ 5009

~~the average of the numbers reported for October and February of~~ 5010

~~that fiscal year.~~ 5011

(7) "Category one vocational education ADM" means the average 5012

daily membership of students receiving vocational education 5013

services described in division (A) of section 3317.014 of the 5014

Revised Code and reported under division (B) (11) or (D) (2) (h) of 5015

section 3317.03 of the Revised Code. ~~Beginning in fiscal year~~ 5016

~~2007, the district's category one vocational education ADM for a fiscal year is the sum of one half of the number reported for October of that fiscal year plus one half of the average of the numbers reported for October and February of that fiscal year.~~

(8) "Category two vocational education ADM" means the average daily membership of students receiving vocational education services described in division (B) of section 3317.014 of the Revised Code and reported under division (B) (12) or (D) (2) (i) of section 3317.03 of the Revised Code. ~~Beginning in fiscal year 2007, the district's category two vocational education ADM for a fiscal year is the sum of one half of the number reported for October of that fiscal year plus one half of the average of the numbers reported for October and February of that fiscal year.~~

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

(H) "County MR/DD board" means a county board of mental retardation and developmental disabilities.

(I) "Recognized valuation" means the amount calculated for a school district pursuant to section 3317.015 of the Revised Code.

(J) "Transportation ADM" means the number of children reported under division (B) (13) of section 3317.03 of the Revised Code.

(K) "Average efficient transportation use cost per student" means a statistical representation of transportation costs as calculated under division (D) (2) of section 3317.022 of the Revised Code.

(L) "Taxes charged and payable" means the taxes charged and

payable against real and public utility property after making the
reduction required by section 319.301 of the Revised Code, plus
the taxes levied against tangible personal property.

(M) "Total taxable value" means the sum of the amounts
certified for a city, local, exempted village, or joint vocational
school district under divisions (A) (1) and (2) of section 3317.021
of the Revised Code.

(N) "Tax exempt value" of a school district means the amount
certified for a school district under division (A) (4) of section
3317.021 of the Revised Code.

(O) "Potential value" of a school district means the
recognized valuation of a school district plus the tax exempt
value of the district.

(P) "District median income" means the median Ohio adjusted
gross income certified for a school district. On or before the
first day of July of each year, the tax commissioner shall certify
to the department of education and the office of budget and
management for each city, exempted village, and local school
district the median Ohio adjusted gross income of the residents of
the school district determined on the basis of tax returns filed
for the second preceding tax year by the residents of the
district.

(Q) "Statewide median income" means the median district
median income of all city, exempted village, and local school
districts in the state.

(R) "Income factor" for a city, exempted village, or local
school district means the quotient obtained by dividing that
district's median income by the statewide median income.

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

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

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

(3) The child is at risk of institutionalization in a hospital, skilled nursing facility, or intermediate care facility for the mentally retarded.

(T) A child may be identified as having an "other health impairment-major" if the child's condition meets the definition of "other health impaired" established in rules adopted by the state board of education prior to July 1, 2001, and if either of the following apply:

(1) The child is identified as having a medical condition that is among those listed by the superintendent of public instruction as conditions where a substantial majority of cases fall within the definition of "medically fragile child." The superintendent of public instruction shall issue an initial list no later than September 1, 2001.

(2) The child is determined by the superintendent of public instruction to be a medically fragile child. A school district superintendent may petition the superintendent of public instruction for a determination that a child is a medically fragile child.

(U) A child may be identified as having an "other health impairment-minor" if the child's condition meets the definition of "other health impaired" established in rules adopted by the state board of education prior to July 1, 2001, but the child's condition does not meet either of the conditions specified in division (T)(1) or (2) of this section.

(V) "State education aid" has the same meaning as in section 5107
5751.20 of the Revised Code. 5108

(W) "Property exemption value" means zero in fiscal year 5109
2006, and in fiscal year 2007 and each fiscal year thereafter, the 5110
amount certified for a school district under divisions (A) (6) and 5111
(7) of section 3317.021 of the Revised Code. 5112

(X) "Internet- or computer-based community school" has the 5113
same meaning as in section 3314.02 of the Revised Code. 5114

(Y) "State share percentage" has the same meaning as in 5115
section 3306.02 of the Revised Code." 5116

In line 39630, strike through "(A)" and insert "The 5117
information certified under this section shall be used to 5118
calculate payments under this chapter and Chapter 3306. of the 5119
Revised Code." 5120

(A)" 5121

In line 39640, after "chapter" insert "and Chapter 3306." 5122

In line 39852, after "in" insert "division (A) (1) of section 5123
3306.01 and" 5124

In line 39863, after the first "of" insert "division (A) (1) 5125
of section 3306.01 and" 5126

In line 39974, strike through all after "(2)" 5127

Strike through lines 39975 through 39991 5128

In line 39992, strike through "(3)" 5129

In line 40013, strike through "(4)" and insert "(3)" 5130

In line 40021, strike through "(5)" and insert "(4)" 5131

In line 40057, strike through "in fiscal years 2008 and 2009" 5132

In line 40059, strike through "in" 5133

In line 40060, strike through "fiscal years 2008 and 2009" 5134

Between lines 40291 and 40292, insert: 5135

"Sec. 3317.023. (A) ~~Notwithstanding section 3317.022 of the Revised Code, the~~ The amounts required to be paid to a district under this chapter and Chapter 3306. of the Revised Code shall be adjusted by the amount of the computations made under divisions (B) to (N) of this section. The department of education shall not make payments or adjustments under divisions (B), (C), and (D) of this section for any fiscal year after fiscal year 2009. 5136
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As used in this section: 5143

(1) "Classroom teacher" means a licensed employee who provides direct instruction to pupils, excluding teachers funded from money paid to the district from federal sources; educational service personnel; and vocational and special education teachers. 5144
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(2) "Educational service personnel" shall not include such 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. 5148
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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. 5155
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(4) "Regular student population" means the formula ADM plus 5162

the number of students reported as enrolled in the district 5163
 pursuant to division (A)(1) of section 3313.981 of the Revised 5164
 Code; minus the number of students reported under division (A)(2) 5165
 of section 3317.03 of the Revised Code; minus the FTE of students 5166
 reported under division (B)(6), (7), (8), (9), (10), (11), or (12) 5167
 of that section who are enrolled in a vocational education class 5168
 or receiving special education; and minus twenty per cent of the 5169
 students enrolled concurrently in a joint vocational school 5170
 district. 5171

~~(5) "State share percentage" has the same meaning as in 5172
 section 3317.022 of the Revised Code. 5173~~

~~(6) "VEPD" means a school district or group of school 5174
 districts designated by the department of education as being 5175
 responsible for the planning for and provision of vocational 5176
 education services to students within the district or group. 5177~~

~~(7)(6) "Lead district" means a school district, including a 5178
 joint vocational school district, designated by the department as 5179
 a VEPD, or designated to provide primary vocational education 5180
 leadership within a VEPD composed of a group of districts. 5181~~

(B) If the district employs less than one full-time 5182
 equivalent classroom teacher for each twenty-five pupils in the 5183
 regular student population in any school district, deduct the sum 5184
 of the amounts obtained from the following computations: 5185

(1) Divide the number of the district's full-time equivalent 5186
 classroom teachers employed by one twenty-fifth; 5187

(2) Subtract the quotient in (1) from the district's regular 5188
 student population; 5189

(3) Multiply the difference in (2) by seven hundred fifty-two 5190
 dollars. 5191

(C) If a positive amount, add one-half of the amount obtained 5192

by multiplying the number of full-time equivalent classroom	5193
teachers by:	5194
(1) The mean annual salary of all full-time equivalent	5195
classroom teachers employed by the district at their respective	5196
training and experience levels minus;	5197
(2) The mean annual salary of all such teachers at their	5198
respective levels in all school districts receiving payments under	5199
this section.	5200
The number of full-time equivalent classroom teachers used in	5201
this computation shall not exceed one twenty-fifth of the	5202
district's regular student population. In calculating the	5203
district's mean salary under this division, those full-time	5204
equivalent classroom teachers with the highest training level	5205
shall be counted first, those with the next highest training level	5206
second, and so on, in descending order. Within the respective	5207
training levels, teachers with the highest years of service shall	5208
be counted first, the next highest years of service second, and so	5209
on, in descending order.	5210
(D) This division does not apply to a school district that	5211
has entered into an agreement under division (A) of section	5212
3313.42 of the Revised Code. Deduct the amount obtained from the	5213
following computations if the district employs fewer than five	5214
full-time equivalent educational service personnel, including	5215
elementary school art, music, and physical education teachers,	5216
counselors, librarians, visiting teachers, school social workers,	5217
and school nurses for each one thousand pupils in the regular	5218
student population:	5219
(1) Divide the number of full-time equivalent educational	5220
service personnel employed by the district by five	5221
one-thousandths;	5222

(2) Subtract the quotient in (1) from the district's regular student population; 5223
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(3) Multiply the difference in (2) by ninety-four dollars. 5225

(E) If a local school district, or a city or exempted village school district to which a governing board of an educational service center provides services pursuant to section 3313.843 of the Revised Code, deduct the amount of the payment required for the reimbursement of the governing board under section 3317.11 of the Revised Code. 5226
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(F) (1) If the district is required to pay to or entitled to receive tuition from another school district under division (C) (2) or (3) of section 3313.64 or section 3313.65 of the Revised Code, or if the superintendent of public instruction is required to determine the correct amount of tuition and make a deduction or credit under section 3317.08 of the Revised Code, deduct and credit such amounts as provided in division (J) of section 3313.64 or section 3317.08 of the Revised Code. 5232
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(2) For each child for whom the district is responsible for tuition or payment under division (A) (1) of section 3317.082 or section 3323.091 of the Revised Code, deduct the amount of tuition or payment for which the district is responsible. 5240
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(G) If the district has been certified by the superintendent of public instruction under section 3313.90 of the Revised Code as not in compliance with the requirements of that section, deduct an amount equal to ten per cent of the amount computed for the district under ~~section 3317.022~~ Chapter 3306. of the Revised Code. 5244
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(H) If the district has received a loan from a commercial lending institution for which payments are made by the superintendent of public instruction pursuant to division (E) (3) of section 3313.483 of the Revised Code, deduct an amount equal to 5249
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such payments. 5253

(I) (1) If the district is a party to an agreement entered into under division (D), (E), or (F) of section 3311.06 or division (B) of section 3311.24 of the Revised Code and is obligated to make payments to another district under such an agreement, deduct an amount equal to such payments if the district school board notifies the department in writing that it wishes to have such payments deducted. 5254 5255 5256 5257 5258 5259 5260

(2) If the district is entitled to receive payments from another district that has notified the department to deduct such payments under division (I) (1) of this section, add the amount of such payments. 5261 5262 5263 5264

(J) If the district is required to pay an amount of funds to a cooperative education district pursuant to a provision described by division (B) (4) of section 3311.52 or division (B) (8) of section 3311.521 of the Revised Code, deduct such amounts as provided under that provision and credit those amounts to the cooperative education district for payment to the district under division (B) (1) of section 3317.19 of the Revised Code. 5265 5266 5267 5268 5269 5270 5271

(K) (1) If a district is educating a student entitled to attend school in another district pursuant to a shared education contract, compact, or cooperative education agreement other than an agreement entered into pursuant to section 3313.842 of the Revised Code, credit to that educating district on an FTE basis both of the following: 5272 5273 5274 5275 5276 5277

(a) An amount equal to the ~~sum of the~~ formula amount ~~plus the~~ per pupil amount of the base funding supplements specified in ~~divisions (C) (1) to (4) of section 3317.012 of the Revised Code.~~ 5278 5279 5280

(b) An amount equal to the current formula amount times the state share percentage times any multiple applicable to the 5281 5282

student pursuant to section ~~3317.013 or 3317.014~~ 3306.11 of the Revised Code. 5283
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(2) Deduct any amount credited pursuant to division (K) (1) of this section from amounts paid to the school district in which the student is entitled to attend school pursuant to section 3313.64 or 3313.65 of the Revised Code. 5285
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(3) If the district is required by a shared education contract, compact, or cooperative education agreement to make payments to an educational service center, deduct the amounts from payments to the district and add them to the amounts paid to the service center pursuant to section 3317.11 of the Revised Code. 5289
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(L) (1) If a district, including a joint vocational school district, is a lead district of a VEPP, credit to that district the amounts calculated for all the school districts within that VEPP pursuant to division (E) (2) of section 3317.022 of the Revised Code. 5294
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(2) Deduct from each appropriate district that is not a lead district, the amount attributable to that district that is credited to a lead district under division (L) (1) of this section. 5299
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(M) If the department pays a joint vocational school district under division (G) (4) of section 3317.16 of the Revised Code for excess costs of providing special education and related services to a student with a disability, as calculated under division (G) (2) of that section, the department shall deduct the amount of that payment from the city, local, or exempted village school district that is responsible as specified in that section for the excess costs. 5302
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(N) (1) If the district reports an amount of excess cost for special education services for a child under division (C) of section 3323.14 of the Revised Code, the department shall pay that 5310
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amount to the district. 5313

(2) If the district reports an amount of excess cost for 5314
special education services for a child under division (C) of 5315
section 3323.14 of the Revised Code, the department shall deduct 5316
that amount from the district of residence of that child. 5317

~~Sec. 3317.024. In addition to the moneys paid to eligible 5318
school districts pursuant to section 3317.022 of the Revised Code, 5319
moneys appropriated for the education programs in divisions (A) to 5320
(I), (K), (L), and (N) of this section shall be distributed to 5321
school districts meeting the requirements of section 3317.01 of 5322
the Revised Code; in the case of divisions (G) and (L) of this 5323
section, to educational service centers as provided in section 5324
3317.11 of the Revised Code; in the case of divisions (D) and (J) 5325
of this section, to county MR/DD boards; in the case of division 5326
(N) of this section, to joint vocational school districts; in the 5327
case of division (H) of this section, to cooperative education 5328
school districts; and in the case of division (M) of this section, 5329
to the institutions defined under section 3317.082 of the Revised 5330
Code providing elementary or secondary education programs to 5331
children other than children receiving special education under 5332
section 3323.091 of the Revised Code. The following shall be 5333
distributed monthly, quarterly, or annually as may be determined 5334
by the state board of education, except that the department of 5335
education shall not make payments under divisions (F), (L), and 5336
(N) of this section for any fiscal year after fiscal year 2009: 5337~~

(A) An amount for each island school district and each joint 5338
state school district for the operation of each high school and 5339
each elementary school maintained within such district and for 5340
capital improvements for such schools. Such amounts shall be 5341
determined on the basis of standards adopted by the state board of 5342
education. 5343

(B) An amount for each school district operating classes for 5344
children of migrant workers who are unable to be in attendance in 5345
an Ohio school during the entire regular school year. The amounts 5346
shall be determined on the basis of standards adopted by the state 5347
board of education, except that payment shall be made only for 5348
subjects regularly offered by the school district providing the 5349
classes. 5350

(C) An amount for each school district with guidance, 5351
testing, and counseling programs approved by the state board of 5352
education. The amount shall be determined on the basis of 5353
standards adopted by the state board of education. 5354

(D) An amount for the emergency purchase of school buses as 5355
provided for in section 3317.07 of the Revised Code; 5356

(E) An amount for each school district required to pay 5357
tuition for a child in an institution maintained by the department 5358
of youth services pursuant to section 3317.082 of the Revised 5359
Code, provided the child was not included in the calculation of 5360
the district's average daily membership for the preceding school 5361
year. 5362

(F) An amount for adult basic literacy education for each 5363
district participating in programs approved by the state board of 5364
education. The amount shall be determined on the basis of 5365
standards adopted by the state board of education. 5366

(G) An amount for the approved cost of transporting eligible 5367
pupils with disabilities attending a special education program 5368
approved by the department of education whom it is impossible or 5369
impractical to transport by regular school bus in the course of 5370
regular route transportation provided by the district or service 5371
center. No district or service center is eligible to receive a 5372
payment under this division for the cost of transporting any pupil 5373
whom it transports by regular school bus and who is included in 5374

the district's transportation ADM. The state board of education 5375
 shall establish standards and guidelines for use by the department 5376
 of education in determining the approved cost of such 5377
 transportation for each district or service center. 5378

(H) An amount to each school district, including each 5379
 cooperative education school district, pursuant to section 3313.81 5380
 of the Revised Code to assist in providing free lunches to needy 5381
 children and an amount to assist needy school districts in 5382
 purchasing necessary equipment for food preparation. The amounts 5383
 shall be determined on the basis of rules adopted by the state 5384
 board of education. 5385

(I) An amount to each school district, for each pupil 5386
 attending a chartered nonpublic elementary or high school within 5387
 the district. The amount shall equal the amount appropriated for 5388
 the implementation of section 3317.06 of the Revised Code divided 5389
 by the average daily membership in grades kindergarten through 5390
 twelve in nonpublic elementary and high schools within the state 5391
 as determined during the first full week in October of each school 5392
 year. 5393

(J) An amount for each county MR/DD board, distributed on the 5394
 basis of standards adopted by the state board of education, for 5395
 the approved cost of transportation required for children 5396
 attending special education programs operated by the county MR/DD 5397
 board under section 3323.09 of the Revised Code; 5398

(K) An amount for each school district that establishes a 5399
 mentor teacher program that complies with rules of the state board 5400
 of education. No school district shall be required to establish or 5401
 maintain such a program in any year unless sufficient funds are 5402
 appropriated to cover the district's total costs for the program. 5403

(L) An amount to each school district or educational service 5404
 center for the total number of gifted units approved pursuant to 5405

section 3317.05 of the Revised Code. The amount for each such unit shall be the sum of the minimum salary for the teacher of the unit, calculated on the basis of the teacher's training level and years of experience pursuant to the salary schedule prescribed in the version of section 3317.13 of the Revised Code in effect prior to July 1, 2001, plus fifteen per cent of that minimum salary amount, plus two thousand six hundred seventy-eight dollars.

(M) An amount to each institution defined under section 3317.082 of the Revised Code providing elementary or secondary education to children other than children receiving special education under section 3323.091 of the Revised Code. This amount for any institution in any fiscal year shall equal the total of all tuition amounts required to be paid to the institution under division (A) (1) of section 3317.082 of the Revised Code.

(N) A grant to each school district and joint vocational school district that operates a "graduation, reality, and dual-role skills" (GRADS) program for pregnant and parenting students that is approved by the department. The amount of the payment shall be the district's state share percentage, as defined in section 3317.022 or 3317.16 of the Revised Code, times the GRADS personnel allowance times the full-time-equivalent number of GRADS teachers approved by the department. The GRADS personnel allowance is \$47,555 in fiscal years 2008 and 2009. The GRADS program shall include instruction on adoption as an option for unintended pregnancies.

The state board of education or any other board of education or governing board may provide for any resident of a district or educational service center territory any educational service for which funds are made available to the board by the United States under the authority of public law, whether such funds come directly or indirectly from the United States or any agency or

department thereof or through the state or any agency, department, 5437
 or political subdivision thereof. 5438

Sec. 3317.025. On or before the first day of June of each 5439
 year, the tax commissioner shall certify the following information 5440
 to the department of education and the office of budget and 5441
 management, for each school district in which the value of the 5442
 property described under division (A) of this section exceeds one 5443
 per cent of the taxable value of all real and tangible personal 5444
 property in the district or in which is located tangible personal 5445
 property designed for use or used in strip mining operations, 5446
 whose taxable value exceeds five million dollars, and the taxes 5447
 upon which the district is precluded from collecting by virtue of 5448
 legal proceedings to determine the value of such property: 5449

(A) The total taxable value of all property in the district 5450
 owned by a public utility or railroad that has filed a petition 5451
 for reorganization under the "Bankruptcy Act," 47 Stat. 1474 5452
 (1898), 11 U.S.C. 205, as amended, and all tangible personal 5453
 property in the district designed for use or used in strip mining 5454
 operations whose taxable value exceeds five million dollars upon 5455
 which have not been paid in full on or before the first day of 5456
 April of that calendar year all real and tangible personal 5457
 property taxes levied for the preceding calendar year and which 5458
 the district was precluded from collecting by virtue of 5459
 proceedings under section 205 of said act or by virtue of legal 5460
 proceedings to determine the tax liability of such strip mining 5461
 equipment; 5462

(B) The percentage of the total operating taxes charged and 5463
 payable for school district purposes levied against such valuation 5464
 for the preceding calendar year that have not been paid by such 5465
 date; 5466

(C) The product obtained by multiplying the value certified under division (A) of this section by the percentage certified under division (B) of this section. If the value certified under division (A) of this section includes taxable property owned by a public utility or railroad that has filed a petition for reorganization under the bankruptcy act, the amount used in making the calculation under this division shall be reduced by one per cent of the total value of all real and tangible personal property in the district or the value of the utility's or railroad's property, whichever is less.

Upon receipt of the certification, the department shall recompute the payments required under ~~section 3317.022~~ Chapter 3306. of the Revised Code in the manner the payments would have been computed if:

(1) The amount certified under division (C) of this section was not subject to taxation by the district and was not included in the certification made under division (A) (1), (A) (2), or (D) of section 3317.021 of the Revised Code.

(2) The amount of taxes charged and payable and unpaid and used to make the computation under division (B) of this section had not been levied and had not been used in the computation required by division (B) of section 3317.021 of the Revised Code. The department shall pay the district that amount in the ensuing fiscal year in lieu of the amounts computed under ~~section 3317.022~~ Chapter 3306. of the Revised Code.

If a school district received a grant from the catastrophic expenditures account pursuant to division (C) of section 3316.20 of the Revised Code on the basis of the same circumstances for which a recomputation is made under this section, the amount of the recomputation shall be reduced and transferred in accordance with division (C) of section 3316.20 of the Revised Code.

Sec. 3317.0210. (A) As used in this section:	5498
(1) "Bankruptcy Reform Act" means the "Bankruptcy Reform Act of 1978," 92 Stat. 2558, 11 U.S.C. 301, as amended.	5499 5500
(2) "Chapter 11 corporation" means a corporation, company, or other business organization that has filed a petition for reorganization under Chapter 11 of the "Bankruptcy Reform Act," 92 Stat. 2626, 11 U.S.C. 1101, as amended.	5501 5502 5503 5504
(3) "Uncollectable taxes" means property taxes payable in a calendar year by a Chapter 11 corporation on its property that a school district is precluded from collecting by virtue of proceedings under the Bankruptcy Reform Act.	5505 5506 5507 5508
(4) "Basic state aid" means the state aid calculated for a school district under section 3317.022 <u>Chapter 3306.</u> of the Revised Code.	5509 5510 5511
(5) "Effective value" means the amount obtained by multiplying the total taxable value certified in a calendar year under section 3317.021 of the Revised Code by a fraction, the numerator of which is the total taxes charged and payable in that calendar year exclusive of the uncollectable taxes payable in that year, and the denominator of which is the total taxes charged and payable in that year.	5512 5513 5514 5515 5516 5517 5518
(6) "Total taxes charged and payable" has the same meaning given "taxes charged and payable" in section 3317.02 of the Revised Code.	5519 5520 5521
(B) (1) Between the first day of January and the first day of February of any year, a school district shall notify the department of education if it has uncollectable taxes payable in the preceding calendar year from one Chapter 11 corporation.	5522 5523 5524 5525
(2) The department shall verify whether the district has such	5526

uncollectable taxes from such a corporation, and if the district
 does, shall immediately request the tax commissioner to certify
 the district's total taxes charged and payable in the preceding
 calendar year, and the tax commissioner shall certify that
 information to the department within thirty days after receiving
 the request. For the purposes of this section, taxes are payable
 in the calendar year that includes the day prescribed by law for
 their payment, including any lawful extension thereof.

(C) Upon receiving the certification from the tax
 commissioner, the department shall determine whether the amount of
 uncollectable taxes from the corporation equals at least one per
 cent of the total taxes charged and payable as certified by the
 tax commissioner. If it does, the department shall compute the
 district's effective value and shall recompute the basic state aid
 payable to the district for the current fiscal year using the
 effective value in lieu of the total taxable value used to compute
 the basic state aid for the current fiscal year. The difference
 between the basic state aid amount originally computed for the
 district for the current fiscal year and the recomputed amount
 shall be paid to the district from the lottery profits education
 fund before the end of the current fiscal year.

(D) Except as provided in division (E) of this section,
 amounts received by a school district under division (C) of this
 section shall be repaid to the department of education in any
 future year to the extent the district receives payments of
 uncollectable taxes in such future year. The district shall notify
 the department of any amount owed under this division.

(E) If a school district received a grant from the
 catastrophic expenditures account pursuant to division (C) of
 section 3316.20 of the Revised Code on the basis of the same
 circumstances for which a recomputation is made under this

section, the amount of the recomputation shall be reduced and 5558
transferred in accordance with division (C) of section 3316.20 of 5559
the Revised Code. 5560

Sec. 3317.0211. (A) As used in this section: 5561

(1) "Port authority" means any port authority as defined in 5562
section 4582.01 or 4582.21 of the Revised Code. 5563

(2) "Real property" includes public utility real property and 5564
"personal property" includes public utility personal property. 5565

(3) "Uncollected taxes" means property taxes charged and 5566
payable against the property of a port authority for a tax year 5567
that a school district has not collected. 5568

(4) "Basic state aid" means the state aid calculated for a 5569
school district under ~~section 3317.022~~ Chapter 3306. of the 5570
Revised Code. 5571

(5) "Effective value" means the sum of the effective 5572
residential/agricultural real property value, the effective 5573
nonresidential/agricultural real property value, and the effective 5574
personal value. 5575

(6) "Effective residential/agricultural real property value" 5576
means, for a tax year, the amount obtained by multiplying the 5577
value for that year of residential/agricultural real property 5578
subject to taxation in the district by a fraction, the numerator 5579
of which is the total taxes charged and payable for that year 5580
against the residential/agricultural real property subject to 5581
taxation in the district, exclusive of the uncollected taxes for 5582
that year on all real property subject to taxation in the 5583
district, and the denominator of which is the total taxes charged 5584
and payable for that year against the residential/agricultural 5585
real property subject to taxation in the district. 5586

(7) "Effective nonresidential/agricultural real property value" means, for a tax year, the amount obtained by multiplying the value for that year of nonresidential/agricultural real property subject to taxation in the district by a fraction, the numerator of which is the total taxes charged and payable for that year against the nonresidential/agricultural real property subject to taxation in the district, exclusive of the uncollected taxes for that year on all real property subject to taxation in the district, and the denominator of which is the total taxes charged and payable for that year against the nonresidential/agricultural real property subject to taxation in the district.

(8) "Effective personal value" means, for a tax year, the amount obtained by multiplying the value for that year certified under division (A)(2) of section 3317.021 of the Revised Code by a fraction, the numerator of which is the total taxes charged and payable for that year against personal property subject to taxation in the district, exclusive of the uncollected taxes for that year on that property, and the denominator of which is the total taxes charged and payable for that year against personal property subject to taxation in the district.

(9) "Nonresidential/agricultural real property value" means, for a tax year, the sum of the values certified for a school district for that year under division (B)(2)(a) of this section, and "residential/agricultural real property value" means, for a tax year, the sum of the values certified for a school district under division (B)(2)(b) of this section.

(10) "Taxes charged and payable against real property" means the taxes charged and payable against that property after making the reduction required by section 319.301 of the Revised Code.

(11) "Total taxes charged and payable" has the same meaning given "taxes charged and payable" in section 3317.02 of the

Revised Code. 5618

(B) (1) By the first day of August of any calendar year, a school district shall notify the department of education if it has any uncollected taxes from one port authority for the second preceding tax year whose taxes charged and payable represent at least one-half of one per cent of the district's total taxes charged and payable for that tax year. 5619-5624

(2) The department shall verify whether the district has such uncollected taxes by the first day of September, and if the district does, shall immediately request the county auditor of each county in which the school district has territory to certify the following information concerning the district's property values and taxes for the second preceding tax year, and each such auditor shall certify that information to the department within thirty days of receiving the request: 5625-5632

(a) The value of the property subject to taxation in the district that was classified as nonresidential/agricultural real property pursuant to section 5713.041 of the Revised Code, and the taxes charged and payable on that property; and 5633-5636

(b) The value of the property subject to taxation in the district that was classified as residential/agricultural real property under section 5713.041 of the Revised Code. 5637-5639

(C) By the fifteenth day of November, the department shall compute the district's effective nonresidential/agricultural real property value, effective residential/agricultural real property value, effective personal value, and effective value, and shall determine whether the school district's effective value for the second preceding tax year is at least one per cent less than its total value for that year certified under divisions (A) (1) and (2) of section 3317.021 of the Revised Code. If it is, the department shall recompute the basic state aid payable to the district for 5640-5648

the immediately preceding fiscal year using the effective value in lieu of the amounts previously certified under section 3317.021 of the Revised Code. The difference between the original basic state aid amount computed for the district for the preceding fiscal year and the recomputed amount shall be paid to the district from the lottery profits education fund before the end of the current fiscal year.

(D) Except as provided in division (E) of this section, amounts received by a school district under division (C) of this section shall be repaid to the department of education in any future year to the extent the district receives payments of uncollectable taxes in such future year. The department shall notify a district of any amount owed under this division.

(E) If a school district received a grant from the catastrophic expenditures account pursuant to division (C) of section 3316.20 of the Revised Code on the basis of the same circumstances for which a recomputation is made under this section, the amount of the recomputation shall be reduced and transferred in accordance with division (C) of section 3316.20 of the Revised Code.

Sec. 3317.0216. (A) As used in this section:

(1) "Total taxes charged and payable for current expenses" means the sum of ~~the:~~

(a) The taxes charged and payable as certified under division (A) (3) (a) of section 3317.021 of the Revised Code less any amounts reported under division (A) (3) (b) of that section, ~~and the;~~ plus

(b) The tax distribution for the preceding year under any school district income tax levied by the district pursuant to Chapter 5748. of the Revised Code to the extent the revenue from the income tax is allocated or apportioned to current expenses.

excluding the amount allocated or apportioned for the project 5679
cost, debt service, or maintenance set-aside associated with a 5680
state-assisted classroom facilities project as authorized by 5681
section 3318.052 of the Revised Code. 5682

(2) "Charge-off amount" means two and three-tenths per cent 5683
multiplied by (the sum of recognized valuation and property 5684
exemption value). 5685

(3) Until fiscal year 2003, the "actual local share of 5686
special education, transportation, and vocational education 5687
funding" for any school district means the sum of the district's 5688
attributed local shares described in divisions (F)(1) to (3) of 5689
section 3317.022 of the Revised Code. Beginning in fiscal year 5690
2003, the "actual local share of special education, 5691
transportation, and vocational education funding" means that sum 5692
minus the amount of any excess cost supplement payment calculated 5693
for the district under division (F) of section 3317.022 of the 5694
Revised Code. 5695

(B) Upon receiving the certifications under section 3317.021 5696
of the Revised Code, the department of education shall determine 5697
for each city, local, and exempted village school district whether 5698
the district's charge-off amount is greater than the district's 5699
total taxes charged and payable for current expenses, and if the 5700
charge-off amount is greater, shall pay the district the amount of 5701
the difference. A payment shall not be made to any school district 5702
for which the computation under division (A) of section 3317.022 5703
of the Revised Code equals zero. 5704

(C)(1) If a district's charge-off amount is equal to or 5705
greater than its total taxes charged and payable for current 5706
expenses, the department shall, in addition to the payment 5707
required under division (B) of this section, pay the district the 5708
amount of its actual local share of special education, 5709

transportation, and vocational education funding. 5710

(2) If a district's charge-off amount is less than its total 5711
 taxes charged and payable for current expenses, the department 5712
 shall pay the district any amount by which its actual local share 5713
 of special education, transportation, and vocational education 5714
 funding exceeds its total taxes charged and payable for current 5715
 expenses minus its charge-off amount. 5716

(D) If a school district that received a payment under 5717
 division (B) or (C) of this section in the prior fiscal year is 5718
 ineligible for payment under those divisions in the current fiscal 5719
 year, the department shall determine if the ineligibility is the 5720
 result of a property tax or income tax levy approved by the 5721
 district's voters to take effect in tax year 2005 or thereafter. 5722
 If the department determines that is the case, and calculates that 5723
 the levy causing the ineligibility exceeded by at least one mill 5724
 the equivalent millage of the prior year's payment under divisions 5725
 (B) and (C) of this section, the department shall make a payment 5726
 to the district for the first three years that the district loses 5727
 eligibility for payment under divisions (B) and (C) of this 5728
 section, as follows: 5729

(1) In the first year of ineligibility, the department shall 5730
 pay the district seventy-five per cent of the amount it last paid 5731
 the district under divisions (B) and (C) of this section. 5732

(2) In the second year of ineligibility, the department shall 5733
 pay the district fifty per cent of the amount it last paid the 5734
 district under those divisions. 5735

(3) In the third year of ineligibility, the department shall 5736
 pay the district twenty-five per cent of the amount it last paid 5737
 the district under those divisions. 5738

(E) A district that receives payment under division (D) of 5739

this section and subsequently qualifies for payment under division 5740
 (B) or (C) of this section is ineligible for future payments under 5741
 division (D) of this section. 5742

(F) To enable the department of education to make the 5743
 determinations and to calculate payments under division (D) of 5744
 this section, on March 30, 2006, and on or before the first day of 5745
 March of each year thereafter, the department shall send to the 5746
 tax commissioner a list of school districts receiving payments 5747
 under division (B) or (C) of this section for the current fiscal 5748
 year. On or before the first day of the following June, the tax 5749
 commissioner shall certify to the department of education for 5750
 those school districts the information required by division (A) (8) 5751
 of section 3317.021 of the Revised Code." 5752

Delete lines 40292 through 40919 and insert: 5753

~~"Sec. 3317.03. Notwithstanding divisions (A) (1), (B) (1), and 5754
 (C) of this section, except as provided in division (A) (2) (h) of 5755
 this section, any student enrolled in kindergarten more than half 5756
 time shall be reported as one half student under this section. The 5757
 information certified and verified under this section shall be 5758
 used to calculate payments under this chapter and Chapter 3306. of 5759
 the Revised Code. 5760~~

(A) The superintendent of each city, local, and exempted 5761
 village school district and of each educational service center 5762
 shall, for the schools under the superintendent's supervision, 5763
 certify to the state board of education on or before the fifteenth 5764
 day of October in each year for the first full school week in 5765
 October the average daily membership of students receiving 5766
 services from schools under the superintendent's supervision, and 5767
 the numbers of other students entitled to attend school in the 5768
 district under section 3313.64 or 3313.65 of the Revised Code the 5769

superintendent is required to report under this section, so that 5770
the department of education can calculate the district's formula 5771
 ADM. ~~Beginning in fiscal year 2007, each superintendent also shall~~ 5772
~~certify to the state board, for the schools under the~~ 5773
~~superintendent's supervision, the formula ADM for the first full~~ 5774
~~week in February.~~ If a school under the superintendent's 5775
 supervision is closed for one or more days during that week due to 5776
 hazardous weather conditions or other circumstances described in 5777
 the first paragraph of division (B) of section 3317.01 of the 5778
 Revised Code, the superintendent may apply to the superintendent 5779
 of public instruction for a waiver, under which the superintendent 5780
 of public instruction may exempt the district superintendent from 5781
 certifying the ~~formula ADM~~ average daily membership for that 5782
 school for that week and specify an alternate week for certifying 5783
 the ~~formula ADM~~ average daily membership of that school. 5784

The ~~formula ADM shall consist of the~~ average daily membership 5785
 during such week shall consist of the sum of the following: 5786

(1) On an FTE basis, the number of students in grades 5787
 kindergarten through twelve receiving any educational services 5788
 from the district, except that the following categories of 5789
 students shall not be included in the determination: 5790

(a) Students enrolled in adult education classes; 5791

(b) Adjacent or other district students enrolled in the 5792
 district under an open enrollment policy pursuant to section 5793
 3313.98 of the Revised Code; 5794

(c) Students receiving services in the district pursuant to a 5795
 compact, cooperative education agreement, or a contract, but who 5796
 are entitled to attend school in another district pursuant to 5797
 section 3313.64 or 3313.65 of the Revised Code; 5798

(d) Students for whom tuition is payable pursuant to sections 5799
 5800

3317.081 and 3323.141 of the Revised Code; 5801

(e) Students receiving services in the district through a 5802
scholarship awarded under section 3310.41 of the Revised Code. 5803

(2) On an FTE basis, ~~except as provided in division (A) (2) (h)~~ 5804
~~of this section,~~ the number of students entitled to attend school 5805
in the district pursuant to section 3313.64 or 3313.65 of the 5806
Revised Code, but receiving educational services in grades 5807
kindergarten through twelve from one or more of the following 5808
entities: 5809

(a) A community school pursuant to Chapter 3314. of the 5810
Revised Code, including any participation in a college pursuant to 5811
Chapter 3365. of the Revised Code while enrolled in such community 5812
school; 5813

(b) An alternative school pursuant to sections 3313.974 to 5814
3313.979 of the Revised Code as described in division (I) (2) (a) or 5815
(b) of this section; 5816

(c) A college pursuant to Chapter 3365. of the Revised Code, 5817
except when the student is enrolled in the college while also 5818
enrolled in a community school pursuant to Chapter 3314. or a 5819
science, technology, engineering, and mathematics school 5820
established under Chapter 3326. of the Revised Code; 5821

(d) An adjacent or other school district under an open 5822
enrollment policy adopted pursuant to section 3313.98 of the 5823
Revised Code; 5824

(e) An educational service center or cooperative education 5825
district; 5826

(f) Another school district under a cooperative education 5827
agreement, compact, or contract; 5828

(g) A chartered nonpublic school with a scholarship paid 5829

under section 3310.08 of the Revised Code; 5830

(h) An alternative public provider or a registered private 5831
provider with a scholarship awarded under section 3310.41 of the 5832
Revised Code. ~~Each such scholarship student who is enrolled in 5833
kindergarten shall be counted as one full-time equivalent student.~~ 5834
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As used in this section, "alternative public provider" and 5836
"registered private provider" have the same meanings as in section 5837
3310.41 of the Revised Code. 5838

(i) A science, technology, engineering, and mathematics 5839
school established under Chapter 3326. of the Revised Code, 5840
including any participation in a college pursuant to Chapter 3365. 5841
of the Revised Code while enrolled in the school. 5842

(3) ~~Twenty per cent of the~~ The number of students enrolled in 5843
a joint vocational school district or under a vocational education 5844
compact, excluding any students entitled to attend school in the 5845
district under section 3313.64 or 3313.65 of the Revised Code who 5846
are enrolled in another school district through an open enrollment 5847
policy as reported under division (A)(2)(d) of this section and 5848
then enroll in a joint vocational school district or under a 5849
vocational education compact; 5850

(4) The number of children with disabilities, other than 5851
preschool children with disabilities, entitled to attend school in 5852
the district pursuant to section 3313.64 or 3313.65 of the Revised 5853
Code who are placed by the district with a county MR/DD board, 5854
minus the number of such children placed with a county MR/DD board 5855
in fiscal year 1998. If this calculation produces a negative 5856
number, the number reported under division (A)(4) of this section 5857
shall be zero. 5858

~~(5) Beginning in fiscal year 2007, in the case of the report 5859~~

~~submitted for the first full week in February, or the alternative~~ 5860
~~week if specified by the superintendent of public instruction, the~~ 5861
~~number of students reported under division (A)(1) or (2) of this~~ 5862
~~section for the first full week of the preceding October but who~~ 5863
~~since that week have received high school diplomas.~~ 5864

(B) To enable the department of education to obtain the data 5865
 needed to complete the calculation of payments pursuant to this 5866
 chapter and Chapter 3306. of the Revised Code, in addition to the 5867
~~formula ADM average daily membership~~, each superintendent shall 5868
 report separately the following student counts for the same week 5869
 for which ~~formula ADM average daily membership~~ is certified: 5870

(1) The total average daily membership in regular learning 5871
 day classes included in the report under division (A)(1) or (2) of 5872
 this section for each of the individual grades kindergarten, ~~and~~ 5873
~~each of grades one~~ through twelve in schools under the 5874
 superintendent's supervision; 5875

(2) The number of all preschool children with disabilities 5876
 enrolled as of the first day of December in classes in the 5877
 district that are eligible for approval under division (B) of 5878
 section 3317.05 of the Revised Code and the number of those 5879
 classes, which shall be reported not later than the fifteenth day 5880
 of December, in accordance with rules adopted under that section; 5881

(3) The number of children entitled to attend school in the 5882
 district pursuant to section 3313.64 or 3313.65 of the Revised 5883
 Code who are: 5884

(a) Participating in a pilot project scholarship program 5885
 established under sections 3313.974 to 3313.979 of the Revised 5886
 Code as described in division (I)(2)(a) or (b) of this section; 5887

(b) Enrolled in a college under Chapter 3365. of the Revised 5888
 Code, except when the student is enrolled in the college while 5889

also enrolled in a community school pursuant to Chapter 3314. or a	5890
science, technology, engineering, and mathematics school	5891
established under Chapter 3326. of the Revised Code;	5892
(c) Enrolled in an adjacent or other school district under	5893
section 3313.98 of the Revised Code;	5894
(d) Enrolled in a community school established under Chapter	5895
3314. of the Revised Code that is not an internet- or	5896
computer-based community school as defined in section 3314.02 of	5897
the Revised Code, including any participation in a college	5898
pursuant to Chapter 3365. of the Revised Code while enrolled in	5899
such community school;	5900
(e) Enrolled in an internet- or computer-based community	5901
school, as defined in section 3314.02 of the Revised Code,	5902
including any participation in a college pursuant to Chapter 3365.	5903
of the Revised Code while enrolled in the school;	5904
(f) Enrolled in a chartered nonpublic school with a	5905
scholarship paid under section 3310.08 of the Revised Code;	5906
(g) Enrolled in kindergarten through grade twelve in an	5907
alternative public provider or a registered private provider with	5908
a scholarship awarded under section 3310.41 of the Revised Code;	5909
(h) Enrolled as a preschool child with a disability in an	5910
alternative public provider or a registered private provider with	5911
a scholarship awarded under section 3310.41 of the Revised Code;	5912
(i) Participating in a program operated by a county MR/DD	5913
board or a state institution;	5914
(j) Enrolled in a science, technology, engineering, and	5915
mathematics school established under Chapter 3326. of the Revised	5916
Code, including any participation in a college pursuant to Chapter	5917
3365. of the Revised Code while enrolled in the school.	5918

(4) The number of pupils enrolled in joint vocational schools;	5919 5920
(5) The average daily membership of children with disabilities reported under division (A) (1) or (2) of this section receiving special education services for the category one disability described in division (A) (D) (1) of section 3317.013 <u>3306.02</u> of the Revised Code;	5921 5922 5923 5924 5925
(6) The average daily membership of children with disabilities reported under division (A) (1) or (2) of this section receiving special education services for category two disabilities described in division (B) (D) (2) of section 3317.013 <u>3306.02</u> of the Revised Code;	5926 5927 5928 5929 5930
(7) The average daily membership of children with disabilities reported under division (A) (1) or (2) of this section receiving special education services for category three disabilities described in division (C) (D) (3) of section 3317.013 <u>3306.02</u> of the Revised Code;	5931 5932 5933 5934 5935
(8) The average daily membership of children with disabilities reported under division (A) (1) or (2) of this section receiving special education services for category four disabilities described in division (D) <u>(4)</u> of section 3317.013 <u>3306.02</u> of the Revised Code;	5936 5937 5938 5939 5940
(9) The average daily membership of children with disabilities reported under division (A) (1) or (2) of this section receiving special education services for the category five disabilities described in division (E) (D) (5) of section 3317.013 <u>3306.02</u> of the Revised Code;	5941 5942 5943 5944 5945
(10) The combined average daily membership of children with disabilities reported under division (A) (1) or (2) and under division (B) (3) (h) of this section receiving special education	5946 5947 5948

services for category six disabilities described in division 5949
 (F)(D)(6) of section ~~3317.013~~ 3306.02 of the Revised Code, 5950
 including children attending a special education program operated 5951
 by an alternative public provider or a registered private provider 5952
 with a scholarship awarded under section 3310.41 of the Revised 5953
 Code; 5954

(11) The average daily membership of pupils reported under 5955
 division (A)(1) or (2) of this section enrolled in category one 5956
 vocational education programs or classes, described in division 5957
 (A) of section 3317.014 of the Revised Code, operated by the 5958
 school district or by another district, other than a joint 5959
 vocational school district, or by an educational service center, 5960
 excluding any student reported under division (B)(3)(e) of this 5961
 section as enrolled in an internet- or computer-based community 5962
 school, notwithstanding division (C) of section 3317.02 of the 5963
 Revised Code and division (C)(3) of this section; 5964

(12) The average daily membership of pupils reported under 5965
 division (A)(1) or (2) of this section enrolled in category two 5966
 vocational education programs or services, described in division 5967
 (B) of section 3317.014 of the Revised Code, operated by the 5968
 school district or another school district, other than a joint 5969
 vocational school district, or by an educational service center, 5970
 excluding any student reported under division (B)(3)(e) of this 5971
 section as enrolled in an internet- or computer-based community 5972
 school, notwithstanding division (C) of section 3317.02 of the 5973
 Revised Code and division (C)(3) of this section; 5974

Beginning with fiscal year 2010, vocational education ADM 5975
shall not be used to calculate a district's funding but shall be 5976
reported under divisions (B)(11) and (12) of this section for 5977
statistical purposes. 5978

(13) The average number of children transported by the school 5979

district on board-owned or contractor-owned and -operated buses, 5980
 reported in accordance with rules adopted by the department of 5981
 education; 5982

(14) (a) The number of children, other than preschool children 5983
 with disabilities, the district placed with a county MR/DD board 5984
 in fiscal year 1998; 5985

(b) The number of children with disabilities, other than 5986
 preschool children with disabilities, placed with a county MR/DD 5987
 board in the current fiscal year to receive special education 5988
 services for the category one disability described in division 5989
~~(A)~~ (D) (1) of section ~~3317.013~~ 3306.02 of the Revised Code; 5990

(c) The number of children with disabilities, other than 5991
 preschool children with disabilities, placed with a county MR/DD 5992
 board in the current fiscal year to receive special education 5993
 services for category two disabilities described in division 5994
~~(B)~~ (D) (2) of section ~~3317.013~~ 3306.02 of the Revised Code; 5995

(d) The number of children with disabilities, other than 5996
 preschool children with disabilities, placed with a county MR/DD 5997
 board in the current fiscal year to receive special education 5998
 services for category three disabilities described in division 5999
~~(C)~~ (D) (3) of section ~~3317.013~~ 3306.02 of the Revised Code; 6000

(e) The number of children with disabilities, other than 6001
 preschool children with disabilities, placed with a county MR/DD 6002
 board in the current fiscal year to receive special education 6003
 services for category four disabilities described in division 6004
(D) (4) of section ~~3317.013~~ 3306.02 of the Revised Code; 6005

(f) The number of children with disabilities, other than 6006
 preschool children with disabilities, placed with a county MR/DD 6007
 board in the current fiscal year to receive special education 6008
 services for the category five disabilities described in division 6009

~~(E)~~ (D) (5) of section ~~3317.013~~ 3306.02 of the Revised Code; 6010

(g) The number of children with disabilities, other than 6011
preschool children with disabilities, placed with a county MR/DD 6012
board in the current fiscal year to receive special education 6013
services for category six disabilities described in division 6014
~~(F)~~ (D) (6) of section ~~3317.013~~ 3306.02 of the Revised Code. 6015

(C) (1) ~~Except as otherwise provided in this section for~~ 6016
~~kindergarten students, the~~ The average daily membership in 6017
divisions (B) (1) to (12) of this section shall be based upon the 6018
number of full-time equivalent students. The state board of 6019
education shall adopt rules defining full-time equivalent students 6020
and for determining the average daily membership therefrom for the 6021
purposes of divisions (A), (B), and (D) of this section. Each 6022
student enrolled in kindergarten shall be counted as one full-time 6023
equivalent student regardless of whether the student is enrolled 6024
in a part-day or all-day kindergarten class. 6025

(2) A student enrolled in a community school established 6026
under Chapter 3314. or a science, technology, engineering, and 6027
mathematics school established under Chapter 3326. of the Revised 6028
Code shall be counted in the formula ADM and, if applicable, the 6029
category one, two, three, four, five, or six special education ADM 6030
of the school district in which the student is entitled to attend 6031
school under section 3313.64 or 3313.65 of the Revised Code for 6032
the same proportion of the school year that the student is counted 6033
in the enrollment of the community school or the science, 6034
technology, engineering, and mathematics school for purposes of 6035
section 3314.08 or 3326.33 of the Revised Code. Notwithstanding 6036
the number of students reported pursuant to division (B) (3) (d), 6037
(e), or (j) of this section, the department may adjust the formula 6038
ADM of a school district to account for students entitled to 6039
attend school in the district under section 3313.64 or 3313.65 of 6040

the Revised Code who are enrolled in a community school or a
 science, technology, engineering, and mathematics school for only
 a portion of the school year.

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(3) No child shall be counted as more than a total of one
 child in the sum of the average daily memberships of a school
 district under division (A), divisions (B) (1) to (12), or division
 (D) of this section, except as follows:

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 6047

(a) A child with a disability described in division (D) of
 section ~~3317.013~~ 3306.02 of the Revised Code may be counted both
 in formula ADM and in category one, two, three, four, five, or six
 special education ADM and, if applicable, in category one or two
 vocational education ADM. As provided in division (C) of section
 3317.02 of the Revised Code, such a child shall be counted in
 category one, two, three, four, five, or six special education ADM
 in the same proportion that the child is counted in formula ADM.

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

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

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(D) (1) The superintendent of each joint vocational school
 district shall certify to the superintendent of public instruction
 on or before the fifteenth day of October in each year for the

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 6071

first full school week in October the formula ADM, for purposes of 6072
section 3318.42 of the Revised Code and for any other purpose 6073
prescribed by law for which "formula ADM" of the joint vocational 6074
district is a factor. ~~Beginning in fiscal year 2007, each~~ 6075
~~superintendent also shall certify to the state superintendent the~~ 6076
~~formula ADM for the first full week in February.~~ If a school 6077
 operated by the joint vocational school district is closed for one 6078
 or more days during that week due to hazardous weather conditions 6079
 or other circumstances described in the first paragraph of 6080
 division (B) of section 3317.01 of the Revised Code, the 6081
 superintendent may apply to the superintendent of public 6082
 instruction for a waiver, under which the superintendent of public 6083
 instruction may exempt the district superintendent from certifying 6084
 the formula ADM for that school for that week and specify an 6085
 alternate week for certifying the formula ADM of that school. 6086
 6087

The formula ADM, except as otherwise provided in this 6088
 division, shall consist of the average daily membership during 6089
 such week, on an FTE basis, of the number of students receiving 6090
 any educational services from the district, including students 6091
 enrolled in a community school established under Chapter 3314. or 6092
 a science, technology, engineering, and mathematics school 6093
 established under Chapter 3326. of the Revised Code who are 6094
 attending the joint vocational district under an agreement between 6095
 the district board of education and the governing authority of the 6096
 community school or the governing body of the science, technology, 6097
 engineering, and mathematics school and are entitled to attend 6098
 school in a city, local, or exempted village school district whose 6099
 territory is part of the territory of the joint vocational 6100
 district. ~~Beginning in fiscal year 2007, in the case of the report~~ 6101
~~submitted for the first week in February, or the alternative week~~ 6102
~~if specified by the superintendent of public instruction, the~~ 6103

~~superintendent of the joint vocational school district may include the number of students reported under division (D)(1) of this section for the first full week of the preceding October but who since that week have received high school diplomas.~~

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The following categories of students shall not be included in the determination made under division (D)(1) of this section:

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(a) Students enrolled in adult education classes;

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

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6114

(c) Students receiving services in the district pursuant to a compact, cooperative education agreement, or a contract, but who are entitled to attend school in a city, local, or exempted village school district whose territory is not part of the territory of the joint vocational district;

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

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~~(2) To enable the department of education to obtain the data needed to complete the calculation of payments pursuant to this chapter, in~~ In addition to the formula ADM, each superintendent shall report separately the average daily membership included in the report under division (D)(1) of this section for each of the following categories of students for the same week for which formula ADM is certified:

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(a) Students enrolled in each individual grade included in the joint vocational district schools;

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(b) Children with disabilities receiving special education services for the category one disability described in division ~~(A)(C)(D)~~ (D) (1) of section ~~3317.013~~ 3306.02 of the Revised Code;

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(c) Children with disabilities receiving special education services for the category two disabilities described in division ~~(B)~~ (D) (2) of section ~~3317.013~~ 3306.02 of the Revised Code;

(d) Children with disabilities receiving special education services for category three disabilities described in division ~~(C)~~ (D) (3) of section ~~3317.013~~ 3306.02 of the Revised Code;

(e) Children with disabilities receiving special education services for category four disabilities described in division (D) (4) of section ~~3317.013~~ 3306.02 of the Revised Code;

(f) Children with disabilities receiving special education services for the category five disabilities described in division ~~(E)~~ (D) (5) of section ~~3317.013~~ 3306.02 of the Revised Code;

(g) Children with disabilities receiving special education services for category six disabilities described in division ~~(F)~~ (D) (6) of section ~~3317.013~~ 3306.02 of the Revised Code;

(h) Students receiving category one vocational education services, described in division (A) of section 3317.014 of the Revised Code;

(i) Students receiving category two vocational education services, described in division (B) of section 3317.014 of the Revised Code.

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

(E) In each school of each city, local, exempted village, joint vocational, and cooperative education school district there shall be maintained a record of school membership, which record shall accurately show, for each day the school is in session, the

actual membership enrolled in regular day classes. For the purpose
of determining average daily membership, the membership figure of
any school shall not include any pupils except those pupils
described by division (A) of this section. The record of
membership for each school shall be maintained in such manner that
no pupil shall be counted as in membership prior to the actual
date of entry in the school and also in such manner that where for
any cause a pupil permanently withdraws from the school that pupil
shall not be counted as in membership from and after the date of
such withdrawal. There shall not be included in the membership of
any school any of the following:

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

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

(3) Any pupil who was enrolled in the schools of the district
during the previous school year when ~~tests~~ assessments were
administered under section 3301.0711 of the Revised Code but did
not take one or more of the ~~tests~~ assessments required by that
section and was not excused pursuant to division (C) (1) or (3) of
that section;

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

If, however, any veteran described by division (E) (4) of this
section elects to enroll in special courses organized for veterans
for whom tuition is paid under the provisions of federal laws, or
otherwise, that veteran shall not be included in average daily

membership. 6195

Notwithstanding division (E) (3) of this section, the 6196
 membership of any school may include a pupil who did not take a 6197
~~test~~ an assessment required by section 3301.0711 of the Revised 6198
 Code if the superintendent of public instruction grants a waiver 6199
 from the requirement to take the ~~test~~ assessment to the specific 6200
 pupil and a parent is not paying tuition for the pupil pursuant to 6201
 section 3313.6410 of the Revised Code. The superintendent may 6202
 grant such a waiver only for good cause in accordance with rules 6203
 adopted by the state board of education. 6204

Except as provided in divisions (B) (2) and (F) of this 6205
 section, the average daily membership figure of any local, city, 6206
 exempted village, or joint vocational school district shall be 6207
 determined by dividing the figure representing the sum of the 6208
 number of pupils enrolled during each day the school of attendance 6209
 is actually open for instruction during the week for which the 6210
~~formula-ADM~~ average daily membership is being certified by the 6211
 total number of days the school was actually open for instruction 6212
 during that week. For purposes of state funding, "enrolled" 6213
 persons are only those pupils who are attending school, those who 6214
 have attended school during the current school year and are absent 6215
 for authorized reasons, and those children with disabilities 6216
 currently receiving home instruction. 6217

The average daily membership figure of any cooperative 6218
 education school district shall be determined in accordance with 6219
 rules adopted by the state board of education. 6220

(F) (1) If the formula ADM for the first full school week in 6221
 February is at least three per cent greater than that certified 6222
 for the first full school week in the preceding October, the 6223
 superintendent of schools of any city, exempted village, or joint 6224
 vocational school district or educational service center shall 6225

certify such increase to the superintendent of public instruction. 6226
Such certification shall be submitted no later than the fifteenth 6227
day of February. For the balance of the fiscal year, beginning 6228
with the February payments, the superintendent of public 6229
instruction shall use the increased formula ADM in calculating or 6230
recalculating the amounts to be allocated in accordance with 6231
section 3317.022 or 3317.16 of the Revised Code. In no event shall 6232
the superintendent use an increased membership certified to the 6233
superintendent after the fifteenth day of February. Division 6234
(F) (1) of this section does not apply after fiscal year 2006. 6235
6236

(2) If on the first school day of April the total number of 6237
classes or units for preschool children with disabilities that are 6238
eligible for approval under division (B) of section 3317.05 of the 6239
Revised Code exceeds the number of units that have been approved 6240
for the year under that division, the superintendent of schools of 6241
any city, exempted village, or cooperative education school 6242
district or educational service center shall make the 6243
certifications required by this section for that day. If the 6244
department determines additional units can be approved for the 6245
fiscal year within any limitations set forth in the acts 6246
appropriating moneys for the funding of such units, the department 6247
shall approve additional units for the fiscal year on the basis of 6248
such average daily membership. For each unit so approved, the 6249
department shall pay an amount computed in the manner prescribed 6250
in section 3317.052 or 3317.19 and section 3317.053 of the Revised 6251
Code. 6252

(3) If a student attending a community school under Chapter 6253
3314. or a science, technology, engineering, and mathematics 6254
school established under Chapter 3326. of the Revised Code is not 6255
included in the formula ADM certified for the school district in 6256
which the student is entitled to attend school under section 6257

3313.64 or 3313.65 of the Revised Code, the department of
 education shall adjust the formula ADM of that school district to
 include the student in accordance with division (C)(2) of this
 section, and shall recalculate the school district's payments
 under this chapter and Chapter 3306. of the Revised Code for the
 entire fiscal year on the basis of that adjusted formula ADM. This
 requirement applies regardless of whether the student was
 enrolled, as defined in division (E) of this section, in the
 community school or the science, technology, engineering, and
 mathematics school during the week for which the formula ADM is
 being certified.

(4) If a student awarded an educational choice scholarship is
 not included in the formula ADM of the school district from which
 the department deducts funds for the scholarship under section
 3310.08 of the Revised Code, 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 and
Chapter 3306. of the Revised Code for the entire fiscal year on
 the basis of that adjusted formula ADM. This requirement applies
 regardless of whether the student was enrolled, as defined in
 division (E) of this section, in the chartered nonpublic school,
 the school district, or a community school during the week for
 which the formula ADM is being certified.

(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 average daily membership of all children with

disabilities other than preschool children with disabilities 6289
 receiving services at the institution for each category of 6290
 disability described in divisions ~~(A) to (F)~~ (D) (1) to (6) of 6291
 section ~~3317.013~~ 3306.02 of the Revised Code; 6292

(ii) The average daily membership of all preschool children 6293
 with disabilities in classes or programs approved annually by the 6294
 department of education for unit funding under section 3317.05 of 6295
 the Revised Code. 6296

(b) The superintendent of an institution with vocational 6297
 education units approved under division (A) of section 3317.05 of 6298
 the Revised Code shall, for the units under the superintendent's 6299
 supervision, certify to the state board of education the average 6300
 daily membership in those units, in the manner prescribed by the 6301
 superintendent of public instruction. 6302

(2) The superintendent of each county MR/DD board that 6303
 maintains special education classes under section 3317.20 of the 6304
 Revised Code or units approved pursuant to section 3317.05 of the 6305
 Revised Code shall do both of the following: 6306

(a) Certify to the state board, in the manner prescribed by 6307
 the board, the average daily membership in classes under section 6308
 3317.20 of the Revised Code for each school district that has 6309
 placed children in the classes; 6310

(b) Certify to the state board, in the manner prescribed by 6311
 the board, the number of all preschool children with disabilities 6312
 enrolled as of the first day of December in classes eligible for 6313
 approval under division (B) of section 3317.05 of the Revised 6314
 Code, and the number of those classes. 6315

(3) (a) If on the first school day of April the number of 6316
 classes or units maintained for preschool children with 6317
 disabilities by the county MR/DD board that are eligible for 6318

approval under division (B) of section 3317.05 of the Revised Code 6319
 is greater than the number of units approved for the year under 6320
 that division, the superintendent shall make the certification 6321
 required by this section for that day. 6322

(b) If the department determines that additional classes or 6323
 units can be approved for the fiscal year within any limitations 6324
 set forth in the acts appropriating moneys for the funding of the 6325
 classes and units described in division (G)(3)(a) of this section, 6326
 the department shall approve and fund additional units for the 6327
 fiscal year on the basis of such average daily membership. For 6328
 each unit so approved, the department shall pay an amount computed 6329
 in the manner prescribed in sections 3317.052 and 3317.053 of the 6330
 Revised Code. 6331

(H) Except as provided in division (I) of this section, when 6332
 any city, local, or exempted village school district provides 6333
 instruction for a nonresident pupil whose attendance is 6334
 unauthorized attendance as defined in section 3327.06 of the 6335
 Revised Code, that pupil's membership shall not be included in 6336
 that district's membership figure used in the calculation of that 6337
 district's formula ADM or included in the determination of any 6338
 unit approved for the district under section 3317.05 of the 6339
 Revised Code. The reporting official shall report separately the 6340
 average daily membership of all pupils whose attendance in the 6341
 district is unauthorized attendance, and the membership of each 6342
 such pupil shall be credited to the school district in which the 6343
 pupil is entitled to attend school under division (B) of section 6344
 3313.64 or section 3313.65 of the Revised Code as determined by 6345
 the department of education. 6346

(I)(1) A city, local, exempted village, or joint vocational 6347
 school district admitting a scholarship student of a pilot project 6348
 district pursuant to division (C) of section 3313.976 of the 6349

Revised Code may count such student in its average daily membership. 6350
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(2) In any year for which funds are appropriated for pilot project scholarship programs, a school district implementing a state-sponsored pilot project scholarship program that year pursuant to sections 3313.974 to 3313.979 of the Revised Code may count in average daily membership: 6352
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(a) All children residing in the district and utilizing a scholarship to attend kindergarten in any alternative school, as defined in section 3313.974 of the Revised Code; 6357
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(b) All children who were enrolled in the district in the preceding year who are utilizing a scholarship to attend any such alternative school. 6360
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(J) The superintendent of each cooperative education school district shall certify to the superintendent of public instruction, in a manner prescribed by the state board of education, the applicable average daily memberships for all students in the cooperative education district, also indicating the city, local, or exempted village district where each pupil is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. 6363
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(K) If the superintendent of public instruction determines that a component of the ~~formula-ADM~~ average daily membership certified or reported by a district superintendent, or other reporting entity, is not correct, the superintendent of public instruction may order that the formula ADM used for the purposes of payments under any section of Title XXXIII of the Revised Code be adjusted in the amount of the error. 6371
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Sec. 3317.031. A membership record shall be kept by grade level in each city, local, exempted village, joint vocational, and 6378
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cooperative education school district and such a record shall be 6380
 kept by grade level in each educational service center that 6381
 provides academic instruction to pupils, classes for pupils with 6382
 disabilities, or any other direct instructional services to 6383
 pupils. Such membership record shall show the following 6384
 information for each pupil enrolled: Name, date of birth, name of 6385
 parent, date entered school, date withdrawn from school, days 6386
 present, days absent, and the number of days school was open for 6387
 instruction while the pupil was enrolled. At the end of the school 6388
 year this membership record shall show the total days present, the 6389
 total days absent, and the total days due for all pupils in each 6390
 grade. Such membership record shall show the pupils that are 6391
 transported to and from school and it shall also show the pupils 6392
 that are transported living within one mile of the school 6393
 attended. This membership record shall also show any other 6394
 information prescribed by the state board of education. 6395

This membership record shall be kept intact for at least five 6396
 years and shall be made available to the state board of education 6397
 or its representative in making an audit of the average daily 6398
 membership or the transportation of the district or educational 6399
 service center. The membership records of local school districts 6400
 shall be filed at the close of each school year in the office of 6401
 the educational service center superintendent. 6402

The state board of education may withhold any money due any 6403
 school district or educational service center under ~~sections~~ 6404
~~3317.022 to 3317.0211, 3317.11, 3317.16, 3317.17, or 3317.19~~ this 6405
chapter and Chapter 3306. of the Revised Code until it has 6406
 satisfactory evidence that the board of education or educational 6407
 service center governing board has fully complied with all of the 6408
 provisions of this section. 6409

Nothing in this section shall require any person to release, 6410

or to permit access to, public school records in violation of 6411
 section 3319.321 of the Revised Code. 6412

Sec. 3317.04. The amount paid to school districts in each 6413
 fiscal year under ~~Chapter~~ Chapters 3306. and 3317. of the Revised 6414
 Code shall not be less than the following: 6415

(A) In the case of a district created under section 3311.26 6416
 or 3311.37 of the Revised Code, the amount paid shall not be less, 6417
 in any of the three succeeding fiscal years following the 6418
 creation, than the sum of the amounts allocated under ~~Chapter~~ 6419
Chapters 3306. and 3317. of the Revised Code to the districts 6420
 separately in the year of the creation. 6421

(B) In the case of a school district which is transferred to 6422
 another school district or districts, pursuant to section 3311.22, 6423
 3311.231, or 3311.38 of the Revised Code, the amount paid to the 6424
 district accepting the transferred territory shall not be less, in 6425
 any of the three succeeding fiscal years following the transfer, 6426
 than the sum of the amounts allocated under ~~Chapter~~ Chapters 3306. 6427
and 3317. of the Revised Code to the districts separately in the 6428
 year of the consummation of the transfer. 6429

Notwithstanding sections 3311.22, 3311.231, 3311.26, 3311.37, 6430
 and 3311.38 of the Revised Code, the minimum guarantees prescribed 6431
 by divisions (A) and (B) of this section shall not affect the 6432
 amount of aid received by a school district for more than three 6433
 consecutive years. 6434

Sec. 3317.061. The superintendent of each school district, 6435
 including each cooperative education and joint vocational school 6436
 district and the superintendent of each educational service 6437
 center, shall, on forms prescribed and furnished by the state 6438
 board of education, certify to the state board of education, on or 6439

before the fifteenth day of October of each year, the name of each 6440
 licensed employee employed, on an annual salary, in each school 6441
 under such superintendent's supervision during the first full 6442
 school week of said month of October, the number of years of 6443
 recognized college training such licensed employee has completed, 6444
 the college degrees from a recognized college earned by such 6445
 licensed employee, the type of teaching license held by such 6446
 licensed employee, the number of months such licensed employee is 6447
 employed in the school district, the annual salary of such 6448
 licensed employee, and such other information as the state board 6449
 of education may request. For the purposes of ~~Chapter~~ Chapters 6450
3306. and 3317. of the Revised Code, a licensed employee is any 6451
 employee in a position that requires a license issued pursuant to 6452
 sections 3319.22 to 3319.31 of the Revised Code. 6453

Pursuant to standards adopted by the state board of 6454
 education, experience of vocational teachers in trade and industry 6455
 shall be recognized by such board for the purpose of complying 6456
 with the requirements of recognized college training provided by 6457
~~Chapter~~ Chapters 3306. and 3317. of the Revised Code." 6458

Between lines 41066 and 41067, insert: 6459

"Sec. 3317.081. (A) Tuition shall be computed in accordance 6460
 with this section if: 6461

(1) The tuition is required by division (C) (3) (b) of section 6462
 3313.64 of the Revised Code; or 6463

(2) Neither the child nor the child's parent resides in this 6464
 state and tuition is required by section 3327.06 of the Revised 6465
 Code. 6466

(B) Tuition computed in accordance with this section shall 6467
 equal the attendance district's tuition rate computed under 6468
 section 3317.08 of the Revised Code plus the amount that district 6469

would have received for the child pursuant to Chapter 3306. and 6470
sections ~~3317.022,~~ 3317.023, and 3317.025 to 3317.0211 of the 6471
Revised Code during the school year had the attendance district 6472
been authorized to count the child in its formula ADM for that 6473
school year under section 3317.03 of the Revised Code. 6474

Sec. 3317.082. As used in this section, "institution" means a 6475
residential facility that receives and cares for children 6476
maintained by the department of youth services and that operates a 6477
school chartered by the state board of education under section 6478
3301.16 of the Revised Code. 6479

(A) On or before the thirty-first day of each January and 6480
July, the superintendent of each institution that during the 6481
six-month period immediately preceding each January or July 6482
provided an elementary or secondary education for any child, other 6483
than a child receiving special education under section 3323.091 of 6484
the Revised Code, shall prepare and submit to the department of 6485
education, a statement for each such child indicating the child's 6486
name, any school district responsible to pay tuition for the child 6487
as determined by the superintendent in accordance with division 6488
(C) (2) or (3) of section 3313.64 of the Revised Code, and the 6489
period of time during that six-month period that the child 6490
received an elementary or secondary education. If any school 6491
district is responsible to pay tuition for any such child, the 6492
department of education, no later than the immediately succeeding 6493
last day of February or August, as applicable, shall calculate the 6494
amount of the tuition of the district under section 3317.08 of the 6495
Revised Code for the period of time indicated on the statement and 6496
do one of the following: 6497

(1) If the tuition amount is equal to or less than the amount 6498
of state basic aid funds payable to the district under ~~sections~~ 6499
~~3317.022~~ and Chapter 3306. and section 3317.023 of the Revised 6500

Code, pay to the institution submitting the statement an amount 6501
 equal to the tuition amount, as provided under division (M) of 6502
 section 3317.024 of the Revised Code, and deduct the tuition 6503
 amount from the state basic aid funds payable to the district, as 6504
 provided under division (F) (2) of section 3317.023 of the Revised 6505
 Code; 6506

(2) If the tuition amount is greater than the amount of state 6507
 basic aid funds payable to the district under ~~sections 3317.022~~ 6508
 and Chapter 3306. and section 3317.023 of the Revised Code, 6509
 require the district to pay to the institution submitting the 6510
 statement an amount equal to the tuition amount. 6511

(B) In the case of any disagreement about the school district 6512
 responsible to pay tuition for a child pursuant to this section, 6513
 the superintendent of public instruction shall make the 6514
 determination in any such case in accordance with division (C) (2) 6515
 or (3) of section 3313.64 of the Revised Code. 6516

Sec. 3317.12. Any board of education participating in funds 6517
 distributed under ~~Chapter~~ Chapters 3306. and 3317. of the Revised 6518
 Code shall annually adopt a salary schedule for nonteaching school 6519
 employees based upon training, experience, and qualifications with 6520
 initial salaries no less than the salaries in effect on October 6521
 13, 1967. Each board of education shall prepare and may amend from 6522
 time to time, specifications descriptive of duties, 6523
 responsibilities, requirements, and desirable qualifications of 6524
 the classifications of employees required to perform the duties 6525
 specified in the salary schedule. All nonteaching school employees 6526
 are to be notified of the position classification to which they 6527
 are assigned and the salary for the classification. The 6528
 compensation of all employees working for a particular school 6529
 board shall be uniform for like positions except as compensation 6530
 would be affected by salary increments based upon length of 6531

service.

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On the fifteenth day of October each year the salary schedule
 and the list of job classifications and salaries in effect on that
 date shall be filed by each board of education with the
 superintendent of public instruction. If such salary schedule and
 classification plan is not filed the superintendent of public
 instruction shall order the board to file such schedules
 forthwith. If this condition is not corrected within ten days
 after receipt of the order from the superintendent of public
 instruction, no money shall be distributed to the district under
 Chapter ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code until the
 superintendent has satisfactory evidence of the board of
 education's full compliance with such order.

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Sec. 3317.16. (A) As used in this section:

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~~(1) "State share percentage" means the percentage calculated
 for a joint vocational school district as follows:~~

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~~(a) Calculate the state base cost funding amount for the
 district under division (B) of this section. If the district would
 not receive any base cost funding for that year under that
 division, the district's state share percentage is zero.~~

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~~(b) If the district would receive base cost funding under
 that division, divide that base cost amount by an amount equal to
 the following:~~

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~~the formula amount X~~

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~~formula ADM~~

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~~The resultant number is the district's state share
 percentage.~~

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~~(2) The "total special education weight" for a joint
 vocational school district shall be calculated in the same manner
 as prescribed in division (B)(1) of section 3317.022 of the~~

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those funds only for the purposes the department designates as approved for vocational education expenses. Vocational educational 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 joint vocational school district to report data annually so that the department may monitor the district's compliance with the requirements regarding the manner in which funding received under division (C) (1) of this section may be spent.

(2) The department shall compute for each joint vocational school district state funds for vocational education associated services costs in accordance with the following formula:

state share percentage X .05 X
the formula amount X the sum of
categories one and two vocational
education ADM

In any fiscal year, a joint vocational school district receiving funds under division (C) (2) of this section, or through a transfer of funds pursuant to division (L) of section 3317.023 of the Revised Code, shall spend those funds only for the purposes that the department designates as approved for vocational education associated services expenses, which may include such purposes as apprenticeship coordinators, coordinators for other vocational education services, vocational evaluation, and other purposes designated by the department. The department may deny payment under division (C) (2) of this section to any district that the department determines is not operating those services or is using funds paid under division (C) (2) of this section, or through a transfer of funds pursuant to division (L) of section 3317.023 of the Revised Code, for other purposes.

(D) (1) The department shall compute and distribute state

special education and related services additional weighted costs 6623
 funds to each joint vocational school district in accordance with 6624
 the following formula: 6625

state share percentage X formula amount X 6626
 total special education weight 6627

(2) (a) As used in this division, the "personnel allowance" 6628
 means thirty thousand dollars in fiscal years 2008 and 2009. 6629

(b) For the provision of speech language pathology services 6630
 to students, including students who do not have individualized 6631
 education programs prepared for them under Chapter 3323. of the 6632
 Revised Code, and for no other purpose, the department shall pay 6633
 each joint vocational school district an amount calculated under 6634
 the following formula: 6635

(formula ADM divided by 2000) X the personnel 6636
 allowance X state share percentage 6637

(3) In any fiscal year, a joint vocational school district 6638
 shall spend for purposes that the department designates as 6639
 approved for special education and related services expenses at 6640
 least the amount calculated as follows: 6641

(formula amount X 6642
 the sum of categories one through 6643
 six special education ADM) + 6644
 (total special education weight X 6645
 formula amount) 6646

The purposes approved by the department for special education 6647
 expenses shall include, but shall not be limited to, compliance 6648
 with state rules governing the education of children with 6649
 disabilities, providing services identified in a student's 6650
 individualized education program as defined in section 3323.01 of 6651
 the Revised Code, provision of speech language pathology services, 6652
 and the portion of the district's overall administrative and 6653

overhead costs that are attributable to the district's special
education student population. 6654
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The department shall require joint vocational school
districts to report data annually to allow for monitoring 6656
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compliance with division (D)(3) of this section. The department 6658
shall annually report to the governor and the general assembly the 6659
amount of money spent by each joint vocational school district for 6660
special education and related services. 6661

(4) In any fiscal year, a joint vocational school district 6662
shall spend for the provision of speech language pathology 6663
services not less than the sum of the amount calculated under 6664
division (D)(1) of this section for the students in the district's 6665
category one special education ADM and the amount calculated under 6666
division (D)(2) of this section. 6667

(E)(1) If a joint vocational school district's costs for a 6668
fiscal year for a student in its categories two through six 6669
special education ADM exceed the threshold catastrophic cost for 6670
serving the student, as specified in division (C)(3)(b) of section 6671
3317.022 of the Revised Code, the district may submit to the 6672
superintendent of public instruction documentation, as prescribed 6673
by the superintendent, of all of its costs for that student. Upon 6674
submission of documentation for a student of the type and in the 6675
manner prescribed, the department shall pay to the district an 6676
amount equal to the sum of the following: 6677

(a) One-half of the district's costs for the student in 6678
excess of the threshold catastrophic cost; 6679

(b) The product of one-half of the district's costs for the 6680
student in excess of the threshold catastrophic cost multiplied by 6681
the district's state share percentage. 6682

(2) The district shall only report under division (E)(1) of 6683

this section, and the department shall only pay for, the costs of
 educational expenses and the related services provided to the
 student in accordance with the student's individualized education
 program. Any legal fees, court costs, or other costs associated
 with any cause of action relating to the student may not be
 included in the amount.

(F) Each fiscal year, the department shall pay each joint
 vocational school district an amount for adult technical and
 vocational education and specialized consultants.

(G) (1) A joint vocational school district's local share of
 special education and related services additional weighted costs
 equals:

$$\begin{aligned} & (1 - \text{state share percentage}) \times \\ & \text{Total special education weight} \times \\ & \text{the formula amount} \end{aligned}$$

(2) For each student with a disability receiving special
 education and related services under an individualized education
 program, as defined in section 3323.01 of the Revised Code, at a
 joint vocational district, the resident district or, if the
 student is enrolled in a community school, the community school
 shall be responsible for the amount of any costs of providing
 those special education and related services to that student that
 exceed the sum of the amount calculated for those services
 attributable to that student under divisions (B), (D), (E), and
 (G) (1) of this section.

Those excess costs shall be calculated by subtracting the sum
 of the following from the actual cost to provide special education
 and related services to the student:

- (a) The formula amount;
- (b) The product of the formula amount times the applicable

multiple specified in section ~~3317.013~~ 3306.11 of the Revised Code; 6714
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(c) Any funds paid under division (E) of this section for the student; 6716
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(d) Any other funds received by the joint vocational school district under this chapter to provide special education and related services to the student, not including the amount calculated under division (G) (2) of this section. 6718
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(3) The board of education of the joint vocational school district may report the excess costs calculated under division (G) (2) of this section to the department of education. 6722
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(4) If the board of education of the joint vocational school district reports excess costs under division (G) (3) of this section, the department shall pay the amount of excess cost calculated under division (G) (2) of this section to the joint vocational school district and shall deduct that amount as provided in division (G) (4) (a) or (b) of this section, as applicable: 6725
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(a) If the student is not enrolled in a community school, the department shall deduct the amount from the account of the student's resident district pursuant to division (M) of section 3317.023 of the Revised Code. 6732
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(b) If the student is enrolled in a community school, the department shall deduct the amount from the account of the community school pursuant to section 3314.083 of the Revised Code. 6736
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Sec. 3317.18. (A) As used in this section, the terms "Chapter 133. securities," "credit enhancement facilities," "debt charges," "general obligation," "legislation," "public obligations," and 6740
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"securities" have the same meanings as in section 133.01 of the Revised Code. 6743
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(B) The board of education of any school district authorizing the issuance of securities under section 133.10, 133.301, or 3313.372 of the Revised Code or general obligation Chapter 133. securities may adopt legislation requesting the state department of education to approve, and enter into an agreement with the school district and the primary paying agent or fiscal agent for such securities providing for, the withholding and deposit of funds, otherwise due the district under ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code, for the payment of debt service charges on such securities. 6745
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The board of education shall deliver to the state department a copy of such resolution and any additional pertinent information the state department may require. 6755
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The department of education and the office of budget and management shall evaluate each request received from a school district under this section and the department, with the advice and consent of the director of budget and management, shall approve or deny each request based on all of the following: 6758
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(1) Whether approval of the request will enhance the marketability of the securities for which the request is made; 6763
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(2) Any other pertinent factors or limitations established in rules made under division (I) of this section, including: 6765
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(a) Current and projected obligations of funds due to the requesting school district under ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code including obligations of those funds to public obligations or relevant credit enhancement facilities under this section, Chapter 133. and section 3313.483 of the Revised Code, and under any other similar provisions of law; 6767
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(b) Whether the department of education or the office of budget and management has any reason to believe the requesting school district will be unable to pay when due the debt charges on the securities for which the request is made.

The department may require a school district to establish schedules for the payment of all debt charges that take into account the amount and timing of anticipated distributions of funds to the district under Chapter 3317. of the Revised Code.

(C) If the department approves the request of a school district to withhold and deposit funds pursuant to this section, the department shall enter into a written agreement with the district and the primary paying agent or fiscal agent for the securities which shall provide for the withholding of funds pursuant to this section for the payment of debt charges on those securities, and may include both of the following:

(1) Provisions for certification by the district to the department, at a time prior to any date for the payment of applicable debt charges, whether the district is able to pay those debt charges when due;

(2) Requirements that the district deposit amounts for the payment of debt charges on the securities with the primary paying agent or fiscal agent for the securities prior to the date on which those debt charge payments are due to the owners or holders of the securities.

(D) Whenever a district notifies the department of education that it will be unable to pay debt charges when they are due, subject to the withholding provisions of this section, or whenever the applicable paying agent or fiscal agent notifies the department that it has not timely received from a school district the full amount needed for the payment when due of those debt charges to the holders or owners of such securities, the

department shall immediately contact the school district and the
 paying agent or fiscal agent to confirm or determine whether the
 district is unable to make the required payment by the date on
 which it is due.

Upon demand of the treasurer of state while holding a school
 district obligation purchased under division (G)(1) of section
 135.143 of the Revised Code, the state department of education,
 without a request of the school district, shall withhold and
 deposit funds pursuant to this section for payment of debt service
 charges on that obligation.

If the department confirms or determines that the district
 will be unable to make such payment and payment will not be made
 pursuant to a credit enhancement facility, the department shall
 promptly pay to the applicable primary paying agent or fiscal
 agent the lesser of the amount due for debt charges or the amount
 due the district for the remainder of the fiscal year under
 Chapter 3317. of the Revised Code. If this amount is insufficient
 to pay the total amount then due the agent for the payment of debt
 charges, the department shall pay to the agent each fiscal year
 thereafter, and until the full amount due the agent for unpaid
 debt charges is paid in full, the lesser of the remaining amount
 due the agent for debt charges or the amount due the district for
 the fiscal year under Chapter 3317. of the Revised Code.

(E) The state department may make any payments under this
 division by direct deposit of funds by electronic transfer.

Any amount received by a paying agent or fiscal agent under
 this section shall be applied only to the payment of debt charges
 on the securities of the school district subject to this section
 or to the reimbursement to the provider of a credit enhancement
 facility that has paid such debt charges.

(F) To the extent a school district whose securities are

subject to this section is unable to pay applicable debt charges 6835
because of the failure to collect property taxes levied for the 6836
payment of those debt charges, the district may transfer to or 6837
deposit into any fund that would have received payments under 6838
~~Chapter 3306.~~ or 3317. of the Revised Code that were withheld 6839
under this section any such delinquent property taxes when later 6840
collected, provided that transfer or deposit shall be limited to 6841
the amounts withheld from that fund under this section. 6842

(G) The department may make payments under this section to 6843
paying agents or fiscal agents only from and to the extent that 6844
money is appropriated by the general assembly for Chapter 3317. of 6845
the Revised Code or for the purposes of this section. No 6846
securities of a school district to which this section is made 6847
applicable constitute an obligation or a debt or a pledge of the 6848
faith, credit, or taxing power of the state, and the holders or 6849
owners of such securities have no right to have taxes levied or 6850
appropriations made by the general assembly for the payment of 6851
debt charges on those securities, and those securities, if the 6852
department requires, shall contain a statement to that effect. The 6853
agreement for or the actual withholding and payment of moneys 6854
under this section does not constitute the assumption by the state 6855
of any debt of a school district. 6856

(H) In the case of securities subject to the withholding 6857
provisions of this section, the issuing board of education shall 6858
appoint a paying agent or fiscal agent who is not an officer or 6859
employee of the school district. 6860

(I) The department of education, with the advice of the 6861
office of budget and management, may adopt reasonable rules not 6862
inconsistent with this section for the implementation of this 6863
section and division (B) of section 133.25 of the Revised Code as 6864
it relates to the withholding and depositing of payments under 6865

~~Chapter Chapters 3306. and 3317.~~ of the Revised Code to secure 6866
 payment of debt charges on school district securities. Those rules 6867
 shall include criteria for the evaluation and approval or denial 6868
 of school district requests for withholding under this section and 6869
 limits on the obligation for the purpose of paying debt charges or 6870
 reimbursing credit enhancement facilities of funds otherwise to be 6871
 paid to school districts under Chapter 3317. of the Revised Code. 6872

(J) The authority granted by this section is in addition to 6873
 and not a limitation on any other authorizations granted by or 6874
 pursuant to law for the same or similar purposes. 6875

Sec. 3317.20. This section does not apply to preschool 6876
 children with disabilities. 6877

(A) As used in this section: 6878

(1) "Applicable weight" means the multiple specified in 6879
 section ~~3317.013~~ 3306.11 of the Revised Code for a disability 6880
 described in that section. 6881

(2) "Child's school district" means the school district in 6882
 which a child is entitled to attend school pursuant to section 6883
 3313.64 or 3313.65 of the Revised Code. 6884

~~(3) "State share percentage" means the state share percentage 6885
 of the child's school district as defined in section 3317.022 of 6886
 the Revised Code. 6887~~

(B) Except as provided in division (C) of this section, the 6888
 department shall annually pay each county MR/DD board for each 6889
 child with a disability, other than a preschool child with a 6890
 disability, for whom the county MR/DD board provides special 6891
 education and related services an amount equal to the formula 6892
 amount + (state share percentage X formula amount X the applicable 6893
 weight). 6894

(C) If any school district places with a county MR/DD board more children with disabilities than it had placed with a county MR/DD board in fiscal year 1998, the department shall not make a payment under division (B) of this section for the number of children exceeding the number placed in fiscal year 1998. The department instead shall deduct from the district's payments under this chapter and Chapter 3306. of the Revised Code, and pay to the county MR/DD board, an amount calculated in accordance with the formula prescribed in division (B) of this section for each child over the number of children placed in fiscal year 1998.

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(D) The department shall calculate for each county MR/DD board receiving payments under divisions (B) and (C) of this section the following amounts:

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(1) The amount received by the county MR/DD board for approved special education and related services units, other than units for preschool children with disabilities, in fiscal year 1998, divided by the total number of children served in the units that year;

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(2) The product of the quotient calculated under division (D)(1) of this section times the number of children for whom payments are made under divisions (B) and (C) of this section.

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If the amount calculated under division (D)(2) of this section is greater than the total amount calculated under divisions (B) and (C) of this section, the department shall pay the county MR/DD board one hundred per cent of the difference in addition to the payments under divisions (B) and (C) of this section.

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(E) Each county MR/DD board shall report to the department, in the manner specified by the department, the name of each child for whom the county MR/DD board provides special education and

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related services and the child's school district. 6926

(F) (1) For the purpose of verifying the accuracy of the 6927
payments under this section, the department may request from 6928
either of the following entities the data verification code 6929
assigned under division (D) (2) of section 3301.0714 of the Revised 6930
Code to any child who is placed with a county MR/DD board: 6931

(a) The child's school district; 6932

(b) The independent contractor engaged to create and maintain 6933
data verification codes. 6934

(2) Upon a request by the department under division (F) (1) of 6935
this section for the data verification code of a child, the 6936
child's school district shall submit that code to the department 6937
in the manner specified by the department. If the child has not 6938
been assigned a code, the district shall assign a code to that 6939
child and submit the code to the department by a date specified by 6940
the department. If the district does not assign a code to the 6941
child by the specified date, the department shall assign a code to 6942
the child. 6943

The department annually shall submit to each school district 6944
the name and data verification code of each child residing in the 6945
district for whom the department has assigned a code under this 6946
division. 6947

(3) The department shall not release any data verification 6948
code that it receives under division (F) of this section to any 6949
person except as provided by law. 6950

(G) Any document relative to special education and related 6951
services provided by a county MR/DD board that the department 6952
holds in its files that contains both a student's name or other 6953
personally identifiable information and the student's data 6954
verification code shall not be a public record under section 6955

149.43 of the Revised Code.

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Sec. 3317.201. This section does not apply to preschool children with disabilities.

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(A) As used in this section, the "total special education weight" for an institution means the sum of the following amounts:

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(1) The number of children reported by the institution under division (G) (1) (a) (i) of section 3317.03 of the Revised Code as receiving services for a disability described in division ~~(A) (D) (1)~~ of section ~~3317.013~~ 3306.02 of the Revised Code multiplied by the multiple specified in that division;

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(2) The number of children reported by the institution under division (G) (1) (a) (i) of section 3317.03 of the Revised Code as receiving services for a disability described in division ~~(B) (D) (2)~~ of section ~~3317.013~~ 3306.02 of the Revised Code multiplied by the multiple specified in that division;

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(3) The number of children reported by the institution under division (G) (1) (a) (i) of section 3317.03 of the Revised Code as receiving services for a disability described in division ~~(C) (D) (3)~~ of section ~~3317.013~~ 3306.02 of the Revised Code multiplied by the multiple specified in that division;

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(4) The number of children reported by the institution under division (G) (1) (a) (i) of section 3317.03 of the Revised Code as receiving services for a disability described in division (D) ~~(4)~~ of section ~~3317.013~~ 3306.02 of the Revised Code multiplied by the multiple specified in that division;

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(5) The number of children reported by the institution under division (G) (1) (a) (i) of section 3317.03 of the Revised Code as receiving services for a disability described in division ~~(E) (D) (5)~~ of section ~~3317.013~~ 3306.02 of the Revised Code

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multiplied by the multiple specified in that division; 6985

(6) The number of children reported by the institution under 6986
division (G) (1) (a) (i) of section 3317.03 of the Revised Code as 6987
receiving services for a disability described in division 6988
~~(F) (D) (6)~~ of section ~~3317.013~~ 3306.02 of the Revised Code 6989
multiplied by the multiple specified in that division. 6990

(B) For each fiscal year, the department of education shall 6991
pay each state institution required to provide special education 6992
services under division (A) of section 3323.091 of the Revised 6993
Code an amount equal to the greater of: 6994

(1) The formula amount times the institution's total special 6995
education weight; 6996

(2) The aggregate amount of special education and related 6997
services unit funding the institution received for all children 6998
with disabilities other than preschool children with disabilities 6999
in fiscal year 2005 under sections 3317.052 and 3317.053 of the 7000
Revised Code, as those sections existed prior to June 30, 2005." 7001

Between lines 41138 and 41139, insert: 7002

"Sec. 3318.051. (A) Any city, exempted village, or local 7003
school district that commences a project under sections 3318.01 to 7004
3318.20, 3318.36, 3318.37, or 3318.38 of the Revised Code on or 7005
after ~~the effective date of this section~~ September 5, 2006, need 7006
not levy the tax otherwise required under division (B) of section 7007
3318.05 of the Revised Code, if the district board of education 7008
adopts a resolution petitioning the Ohio school facilities 7009
commission to approve the transfer of money in accordance with 7010
this section and the commission approves that transfer. If so 7011
approved, the commission and the district board shall enter into 7012
an agreement under which the board, in each of twenty-three 7013
consecutive years beginning in the year in which the board and the 7014

commission enter into the project agreement under section 3318.08 7015
of the Revised Code, shall transfer into the maintenance fund 7016
required by division (D) of section 3318.05 of the Revised Code 7017
not less than an amount equal to one-half mill for each dollar of 7018
the district's valuation unless and until the agreement to make 7019
those transfers is rescinded by the district board pursuant to 7020
division (F) of this section. 7021

(B) On the first day of July each year, or on an alternative 7022
date prescribed by the commission, the district treasurer shall 7023
certify to the commission and the auditor of state that the amount 7024
required for the year has been transferred. The auditor of state 7025
shall include verification of the transfer as part of any audit of 7026
the district under section 117.11 of the Revised Code. If the 7027
auditor of state finds that less than the required amount has been 7028
deposited into a district's maintenance fund, the auditor of state 7029
shall notify the district board of education in writing of that 7030
fact and require the board to deposit into the fund, within ninety 7031
days after the date of the notice, the amount by which the fund is 7032
deficient for the year. If the district board fails to demonstrate 7033
to the auditor of state's satisfaction that the board has made the 7034
deposit required in the notice, the auditor of state shall notify 7035
the department of education. At that time, the department shall 7036
withhold an amount equal to ten per cent of the district's funds 7037
calculated for the current fiscal year under ~~Chapter~~ Chapters 7038
3306. and 3317. of the Revised Code until the auditor of state 7039
notifies the department that the auditor of state is satisfied 7040
that the board has made the required transfer. 7041

(C) Money transferred to the maintenance fund shall be used 7042
for the maintenance of the facilities acquired under the 7043
district's project. 7044

(D) The transfers to the maintenance fund under this section 7045

does not affect a district's obligation to establish and maintain
 a capital and maintenance fund under section 3315.18 of the
 Revised Code.

(E) Any decision by the commission to approve or not approve
 the transfer of money under this section is final and not subject
 to appeal. The commission shall not be responsible for errors or
 miscalculations made in deciding whether to approve a petition to
 make transfers under this section.

(F) If the district board determines that it no longer can
 continue making the transfers agreed to under this section, the
 board may rescind the agreement only so long as the electors of
 the district have approved, in accordance with section 3318.063 of
 the Revised Code, the levy of a tax for the maintenance of the
 classroom facilities acquired under the district's project and
 that levy continues to be collected as approved by the electors.
 That levy shall be for a number of years that is equal to the
 difference between twenty-three years and the number of years that
 the district made transfers under this section and shall be at the
 rate of not less than one-half mill for each dollar of the
 district's valuation. The district board shall continue to make
 the transfers agreed to under this section until that levy has
 been approved by the electors."

Between lines 41446 and 41447, insert:

"**Sec. 3319.088.** As used in this section, "educational
 assistant" means any nonteaching employee in a school district who
 directly assists a teacher as defined in section 3319.09 of the
 Revised Code, by performing duties for which a license issued
 pursuant to sections 3319.22 to 3319.30 of the Revised Code is not
 required.

(A) The state board of education shall issue educational aide

permits and educational paraprofessional licenses for educational
assistants and shall adopt rules for the issuance and renewal of
such permits and licenses which shall be consistent with the
provisions of this section. Educational aide permits and
educational paraprofessional licenses may be of several types and
the rules shall prescribe the minimum qualifications of education,
health, and character for the service to be authorized under each
type. The prescribed minimum qualifications may require special
training or educational courses designed to qualify a person to
perform effectively the duties authorized under an educational
aide permit or educational paraprofessional license.

(B)(1) Any application for a permit or license, or a renewal
or duplicate of a permit or license, under this section shall be
accompanied by the payment of a fee in the amount established
under division (A) of section 3319.51 of the Revised Code. Any
fees received under this division shall be paid into the state
treasury to the credit of the state board of education licensure
fund established under division (B) of section 3319.51 of the
Revised Code.

(2) Any person applying for or holding a permit or license
pursuant to this section is subject to sections 3123.41 to 3123.50
of the Revised Code and any applicable rules adopted under section
3123.63 of the Revised Code and sections 3319.31 and 3319.311 of
the Revised Code.

(C) Educational assistants shall at all times while in the
performance of their duties be under the supervision and direction
of a teacher as defined in section 3319.09 of the Revised Code.
Educational assistants may assist a teacher to whom assigned in
the supervision of pupils, in assisting with instructional tasks,
and in the performance of duties which, in the judgment of the
teacher to whom the assistant is assigned, may be performed by a

person not licensed pursuant to sections 3319.22 to 3319.30 of the
 Revised Code and for which a teaching license, issued pursuant to
 sections 3319.22 to 3319.30 of the Revised Code is not required.
 The duties of an educational assistant shall not include the
 assignment of grades to pupils. The duties of an educational
~~assistants~~ assistant need not be performed in the physical
 presence of the teacher to whom assigned, but the activity of an
 educational assistant shall at all times be under the direction of
 the teacher to whom assigned. The assignment of an educational
 assistant need not be limited to assisting a single teacher. In
 the event an educational assistant is assigned to assist more than
 one teacher the assignments shall be clearly delineated and so
 arranged that the educational assistant shall never be subject to
 simultaneous supervision or direction by more than one teacher.

Educational assistants assigned to supervise children shall,
 when the teacher to whom assigned is not physically present,
 maintain the degree of control and discipline which would be
 maintained by the teacher, but an educational assistant may not
 render corporal punishment.

~~Except when expressly permitted solely for the purposes of~~
~~section 3317.029 of the Revised Code, educational~~ Educational
 assistants may not be used in place of classroom teachers or other
 employees and any payment of compensation by boards of education
 to educational assistants for such services is prohibited. The
 ratio between the number of licensed teachers and the pupils in a
 school district may not be decreased by utilization of educational
 assistants and no grouping, or other organization of pupils, for
 utilization of educational assistants shall be established which
 is inconsistent with sound educational practices and procedures. A
 school district may employ up to one full time equivalent
 educational assistant for each six full time equivalent licensed

employees of the district. Educational assistants shall not be counted as licensed employees for purposes of state support in the school foundation program and no grouping or regrouping of pupils with educational assistants may be counted as a class or unit for school foundation program purposes. Neither special courses required by the regulations of the state board of education, prescribing minimum qualifications of education for an educational assistant, nor years of service as an educational assistant shall be counted in any way toward qualifying for a teacher license, for a teacher contract of any type, or for determining placement on a salary schedule in a school district as a teacher.

(D) Educational assistants employed by a board of education shall have all rights, benefits, and legal protection available to other nonteaching employees in the school district, except that provisions of Chapter 124. of the Revised Code shall not apply to any person employed as an educational assistant, and shall be members of the school employees retirement system. Educational assistants shall be compensated according to a salary plan adopted annually by the board.

Except as provided in this section nonteaching employees shall not serve as educational assistants without first obtaining an appropriate educational aide permit or educational paraprofessional license from the state board of education. A nonteaching employee who is the holder of a valid educational aide permit or educational paraprofessional license shall neither render nor be required to render services inconsistent with the type of services authorized by the permit or license held. No person shall receive compensation from a board of education for services rendered as an educational assistant in violation of this provision.

Nonteaching employees whose functions are solely

secretarial-clerical and who do not perform any other duties as 7169
 educational assistants, even though they assist a teacher and work 7170
 under the direction of a teacher shall not be required to hold a 7171
 permit or license issued pursuant to this section. Students 7172
 preparing to become licensed teachers or educational assistants 7173
 shall not be required to hold an educational aide permit or 7174
 paraprofessional license for such periods of time as such students 7175
 are assigned, as part of their training program, to work with a 7176
 teacher in a school district. Such students shall not be 7177
 compensated for such services. 7178

Following the determination of the assignment and general job 7179
 description of an educational assistant and subject to supervision 7180
 by the teacher's immediate administrative officer, a teacher to 7181
 whom an educational assistant is assigned shall make all final 7182
 determinations of the duties to be assigned to such assistant. 7183
 Teachers shall not be required to hold a license designated for 7184
 being a supervisor or administrator in order to perform the 7185
 necessary supervision of educational assistants. 7186

(E) No person who is, or who has been employed as an 7187
 educational assistant shall divulge, except to the teacher to whom 7188
 assigned, or the administrator of the school in the absence of the 7189
 teacher to whom assigned, or when required to testify in a court 7190
 or proceedings, any personal information concerning any pupil in 7191
 the school district which was obtained or obtainable by the 7192
 educational assistant while so employed. Violation of this 7193
 provision is grounds for disciplinary action or dismissal, or 7194
 both." 7195

Between lines 42801 and 42802, insert: 7196

"Sec. 3319.57. (A) A grant program is hereby established 7197
 under which the department of education shall award grants to 7198

- assist certain schools in a city, exempted village, local, or joint vocational school district in implementing one of the following innovations:
- (1) The use of instructional specialists to mentor and support classroom teachers;
 - (2) The use of building managers to supervise the administrative functions of school operation so that a school principal can focus on supporting instruction, providing instructional leadership, and engaging teachers as part of the instructional leadership team;
 - (3) The reconfiguration of school leadership structure in a manner that allows teachers to serve in leadership roles so that teachers may share the responsibility for making and implementing school decisions;
 - (4) The adoption of new models for restructuring the school day or school year, such as including teacher planning and collaboration time as part of the school day;
 - (5) The creation of smaller schools or smaller units within larger schools for the purpose of facilitating teacher collaboration to improve and advance the professional practice of teaching;
 - (6) The implementation of "grow your own" recruitment strategies that are designed to assist individuals who show a commitment to education become licensed teachers, to assist experienced teachers obtain licensure in subject areas for which there is need, and to assist teachers in becoming principals;
 - (7) The provision of better conditions for new teachers, such as reduced teaching load and reduced class size;
 - (8) The provision of incentives to attract qualified

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- mathematics, science, or special education teachers; 7228
- (9) The development and implementation of a partnership with 7229
 teacher preparation programs at colleges and universities to help 7230
 attract teachers qualified to teach in shortage areas; 7231
- (10) The implementation of a program to increase the cultural 7232
 competency of both new and veteran teachers; 7233
- (11) The implementation of a program to increase the subject 7234
 matter competency of veteran teachers. 7235
- (B) To qualify for a grant to implement one of the 7236
 innovations described in division (A) of this section, a school 7237
 must meet both of the following criteria: 7238
- (1) Be hard to staff, as defined by the department. 7239
- (2) Use existing school district funds for the implementation 7240
 of the innovation in an amount equal to the grant amount 7241
 multiplied by (1 - the district's state share percentage for the 7242
 fiscal year in which the grant is awarded). 7243
- For purposes of division (B) (2) of this section, "state share 7244
 percentage" ~~shall be as calculated under section 3317.022 of the~~ 7245
~~Revised Code, in the case of a city, local, or exempted village~~ 7246
~~school district, or as calculated under section 3317.16~~ has the 7247
same meaning as in section 3306.02 of the Revised Code, ~~in the~~ 7248
~~case of a joint vocational school district.~~ 7249
- (C) The amount and number of grants awarded under this 7250
 section shall be determined by the department based on any 7251
 appropriations made by the general assembly for grants under this 7252
 section. 7253
- (D) The state board of education shall adopt rules for the 7254
 administration of this grant program." 7255
- Between lines 43394 and 43395, insert: 7256

"Sec. 3323.091. (A) The department of mental health, the 7257
 department of mental retardation and developmental disabilities, 7258
 the department of youth services, and the department of 7259
 rehabilitation and correction shall establish and maintain special 7260
 education programs for children with disabilities in institutions 7261
 under their jurisdiction according to standards adopted by the 7262
 state board of education. 7263

(B) The superintendent of each state institution required to 7264
 provide services under division (A) of this section, and each 7265
 county MR/DD board, providing special education for preschool 7266
 children with disabilities under this chapter may apply to the 7267
 state department of education for unit funding, which shall be 7268
 paid in accordance with sections 3317.052 and 3317.053 of the 7269
 Revised Code. 7270

The superintendent of each state institution required to 7271
 provide services under division (A) of this section may apply to 7272
 the department of education for special education and related 7273
 services weighted funding for children with disabilities other 7274
 than preschool children with disabilities, calculated in 7275
 accordance with section 3317.201 of the Revised Code. 7276

Each county MR/DD board providing special education for 7277
 children with disabilities other than preschool children with 7278
 disabilities may apply to the department of education for base 7279
 cost and special education and related services weighted funding 7280
 calculated in accordance with section 3317.20 of the Revised Code. 7281

(C) In addition to the authorization to apply for state 7283
 funding described in division (B) of this section, each state 7284
 institution required to provide services under division (A) of 7285
 this section is entitled to tuition payments calculated in the 7286

manner described in division (C) of this section.

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On or before the thirtieth day of June of each year, the superintendent of each institution that during the school year provided special education pursuant to this section shall prepare a statement for each child with a disability under twenty-two years of age who has received special education. The statement shall contain the child's data verification code assigned pursuant to division (D)(2) of section 3301.0714 of the Revised Code and the name of the child's school district of residence. Within sixty days after receipt of such statement, the department of education shall perform one of the following:

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(1) For any child except a preschool child with a disability described in division (C)(2) of this section, pay to the institution submitting the statement an amount equal to the tuition calculated under division (A) of section 3317.08 of the Revised Code for the period covered by the statement, and deduct the same from the amount of state funds, if any, payable under sections ~~3317.022~~ 3306.13 and 3317.023 of the Revised Code, to the child's school district of residence or, if the amount of such state funds is insufficient, require the child's school district of residence to pay the institution submitting the statement an amount equal to the amount determined under this division.

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(2) For any preschool child with a disability not included in a unit approved under division (B) of section 3317.05 of the Revised Code, perform the following:

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(a) Pay to the institution submitting the statement an amount equal to the tuition calculated under division (B) of section 3317.08 of the Revised Code for the period covered by the statement, except that in calculating the tuition under that section the operating expenses of the institution submitting the statement under this section shall be used instead of the

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operating expenses of the school district of residence; 7318

(b) Deduct from the amount of state funds, if any, payable 7319
under sections 3317.022 or 3306.13 and 3317.023 of the Revised 7320
Code to the child's school district of residence an amount equal 7321
to the amount paid under division (C)(2)(a) of this section. 7322

Sec. 3323.14. This section does not apply to any preschool 7323
child with a disability except if included in a unit approved 7324
under division (B) of section 3317.05 of the Revised Code. 7325

(A) Where a child who is a school resident of one school 7326
district receives special education from another district and the 7327
per capita cost to the educating district for that child exceeds 7328
the sum of the amount received by the educating district for that 7329
child under division (A) of section 3317.08 of the Revised Code 7330
and the amount received by the district from the state board of 7331
education for that child, then the board of education of the 7332
district of residence shall pay to the board of the school 7333
district that is providing the special education such excess cost 7334
as is determined by using a formula approved by the department of 7335
education and agreed upon in contracts entered into by the boards 7336
of the districts concerned at the time the district providing such 7337
special education accepts the child for enrollment. The department 7338
shall certify the amount of the payments under ~~Chapter~~ Chapters 7339
3306. and 3317. of the Revised Code for such pupils with 7340
disabilities for each school year ending on the thirtieth day of 7341
July. 7342

(B) In the case of a child described in division (A) of this 7343
section who has been placed in a home, as defined in section 7344
3313.64 of the Revised Code, pursuant to the order of a court and 7345
who is not subject to section 3323.141 of the Revised Code, the 7346
district providing the child with special education and related 7347

services may charge to the child's district of residence the
 excess cost determined by formula approved by the department,
 regardless of whether the district of residence has entered into a
 contract with the district providing the services. If the district
 providing the services chooses to charge excess costs, the
 district may report the amount calculated under this division to
 the department.

(C) If a district providing special education for a child
 reports an amount for the excess cost of those services, as
 authorized and calculated under division (A) or (B) of this
 section, the department shall pay that amount of excess cost to
 the district providing the services and shall deduct that amount
 from the child's district of residence in accordance with division
 (N) of section 3317.023 of the Revised Code.

Sec. 3323.142. This section does not apply to any preschool
 child with a disability except if included in a unit approved
 under division (B) of section 3317.05 of the Revised Code.

As used in this section, "per pupil amount" for a preschool
 child with a disability included in such an approved unit means
 the amount determined by dividing the amount received for the
 classroom unit in which the child has been placed by the number of
 children in the unit. For any other child, "per pupil amount"
 means the amount paid for the child under section 3317.20 of the
 Revised Code.

When a school district places or has placed a child with a
 county MR/DD board for special education, but another district is
 responsible for tuition under section 3313.64 or 3313.65 of the
 Revised Code and the child is not a resident of the territory
 served by the county MR/DD board, the board may charge the
 district responsible for tuition with the educational costs in

excess of the per pupil amount received by the board under ~~Chapter~~ 7378
Chapters 3306. and 3317. of the Revised Code. The amount of the 7379
 excess cost shall be determined by the formula established by rule 7380
 of the department of education under section 3323.14 of the 7381
 Revised Code, and the payment for such excess cost shall be made 7382
 by the school district directly to the county MR/DD board. 7383

A school district board of education and the county MR/DD 7384
 board that serves the school district may negotiate and contract, 7385
 at or after the time of placement, for payments by the board of 7386
 education to the county MR/DD board for additional services 7387
 provided to a child placed with the county MR/DD board and whose 7388
 individualized education program established pursuant to section 7389
 3323.08 of the Revised Code requires additional services that are 7390
 not routinely provided children in the county MR/DD board's 7391
 program but are necessary to maintain the child's enrollment and 7392
 participation in the program. Additional services may include, but 7393
 are not limited to, specialized supplies and equipment for the 7394
 benefit of the child and instruction, training, or assistance 7395
 provided by staff members other than staff members for which 7396
 funding is received under Chapter 3306. or 3317. of the Revised 7397
 Code. 7398

Sec. 3324.05. (A) Each school district shall submit an annual 7399
 report to the department of education specifying the number of 7400
 students in each of grades kindergarten through twelfth screened, 7401
 the number assessed, and the number identified as gifted in each 7402
 category specified in section 3324.03 of the Revised Code. 7403

(B) The department of education shall audit each school 7404
 district's identification numbers at least once every three years 7405
 and may select any district at random or upon complaint or 7406
 suspicion of noncompliance for a further audit to determine 7407
 compliance with sections 3324.03 to 3324.06 of the Revised Code. 7408

(C) The department shall provide technical assistance to any district found in noncompliance under division (B) of this section. The department may reduce funds received by the district under ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code by any amount if the district continues to be noncompliant."

Between lines 43411 and 43412, insert:

"Sec. 3326.33. ~~For~~ Payments and deductions under this section for fiscal years 2010 and 2011 shall be made in accordance with section 3326.39 of the Revised Code.

For each student enrolled in a science, technology, engineering, and mathematics school established under this chapter, the department of education annually shall deduct from the state education aid of a student's resident school district and, if necessary, from the payment made to the district under sections 321.24 and 323.156 of the Revised Code and pay to the school the sum of the following:

(A) The sum of the formula amount plus the per pupil amount of the base funding supplements specified in divisions (C)(1) to (4) of section 3317.012 of the Revised Code.

(B) If the student is receiving special education and related services pursuant to an IEP, the product of the applicable special education weight times the formula amount;

(C) If the student is enrolled in vocational education programs or classes that are described in section 3317.014 of the Revised Code, are provided by the school, and are comparable as determined by the superintendent of public instruction to school district vocational education programs and classes eligible for state weighted funding under section 3317.014 of the Revised Code, the product of the applicable vocational education weight times the formula amount times the percentage of time the student spends

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in the vocational education programs or classes;

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(D) If the student is included in the poverty student count of the student's resident district, the per pupil amount of the district's payment under division (C) of section 3317.029 of the Revised Code;

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(E) If the student is identified as limited English proficient and the student's resident district receives a payment for services to limited English proficient students under division (F) of section 3317.029 of the Revised Code, the per pupil amount of the district's payment under that division, calculated in the same manner as per pupil payments are calculated under division (C) (6) of section 3314.08 of the Revised Code;

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(F) If the student's resident district receives a payment under division (G), (H), or (I) of section 3317.029 of the Revised Code, the per pupil amount of the district's payments under each division, calculated in the same manner as per pupil payments are calculated under divisions (C) (7) and (8) of section 3314.08 of the Revised Code;

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(G) If the student's resident district receives a parity aid payment under section 3317.0217 of the Revised Code, the per pupil amount calculated for the district under division (C) or (D) of that section."

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Between lines 43420 and 43421, insert:

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"Sec. 3326.39. For purposes of applying sections 3326.31 to 3326.37 of the Revised Code to fiscal years 2010 and 2011:

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(A) The formula amount for STEM schools for fiscal year 2010 is \$5,718, and for fiscal year 2011 is \$5,703. These respective amounts shall be applied wherein sections 3326.31 to 3326.37 of the Revised Code the formula amount is specified, except for

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deducting and paying amounts for special education weighted 7468
funding and vocational education weighted funding. 7469

(B) The base funding supplements under section 3317.012 of 7470
the Revised Code shall be deemed in each year to be the amounts 7471
specified in that section for fiscal year 2009. 7472

(C) Special education additional weighted funding shall be 7473
calculated by multiplying the applicable weight specified in 7474
section 3317.013 of the Revised Code for fiscal year 2009 times 7475
\$5,732. 7476

(D) Vocational education additional weighted funding shall be 7477
calculated by multiplying the applicable weight specified in 7478
section 3317.014 of the Revised Code for fiscal year 2009 times 7479
\$5,732. 7480

(E) The per pupil amounts paid to a school district under 7481
sections 3317.029 and 3317.0217 of the Revised Code shall be 7482
deemed to be the respective per pupil amounts paid under those 7483
sections to that district for fiscal year 2009. 7484

Sec. 3327.02. (A) After considering each of the following 7485
factors, the board of education of a city, exempted village, or 7486
local school district may determine that it is impractical to 7487
transport a pupil who is eligible for transportation to and from a 7488
school under section 3327.01 of the Revised Code: 7489

(1) The time and distance required to provide the 7490
transportation; 7491

(2) The number of pupils to be transported; 7492

(3) The cost of providing transportation in terms of 7493
equipment, maintenance, personnel, and administration; 7494

(4) Whether similar or equivalent service is provided to 7495
other pupils eligible for transportation; 7496

- (5) Whether and to what extent the additional service unavoidably disrupts current transportation schedules; 7497
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- (6) Whether other reimbursable types of transportation are available. 7499
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- (B) (1) Based on its consideration of the factors established in division (A) of this section, the board may pass a resolution declaring the impracticality of transportation. The resolution shall include each pupil's name and the reason for impracticality. 7501
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- (2) The board shall report its determination to the state board of education in a manner determined by the state board. 7505
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- (3) The board of education of a local school district additionally shall submit the resolution for concurrence to the educational service center that contains the local district's territory. If the educational service center governing board considers transportation by school conveyance practicable, it shall so inform the local board and transportation shall be provided by such local board. If the educational service center board agrees with the view of the local board, the local board may offer payment in lieu of transportation as provided in this section. 7507
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- (C) After passing the resolution declaring the impracticality of transportation, the district board shall offer to provide payment in lieu of transportation by doing the following: 7517
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- (1) In accordance with guidelines established by the department of education, informing the pupil's parent, guardian, or other person in charge of the pupil of both of the following: 7520
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- (a) The board's resolution; 7523
- (b) The right of the pupil's parent, guardian, or other person in charge of the pupil to accept the offer of payment in lieu of transportation or to reject the offer and instead request 7524
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the department to initiate mediation procedures. 7527

(2) Issuing the pupil's parent, guardian, or other person in 7528
charge of the pupil a contract or other form on which the parent, 7529
guardian, or other person in charge of the pupil is given the 7530
option to accept or reject the board's offer of payment in lieu of 7531
transportation. 7532

(D) If the parent, guardian, or other person in charge of the 7533
pupil accepts the offer of payment in lieu of providing 7534
transportation, the board shall pay the parent, guardian, or other 7535
person in charge of the child an amount that shall be not less 7536
than the amount determined by the department of education as the 7537
minimum for payment in lieu of transportation, and not more than 7538
the amount determined by the department as the average cost of 7539
pupil transportation for the previous school year. Payment may be 7540
prorated if the time period involved is only a part of the school 7541
year. 7542

(E) (1) (a) Upon the request of a parent, guardian, or other 7543
person in charge of the pupil who rejected the payment in lieu of 7544
transportation, the department shall conduct mediation procedures. 7545

(b) If the mediation does not resolve the dispute, the state 7546
board of education shall conduct a hearing in accordance with 7547
Chapter 119. of the Revised Code. The state board may approve the 7548
payment in lieu of transportation or may order the board of 7549
education to provide transportation. The decision of the state 7550
board is binding in subsequent years and on future parties in 7551
interest provided the facts of the determination remain 7552
comparable. 7553

(2) The school district shall provide transportation for the 7554
pupil from the time the parent, guardian, or other person in 7555
charge of the pupil requests mediation until the matter is 7556
resolved under division (E) (1) (a) or (b) of this section. 7557

(F) (1) If the department determines that a school district board has failed or is failing to provide transportation as required by division (E) (2) of this section or as ordered by the state board under division (E) (1) (b) of this section, the department shall order the school district board to pay to the pupil's parent, guardian, or other person in charge of the pupil, an amount equal to the state average daily cost of transportation as determined by the state board of education for the previous year. The school district board shall make payments on a schedule ordered by the department.

(2) If the department subsequently finds that a school district board is not in compliance with an order issued under division (F) (1) of this section and the affected pupils are enrolled in a nonpublic or community school, the department shall deduct the amount that the board is required to pay under that order from any payments the department makes to the school district board under ~~division (D) of section 3317.022~~ 3306.12 of the Revised Code. The department shall use the moneys so deducted to make payments to the nonpublic or community school attended by the pupil. The department shall continue to make the deductions and payments required under this division until the school district board either complies with the department's order issued under division (F) (1) of this section or begins providing transportation.

(G) A nonpublic or community school that receives payments from the department under division (F) (2) of this section shall do either of the following:

(1) Disburse the entire amount of the payments to the parent, guardian, or other person in control of the pupil affected by the failure of the school district of residence to provide transportation;

(2) Use the entire amount of the payments to provide 7589
acceptable transportation for the affected pupil. 7590

Sec. 3327.04. (A) The board of education of any city, 7591
exempted village, or local school district may contract with the 7592
board of another district for the admission or transportation, or 7593
both, of pupils into any school in such other district, on terms 7594
agreed upon by such boards. 7595

(B) The boards of two school districts may enter into a 7596
contract under this section to share the provision of 7597
transportation to a child who resides in one school district and 7598
attends school in the other district. Under such an agreement, one 7599
district may claim the total transportation subsidy available for 7600
such child under ~~division (D) of section 3317.022~~ 3306.12 of the 7601
Revised Code and may agree to pay any portion of such subsidy to 7602
the other district sharing the provision of transportation to that 7603
child. The contract shall delineate the transportation 7604
responsibilities of each district. 7605

A school district that enters into a contract under this 7606
section is not liable for any injury, death, or loss to the person 7607
or property of a student that may occur while the student is being 7608
furnished transportation by the other school district that is a 7609
party to the contract. 7610

(C) Whenever a board not maintaining a high school enters 7611
into an agreement with one or more boards maintaining such school 7612
for the schooling of all its high school pupils, the board making 7613
such agreement is exempt from the payment of tuition at other high 7614
schools of pupils living within three miles of the school 7615
designated in the agreement. In case no such agreement is entered 7616
into, the high school to be attended can be selected by the pupil 7617
holding an eighth grade diploma, and the tuition shall be paid by 7618

the board of the district of school residence.

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Sec. 3327.05. (A) Except as provided in division (B) of this section, no board of education of any school district shall provide transportation for any pupil who is a school resident of another school district unless the pupil is enrolled pursuant to section 3313.98 of the Revised Code or the board of the other district has given its written consent thereto. If the board of any school district files with the state board of education a written complaint that transportation for resident pupils is being provided by the board of another school district contrary to this division, the state board of education shall make an investigation of such complaint. If the state board of education finds that transportation is being provided contrary to this section, it may withdraw from state funds due the offending district any part of the amount that has been approved for transportation pursuant to ~~division (D) of section 3317.022~~ 3306.12 of the Revised Code.

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(B) Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this division does not apply to any joint vocational or cooperative education school district.

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A board of education may provide transportation to and from the nonpublic school of attendance if both of the following apply:

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(1) The parent, guardian, or other person in charge of the pupil agrees to pay the board for all costs incurred in providing the transportation that are not reimbursed pursuant to Chapter 3306. or 3317. of the Revised Code;

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(2) The pupil's school district of residence does not provide transportation for public school pupils of the same grade as the pupil being transported under this division, or that district is not required under section 3327.01 of the Revised Code to

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transport the pupil to and from the nonpublic school because the
 direct travel time to the nonpublic school is more than thirty
 minutes.

Upon receipt of the request to provide transportation, the
 board shall review the request and determine whether the board
 will accommodate the request. If the board agrees to transport the
 pupil, the board may transport the pupil to and from the nonpublic
 school and a collection point in the district, as determined by
 the board. If the board transports the pupil, the board may
 include the pupil in the district's transportation ADM reported to
 the department of education under section 3317.03 of the Revised
 Code and, accordingly, may receive a state payment under ~~division~~
~~(D) of section 3317.022~~ 3306.12 of the Revised Code for
 transporting the pupil.

If the board declines to transport the pupil, the board, in a
 written communication to the parent, guardian, or other person in
 charge of the pupil, shall state the reasons for declining the
 request."

Between lines 43599 and 43600, insert:

"Sec. 3329.16. If the superintendent of public instruction
 determines that a school district has expended for other purposes
 any moneys appropriated by the general assembly for the specific
 purpose of purchasing textbooks or other instructional materials,
 the superintendent shall notify the school district of this
 determination within seven days and shall deduct the amount so
 expended from payments otherwise due to the district under Chapter
3306. or 3317. of the Revised Code."

Between lines 46171 and 46172, insert:

"Sec. 3349.242. Any agreement authorized by section 3349.241

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of the Revised Code may provide for the amounts of such 7678
 participation by such school district or districts in the 7679
 development, maintenance, and operation of such municipal 7680
 university, but no funds granted to school districts under Chapter 7681
3306. or 3317. of the Revised Code shall be used for such 7682
 purposes. By the terms of any such agreement the school district 7683
 or districts and their residents shall be entitled to the 7684
 educational advantages of said municipal university at the same 7685
 rate of tuition, fees, and other charges as are provided for the 7686
 residents of the municipal corporation in which such municipal 7687
 university is situated." 7688

Between lines 46475 and 46476, insert: 7689

"Sec. 3365.01. As used in this chapter: 7690

(A) "College" means any state-assisted college or university 7691
 described in section 3333.041 of the Revised Code, any nonprofit 7692
 institution holding a certificate of authorization pursuant to 7693
 Chapter 1713. of the Revised Code, any private institution exempt 7694
 from regulation under Chapter 3332. of the Revised Code as 7695
 prescribed in section 3333.046 of the Revised Code, and any 7696
 institution holding a certificate of registration from the state 7697
 board of career colleges and schools and program authorization for 7698
 an associate or bachelor's degree program issued under section 7699
 3332.05 of the Revised Code. 7700

(B) "School district," except as specified in division (G) of 7701
 this section, means any school district to which a student is 7702
 admitted under section 3313.64, 3313.65, 3313.98, or 3317.08 of 7703
 the Revised Code and does not include a joint vocational or 7704
 cooperative education school district. 7705

(C) "Parent" has the same meaning as in section 3313.64 of 7706
 the Revised Code. 7707

(D) "Participant" means a student enrolled in a college under the post-secondary enrollment options program established by this chapter.

(E) "Secondary grade" means the ninth through twelfth grades.

(F) "School foundation payments" means the amount required to be paid to a school district for a fiscal year under ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code.

(G) "Tuition base" means, with respect to a participant's school district, the sum of the formula amount plus the per pupil amount of the base funding supplements specified in divisions (C) (1) to (4) of section 3317.012 of the Revised Code for fiscal year 2009.

The participant's "school district" in the case of a participant enrolled in a community school shall be the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(H) "Educational program" means enrollment in one or more school districts, in a nonpublic school, or in a college under division (B) of section 3365.04 of the Revised Code.

(I) "Nonpublic school" means a chartered or nonchartered school for which minimum standards are prescribed by the state board of education pursuant to division (D) of section 3301.07 of the Revised Code.

(J) "School year" means the year beginning on the first day of July and ending on the thirtieth day of June.

(K) "Community school" means any school established pursuant to Chapter 3314. of the Revised Code that includes secondary grades.

(L) "STEM school" means a science, technology, engineering,

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and mathematics school established under Chapter 3326. of the Revised Code." 7737
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In line 46703, strike through "division (D) of" 7739

In line 46704, strike through "3317.022" and insert "3306.12" 7740

Between lines 79507 and 79508, insert: 7741

"Sec. 5126.05. (A) Subject to the rules established by the director of mental retardation and developmental disabilities pursuant to Chapter 119. of the Revised Code for programs and services offered pursuant to this chapter, and subject to the rules established by the state board of education pursuant to Chapter 119. of the Revised Code for programs and services offered pursuant to Chapter 3323. of the Revised Code, the county board of mental retardation and developmental disabilities shall: 7742
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(1) Administer and operate facilities, programs, and services as provided by this chapter and Chapter 3323. of the Revised Code and establish policies for their administration and operation; 7750
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(2) Coordinate, monitor, and evaluate existing services and facilities available to individuals with mental retardation and developmental disabilities; 7753
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(3) Provide early childhood services, supportive home services, and adult services, according to the plan and priorities developed under section 5126.04 of the Revised Code; 7756
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(4) Provide or contract for special education services pursuant to Chapters 3306., 3317. and 3323. of the Revised Code and ensure that related services, as defined in section 3323.01 of the Revised Code, are available according to the plan and priorities developed under section 5126.04 of the Revised Code; 7759
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(5) Adopt a budget, authorize expenditures for the purposes specified in this chapter and do so in accordance with section 7764
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319.16 of the Revised Code, approve attendance of board members 7766
and employees at professional meetings and approve expenditures 7767
for attendance, and exercise such powers and duties as are 7768
prescribed by the director; 7769

(6) Submit annual reports of its work and expenditures, 7770
pursuant to sections 3323.09 and 5126.12 of the Revised Code, to 7771
the director, the superintendent of public instruction, and the 7772
board of county commissioners at the close of the fiscal year and 7773
at such other times as may reasonably be requested; 7774

(7) Authorize all positions of employment, establish 7775
compensation, including but not limited to salary schedules and 7776
fringe benefits for all board employees, approve contracts of 7777
employment for management employees that are for a term of more 7778
than one year, employ legal counsel under section 309.10 of the 7779
Revised Code, and contract for employee benefits; 7780

(8) Provide service and support administration in accordance 7781
with section 5126.15 of the Revised Code; 7782

(9) Certify respite care homes pursuant to rules adopted 7783
under section 5123.171 of the Revised Code by the director of 7784
mental retardation and developmental disabilities. 7785

(B) To the extent that rules adopted under this section apply 7786
to the identification and placement of children with disabilities 7787
under Chapter 3323. of the Revised Code, they shall be consistent 7788
with the standards and procedures established under sections 7789
3323.03 to 3323.05 of the Revised Code. 7790

(C) Any county board may enter into contracts with other such 7791
boards and with public or private, nonprofit, or profit-making 7792
agencies or organizations of the same or another county, to 7793
provide the facilities, programs, and services authorized or 7794
required, upon such terms as may be agreeable, and in accordance 7795

with this chapter and Chapter 3323. of the Revised Code and rules 7796
 adopted thereunder and in accordance with sections 307.86 and 7797
 5126.071 of the Revised Code. 7798

(D) A county board may combine transportation for children 7799
 and adults enrolled in programs and services offered under section 7800
 5126.12 with transportation for children enrolled in classes 7801
 funded under section 3317.20 or units approved under section 7802
 3317.05 of the Revised Code. 7803

(E) A county board may purchase all necessary insurance 7804
 policies, may purchase equipment and supplies through the 7805
 department of administrative services or from other sources, and 7806
 may enter into agreements with public agencies or nonprofit 7807
 organizations for cooperative purchasing arrangements. 7808

(F) A county board may receive by gift, grant, devise, or 7809
 bequest any moneys, lands, or property for the benefit of the 7810
 purposes for which the board is established and hold, apply, and 7811
 dispose of the moneys, lands, and property according to the terms 7812
 of the gift, grant, devise, or bequest. All money received by 7813
 gift, grant, bequest, or disposition of lands or property received 7814
 by gift, grant, devise, or bequest shall be deposited in the 7815
 county treasury to the credit of such board and shall be available 7816
 for use by the board for purposes determined or stated by the 7817
 donor or grantor, but may not be used for personal expenses of the 7818
 board members. Any interest or earnings accruing from such gift, 7819
 grant, devise, or bequest shall be treated in the same manner and 7820
 subject to the same provisions as such gift, grant, devise, or 7821
 bequest. 7822

(G) The board of county commissioners shall levy taxes and 7823
 make appropriations sufficient to enable the county board of 7824
 mental retardation and developmental disabilities to perform its 7825
 functions and duties, and may utilize any available local, state, 7826

and federal funds for such purpose." 7827

Between lines 79834 and 79835, insert: 7828

"Sec. 5126.24. (A) As used in this section: 7829

(1) "License" means an educator license issued by the state board of education under section 3319.22 of the Revised Code or a certificate issued by the department of mental retardation and developmental disabilities. 7830-7833

(2) "Teacher" means a person employed by a county board of mental retardation and developmental disabilities in a position that requires a license. 7834-7836

(3) "Nonteaching employee" means a person employed by a county board of mental retardation and developmental disabilities in a position that does not require a license. 7837-7839

(4) "Years of service" includes all service described in division (A) of section 3317.13 of the Revised Code. 7840-7841

(B) Subject to rules established by the director of mental retardation and developmental disabilities pursuant to Chapter 119. of the Revised Code, each county board of mental retardation and developmental disabilities shall annually adopt separate salary schedules for teachers and nonteaching employees. 7842-7846

(C) The teachers' salary schedule shall provide for increments based on training and years of service. The board may establish its own service requirements provided no teacher receives less than the salary the teacher would be paid under section 3317.13 of the Revised Code if the teacher were employed by a school district board of education and provided full credit for a minimum of five years of actual teaching and military experience as defined in division (A) of such section is given to each teacher. 7847-7855

Each teacher who has completed training that would qualify the teacher for a higher salary bracket pursuant to this section shall file by the fifteenth day of September with the fiscal officer of the board, satisfactory evidence of the completion of such additional training. The fiscal officer shall then immediately place the teacher, pursuant to this section, in the proper salary bracket in accordance with training and years of service. No teacher shall be paid less than the salary to which the teacher would be entitled under section 3317.13 of the Revised Code if the teacher were employed by a school district board of education.

The superintendent of each county board, on or before the fifteenth day of October of each year, shall certify to the state board of education the name of each teacher employed, on an annual salary, in each special education program operated pursuant to section 3323.09 of the Revised Code during the first full school week of October. The superintendent further shall certify, for each teacher, the number of years of training completed at a recognized college, the degrees earned from a college recognized by the state board, the type of license held, the number of months employed by the board, the annual salary, and other information that the state board may request.

(D) The nonteaching employees' salary schedule established by the board shall be based on training, experience, and qualifications with initial salaries no less than salaries in effect on July 1, 1985. Each board shall prepare and may amend from time to time, specifications descriptive of duties, responsibilities, requirements, and desirable qualifications of the classifications of employees required to perform the duties specified in the salary schedule. All nonteaching employees shall be notified of the position classification to which they are

assigned and the salary for the classification. The compensation 7887
of all nonteaching employees working for a particular board shall 7888
be uniform for like positions except as compensation would be 7889
affected by salary increments based upon length of service. 7890

On the fifteenth day of October of each year the nonteaching 7891
employees' salary schedule and list of job classifications and 7892
salaries in effect on that date shall be filed by each board with 7893
the superintendent of public instruction. If such salary schedule 7894
and classification plan is not filed, the superintendent of public 7895
instruction shall order the board to file such schedule and list 7896
forthwith. If this condition is not corrected within ten days 7897
after receipt of the order from the superintendent, no money shall 7898
be distributed to the district under Chapter 3306. or 3317. of the 7899
Revised Code until the superintendent has satisfactory evidence of 7900
the board's full compliance with such order." 7901

Between lines 82229 and 82230, insert: 7902

"Sec. 5715.26. (A) (1) Upon receiving the statement required 7903
by section 5715.25 of the Revised Code, the county auditor shall 7904
forthwith add to or deduct from each tract, lot, or parcel of real 7905
property or class of real property the required percentage or 7906
amount of the valuation thereof, adding or deducting any sum less 7907
than five dollars so that the value of any separate tract, lot, or 7908
parcel of real property shall be ten dollars or some multiple 7909
thereof. 7910

(2) ~~When he has made~~ After making the additions or deductions 7911
required by this section, the auditor shall transmit to the tax 7912
commissioner the appropriate adjusted abstract of the real 7913
property of each taxing district in ~~his~~ the auditor's county in 7914
which an adjustment was required. 7915

(3) If the commissioner increases or decreases the aggregate 7916

value of the real property or any class thereof in any county or taxing district thereof and does not receive within ninety days thereafter an adjusted abstract conforming to its statement for such county or taxing district therein, ~~he~~ the commissioner shall withhold from such county or taxing district therein fifty per cent of its share in the distribution of state revenues to local governments pursuant to sections 5747.50 to 5747.55 of the Revised Code and shall direct the department of education to withhold therefrom fifty per cent of state revenues to school districts pursuant to ~~Chapter~~ Chapters 3306. and 3317. of the Revised Code. The commissioner shall withhold the distribution of such funds until such county auditor has complied with this division, and the department shall withhold the distribution of such funds until the commissioner has notified the department that such county auditor has complied with this division.

(B) (1) If the commissioner's determination is appealed under section 5715.251 of the Revised Code, the county auditor, treasurer, and all other officers shall forthwith proceed with the levy and collection of the current year's taxes in the manner prescribed by law. The taxes shall be determined and collected as if the commissioner had determined under section 5715.24 of the Revised Code that the real property and the various classes thereof in the county as shown in the auditor's abstract were assessed for taxation and the true and agricultural use values were recorded on the agricultural land tax list as required by law.

(2) If as a result of the appeal to the board it is finally determined either that all real property and the various classes thereof have not been assessed as required by law or that the values set forth in the agricultural land tax list do not correctly reflect the true and agricultural use values of the

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lands contained therein, the county auditor shall forthwith add to
 or deduct from each tract, lot, or parcel of real property or
 class of real property the required percentage or amount of the
 valuation in accordance with the order of the board or judgment of
 the court to which the board's order was appealed, and the taxes
 on each tract, lot, or parcel and the percentages required by
 section 319.301 of the Revised Code shall be recomputed using the
 valuation as finally determined. The order or judgment making the
 final determination shall prescribe the time and manner for
 collecting, crediting, or refunding the resultant increases or
 decreases in taxes."

In line 82900, after "means" insert "the following:"

(a) For fiscal years prior to fiscal year 2010,"

Between lines 82920 and 82921, insert:

"(b) For fiscal year 2010 and for each fiscal year
 thereafter, the sum of the amounts computed for the district under
 sections 3306.052, 3306.12, 3306.13, 3306.19, 3306.191, and
 3306.192; division (G) of section 3317.024; sections 3317.05,
 3317.052, and 3317.053 of the Revised Code; and the adjustments
 required by division (C) of section 3310.08; division (C) (2) of
 section 3310.41; division (C) of section 3314.08; division (D) (2)
 of section 3314.091; division (D) of section 3314.13; divisions
 (E), (K), (L), (M), and (N) of section 3317.023; division (C) of
 section 3317.20; and sections 3313.979 and 3313.981 of the Revised
 Code."

In line 82922, after "means" insert "the following:"

(a) For fiscal years prior to fiscal year 2010,"

Between lines 82928 and 82929, insert:

"(b) For fiscal years 2010 and 2011, the amount computed for
 the district in accordance with the section of this act entitled

"FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS"." 7978

In line 88673, after "means" insert "the following:" 7979

(a) For fiscal years prior to fiscal year 2010." 7980

Between lines 88688 and 88689, insert: 7981

"(b) For fiscal year 2010 and for each fiscal year 7982
thereafter, the sum of the amounts computed under sections 7983
3306.052, 3306.12, 3306.13, 3306.19, 3306.191, and 3306.192 of the 7984
Revised Code." 7985

In line 88690, after "means" insert "the following:" 7986

(a) For fiscal years prior to fiscal year 2010," 7987

Between lines 88695 and 88696, insert: 7988

"(b) For fiscal years 2010 and 2011, the amount paid in 7989
accordance with the section of this act entitled "FUNDING FOR 7990
JOINT VOCATIONAL SCHOOL DISTRICTS."" 7991

In line 90843, after "3302.03," insert "3302.031,"; after 7992
"3304.231," insert "3307.31, 3307.64, 3309.41, 3309.48, 3309.51," 7993

In line 90844, after "3310.03," insert "3310.08, 3310.09,"; 7994
after "3310.14," insert "3310.41,"; after "3311.059," insert 7995
"3311.06, 3311.19, 3311.21, 3311.29, 3311.52, 3311.76,"; after 7996
"3313.46," insert "3313.483,"; after "3313.53," insert "3313.55," 7997

In line 90845, after "3313.642," insert "3313.6410," 7998

In line 90846, after "3313.978," insert "3313.98, 3313.981,"; 7999
after "3314.085," insert "3314.087, 3314.091, 3314.10, 3314.13," 8000

In line 90847, after "3315.37," insert "3316.041, 3316.06, 8001
3316.20, 3317.01, 3317.011,"; after "3317.022," insert "3317.023, 8002
3317.024, 3317.025, 3317.0210, 3317.0211, 3317.0216,"; after 8003
"3317.03," insert "3317.031, 3317.04, 3317.061," 8004

In line 90848, after "3317.08," insert "3317.081, 3317.082," 8005

3317.12, 3317.16, 3317.18, 3317.20, 3317.201,"; after "3318.011," 8006
insert "3318.051,"; after 3319.08," insert "3319.088," 8007

In line 90851, after "3319.56," insert "3319.57," 8008

In line 90852, after "3323.05," insert "3323.091, 3323.14, 8009
3323.142, 3324.05,"; after "3326.11," insert "3326.33,"; after 8010
"3326.36," insert "3327.02, 3327.04, 3327.05,"; after "3327.10," 8011
insert "3329.16," 8012

In line 90856, after "3345.66," insert "3349.242,"; after 8013
"3354.26," insert "3365.01," 8014

In line 90910, after "5126.044," insert "5126.05," 8015

In line 90911, after "5126.19," insert "5126.24," 8016

In line 90914, after "5715.251," insert "5715.26," 8017

In line 93818, delete "\$705,000,000 \$711,000,000" and insert 8018
"\$990,236,905 \$1,277,271,428" 8019

In line 93820, add \$285,236,905 to fiscal year 2010 and 8020
\$566,271,428 to fiscal year 2011 8021

In line 93826, add \$285,236,905 to fiscal year 2010 and 8022
\$566,271,428 to fiscal year 2011 8023

Between lines 94402 and 94403, insert: 8024

"Of the foregoing appropriation item 200502, Pupil 8025
Transportation, \$376,914,469 in each fiscal year shall be used to 8026
calculate the prorated portion of transportation aid to school 8027
districts and shall be distributed as provided by division (L) (1) 8028
of section 3306.12 of the Revised Code." 8029

In line 94404, delete "to fund the transportation payments" 8030
and insert "for additional transportation aid for school districts 8031
as provided by division (L) (2) of section 3306.12 of the Revised 8032
Code." 8033

Delete lines 94405 through 94407	8034
Delete lines 94439 through 94442	8035
Delete lines 94448 through 94475	8036
In line 94571, delete "\$90,000,000" and insert "\$92,300,000";	8037
delete "each"; after "year" insert "2010 and \$92,700,000 in fiscal	8038
year 2011"	8039
In line 94574, delete "This" and insert "For each fiscal	8040
year, this"; after "the" insert "greater of the"	8041
In line 94575, after "for" insert "that fiscal year or for"	8042
In line 94576, after "and" insert "the total state education	8043
aid offset calculated for fiscal year 2009 for"	8044
In line 94580, delete "offset for fiscal year 2009" and	8045
insert "offsets"	8046
In line 94587, delete "\$119,000,000" and insert	8047
"\$127,700,000"; delete "each"; after "year" insert "2010 and	8048
\$126,600,000 in fiscal year 2011"	8049
In line 94590, delete "This" and insert "For each fiscal	8050
year, this"; after "the" insert "greater of the"	8051
In line 94591, after "for" insert "that fiscal year or for"	8052
In line 94592, after "and" insert "the total state education	8053
aid offset calculated for fiscal year 2009 for"	8054
In line 94595, delete "offset for fiscal year 2009" and	8055
insert "offsets"	8056
Between lines 94603 and 94604, insert:	8057
"Of the foregoing appropriation item 200550, Foundation	8058
Funding, up to \$15,000,000 in each fiscal year shall be reserved	8059
for payments under sections 3317.026, 3317.027, and 3317.028 of	8060
the Revised Code except that the Controlling Board may increase	8061

the \$15,000,000 amount if presented with such a request from the
Department of Education.

Of the foregoing appropriation item 200550, Foundation
Funding, up to \$8,100,000 in each fiscal year shall be used to
fund gifted education units at educational service centers under
division (L) of section 3317.024 of the Revised Code,
notwithstanding divisions (D) (3) and (6) of section 3317.018 of
the Revised Code.

Of the foregoing appropriation item 200550, Foundation
Funding, an amount shall be available in each fiscal year to be
used by the Department of Education for transitional aid for
school districts under section 3306.19 of the Revised Code."

In line 94648, delete "200521,"

In line 94649, delete "Gifted Pupil Program,"

Delete lines 94667 through 94882

In line 94887, delete ", the" and insert ":

(A) The"; after "each" insert "city, local, and exempted
village school"

In line 94888, after "year" insert "the greater of the
respective "state education aid offset" amount calculated for the
district for the current fiscal year or"

Delete lines 94890 through 94997 and insert:

"(B) The Department shall use for each joint vocational
school district for each fiscal year the respective "state
education aid offset" amount calculated for the district for
fiscal year 2009."

In line 95007, delete "1.9" and insert "0.75"

Between lines 95937 and 95938, insert:

"Section 265.70.80. Notwithstanding section 3306.31 of the Revised Code, in fiscal year 2010, the Governor's Closing the Achievement Gap Initiative shall work with those districts that have a three-year overall average graduation rate of 80 per cent or less to assist them in planning for the implementation of the program in fiscal year 2011. Districts that are currently participating in the program and that continue to have a three-year overall graduation rate of 80 per cent or less are encouraged to maintain existing programs during this planning period."

In line 106538, after "3301.95," insert "3302.031, 3306.01, 3306.012, 3306.02, 3306.03, 3306.04, 3306.05, 3306.051, 3306.052, 3306.06, 3306.07, 3306.08, 3306.09, 3306.091, 3306.10, 3306.11, 3306.12, 3306.13, 3306.17, 3306.18, 3306.19, 3306.191, 3306.192, 3306.21, 3306.22, 3306.25, 3306.30, 3306.31, 3306.33, 3306.34, 3306.35, 3306.40, 3307.31, 3307.64, 3309.41, 3309.48, 3309.51, 3310.08, 3310.09, 3310.41,"

In line 106539, after "3311.0510," insert "3311.06, 3311.19, 3311.21, 3311.29, 3311.52, 3311.76, 3313.483, 3313.55,"; after "3313.642," insert "3313.6410,"; after "3313.843," insert "3313.98, 3313.981,"

In line 106540, after "3314.085," insert "3314.087, 3314.088, 3314.091, 3314.10, 3314.13,"; after "3314.35," insert "3316.041, 3316.06, 3316.20, 3317.01, 3317.011,"; after "3317.013," insert "3317.018,"; after "3317.022," insert "3317.023, 3317.024, 3317.025, 3317.0210, 3317.0211, 3317.0216,"; after "3317.03," insert "3317.031, 3317.04, 3317.061,"

In line 106541, after "3317.063," insert "3317.081, 3317.082, 3317.12, 3317.16, 3317.18, 3317.20, 3317.201, 3318.051,"; after "3318.011," insert "3319.088, 3319.57, 3323.091, 3323.14, 3323.142, 3324.05, 3326.33, 3326.39, 3327.02, 3327.04, 3327.05,"

3329.16,"	8121
In line 106542, after "3345.32," insert "3349.242, 3365.01,"	8122
In line 106547, after "5123.193," insert "5126.05, 5126.24,";	8123
after "5703.80," insert "5715.26,"	8124
In line 66 of the title, after "3302.03," insert "3302.031,";	8125
after "3304.231," insert "3307.31, 3307.64, 3309.41, 3309.48,	8126
3309.51,"; after "3310.03," insert "3310.08, 3310.09,"; after	8127
"3310.14," insert "3310.41,"	8128
In line 67 of the title, after "3311.059," insert "3311.06,	8129
3311.19, 3311.21, 3311.29, 3311.52, 3311.76,"; after "3313.46,"	8130
insert "3313.483,"; after "3313.53," insert "3313.55,"	8131
In line 68 of the title, after "3313.642," insert	8132
"3313.6410,"	8133
In line 69 of the title, after "3313.978," insert "3313.98,	8134
3313.981,"	8135
In line 70 of the title, after "3314.085," insert "3314.087,	8136
3314.091, 3314.10, 3314.13,"; after "3315.37," insert "3316.041,	8137
3316.06, 3316.20, 3317.01, 3317.011,"	8138
In line 71 of the title, after "3317.022," insert "3317.023,	8139
3317.024, 3317.025, 3317.0210, 3317.0211, 3317.0216,"; after	8140
"3317.03," insert "3317.031, 3317.04, 3317.061,"	8141
In line 72 of the title, after "3317.08," insert "3317.081,	8142
3317.082, 3317.12, 3317.16, 3317.18, 3317.20,"; after "3318.011,"	8143
insert "3318.051,"	8144
In line 73 of the title, after "3319.08," insert "3319.088,"	8145
In line 76 of the title, after "3319.56," insert "3319.57,"	8146
In line 77 of the title, after "3323.05," insert "3323.091,	8147
3323.14, 3323.142, 3324.05,"; after "3326.11," insert "3326.33,"	8148

In line 78 of the title, after "3326.36," insert "3327.02, 8149
 3327.04, 3327.05,"; after "3327.10," insert "3329.16," 8150

In line 83 of the title, after "3345.66," insert "3349.242,"; 8151
 after "3354.26," insert "3365.01," 8152

In line 157 of the title, after "5126.044," insert 8153
 "5126.05,"; after "5126.19," insert "5126.24," 8154

In line 162 of the title, after "5715.251," insert "5715.26," 8155

In line 198 of the title, after "3304.182," insert "3306.01, 8156
 3306.011, 3306.012, 3306.02, 3306.03, 3306.04, 3306.05, 3306.051, 8157
 3306.052, 3306.06, 3306.07, 3306.08, 3306.09, 3306.091, 3306.10, 8158
 3306.11, 3306.12, 3306.13, 3306.18, 3306.19, 3306.191, 3306.192, 8159
 3306.21, 3306.22, 3306.25, 3306.30, 3306.31, 3306.33, 3306.34, 8160
 3306.35, 3306.40," 8161

In line 200 of the title, after "3314.028," insert 8162
 "3314.088,"; after "3314.44," insert "3317.018," 8163

In line 201 of the title, after "3323.052," insert "3326.39," 8164

The motion was _____ agreed to.

SYNOPSIS

Evidence Based Model and other School Funding Provisions 8165

R.C. 319.301, 3302.031, 3306.01 to 3306.22, 3307.31, 3307.64, 8166
 3309.41, 3309.48, 3309.51, 3310.41, 3311.06, 3311.19, 3311.21, 8167
 3311.29, 3311.52, 3311.76, 3313.483, 3313.55, 3313.64, 3313.642, 8168
 3313.6410, 3313.98, 3313.981, 3314.08, 3314.087, 3314.088, 8169
 3314.091, 3314.10, 3314.13, 3316.041, 3316.06, 3316.20, 3317.01 8170
 3317.011, 3317.018, 3317.02, 3317.021, 3317.022, 3317.023, 8171
 3317.024, 3317.025, 3317.0210, 3317.0211, 3317.0216, 3317.03, 8172

3317.031, 3317.04, 3317.061, 3317.081, 3317.082, 3317.12, 3317.16, 8173
 3317.18, 3317.20, 3317.201, 3318.051, 3319.088, 3319.57, 3323.91, 8174
 3323.14, 3323.142, 3324.05, 3326.33, 3326.39, 3327.02, 3327.0, 8175
 3327.05, 3329.16, 3349.242, 3365.01, 3365.08, 5126.05, 5126.24, 8176
 5715.26, 5727.84, and 5751.20 8177

Removes the bill's provisions for funding school districts, 8178
 community schools, and STEM schools in fiscal years 2010 and 2011 8179
 and reinstates for city, exempted village, and local school 8180
 districts, with some revisions, the Evidence Based school funding 8181
 model of the House version. Specifically does not apply the model 8182
 of the House version to community schools, STEM schools, open 8183
 enrollment students, and Post-Secondary Enrollment Options 8184
 students, but codifies a per pupil method for those fiscal years 8185
 based on current law. 8186

Revises the House version for school districts by: 8187

(1) Guaranteeing each district, in fiscal year 2010, 99% of 8188
 its previous year's base and, in fiscal year 2011, 98% of its 8189
 previous year's base; 8190

(2) Setting the gain cap at 3/4 of 1% more than the previous 8191
 year's base instead of 1.9% more than the previous year's base as 8192
 under the House version; 8193

(3) Setting the payment for career-technical education 8194
 services at 3/4 of 1% more than the previous year's amount, 8195
 instead of 1.9% more than the previous year's amount; 8196

(4) Defining a "career-technical education teacher," for 8197
 purposes of the evidence-based model, as a person who is licensed 8198
 to provide (rather than simply a person who "provides," under the 8199
 bill) specialized instruction in career and technical courses; 8200

(5) Specifying that school districts may use career-technical 8201
 funding provided under the evidence-based model only for 8202

career-technical programming approved by the Department of 8203
 Education, and directing the Department to require districts to 8204
 report data annually to allow the Department to monitor spending 8205
 of career-technical funding; 8206

(6) Counting students enrolled in community schools and STEM 8207
 schools in the average daily membership and formula ADM of their 8208
 resident school districts as under current law, instead of 8209
 counting them separately and direct funding the schools as under 8210
 the House version; 8211

(7) Counting open enrollment students in the average daily 8212
 membership and formula ADM of their resident school districts as 8213
 under current law, instead of the districts in which they attend 8214
 school as under the House version; 8215

(8) Excludes the House provision that specified that, 8216
 beginning in fiscal year 2012, schools must use funds calculated 8217
 for the professional development factor to provide teachers with 8218
 professional development that is aligned with the professional 8219
 development standards developed by the Educator Standards Board 8220
 and adopted by the State Board of Education; and 8221

(9) Revises the definition of "potential value," used in 8222
 calculating the "Talawanda" adjustment to the local share of 8223
 certain school districts, to distinguish between districts levying 8224
 20.1 or more effective class one mills and districts levying less 8225
 than 20.1 effective class one mills. 8226

For open enrollment and Post-Secondary Enrollment Options 8227
 transfers, sets the formula amount at \$5,732 for both fiscal 8228
 years. 8229

For community schools and STEM schools sets the formula 8230
 amount at \$5,718 for fiscal year 2010 and \$5,703 for fiscal year 8231
 2011, except for computing deductions and payments for special 8232

education and vocational education. For special education and 8233
 vocational education, specifies that deductions and payments be 8234
 computed by multiplying the respective fiscal year 2009 weight 8235
 times \$5,732. 8236

Sets the payment for each joint vocational school district at 8237
 3/4 of 1% more than the previous year's amount, instead of 1.9% 8238
 more than the previous year's amount as under the bill. 8239

Specifies that the "state education aid offset" used to 8240
 compute a city, local, or exempted village school district's 8241
 reimbursement for the phase-out of the tangible personal property 8242
 tax (TPPT) and the phase-in of electric deregulation is the 8243
 greater of the value computed for the current fiscal year or the 8244
 value computed for fiscal year 2009. Specifies that the "state 8245
 education aid offset," for these same purposes, for joint 8246
 vocational school districts, is the value computed for fiscal year 8247
 2009. 8248

Also makes technical corrections to the definition of "state 8249
 education aid" used in computing the "state education aid offset" 8250
 for city, exempted village, and local school districts to account 8251
 for (a) additional transitional aid paid to some low-wealth, 8252
 high-density districts that also receive an additional pupil 8253
 transportation subsidy under the Evidence Based Model, in the case 8254
 of both electric deregulation and TPPT reimbursements, and (b) Ed 8255
 Choice and community school deductions, in the case of electric 8256
 deregulation reimbursements. 8257

Spending Accountability 8258

R.C. 3306.25, 3306.30, 3306.31, 3306.32, 3306.321, 3306.33, 8259
 3306.34, 3306.35, and 3306.40; Section 265.70.80 8260

Reinstates the accountability provisions of the Evidence 8261
 Based model of the House version with the following revisions: 8262

(1) Applies only to school districts, and not to community schools and STEM schools, the requirements to comply with spending and reporting rules of the state Superintendent and to have an annual spending plan and provisions for sanctions and waivers and the "Formula Accountability and Transparency" form;

(2) Specifies that the state Superintendent's rules prescribing reporting standards may not take effect sooner than July 1, 2010, and the rules prescribing spending standards may not take effect sooner than July 1, 2011;

(3) Requires that the state Superintendent's rules for spending and reporting of components in the core academic strategy category must provide flexibility in determining how to spend funds depending on the district's current academic performance rating, instead of merely requiring flexibility for "effective" and "excellent" districts;

(4) Specifies that districts rated as "excellent" are not subject to spending rules, but are subject to reporting rules;

(5) Prohibits the imposition of any sanctions sooner than July 1, 2011, instead of July 1, 2010; and

(6) Eliminates altogether the requirement for performance reviews.

Educational Choice Scholarships Funding

R.C. 3310.08 and 3310.09

Restores the House provisions that:

(1) Increase the deduction for kindergarten students from \$2,700 to \$5,200 per pupil to account for the new school funding model's counting each kindergarten student as one instead of one-half student.

(2) Establish a permanent maximum scholarship amount of

\$4,500 for grades K-8 and \$5,300 for grades 9-12.

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Department of Education

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Sections 265.10, 265.20.70, 265.20.90, 265.30.20, 265.30.40

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Specifies that \$376,914,469 in each fiscal year of GRF appropriation item 200502, Pupil Transportation, be used for the prorated portion of transportation aid to school districts and the remainder for additional transportation aid for low wealth/low density districts, instead of the remainder being used to fund the transportation payments included in the base payment.

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Eliminates the earmark of \$4,794,470 in each fiscal year of GRF appropriation item 200521, Gifted Pupil Program, for identifying gifted students (gifted identification is included in the school funding model).

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Moves the earmark of \$8,100,000 in each fiscal year of 200521 for gifted education units at educational service centers to GRF appropriation item 200550, Foundation Funding.

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Eliminates the set aside of the remainder of 200521 for gifted education units.

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Increases the estimated amount of 200550 for the state education aid offset due to the change in public utility valuation from \$90.0 million in each fiscal year to \$92.3 million in FY 2010 and \$92.7 million in FY 2011.

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Increases the estimated amount of 200550 for the state education aid offset due to the change in tangible personal property valuation from \$119.0 million in each fiscal year to \$127.7 million in FY 2010 and \$126.6 million in FY 2011.

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Earmarks \$15.0 million in each fiscal year for payments under sections 3317.026, 3317.027, and 3317.028. Permits the Controlling Board to increase this amount in each fiscal year if requested by

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the Department.

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Earmarks an amount in each fiscal year for transitional aid
for school districts.

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Increases LPE appropriation item 200612, Foundation Funding,
by \$285,236,905 in FY 2010 and by \$566,271,428 in FY 2011.

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