

As Introduced

**130th General Assembly
Regular Session
2013-2014**

H. B. No. 343

Representative Stebelton

—

A B I L L

To amend section 3313.617 of the Revised Code, to 1
amend the versions of sections 3317.01 and 2
3317.022 that are scheduled to take effect July 1, 3
2014, and to amend section 3314.08 and to enact 4
sections 3314.362, 3314.38, 3317.036, and 3317.24 5
of the Revised Code on July 1, 2014, regarding 6
educational programs for certain students and 7
individuals who have not received a high school 8
diploma. 9

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

Section 1. That section 3313.617 of the Revised Code be 10
amended to read as follows: 11

Sec. 3313.617. (A) A person who meets all of the following 12
criteria shall be permitted to take the tests of general 13
educational development: 14

(1) The person is at least eighteen years of age; 15

(2) The person is officially withdrawn from school; 16

(3) The person has not received a high school diploma or 17
honors diploma awarded under section 3313.61, 3313.611, 3313.612, 18
or 3325.08 of the Revised Code. 19

(B) When a person who is at least sixteen years of age but less than ~~nineteen~~ eighteen years of age applies to the department of education to take the tests of general educational development, the person shall submit with the application written approval from the ~~superintendent of the school district in which the person was last enrolled, or the superintendent's designee, except that if the person was last enrolled in a community school established under Chapter 3314. of the Revised Code or a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, the approval shall be from the principal of the school, or the principal's designee.~~ The department may require the person also to submit written approval from the person's parent or guardian or a court official, ~~if the person is younger than eighteen years of age.~~

~~(B)~~(C) For the purpose of calculating graduation rates for the school district and building report cards under section 3302.03 of the Revised Code, the department shall count any person for whom approval is obtained from the ~~superintendent or principal, or a designee,~~ person's parent or guardian or a court official under division ~~(A)~~(B) of this section as a dropout from the district or school in which the person was last enrolled prior to obtaining the approval.

Section 2. That existing section 3313.617 of the Revised Code is hereby repealed.

Section 3. That the versions of sections 3317.01 and 3317.022 that are scheduled to take effect July 1, 2014, and section 3314.08 be amended and sections 3314.362, 3314.38, 3317.036, and 3317.24 of the Revised Code be enacted to read as follows:

Sec. 3314.08. (A) As used in this section:

(1)(a) "Category one career-technical education student"

means a student who is receiving the career-technical education services described in division (A) of section 3317.014 of the Revised Code.

(b) "Category two career-technical student" means a student who is receiving the career-technical education services described in division (B) of section 3317.014 of the Revised Code.

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

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

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

(2)(a) "Category one limited English proficient student" means a limited English proficient student described in division (A) of section 3317.016 of the Revised Code.

(b) "Category two limited English proficient student" means a limited English proficient student described in division (B) of section 3317.016 of the Revised Code.

(c) "Category three limited English proficient student" means a limited English proficient student described in division (C) of section 3317.016 of the Revised Code.

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

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

specified in division (B) of section 3317.013 of the Revised Code.	80
(c) "Category three special education student" means a student who is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code.	81 82 83 84
(d) "Category four special education student" means a student who is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code.	85 86 87
(e) "Category five special education student" means a student who is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code.	88 89 90
(f) "Category six special education student" means a student who is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code.	91 92 93
(4) "Formula amount" has the same meaning as in section 3317.02 of the Revised Code.	94 95
(5) "IEP" has the same meaning as in section 3323.01 of the Revised Code.	96 97
(6) "Resident district" means the school district in which a student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.	98 99 100
(7) "State education aid" has the same meaning as in section 5751.20 of the Revised Code.	101 102
(B) The state board of education shall adopt rules requiring both of the following:	103 104
(1) The board of education of each city, exempted village, and local school district to annually report the number of students entitled to attend school in the district who are enrolled in each grade kindergarten through twelve in a community school established under this chapter, and for each child, the	105 106 107 108 109

community school in which the child is enrolled.	110
(2) The governing authority of each community school established under this chapter to annually report all of the following:	111 112 113
(a) The number of students enrolled in grades one through twelve and the full-time equivalent number of students enrolled in kindergarten in the school who are not receiving special education and related services pursuant to an IEP;	114 115 116 117
(b) The number of enrolled students in grades one through twelve and the full-time equivalent number of enrolled students in kindergarten, who are receiving special education and related services pursuant to an IEP;	118 119 120 121
(c) The number of students reported under division (B)(2)(b) of this section receiving special education and related services pursuant to an IEP for a disability described in each of divisions (A) to (F) of section 3317.013 of the Revised Code;	122 123 124 125
(d) The full-time equivalent number of students reported under divisions (B)(2)(a) and (b) of this section who are enrolled in career-technical education programs or classes described in each of divisions (A) to (E) of section 3317.014 of the Revised Code that are provided by the community school;	126 127 128 129 130
(e) Twenty per cent of the number of students reported under divisions (B)(2)(a) and (b) of this section who are not reported under division (B)(2)(d) of this section but who are enrolled in career-technical education programs or classes described in each of divisions (A) to (E) of section 3317.014 of the Revised Code at a joint vocational school district or another district in the career-technical planning district to which the school is assigned;	131 132 133 134 135 136 137 138
(f) The number of students reported under divisions (B)(2)(a) and (b) of this section who are category one to three limited	139 140

English proficient students described in each of divisions (A) to 141
(C) of section 3317.016 of the Revised Code; 142

(g) The number of students reported under divisions (B)(2)(a) 143
and (b) who are economically disadvantaged, as defined by the 144
department. A student shall not be categorically excluded from the 145
number reported under division (B)(2)(g) of this section based on 146
anything other than family income. 147

(h) For each student, the city, exempted village, or local 148
school district in which the student is entitled to attend school 149
under section 3313.64 or 3313.65 of the Revised Code; 150

(i) If the school offers a dropout prevention and recovery 151
program, the number of individuals enrolled in the program under 152
division (A) of section 3314.38 of the Revised Code, if any, and 153
the school district in which each individual resides. 154

A school district board and a community school governing 155
authority shall include in their respective reports under division 156
(B) of this section any child admitted in accordance with division 157
(A)(2) of section 3321.01 of the Revised Code. 158

A governing authority of a community school shall not include 159
in its report under division (B)(2) of this section any student 160
for whom tuition is charged under division (F) of this section. 161

(C)(1) Except as provided in ~~division~~ divisions (C)(2) and 162
(8) of this section, and subject to divisions (C)(3), (4), (5), 163
(6), and (7) of this section, on a full-time equivalency basis, 164
for each student enrolled in a community school established under 165
this chapter, the department of education annually shall deduct 166
from the state education aid of a student's resident district and, 167
if necessary, from the payment made to the district under sections 168
321.24 and 323.156 of the Revised Code and pay to the community 169
school the sum of the following: 170

(a) An opportunity grant in an amount equal to the formula 171

amount;	172
(b) The per pupil amount of targeted assistance funds calculated under division (A) of section 3317.0217 of the Revised Code for the student's resident district, as determined by the department, X 0.25;	173 174 175 176
(c) Additional state aid for special education and related services provided under Chapter 3323. of the Revised Code as follows:	177 178 179
(i) If the student is a category one special education student, the amount specified in division (A) of section 3317.013 of the Revised Code;	180 181 182
(ii) If the student is a category two special education student, the amount specified in division (B) of section 3317.013 of the Revised Code;	183 184 185
(iii) If the student is a category three special education student, the amount specified in division (C) of section 3317.013 of the Revised Code;	186 187 188
(iv) If the student is a category four special education student, the amount specified in division (D) of section 3317.013 of the Revised Code;	189 190 191
(v) If the student is a category five special education student, the amount specified in division (E) of section 3317.013 of the Revised Code;	192 193 194
(vi) If the student is a category six special education student, the amount specified in division (F) of section 3317.013 of the Revised Code.	195 196 197
(d) If the student is in kindergarten through third grade, an additional amount of \$211, in fiscal year 2014, and \$290, in fiscal year 2015;	198 199 200
(e) If the student is economically disadvantaged, an	201

additional amount equal to the following:	202
(\$269, in fiscal year 2014, or \$272, in fiscal year 2015) X	203
(the resident district's economically disadvantaged index)	204
(f) Limited English proficiency funds as follows:	205
(i) If the student is a category one limited English	206
proficient student, the amount specified in division (A) of	207
section 3317.016 of the Revised Code;	208
(ii) If the student is a category two limited English	209
proficient student, the amount specified in division (B) of	210
section 3317.016 of the Revised Code;	211
(iii) If the student is a category three limited English	212
proficient student, the amount specified in division (C) of	213
section 3317.016 of the Revised Code.	214
(g) Career-technical education funds as follows:	215
(i) If the student is a category one career-technical	216
education student, the amount specified in division (A) of section	217
3317.014 of the Revised Code;	218
(ii) If the student is a category two career-technical	219
education student, the amount specified in division (B) of section	220
3317.014 of the Revised Code;	221
(iii) If the student is a category three career-technical	222
education student, the amount specified in division (C) of section	223
3317.014 of the Revised Code;	224
(iv) If the student is a category four career-technical	225
education student, the amount specified in division (D) of section	226
3317.014 of the Revised Code;	227
(v) If the student is a category five career-technical	228
education student, the amount specified in division (E) of section	229
3317.014 of the Revised Code.	230

Deduction and payment of funds under division (C)(1)(g) of 231
this section is subject to approval by the lead district of a 232
career-technical planning district or the department of education 233
under section 3317.161 of the Revised Code. 234

(2) When deducting from the state education aid of a 235
student's resident district for students enrolled in an internet- 236
or computer-based community school and making payments to such 237
school under this section, the department shall make the 238
deductions and payments described in only divisions (C)(1)(a), 239
(c), and (g) of this section. 240

No deductions or payments shall be made for a student 241
enrolled in such school under division (C)(1)(b), (d), (e), or (f) 242
of this section. 243

(3)(a) If a community school's costs for a fiscal year for a 244
student receiving special education and related services pursuant 245
to an IEP for a disability described in divisions (B) to (F) of 246
section 3317.013 of the Revised Code exceed the threshold 247
catastrophic cost for serving the student as specified in division 248
(B) of section 3317.0214 of the Revised Code, the school may 249
submit to the superintendent of public instruction documentation, 250
as prescribed by the superintendent, of all its costs for that 251
student. Upon submission of documentation for a student of the 252
type and in the manner prescribed, the department shall pay to the 253
community school an amount equal to the school's costs for the 254
student in excess of the threshold catastrophic costs. 255

(b) The community school shall report under division 256
(C)(3)(a) of this section, and the department shall pay for, only 257
the costs of educational expenses and the related services 258
provided to the student in accordance with the student's 259
individualized education program. Any legal fees, court costs, or 260
other costs associated with any cause of action relating to the 261
student may not be included in the amount. 262

(4) In any fiscal year, a community school receiving funds 263
under division (C)(1)(g) of this section shall spend those funds 264
only for the purposes that the department designates as approved 265
for career-technical education expenses. Career-technical 266
~~educational~~ education expenses approved by the department shall 267
include only expenses connected to the delivery of 268
career-technical programming to career-technical students. The 269
department shall require the school to report data annually so 270
that the department may monitor the school's compliance with the 271
requirements regarding the manner in which funding received under 272
division (C)(1)(g) of this section may be spent. 273

(5) All funds received under division (C)(1)(g) of this 274
section shall be spent in the following manner: 275

(a) At least seventy-five per cent of the funds shall be 276
spent on curriculum development, purchase, and implementation; 277
instructional resources and supplies; industry-based program 278
certification; student assessment, credentialing, and placement; 279
curriculum specific equipment purchases and leases; 280
career-technical student organization fees and expenses; home and 281
agency linkages; work-based learning experiences; professional 282
development; and other costs directly associated with 283
career-technical education programs including development of new 284
programs. 285

(b) Not more than twenty-five per cent of the funds shall be 286
used for personnel expenditures. 287

(6) A community school shall spend the funds it receives 288
under division (C)(1)(e) of this section in accordance with 289
section 3317.25 of the Revised Code. 290

(7) If the sum of the payments computed under division (C)(1) 291
of this section for the students entitled to attend school in a 292
particular school district under sections 3313.64 and 3313.65 of 293

the Revised Code and the sum of payments computed under division 294
(C)(8) of this section for individuals enrolled under section 295
3314.38 of the Revised Code, combined, exceeds the sum of that 296
district's state education aid and its payment under sections 297
321.24 and 323.156 of the Revised Code, the department shall 298
calculate and apply a proration factor to the payments to all 299
community schools under ~~that division~~ those divisions for ~~the~~ 300
those students entitled to attend school in that district and 301
individuals. 302

(8) For each individual who is at least twenty-two but less 303
than thirty years of age enrolled in a dropout prevention and 304
recovery program operated by a community school under division (A) 305
of section 3314.38 of the Revised Code, the department shall 306
deduct from the state education aid of the school district in 307
which the individual resides and pay to the community school an 308
additional payment equal to the amount described in division 309
(C)(1)(a) of this section. 310

No deductions or payments shall be made for such an 311
individual for the purposes specified in division (C)(1)(b), (c), 312
(d), (e), (f), or (g) of this section. 313

(D) A board of education sponsoring a community school may 314
utilize local funds to make enhancement grants to the school or 315
may agree, either as part of the contract or separately, to 316
provide any specific services to the community school at no cost 317
to the school. 318

(E) A community school may not levy taxes or issue bonds 319
secured by tax revenues. 320

(F) No community school shall charge tuition for the 321
enrollment of any student who is a resident of this state. A 322
community school may charge tuition for the enrollment of any 323
student who is not a resident of this state. 324

(G)(1)(a) A community school may borrow money to pay any 325
necessary and actual expenses of the school in anticipation of the 326
receipt of any portion of the payments to be received by the 327
school pursuant to division (C) of this section. The school may 328
issue notes to evidence such borrowing. The proceeds of the notes 329
shall be used only for the purposes for which the anticipated 330
receipts may be lawfully expended by the school. 331

(b) A school may also borrow money for a term not to exceed 332
fifteen years for the purpose of acquiring facilities. 333

(2) Except for any amount guaranteed under section 3318.50 of 334
the Revised Code, the state is not liable for debt incurred by the 335
governing authority of a community school. 336

(H) The department of education shall adjust the amounts 337
subtracted and paid under division (C) of this section to reflect 338
any enrollment of students in community schools for less than the 339
equivalent of a full school year. The state board of education 340
within ninety days after April 8, 2003, shall adopt in accordance 341
with Chapter 119. of the Revised Code rules governing the payments 342
to community schools under this section including initial payments 343
in a school year and adjustments and reductions made in subsequent 344
periodic payments to community schools and corresponding 345
deductions from school district accounts as provided under 346
division (C) of this section. For purposes of this section: 347

(1) A student shall be considered enrolled in the community 348
school for any portion of the school year the student is 349
participating at a college under Chapter 3365. of the Revised 350
Code. 351

(2) A student shall be considered to be enrolled in a 352
community school for the period of time beginning on the later of 353
the date on which the school both has received documentation of 354
the student's enrollment from a parent and the student has 355

commenced participation in learning opportunities as defined in 356
the contract with the sponsor, or thirty days prior to the date on 357
which the student is entered into the education management 358
information system established under section 3301.0714 of the 359
Revised Code. For purposes of applying this division and divisions 360
(H)(3) and (4) of this section to a community school student, 361
"learning opportunities" shall be defined in the contract, which 362
shall describe both classroom-based and non-classroom-based 363
learning opportunities and shall be in compliance with criteria 364
and documentation requirements for student participation which 365
shall be established by the department. Any student's instruction 366
time in non-classroom-based learning opportunities shall be 367
certified by an employee of the community school. A student's 368
enrollment shall be considered to cease on the date on which any 369
of the following occur: 370

(a) The community school receives documentation from a parent 371
terminating enrollment of the student. 372

(b) The community school is provided documentation of a 373
student's enrollment in another public or private school. 374

(c) The community school ceases to offer learning 375
opportunities to the student pursuant to the terms of the contract 376
with the sponsor or the operation of any provision of this 377
chapter. 378

Except as otherwise specified in this paragraph, beginning in 379
the 2011-2012 school year, any student who completed the prior 380
school year in an internet- or computer-based community school 381
shall be considered to be enrolled in the same school in the 382
subsequent school year until the student's enrollment has ceased 383
as specified in division (H)(2) of this section. The department 384
shall continue subtracting and paying amounts for the student 385
under division (C) of this section without interruption at the 386
start of the subsequent school year. However, if the student 387

without a legitimate excuse fails to participate in the first one 388
hundred five consecutive hours of learning opportunities offered 389
to the student in that subsequent school year, the student shall 390
be considered not to have re-enrolled in the school for that 391
school year and the department shall recalculate the payments to 392
the school for that school year to account for the fact that the 393
student is not enrolled. 394

(3) The department shall determine each community school 395
student's percentage of full-time equivalency based on the 396
percentage of learning opportunities offered by the community 397
school to that student, reported either as number of hours or 398
number of days, is of the total learning opportunities offered by 399
the community school to a student who attends for the school's 400
entire school year. However, no internet- or computer-based 401
community school shall be credited for any time a student spends 402
participating in learning opportunities beyond ten hours within 403
any period of twenty-four consecutive hours. Whether it reports 404
hours or days of learning opportunities, each community school 405
shall offer not less than nine hundred twenty hours of learning 406
opportunities during the school year. 407

(4) With respect to the calculation of full-time equivalency 408
under division (H)(3) of this section, the department shall waive 409
the number of hours or days of learning opportunities not offered 410
to a student because the community school was closed during the 411
school year due to disease epidemic, hazardous weather conditions, 412
law enforcement emergencies, inoperability of school buses or 413
other equipment necessary to the school's operation, damage to a 414
school building, or other temporary circumstances due to utility 415
failure rendering the school building unfit for school use, so 416
long as the school was actually open for instruction with students 417
in attendance during that school year for not less than the 418
minimum number of hours required by this chapter. The department 419

shall treat the school as if it were open for instruction with 420
students in attendance during the hours or days waived under this 421
division. 422

(I) The department of education shall reduce the amounts paid 423
under this section to reflect payments made to colleges under 424
division (B) of section 3365.07 of the Revised Code or through 425
alternative funding agreements entered into under rules adopted 426
under section 3365.12 of the Revised Code. 427

(J)(1) No student shall be considered enrolled in any 428
internet- or computer-based community school or, if applicable to 429
the student, in any community school that is required to provide 430
the student with a computer pursuant to division (C) of section 431
3314.22 of the Revised Code, unless both of the following 432
conditions are satisfied: 433

(a) The student possesses or has been provided with all 434
required hardware and software materials and all such materials 435
are operational so that the student is capable of fully 436
participating in the learning opportunities specified in the 437
contract between the school and the school's sponsor as required 438
by division (A)(23) of section 3314.03 of the Revised Code; 439

(b) The school is in compliance with division (A) of section 440
3314.22 of the Revised Code, relative to such student. 441

(2) In accordance with policies adopted jointly by the 442
superintendent of public instruction and the auditor of state, the 443
department shall reduce the amounts otherwise payable under 444
division (C) of this section to any community school that includes 445
in its program the provision of computer hardware and software 446
materials to any student, if such hardware and software materials 447
have not been delivered, installed, and activated for each such 448
student in a timely manner or other educational materials or 449
services have not been provided according to the contract between 450

the individual community school and its sponsor. 451

The superintendent of public instruction and the auditor of 452
state shall jointly establish a method for auditing any community 453
school to which this division pertains to ensure compliance with 454
this section. 455

The superintendent, auditor of state, and the governor shall 456
jointly make recommendations to the general assembly for 457
legislative changes that may be required to assure fiscal and 458
academic accountability for such schools. 459

(K)(1) If the department determines that a review of a 460
community school's enrollment is necessary, such review shall be 461
completed and written notice of the findings shall be provided to 462
the governing authority of the community school and its sponsor 463
within ninety days of the end of the community school's fiscal 464
year, unless extended for a period not to exceed thirty additional 465
days for one of the following reasons: 466

(a) The department and the community school mutually agree to 467
the extension. 468

(b) Delays in data submission caused by either a community 469
school or its sponsor. 470

(2) If the review results in a finding that additional 471
funding is owed to the school, such payment shall be made within 472
thirty days of the written notice. If the review results in a 473
finding that the community school owes moneys to the state, the 474
following procedure shall apply: 475

(a) Within ten business days of the receipt of the notice of 476
findings, the community school may appeal the department's 477
determination to the state board of education or its designee. 478

(b) The board or its designee shall conduct an informal 479
hearing on the matter within thirty days of receipt of such an 480

appeal and shall issue a decision within fifteen days of the 481
conclusion of the hearing. 482

(c) If the board has enlisted a designee to conduct the 483
hearing, the designee shall certify its decision to the board. The 484
board may accept the decision of the designee or may reject the 485
decision of the designee and issue its own decision on the matter. 486

(d) Any decision made by the board under this division is 487
final. 488

(3) If it is decided that the community school owes moneys to 489
the state, the department shall deduct such amount from the 490
school's future payments in accordance with guidelines issued by 491
the superintendent of public instruction. 492

(L) The department shall not subtract from a school 493
district's state aid account and shall not pay to a community 494
school under division (C) of this section any amount for any of 495
the following: 496

(1) Any student who has graduated from the twelfth grade of a 497
public or nonpublic high school; 498

(2) Any student who is not a resident of the state; 499

(3) Any student who was enrolled in the community school 500
during the previous school year when assessments were administered 501
under section 3301.0711 of the Revised Code but did not take one 502
or more of the assessments required by that section and was not 503
excused pursuant to division (C)(1) or (3) of that section, unless 504
the superintendent of public instruction grants the student a 505
waiver from the requirement to take the assessment and a parent is 506
not paying tuition for the student pursuant to section 3314.26 of 507
the Revised Code. The superintendent may grant a waiver only for 508
good cause in accordance with rules adopted by the state board of 509
education. 510

(4) Any student who has attained the age of twenty-two years, 511
except for veterans of the armed services whose attendance was 512
interrupted before completing the recognized twelve-year course of 513
the public schools by reason of induction or enlistment in the 514
armed forces and who apply for enrollment in a community school 515
not later than four years after termination of war or their 516
honorable discharge. If, however, any such veteran elects to 517
enroll in special courses organized for veterans for whom tuition 518
is paid under federal law, or otherwise, the department shall not 519
subtract from a school district's state aid account and shall not 520
pay to a community school under division (C) of this section any 521
amount for that veteran. 522

Sec. 3314.362. (A) For the purposes of this section: 523

(1) A community school shall be considered a local 524
educational agency, as defined in section 9202 of title 20 of the 525
United States Code. 526

(2) An "ABLE program" is an adult basic and literacy 527
education program that offers courses of instruction in basic 528
skills such as reading, writing, math, problem-solving, and 529
English as a second language, as well as preparation for the tests 530
of general educational development. 531

(B) Beginning on July 1, 2014, any community school 532
established under this chapter that serves students enrolled in a 533
dropout prevention and recovery program operated by the school, as 534
described in division (A)(4)(a) of section 3314.35 of the Revised 535
Code, is hereby authorized to operate an ABLE program. For the 536
2014-2015 school year, and for each school year thereafter, the 537
chancellor of the Ohio board of regents shall consider such a 538
community school to be eligible for federal or state grants 539
administered by the chancellor to support the school's ABLE 540
program. 541

Sec. 3314.38. (A) An individual who is at least twenty-two 542
but younger than thirty years of age and who has not been awarded 543
a high school diploma or a certificate of high school equivalence, 544
as defined in section 4109.06 of the Revised Code, may enroll for 545
up to two cumulative school years in a dropout prevention and 546
recovery program operated by a community school that is designed 547
to allow enrollees to earn a high school diploma. The community 548
school shall report that individual's enrollment under division 549
(B)(2)(i) of section 3314.08 of the Revised Code and shall receive 550
the amount attributable to the individual's enrollment prescribed 551
by division (C)(8) of section 3314.08 of the Revised Code. 552

(B) A community school that enrolls individuals under 553
division (A) of this section shall be subject to the reporting and 554
measurement standards developed by the state board of education 555
under division (C) of section 3317.24 of the Revised Code. 556

Sec. 3317.01. As used in this section, "school district," 557
unless otherwise specified, means any city, local, exempted 558
village, joint vocational, or cooperative education school 559
district and any educational service center. 560

This chapter shall be administered by the state board of 561
education. The superintendent of public instruction shall 562
calculate the amounts payable to each school district and shall 563
certify the amounts payable to each eligible district to the 564
treasurer of the district as provided by this chapter. As soon as 565
possible after such amounts are calculated, the superintendent 566
shall certify to the treasurer of each school district the 567
district's adjusted charge-off increase, as defined in section 568
5705.211 of the Revised Code. Certification of moneys pursuant to 569
this section shall include the amounts payable to each school 570
building, at a frequency determined by the superintendent, for 571
each subgroup of students, as defined in section 3317.40 of the 572

Revised Code, receiving services, provided for by state funding, 573
from the district or school. No moneys shall be distributed 574
pursuant to this chapter without the approval of the controlling 575
board. 576

The state board of education shall, in accordance with 577
appropriations made by the general assembly, meet the financial 578
obligations of this chapter. 579

Moneys distributed to school districts pursuant to this 580
chapter shall be calculated based on the annual enrollment 581
calculated from the three reports required under ~~section~~ sections 582
3317.03 and 3317.036 of the Revised Code and paid on a fiscal year 583
basis, beginning with the first day of July and extending through 584
the thirtieth day of June. The moneys appropriated for each fiscal 585
year shall be distributed periodically to each school district 586
unless otherwise provided for. The state board, in June of each 587
year, shall submit to the controlling board the state board's 588
year-end distributions pursuant to this chapter. 589

Except as otherwise provided, payments under this chapter 590
shall be made only to those school districts in which: 591

(A) The school district, except for any educational service 592
center and any joint vocational or cooperative education school 593
district, levies for current operating expenses at least twenty 594
mills. Levies for joint vocational or cooperative education school 595
districts or county school financing districts, limited to or to 596
the extent apportioned to current expenses, shall be included in 597
this qualification requirement. School district income tax levies 598
under Chapter 5748. of the Revised Code, limited to or to the 599
extent apportioned to current operating expenses, shall be 600
included in this qualification requirement to the extent 601
determined by the tax commissioner under division (D) of section 602
3317.021 of the Revised Code. 603

(B) The school year next preceding the fiscal year for which 604
such payments are authorized meets the requirement of section 605
3313.48 of the Revised Code, with regard to the minimum number of 606
hours school must be open for instruction with pupils in 607
attendance, for individualized parent-teacher conference and 608
reporting periods, and for professional meetings of teachers. 609

A school district shall not be considered to have failed to 610
comply with this division because schools were open for 611
instruction but either twelfth grade students were excused from 612
attendance for up to the equivalent of three school days or only a 613
portion of the kindergarten students were in attendance for up to 614
the equivalent of three school days in order to allow for the 615
gradual orientation to school of such students. 616

A board of education or governing board of an educational 617
service center which has not conformed with other law and the 618
rules pursuant thereto, shall not participate in the distribution 619
of funds authorized by this chapter, except for good and 620
sufficient reason established to the satisfaction of the state 621
board of education and the state controlling board. 622

All funds allocated to school districts under this chapter, 623
except those specifically allocated for other purposes, shall be 624
used to pay current operating expenses only. 625

Sec. 3317.022. (A) The department of education shall compute 626
and distribute state core foundation funding to each eligible 627
school district for the fiscal year, using the information 628
obtained under section 3317.021 of the Revised Code in the 629
calendar year in which the fiscal year begins, as prescribed in 630
the following divisions: 631

(1) An opportunity grant calculated according to the 632
following formula: 633

The formula amount X (formula ADM + preschool scholarship ADM
+ the number of individuals who are at least twenty-two but less
than thirty years of age enrolled in diploma programs as
calculated under division (B) of section 3317.036 of the Revised
Code) X the district's state share index

(2) Targeted assistance funds calculated under divisions (A)
and (B) of section 3317.0217 of the Revised Code;

(3) Additional state aid for special education and related
services provided under Chapter 3323. of the Revised Code
calculated as the sum of the following:

(a) The district's category one special education ADM X the
amount specified in division (A) of section 3317.013 of the
Revised Code X the district's state share index;

(b) The district's category two special education ADM X the
amount specified in division (B) of section 3317.013 of the
Revised Code X the district's state share index;

(c) The district's category three special education ADM X the
amount specified in division (C) of section 3317.013 of the
Revised Code X the district's state share index;

(d) The district's category four special education ADM X the
amount specified in division (D) of section 3317.013 of the
Revised Code X the district's state share index;

(e) The district's category five special education ADM X the
amount specified in division (E) of section 3317.013 of the
Revised Code X the district's state share index;

(f) The district's category six special education ADM X the
amount specified in division (F) of section 3317.013 of the
Revised Code X the district's state share index.

(4) Kindergarten through third grade literacy funds
calculated according to the following formula:

[((\$125, in fiscal year 2014, or \$175, in fiscal year 2015) X
formula ADM for grades kindergarten through three X the district's
state share index] + [(\$100, in fiscal year 2014, or \$160, in
fiscal year 2015) X formula ADM for grades kindergarten through
three]

For purposes of this calculation, the department shall
subtract from a district's formula ADM for grades kindergarten
through three the number of students reported under division
(B)(3)(e) of section 3317.03 of the Revised Code as enrolled in an
internet- or computer-based community school who are in grades
kindergarten through three.

(5) Economically disadvantaged funds calculated according to
the following formula:

(\$250, in fiscal year 2014, or \$253, in fiscal year 2015) X
(the district's economically disadvantaged index) X the number of
students who are economically disadvantaged as certified under
division (B)(21) of section 3317.03 of the Revised Code

(6) Limited English proficiency funds calculated as the sum
of the following:

(a) The district's category one limited English proficient
ADM X the amount specified in division (A) of section 3317.016 of
the Revised Code X the district's state share index;

(b) The district's category two limited English proficient
ADM X the amount specified in division (B) of section 3317.016 of
the Revised Code X the district's state share index;

(c) The district's category three limited English proficient
ADM X the amount specified in division (C) of section 3317.016 of
the Revised Code X the district's state share index.

(7)(a) Gifted identification funds calculated according to
the following formula:

(\$5, in fiscal year 2014, or \$5.05, in fiscal year 2015) X the	694
district's formula ADM	695
(b) Gifted unit funding calculated under section 3317.051 of	696
the Revised Code.	697
(8) Career-technical education funds calculated as the sum of	698
the following:	699
(a) The district's category one career-technical education	700
ADM X the amount specified in division (A) of section 3317.014 of	701
the Revised Code X the district's state share index;	702
(b) The district's category two career-technical education	703
ADM X the amount specified in division (B) of section 3317.014 of	704
the Revised Code X the district's state share index;	705
(c) The district's category three career-technical education	706
ADM X the amount specified in division (C) of section 3317.014 of	707
the Revised Code X the district's state share index;	708
(d) The district's category four career-technical education	709
ADM X the amount specified in division (D) of section 3317.014 of	710
the Revised Code X the district's state share index;	711
(e) The district's category five career-technical education	712
ADM X the amount specified in division (E) of section 3317.014 of	713
the Revised Code X the district's state share index.	714
Payment of funds under division (A)(8) of this section is	715
subject to approval under section 3317.161 of the Revised Code.	716
(9) Career-technical education associated services funds	717
calculated according to the following formula:	718
The district's state share index X the amount for career-technical	719
education associated services specified in section 3317.014 of the	720
Revised Code X the sum of categories one through five	721
career-technical education ADM	722
(B) In any fiscal year, a school district shall spend for	723

purposes that the department designates as approved for special 724
education and related services expenses at least the amount 725
calculated as follows: 726

(The formula amount X the total special education ADM) + (the 727
district's category one special education ADM X the amount 728
specified in division (A) of section 3317.013 of the Revised Code) 729
+ (the district's category two special education ADM X the amount 730
specified in division (B) of section 3317.013 of the Revised Code) 731
+ (the district's category three special education ADM X the 732
amount specified in division (C) of section 3317.013 of the 733
Revised Code) + (the district's category four special education 734
ADM X the amount specified in division (D) of section 3317.013 of 735
the Revised Code) + (the district's category five special 736
education ADM X the amount specified in division (E) of section 737
3317.013 of the Revised Code) + (the district's category six 738
special education ADM X the amount specified in division (F) of 739
section 3317.013 of the Revised Code) 740

The purposes approved by the department for special education 741
expenses shall include, but shall not be limited to, 742
identification of children with disabilities, compliance with 743
state rules governing the education of children with disabilities 744
and prescribing the continuum of program options for children with 745
disabilities, provision of speech language pathology services, and 746
the portion of the school district's overall administrative and 747
overhead costs that are attributable to the district's special 748
education student population. 749

The scholarships deducted from the school district's account 750
under sections 3310.41 and 3310.55 of the Revised Code shall be 751
considered to be an approved special education and related 752
services expense for the purpose of the school district's 753
compliance with this division. 754

(C) In any fiscal year, a school district receiving funds 755

under division (A)(8) of this section shall spend those funds only 756
for the purposes that the department designates as approved for 757
career-technical education expenses. Career-technical ~~educational~~ 758
education expenses approved by the department shall include only 759
expenses connected to the delivery of career-technical programming 760
to career-technical students. The department shall require the 761
school district to report data annually so that the department may 762
monitor the district's compliance with the requirements regarding 763
the manner in which funding received under division (A)(8) of this 764
section may be spent. 765

(D) In any fiscal year, a school district receiving funds 766
under division (A)(9) of this section, or through a transfer of 767
funds pursuant to division (I) of section 3317.023 of the Revised 768
Code, shall spend those funds only for the purposes that the 769
department designates as approved for career-technical education 770
associated services expenses, which may include such purposes as 771
apprenticeship coordinators, coordinators for other 772
career-technical education services, career-technical evaluation, 773
and other purposes designated by the department. The department 774
may deny payment under division (A)(9) of this section to any 775
district that the department determines is not operating those 776
services or is using funds paid under division (A)(9) of this 777
section, or through a transfer of funds pursuant to division (I) 778
of section 3317.023 of the Revised Code, for other purposes. 779

(E) All funds received under division (A)(8) of this section 780
shall be spent in the following manner: 781

(1) At least seventy-five per cent of the funds shall be 782
spent on curriculum development, purchase, and implementation; 783
instructional resources and supplies; industry-based program 784
certification; student assessment, credentialing, and placement; 785
curriculum specific equipment purchases and leases; 786
career-technical student organization fees and expenses; home and 787

agency linkages; work-based learning experiences; professional 788
development; and other costs directly associated with 789
career-technical education programs including development of new 790
programs. 791

(2) Not more than twenty-five per cent of the funds shall be 792
used for personnel expenditures. 793

(F) A school district shall spend the funds it receives under 794
division (A)(5) of this section in accordance with section 3317.25 795
of the Revised Code. 796

Sec. 3317.036. (A) The superintendent of each city, local, 797
and exempted village school district shall report to the state 798
board of education as of the last day of October, March, and June 799
of each year the enrollment in the district of individuals who are 800
at least twenty-two but less than thirty years of age under 801
section 3317.24 of the Revised Code. This report shall be in 802
addition to the district's report of the enrollment of students 803
entitled to attend school in the district under section 3313.64 or 804
3313.65 of the Revised Code that is required under section 3317.03 805
of the Revised Code. 806

(B) The department of education shall calculate the sum of 807
the following for each city, local, and exempted village school 808
district: 809

(1) All individuals reported to be enrolled in the district 810
under division (A) of this section; 811

(2) All individuals residing in the district that are 812
reported under division (B)(2)(i) of section 3314.08 of the 813
Revised Code as enrolled in a community school dropout prevention 814
and recovery program under section 3314.38 of the Revised Code. 815

Sec. 3317.24. (A) For purposes of this section, "challenged 816
school district" has the same meaning as in section 3314.02 of the 817

Revised Code. 818

(B) If an individual who is at least twenty-two but younger than thirty years of age and who has not been awarded a high school diploma or a certificate of high school equivalence, as defined in section 4109.06 of the Revised Code, resides in a challenged school district, that individual may enroll in that district for up to two cumulative school years for the purpose of earning a high school diploma. The district shall report that individual's enrollment under division (A) of section 3317.036 of the Revised Code and shall not report that individual's enrollment under section 3317.03 of the Revised Code. 819
820
821
822
823
824
825
826
827
828

(C) The state board of education shall develop standards for the reporting and measurement of the academic performance of individuals enrolled in a district under division (B) of this section and of individuals enrolled in a community school dropout prevention and recovery program under division (A) of section 3314.38 of the Revised Code. Each district that enrolls individuals under division (B) of this section and each community school that enrolls individuals under division (A) of section 3314.38 of the Revised Code shall be subject to the standards developed under this division. 829
830
831
832
833
834
835
836
837
838

Section 4. That existing section 3314.08 and the existing versions of sections 3317.01 and 3317.022 of the Revised Code that are scheduled to take effect July 1, 2014, are hereby repealed. 839
840
841

Section 5. For fiscal year 2015, the combined enrollment in challenged school districts under division (B) of section 3317.24 of the Revised Code and in community school dropout prevention and recovery programs under division (A) of section 3314.38 of the Revised Code of individuals who are at least twenty-two but younger than thirty years of age shall be limited to 1,500 842
843
844
845
846
847

individuals on a first-come, first-serve basis as determined by 848
the Department of Education. 849

Section 6. Sections 3, 4, and 5 of this act shall take effect 850
July 1, 2014. 851

Section 7. The Department of Education shall prescribe 852
procedures and deadlines necessary to begin implementing the 853
enrollment limit prescribed by Section 5 of this act when that 854
section takes effect. 855