

(1) The district's "general funding base," which equals the amount calculated as follows:

(a) Compute the sum of the following:

(i) The district's payments for fiscal year 2020 under Section 265.225 of H.B. 166 of the 133rd general assembly after any adjustments required under Section 265.227 of H.B. 166 of the 133rd general assembly;

(ii) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the district's payments for fiscal year 2020 under divisions (D)(1) and (2) of section 3313.981 of the Revised Code as those divisions existed prior to September 30, 2021.

(b) Subtract from the amount paid to the district under division (A)(3) of section 3317.16 of the Revised Code, as that division existed prior to September 30, 2021, for fiscal year 2019.

(2) The district's "disadvantaged pupil impact aid funding base," which equals the amount paid to the district under division (A)(3) of section 3317.16 of the Revised Code, as that division existed prior to September 30, 2021, for fiscal year 2019.

(P) For fiscal years ~~2024-2026~~ and ~~2025~~2027, "funding base" for a community school means the following:

(1) For a community school that was in operation for the entirety of fiscal year 2020, the amount paid to the school for that fiscal year under division (C)(1) of section 3314.08 of the Revised Code as that division existed prior to September 30, 2021, in accordance with division (A) of Section 265.230 of H.B. 166 of the 133rd general assembly and the amount, if any, paid to the school for that fiscal year under section 3314.085 of the Revised Code in accordance with division (B) of Section 265.230 of H.B. 166 of the 133rd general assembly;

(2) For a community school that was in operation for part of fiscal year 2020, the amount that would have been paid to the school for that fiscal year under division (C)(1) of section 3314.08 of the Revised Code as that division existed prior to September 30, 2021, in accordance with division (A) of Section 265.230 of H.B. 166 of the 133rd general assembly if the school had been in operation for the entirety of that fiscal year, as calculated by the department, and the amount that would have been paid to the school for that fiscal year under section 3314.085 of the Revised Code in accordance with division (B) of Section 265.230 of H.B. 166 of the 133rd general assembly, if any, if the school had been in operation for the entirety of that fiscal year, as calculated by the department;

(3) For a community school that was not in operation for fiscal year 2020, the amount that would have been paid to the school if it was in operation for that school year under division (C)(1) of section 3314.08 of the Revised Code as that division existed prior to September 30, 2021, in accordance with division (A) of Section 265.230 of H.B. 166 of the 133rd general assembly if the school had been in operation for the entirety of that fiscal year, as calculated by the department, and the amount that would have been paid to the school for that fiscal year under section 3314.085 of the Revised Code in accordance with division (B) of Section 265.230 of H.B. 166 of the 133rd general assembly, if any, if the school had been in operation for the entirety of that fiscal year, as calculated

by the department.

(Q) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, "funding base" for a STEM school means the following:

(1) For a science, technology, engineering, and mathematics school that was in operation for the entirety of fiscal year 2020, the amount paid to the school for that fiscal year under section 3326.33 of the Revised Code as that section existed prior to September 30, 2021, in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly and the amount, if any, paid to the school for that fiscal year under section 3326.41 of the Revised Code in accordance with division (B) of Section 265.235 of H.B. 166 of the 133rd general assembly;

(2) For a science, technology, engineering, and mathematics school that was in operation for part of fiscal year 2020, the amount that would have been paid to the school for that fiscal year under section 3326.33 of the Revised Code as that section existed prior to September 30, 2021, in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly if the school had been in operation for the entirety of that fiscal year, as calculated by the department, and the amount that would have been paid to the school for that fiscal year under section 3326.41 of the Revised Code in accordance with division (B) of Section 265.235 of H.B. 166 of the 133rd general assembly, if any, if the school had been in operation for the entirety of that fiscal year, as calculated by the department;

(3) For a science, technology, engineering, and mathematics school that was not in operation for fiscal year 2020, the amount that would have been paid to the school if it was in operation for that school year under section 3326.33 of the Revised Code as that section existed prior to September 30, 2021, in accordance with division (A) of Section 265.235 of H.B. 166 of the 133rd general assembly if the school had been in operation for the entirety of that fiscal year, as calculated by the department, and the amount that would have been paid to the school for that fiscal year under section 3326.41 of the Revised Code in accordance with division (B) of Section 265.235 of H.B. 166 of the 133rd general assembly, if any, if the school had been in operation for the entirety of that fiscal year, as calculated by the department.

(R) "Funding unit" means any of the following:

- (1) A city, local, exempted village, or joint vocational school district;
- (2) The community and STEM school unit;
- (3) The educational choice scholarship unit;
- (4) The pilot project scholarship unit;
- (5) The autism scholarship unit;
- (6) The Jon Peterson special needs scholarship unit;
- (7) The nonchartered educational savings account unit.

RMD

(S) "Jon Peterson special needs scholarship unit" means a unit that consists of all of the students for whom Jon Peterson scholarships are awarded under sections 3310.51 to 3310.64 of the Revised Code.

The above boxed and initialed text was disapproved.

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

(U) "LRE student with a disability" means a child with a disability who has an individualized education program providing for the student to spend more than half of each school day in a regular school setting with nondisabled students. For purposes of this division, "individualized education program" and "child with a disability" have the same meanings as in section 3323.01 of the Revised Code, and "LRE" is an abbreviation for "least restrictive environment."

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

(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 individuals with intellectual disabilities.

(W)(1) 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 previously adopted by the department and if either of the following apply:

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

(b) The child is determined by the department to be a medically fragile child. A school district superintendent may petition the department for a determination that a child is a medically fragile child.

(2) 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 previously adopted by the department but the child's condition does not meet either of the conditions specified in division (W)(1)(a) or (b) of this section.

(X)(1) For fiscal years ~~2024-2026~~ and ~~2025~~2027, a city, local, exempted village, or joint vocational school district's, community school's, or STEM school's "general phase-in percentage" is equal to the percentage for that fiscal year that is determined by the general assembly.

(2) For fiscal years ~~2024-2026~~ and ~~2025~~2027, a city, local, exempted village, or joint vocational school district's "phase-in percentage for disadvantaged pupil impact aid" is equal to the percentage for that fiscal year that is determined by the general assembly.

(Y) "Pilot project scholarship unit" means a unit that consists of all of the students for whom pilot project scholarships are awarded under sections 3313.974 to 3313.979 of the Revised Code.

(Z) "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.

(AA) "Related services" includes:

(1) Child study, special education supervisors and coordinators, speech and hearing services, adaptive physical development services, occupational or physical therapy, teacher assistants for children with disabilities whose disabilities are described in division (B) of section 3317.013 or division (G)(3) of this section, behavioral intervention, interpreter services, work study, nursing services, and specialized integrative services as those terms are defined by the department;

(2) Speech and language services provided to any student with a disability, including any student whose primary or only disability is a speech and language disability;

(3) Any related service not specifically covered by other state funds but specified in federal law, including but not limited to, audiology and school psychological services;

(4) Any service included in units funded under former division (O)(1) of section 3317.024 of the Revised Code;

(5) Any other related service needed by children with disabilities in accordance with their individualized education programs.

(BB) "School district," unless otherwise specified, means city, local, and exempted village school districts.

(CC) "Separately educated student with a disability" has the same meaning as in section 3313.974 of the Revised Code.

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

(EE)(1) "State share percentage" means the following for a city, local, or exempted village school district:

(a) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the state share percentage calculated under section 3317.017 of the Revised Code;

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, a percentage calculated in a manner determined by the general assembly.

(2) "State share percentage" means ~~the following~~ for a joint vocational school district:-

~~(a) For fiscal years 2024 and 2025, the percentage calculated in accordance with the following formula:-~~

~~The amount computed for the district under division (A)(1) of section 3317.16 of the Revised Code for that fiscal year / the aggregate base cost calculated for the district for that fiscal year under section 3317.012 of the Revised Code~~

~~(b) For fiscal year 2026 and each fiscal year thereafter, a percentage calculated in a manner determined by the general assembly, the district's state share percentage calculated under section 3317.165 of the Revised Code.~~

(FF) "Statewide average base cost per pupil" means the following:

(1) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the statewide average base cost per pupil calculated under division (A) of section 3317.018 of the Revised Code;

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a

manner determined by the general assembly.

(GG) "Statewide average career-technical base cost per pupil" means the following:

(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the statewide average career-technical base cost per pupil calculated under division (B) of section 3317.018 of the Revised Code;

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(HH) "STEM school" means a science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code.

(II) "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.

(JJ) For purposes of sections 3317.017 and ~~3317.16~~ 3317.165 of the Revised Code, "three-year average valuation" for a fiscal year means the average of total taxable value for the three most recent tax years for which data is available, as certified under section 3317.021 of the Revised Code.

(KK) "Total ADM" means, for a city, local, or exempted village school district, the enrollment reported under division (A) of section 3317.03 of the Revised Code minus the enrollment reported under divisions (A)(2)(a), (b), (g), (h), and (i) and (k) of that section, as verified by the department and adjusted if so ordered under division ^{RMD} (K) of that section. ^{ITEM 9}

(LL) "Total special education ADM" means the sum of categories one through six special education ADM.

(MM) "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.

(NN) "Tuition discount" means any deduction from the base tuition amount per student charged by a chartered nonpublic school, to which the student's family is entitled due to one or more of the following conditions:

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

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

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

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

^{RMD} (OO) "Nonchartered educational savings account unit" means a unit that consists of all the students for whom educational savings accounts are established under sections 3310.21 to 3310.26 of the Revised Code.

Sec. 3317.021. (A) On or before the first day of June of each year, the tax commissioner shall certify to the department of education and workforce and the office of budget and management the information described in divisions (A)(1) to (5) of this section for each city, exempted village,

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and local school district, and the information required by divisions (A)(1) and (2) of this section for each joint vocational school district, and it shall be used, along with the information certified under division (B) of this section, in making the computations for the district under this chapter.

(1) The taxable value of real and public utility real property in the school district subject to taxation in the preceding tax year, by class and by county of location.

(2) The taxable value of tangible personal property, including public utility personal property, subject to taxation by the district for the preceding tax year.

(3)(a) The total property tax rate and total taxes charged and payable for the current expenses for the preceding tax year and the total property tax rate and the total taxes charged and payable to a joint vocational district for the preceding tax year that are limited to or to the extent apportioned to current expenses.

(b) The portion of the amount of taxes charged and payable reported for each city, local, and exempted village school district under division (A)(3)(a) of this section attributable to a joint vocational school district.

(4) The value of all real and public utility real property in the school district exempted from taxation minus both of the following:

(a) The value of real and public utility real property in the district owned by the United States government and used exclusively for a public purpose;

(b) The value of real and public utility real property in the district exempted from taxation under Chapter 725. or 1728. or section 3735.67, 5709.40, 5709.41, 5709.45, 5709.57, 5709.62, 5709.63, 5709.632, 5709.73, or 5709.78 of the Revised Code.

(5) The ~~total~~-median federal adjusted gross income of the residents of the school district, based on tax returns filed by the residents of the district, for the most recent year for which this information is available, and 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.

(6) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the number of state tax returns filed by the residents of the district for the most recent year for which this information is available.

(B) On or before the first day of May each year, the tax commissioner shall certify to the department of education and workforce and the office of budget and management the total taxable real property value of railroads and, separately, the total taxable tangible personal property value of all public utilities for the preceding tax year, by school district and by county of location.

(C) If on the basis of the information certified under division (A) of this section, the department determines that any district fails in any year to meet the qualification requirement specified in division (A) of section 3317.01 of the Revised Code, the department shall immediately request the tax commissioner to determine the extent to which any school district income tax levied by the district under Chapter 5748. of the Revised Code shall be included in meeting that requirement. Within five days of receiving such a request from the department, the tax commissioner

shall make the determination required by this division and report the quotient obtained under division (C)(3) of this section to the department and the office of budget and management. This quotient represents the number of mills that the department shall include in determining whether the district meets the qualification requirement of division (A) of section 3317.01 of the Revised Code.

The tax commissioner shall make the determination required by this division as follows:

(1) Multiply one mill times the total taxable value of the district as determined in divisions (A)(1) and (2) of this section;

(2) Estimate the total amount of tax liability for the current tax year under taxes levied by Chapter 5748. of the Revised Code that are apportioned to current operating expenses of the district, excluding any income tax receipts allocated for the project cost, debt service, or maintenance set-aside associated with a state-assisted classroom facilities project as authorized by section 3318.052 of the Revised Code;

(3) Divide the amount estimated under division (C)(2) of this section by the product obtained under division (C)(1) of this section.

Sec. 3317.022. The department of education and workforce shall compute and distribute state core foundation funding to each eligible funding unit that is a city, local, or exempted village school district, the community and STEM school unit, the educational choice scholarship unit, the pilot project scholarship unit, the autism scholarship unit, ^{RMD} and the Jon Peterson special needs scholarship unit, and the nonchartered educational savings account unit for the fiscal year, using the information obtained under section 3317.021 of the Revised Code in the calendar year in which the fiscal year begins in accordance with the following: ^{RMD}

For fiscal years 2024-2026 and 2025-2027, for a funding unit that is a city, local, or exempted village school district:

The district's funding base + [(the district's state core foundation funding components for that fiscal year calculated under divisions (A)(1), (2), (3), (5), (6), (7), and (8) of this section - the district's general funding base calculated in accordance with division (N)(1) of section 3317.02 of the Revised Code) X the district's general phase-in percentage for that fiscal year] + [(the district's disadvantaged pupil impact aid for that fiscal year calculated under division (A)(4) of this section - the district's disadvantaged pupil impact aid funding base calculated in accordance with division (N)(2) of section 3317.02 of the Revised Code) X the district's phase-in percentage for disadvantaged pupil impact aid for that fiscal year] ~~+ the district's supplemental targeted assistance funds calculated under section 3317.0218 of the Revised Code~~

For fiscal year 2026-2028 and each fiscal year thereafter, for a funding unit that is a city, local, or exempted village school district, the sum of the district's state core foundation funding components for that fiscal year calculated under divisions (A)(1), (2), (3), (4), (5), (6), (7), and (8) of this section ~~and the district's supplemental targeted assistance funds calculated under section 3317.0218 of the Revised Code~~, if the general assembly authorizes such payments to these funding units.

The above boxed and initialed text was
disapproved.

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For fiscal years ~~2024-2026~~ and ~~2025-2027~~, for the community and STEM school unit, an amount calculated in accordance with section 3317.026 of the Revised Code.

For fiscal ~~years 2026-year~~ 2028 and each fiscal year thereafter, for the community and STEM school unit, an amount calculated in accordance with divisions (A)(1), (3), (4), (5), (7), (8), ~~and (9), and (14)~~ of this section, if the general assembly authorizes such payments to these funding units.

For the educational choice scholarship unit, the amount calculated under division (A)(10) of this section.

For the pilot project scholarship unit, the amount calculated under division (A)(11) of this section.

For the autism scholarship unit, the amount calculated under division (A)(12) of this section.

For the Jon Peterson special needs scholarship unit, the amount calculated under division (A)(13) of this section.

RMD For fiscal year 2027 and each fiscal year thereafter, for the nonchartered educational savings account unit, the amount calculated under division (A)(15) of this section.

(A) A funding unit's state core foundation funding components shall be the following:

(1)(a) If the funding unit is a city, local, or exempted village school district, the district's state share, which is equal to the following:

(i) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the amount calculated under division (B) of section 3317.017 of the Revised Code;

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(b) If the funding unit is the community and STEM school unit, the aggregate base cost for all schools in that unit, which is equal to the following:

(i) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the amount calculated under section 3317.0110 of the Revised Code;

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(2) If the funding unit is a city, local, or exempted village school district, targeted assistance funds equal to the following:

(a) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, an amount calculated under section 3317.0217 of the Revised Code;

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(3) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, additional state aid for special education and related services provided under Chapter 3323. of the Revised Code calculated as follows:

(a) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the sum of the following:

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Date: 6/30/25

Mike DeWine

Mike DeWine, Governor

(i) The funding unit's category one special education ADM X the multiple specified in division (A) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(ii) The funding unit's category two special education ADM X the multiple specified in division (B) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(iii) The funding unit's category three special education ADM X the multiple specified in division (C) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(iv) The funding unit's category four special education ADM X the multiple specified in division (D) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(v) The funding unit's category five special education ADM X the multiple specified in division (E) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(vi) The funding unit's category six special education ADM X the multiple specified in division (F) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage.

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the sum of the following:

(i) An amount calculated in a manner determined by the general assembly times the funding unit's category one special education ADM;

(ii) An amount calculated in a manner determined by the general assembly times the funding unit's category two special education ADM;

(iii) An amount calculated in a manner determined by the general assembly times the funding unit's category three special education ADM;

(iv) An amount calculated in a manner determined by the general assembly times the funding unit's category four special education ADM;

(v) An amount calculated in a manner determined by the general assembly times the funding unit's category five special education ADM;

(vi) An amount calculated in a manner determined by the general assembly times the funding unit's category six special education ADM.

(4) If the funding unit is a city, local, or exempted village school district or the community

and STEM school unit, disadvantaged pupil impact aid calculated according to the following formula:

(a) If the funding unit is a city, local, or exempted village school district, an amount equal to the following:

(i) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the following product:

$\$422 \times (\text{the district's economically disadvantaged index}) \times \text{the number of students who are economically disadvantaged as certified under division (B)(21) of section 3317.03 of the Revised Code}$

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(b) If the funding unit is the community and STEM school unit, an amount equal to the following:

(i) For fiscal years ~~2024-2026~~ and ~~2025~~2027, an amount calculated as follows:

(I) For each student in the funding unit's enrolled ADM who is economically disadvantaged and is not enrolled in an internet- or computer-based community school, multiply \$422 by the economically disadvantaged index of the school in which the student is enrolled;

(II) Compute the funding unit's disadvantaged pupil impact aid by calculating the sum of the amounts determined under division (A)(4)(b)(i)(I) of this section.

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated as follows:

(I) For each student in the funding unit's enrolled ADM who is economically disadvantaged and is not enrolled in an internet- or computer-based community school, calculate an amount in the manner determined by the general assembly;

(II) Compute the funding unit's disadvantaged pupil impact aid by calculating the sum of the amounts determined under division (A)(4)(b)(ii)(I) of this section.

(5) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, English learner funds calculated as follows:

(a) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the sum of the following:

(i) The funding unit's category one English learner ADM $\times$ the multiple specified in division (A) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(ii) The funding unit's category two English learner ADM $\times$ the multiple specified in division (B) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ if the funding unit is a city, local, or exempted village school district, the district's state share percentage;

(iii) The funding unit's category three English learner ADM $\times$ the multiple specified in division (C) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for

that fiscal year X if the funding unit is a city, local, or exempted village school district, the district's state share percentage.

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the sum of the following:

(i) An amount calculated in a manner determined by the general assembly times the funding unit's category one English learner ADM;

(ii) An amount calculated in a manner determined by the general assembly times the funding unit's category two English learner ADM;

(iii) An amount calculated in a manner determined by the general assembly times the funding unit's category three English learner ADM.

(6)(a) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, if the funding unit is a city, local, or exempted village school district, all of the following:

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

$\$24 \times \text{the district's enrolled ADM for grades kindergarten through six} \times \text{the district's state share percentage}$

(ii) Gifted referral funds calculated according to the following formula:

$\$2.50 \times \text{the district's enrolled ADM} \times \text{the district's state share percentage}$

(iii) ~~Gifted professional development funds calculated according to the following formula:~~

~~(The greater of the number of gifted students enrolled in the district as certified under division (B) (22) of section 3317.03 of the Revised Code and ten per cent of the district's enrolled ADM) $\times$ the district's state share percentage $\times$ \$21, for fiscal year 2024, or \$28, for fiscal year 2025-~~

~~(iv) Gifted unit funding calculated under section 3317.051 of the Revised Code.~~

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, all of the following:

(i) Gifted identification funds calculated in a manner determined by the general assembly;

(ii) Gifted referral funds calculated in a manner determined by the general assembly, if the general assembly authorizes such a payment;

~~(iii) Gifted professional development funds calculated in a manner determined by the general assembly, if the general assembly authorizes such a payment;~~

~~(iv) Gifted unit funding calculated in an amount determined by the general assembly.~~

(7) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, career-technical education funds calculated under division (C) of section 3317.014 of the Revised Code.

(8) If the funding unit is a city, local, or exempted village school district or the community and STEM school unit, career-technical education associated services funds calculated under division (D) of section 3317.014 of the Revised Code.

(9) If the funding unit is the community and STEM school unit, an amount calculated as follows:

(a) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, an amount equal to the following:

[The number of students in the funding unit's enrolled ADM who are reported under division (B)(5) of section 3314.08 of the Revised Code X (the aggregate base cost calculated for all schools in the funding unit for that fiscal year under section 3317.0110 of the Revised Code / the funding unit's enrolled ADM) X.20]

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(10) If the funding unit is the educational choice scholarship unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, determine the lesser of the following:

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

(ii)(I) If the student receives a scholarship under section 3310.03 of the Revised Code, or received a scholarship for the first time under section 3310.032 of the Revised Code prior to ~~the effective date of this amendment~~ October 3, 2023, and the student's parent does not elect to receive a scholarship amount under division (A)(10)(a)(ii)(II) of this section, \$5,500, if the student is in grades kindergarten through eight, or \$7,500, if the student is in grades nine through twelve.

(II) If the student receives a scholarship for the first time under section 3310.032 of the Revised Code on and after ~~the effective date of this amendment~~ October 3, 2023, or if a student who received a scholarship for the first time under that section prior to that date and the student's parent elects to receive a scholarship amount under division (A)(10)(a)(ii)(II) of this section, an amount calculated in accordance with section 3310.08 of the Revised Code. The department shall provide an opportunity each fiscal year for a parent to elect to receive a scholarship amount under division (A)(10)(a)(ii)(II) of this section.

The amounts specified in division (A)(10)(a)(ii)(I) of this section shall increase in future fiscal years by the same percentage that the statewide average base cost per pupil increases in future fiscal years.

(b) Compute the sum of the amounts calculated under division (A)(10)(a) of this section.

(11) If the funding unit is the pilot project scholarship unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, determine the lesser of the following:

(i) The net tuition charges of the student's alternative school;

(ii) \$5,500, if the student is in grades kindergarten through eight, or \$7,500, if the student is in grades nine through twelve.

The amounts specified in division (A)(11)(a)(ii) of this section shall increase in future fiscal years by the same percentage that the statewide average base cost per pupil increases in future fiscal years.

For purposes of division (A)(11)(a) of this section, the net tuition and fees charged to a

student shall be the tuition amount specified by the alternative school minus all other financial aid, discounts, and adjustments received for the student. In cases where discounts are offered for multiple students from the same family, and not all students in the same family are scholarship recipients, the net tuition amount attributable to the scholarship recipient shall be the lowest net tuition to which the family is entitled.

The department shall provide for an increase in the amount determined for any student who is an LRE student with a disability and shall further increase such amount in the case of any separately educated student with a disability, as that term is defined in section 3313.974 of the Revised Code. Such increases shall take into account the instruction, related services, and transportation costs of educating such students.

(b) Compute the sum of the amounts calculated under division (A)(17)(a) of this section.

(12) If the funding unit is the autism scholarship unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, determine the lesser of the following:

(i) The tuition charged for the student's special education program, as that term is defined in section 3310.41 of the Revised Code;

(ii) ~~\$32,445~~\$34,000.

(b) Compute the sum of the amounts calculated under division (A)(12)(a) of this section.

(13) If the funding unit is the Jon Peterson special needs scholarship unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, determine the least of the following:

(i) The amount of fees charged for that school year by the student's alternative public provider or registered private provider, as those terms are defined in section 3310.51 of the Revised Code;

(ii) \$7,190 plus an amount determined as follows:

(I) If the student is receiving special education services for a disability specified in division (A) of section 3317.013 of the Revised Code, ~~\$1,751, for fiscal year 2024, and \$2,395 for fiscal year 2025~~\$2,855;

(II) If the student is receiving special education services for a disability specified in division (B) of section 3317.013 of the Revised Code, ~~\$4,442, for fiscal year 2024, and \$5,280 for fiscal year 2025~~\$5,879;

(III) If the student is receiving special education services for a disability specified in division (C) of section 3317.013 of the Revised Code, ~~\$10,673, for fiscal year 2024, and \$11,960 for fiscal year 2025~~\$12,879;

(IV) If the student is receiving special education services for a disability specified in division (D) of section 3317.013 of the Revised Code, ~~\$14,243, for fiscal year 2024, and \$15,787 for fiscal year 2025~~\$16,890;

(V) If the student is receiving special education services for a disability specified in division (E) of section 3317.013 of the Revised Code, ~~\$19,290, for fiscal year 2024, and \$21,197 for fiscal year 2025~~ \$22,560;

(VI) If the student is receiving special education services for a disability specified in division (F) of section 3317.013 of the Revised Code, ~~\$28,438, for fiscal year 2024, and \$30,469 for fiscal year 2025~~ \$31,932.

(iii) ~~\$30,000, for fiscal year 2024, and \$32,445 for fiscal year 2025~~ \$34,000.

The amount specified in division (A)(13)(a)(ii) of this section shall increase in future fiscal years by the same percentage that the statewide average base cost per pupil increases in future fiscal years.

The amounts specified in divisions (A)(13)(a)(ii)(I) to (VI) of this section shall increase in future fiscal years by the same percentage that the amounts calculated by the general assembly for those categories of special education services under division (A)(3) of this section increase in future fiscal years.

(b) Compute the sum of the amounts calculated under division (A)(13)(a) of this section.

(14) If the funding unit is the community and STEM school unit, an equity supplement calculated as follows:

\$500 in fiscal year 2026 and \$400 in fiscal year 2027 X each student in the funding unit's enrolled ADM who is enrolled in a community school that is not an internet- or computer-based community school.

(15) If the funding unit is the nonchartered educational savings account unit, an amount calculated as follows:

(a) For each student in the funding unit's enrolled ADM, an amount calculated under section 3310.26 of the Revised Code;

(b) Compute the sum of the amounts calculated under division (A)(15)(a) of this section.

(B) In any fiscal year, a funding unit that is a city, local, or exempted village school district shall spend for purposes that the department designates as approved for special education and related services expenses at least the amount calculated as follows:

(The base cost per pupil calculated for the district for that fiscal year X the total special education ADM) + (the district's category one special education ADM X the multiple specified in division (A) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category two special education ADM X the multiple specified in division (B) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category three special education ADM X the multiple specified in division (C) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category four special education ADM X the multiple specified in division (D) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category five special education ADM X the multiple

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specified in division (E) of section 3317.013 of the Revised Code X the statewide average base cost per pupil) + (the district's category six special education ADM X the multiple specified in division (F) of section 3317.013 of the Revised Code X the statewide average base cost per pupil)

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

(C) A funding unit that is a city, local, or exempted village school district shall spend the funds it receives under division (A)(4) of this section in accordance with section 3317.25 of the Revised Code.

(D)(1) Except as provided in division (B) of section 3317.026 of the Revised Code, the department shall distribute to each community school established under Chapter 3314. of the Revised Code and to each STEM school established under Chapter 3326. of the Revised Code, from the funds paid to the community and STEM school unit under this section, an amount for each student enrolled in the school equal to the sum of the following:

(a) The school's base cost per pupil for that fiscal year, calculated as follows:

(i) For fiscal years ~~2024-2026~~ and ~~2025-2027~~:

The aggregate base cost calculated for the school for that fiscal year under section 3317.0110 of the Revised Code / the number of students enrolled in the school for that fiscal year

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount determined by the general assembly under division (A)(1)(b)(ii) of this section divided by the number of students enrolled in the school for that fiscal year.

(b) If the student is a special education student:

(i) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the multiple specified for the student's special education category under section 3317.013 of the Revised Code times the statewide average base cost per pupil;

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the amount calculated for the student's special education category in a manner determined by the general assembly under division (A)(3)(b) of this section.

(c) If the school is not an internet- or computer-based community school and the student is economically disadvantaged:

(i) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the amount calculated for the student under division (A)(4)(b)(i)(I) of this section;

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated for the student in the manner determined by the general assembly under division (A)(4)(b)(ii)(I) of this section.

(d) If the student is an English learner:

(i) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the multiple specified for the student's English learner category under section 3317.016 of the Revised Code times the statewide average base cost per pupil;

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the amount calculated for the student's special education category in a manner determined by the general assembly under division (A)(5)(b) of this section.

(e) If the student is a career-technical education student:

(i) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the multiple specified for the student's career-technical education category under section 3317.014 of the Revised Code times the statewide average career-technical base cost per pupil;

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the amount calculated for the student's career-technical education category in a manner determined by the general assembly under section 3317.014 of the Revised Code.

(f) If the student is a career-technical education student:

(i) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the multiple for career-technical associated services specified under section 3317.014 of the Revised Code times the statewide average career-technical base cost per pupil;

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the amount calculated for career-technical associated services in a manner determined by the general assembly under section 3317.014 of the Revised Code.

(g) If the school is a community school that is not an internet- or computer-based community school, an equity supplement equal to \$500 for fiscal year 2026 and \$400 for fiscal year 2027 for each student enrolled in the school.

(2) The department shall distribute to each community school established under Chapter 3314. of the Revised Code and to each STEM school established under Chapter 3326. of the Revised Code, from the funds paid to the community and STEM school unit under this section, an amount equal to the amount calculated for the school under division (A)(9) of this section.

(E) The department shall distribute to the parent of each student for whom an educational choice scholarship is awarded under section 3310.03 or 3310.032 of the Revised Code, or to the student if at least eighteen years of age, from the funds paid to the educational choice scholarship unit under this section, a scholarship equal to the amount calculated for the student under division (A)(10)(a) of this section. The scholarship shall be distributed in monthly partial payments, and 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.

For purposes of divisions (E) and (F) of this section, in the case of a student who is not living with the student's parent, the department shall distribute the scholarship payments to the student's guardian, legal custodian, kinship caregiver, foster caregiver, or caretaker. For the purposes

of this division, "caretaker" has the same meaning as in section 3310.033 of the Revised Code, "kinship caregiver" has the same meaning as in section ~~5101.85~~ 5180.50 of the Revised Code, and "foster caregiver" has the same meaning as in section 5103.02 of the Revised Code.

(F) If a student is awarded a pilot project scholarship under sections 3313.974 to 3313.979 of the Revised Code, the department shall distribute to the parent of the student, if the student is attending a registered private school as defined in section 3313.974 of the Revised Code, or the student's school district of attendance, if the scholarship is to be used for payments to a public school in a school district adjacent to the pilot project school district pursuant to section 3327.06 of the Revised Code, a scholarship from the funds paid to the pilot project scholarship unit under this section that is equal to the amount calculated for the student under division (A)(11)(a) of this section.

In the case of a scholarship distributed to a student's parent, the scholarship shall be distributed in monthly partial payments. The scholarship amount shall be proportionately reduced in the case of any such student who is not enrolled in a registered private school, as that term is defined in section 3313.974 of the Revised Code, for the entire school year.

In the case of a scholarship distributed to a student's school district of attendance, the department shall, on behalf of the student's parents, use the scholarship to make the tuition payments required by section 3327.06 of the Revised Code to the student's school district of attendance, except that, notwithstanding sections 3323.13, 3323.14, and 3327.06 of the Revised Code, the total payments in any school year shall not exceed the scholarship amount calculated for the student under division (A)(11)(a) of this section.

(G) The department shall distribute to the parent of each student for whom an autism scholarship is awarded under section 3310.41 of the Revised Code, from the funds paid to the autism scholarship unit under this section, a scholarship equal to the amount calculated for the student under division (A)(12)(a) of this section. The scholarship shall be distributed from time to time in partial payments. The scholarship amount shall be proportionately reduced in the case of any student who is not enrolled in the special education program for which a scholarship was awarded under section 3310.41 of the Revised Code for the entire school year. The department shall make no payments to the parent of a student while any administrative or judicial mediation or proceedings with respect to the content of the student's individualized education program are pending.

(H) The department shall distribute to the parent of each student for whom a Jon Peterson special needs scholarship is awarded under sections 3310.51 to 3310.64 of the Revised Code, from the funds paid to the Jon Peterson special needs scholarship unit under this section, a scholarship equal to the amount calculated for the student under division (A)(13)(a) of this section. The scholarship shall be distributed in periodic payments, and the department shall proportionately reduce or terminate the payments for any student who is not enrolled in the special education program of an alternative public provider or a registered private provider, as those terms are defined in section 3310.51 of the Revised Code, for the entire school year.

(I) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, a school district shall spend the funds it receives under division (A)(5) of this section only for services for English learners.

(J) For ~~fiscal year 2024 and each fiscal year thereafter~~, a school district shall spend the funds it receives under division (A)(6) of this section only for the identification of gifted students, gifted coordinator services, and gifted intervention specialist services, ~~and gifted professional development~~. For ~~fiscal year 2024 and each fiscal year thereafter~~, if the department determines that a district is not in compliance with this division, it shall reduce the district's payments for that fiscal year under this chapter by an amount equal to the amount paid to the district for that fiscal year under division (A)(6) of this section that was not spent in accordance with this division. The department shall reduce the payment within ninety days of data finalization.

RMD (K) The department shall transfer to each educational savings account established for a student by the treasurer of state under sections 3310.21 to 3310.26 of the Revised Code, from the funds paid to the nonchartered educational savings account unit under this section, an amount of funds equal to the amount calculated for the student under division (A)(15)(a) of this section. The department shall distribute those funds in one annual payment. To the extent practicable, the department shall make that payment for which an account is established prior to the school year for which it is sought before the first day of that school year.

Sec. 3317.024. The following shall be distributed monthly, quarterly, or annually as may be determined by the department of education and workforce:

(A) An amount for each island school district and each joint state school district for the operation of each high school and each elementary school maintained within such district and for capital improvements for such schools. Such amounts shall be determined on the basis of standards adopted by the department. However, for fiscal years 2012 and 2013, an island district shall receive the lesser of its actual cost of operation, as certified to the department, or ninety-three per cent of the amount the district received in state operating funding for fiscal year 2011. If an island district received no funding for fiscal year 2011, it shall receive no funding for either of fiscal year 2012 or 2013.

(B) An amount for each school district required to pay tuition for a child in an institution maintained by the department of youth services pursuant to section 3317.082 of the Revised Code, provided the child was not included in the calculation of the district's formula ADM, as that term is defined in section 3317.02 of the Revised Code, for the preceding school year.

(C)(1) An amount for the approved cost of transporting eligible pupils with disabilities attending a special education program approved by the department of education and workforce whom it is impossible or impractical to transport by regular school bus in the course of regular route transportation provided by the school district or educational service center. For fiscal years ~~2024-2026~~ and ~~2025-2027~~, this amount shall be equal to the actual costs incurred in the prior fiscal year by the district or service center when transporting those students, as reported to the department, multiplied by one of the following:

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(a) For a district, the percentage determined for the district for that fiscal year under divisions (E)(1)(c)(i) and (ii) of section 3317.0212 of the Revised Code;

(b) For a service center, ~~thirty-seven-forty-five and one-half-eighty-three hundredths~~ per cent for fiscal year ~~2024-2026~~ and ~~forty-one and two-thirds-fifty~~ per cent for fiscal year ~~2025-2027~~.

(2) No district or service center is eligible to receive a payment under division (C) of this section for the cost of transporting any pupil whom it transports by regular school bus and who is included in the district's transportation ADM.

(3) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, both of the following apply:

(a) The department of education and workforce shall also establish the deadline for each district and service center to report its actual costs for transporting students described in division (C) (1) of this section.

(b) The costs reported by each district and service center under division (C) of this section shall be subject to periodic, random audits by the department of education and workforce.

(D) An amount to each school district, including each cooperative education school district, pursuant to section 3313.81 of the Revised Code to assist in providing free lunches to needy children. The amounts shall be determined on the basis of rules adopted by the department of education and workforce.

(E)(1) An amount for auxiliary services to each school district, for each pupil attending a chartered nonpublic elementary or high school within the district that has not elected to receive funds under division (E)(2) of this section.

(2)(a) An amount for auxiliary services paid directly to each chartered nonpublic school that has elected to receive funds under division (E)(2) of this section for each pupil attending the school. To elect to receive funds under division (E)(2) of this section, a school, by the first day of April of each odd-numbered year, shall notify the department of education and workforce and the school district in which the school is located of the election and shall submit to the department an affidavit certifying that the school shall expend the funds in the manner outlined in section 3317.062 of the Revised Code. The election shall take effect the following first day of July. The school subsequently may rescind its election, but it may do so only in an odd-numbered year by notifying the department and the school district in which the school is located of the rescission not later than the first day of April of that year. Beginning the following first day of July after the rescission, the school shall receive funds under division (E)(1) of this section.

(b) Not later later than ten days after the notification of approval and issuance of a charter to a nonpublic school, that school may elect to receive funds under division (E)(2) of this section. If no election is made, the chartered nonpublic school shall receive funds under division (E)(1) of this section. The school may subsequently change its election in accordance with division (E)(2)(a) of this section.

(c) A chartered nonpublic school that elects to receive auxiliary services funds under division (E)(2) of this section may designate an organization that oversees one or more nonpublic

schools to receive those funds on its behalf.

(i) Each chartered nonpublic school that designates an organization to receive auxiliary services funds on its behalf shall notify the department of education and workforce of the organization's name not later than the first day of April of each odd-numbered year.

(ii) A school may rescind its decision, but may do so only in each odd-numbered year by notifying the department of that rescission not later than the first day of April of that year. A rescission submitted in compliance with this division takes effect on the following first day of July, and the school district may elect to then begin receiving auxiliary services funds directly or as specified under division (E)(1) of this section.

(iii) An organization shall disburse the auxiliary services funds of all chartered nonpublic schools that have designated the organization to receive funds on their behalf in accordance with division (E)(2)(c) of this section. If multiple chartered nonpublic schools designate the same organization to receive auxiliary services funds on their behalf, that organization may use one or more accounts for the purposes of managing the funds. The organization shall maintain appropriate accounting and reporting standards and ensure that each chartered nonpublic school receives the auxiliary services funds to which the school is entitled.

(iv) Each chartered nonpublic school that elects to receive funds directly in accordance with division (E)(2) of this section or the organization designated to receive and disburse auxiliary services funds on behalf of a chartered nonpublic school shall maintain records of receipt and expenditures of the funds in a manner that conforms with generally accepted accounting principles.

(v) The department of education and workforce shall create and disseminate a standardized reporting form that chartered nonpublic schools and organizations designated to receive funds in accordance with division (E)(2)(c) of this section may use to comply with division (E)(2)(c)(iv) of this section. However, the department shall not require schools to use that form.

(vi) An organization that manages a school's auxiliary services funds pursuant to a designation made in accordance with division (E)(2)(c) of this section may require the school's governing authority to pay a fee for that service that does not exceed four per cent of the total amount of payments for auxiliary services that the school receives from the state. A school may pay any fee assessed pursuant to division (E)(2)(c)(vi) of this section using auxiliary services funds.

(d) The amount paid under divisions (E)(1) and (2) of this section shall equal the total amount appropriated for the implementation of sections 3317.06 and 3317.062 of the Revised Code divided by the average daily membership in grades kindergarten through twelve in chartered nonpublic elementary and high schools within the state as determined as of the last day of October of each school year.

(F) An amount for each county board of developmental disabilities for the approved cost of transportation required for children attending special education programs operated by the county board under section 3323.09 of the Revised Code. For fiscal years ~~2024-2026~~ and ~~2025-2027~~, this amount shall be equal to the actual costs incurred in the prior fiscal year by the county board when

transporting those students multiplied by ~~thirty-seven-forty-five~~ and ~~one-half-eighty-three hundredths~~ per cent for fiscal year ~~2024-2026~~ and ~~forty-one-and-two-thirds-fifty~~ per cent for fiscal year ~~2025-2027~~.

(G) 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.

The department of education and workforce or any 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, or political subdivision thereof.

Sec. 3317.026. This section shall apply only for fiscal years ~~2024-2026~~ and ~~2025-2027~~.

(A) For each fiscal year, the department of education and workforce shall calculate an amount for the community and STEM school unit as follows:

(1) For each community school and STEM school, determine the sum of the following:

(a) The aggregate base cost calculated for the school for that fiscal year under section 3317.0110 of the Revised Code;

(b) The sum of the following:

(i) The school's category one special education ADM X the multiple specified in division (A) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;

(ii) The school's category two special education ADM X the multiple specified in division (B) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;

(iii) The school's category three special education ADM X the multiple specified in division (C) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;

(iv) The school's category four special education ADM X the multiple specified in division (D) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;

(v) The school's category five special education ADM X the multiple specified in division (E) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year;

(vi) The school's category six special education ADM X the multiple specified in division (F) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year.

(c) If the school is not an internet- or computer-based community school, an amount of disadvantaged pupil impact aid equal to the following:

$\$422 \times \text{the school's economically disadvantaged index} \times \text{the number of students in the school's enrolled ADM who are economically disadvantaged}$

(d) The sum of the following:

(i) The school's category one English learner ADM $\times$ the multiple specified in division (A) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year;

(ii) The school's category two English learner ADM $\times$ the multiple specified in division (B) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year;

(iii) The school's category three English learner ADM $\times$ the multiple specified in division (C) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year.

(e) The sum of the following:

(i) The school's category one career-technical education ADM $\times$ the multiple specified under division (A)(1) of section 3317.014 of the Revised Code $\times$ the statewide average career-technical base cost per pupil for that fiscal year;

(ii) The school's category two career-technical education ADM $\times$ the multiple specified under division (A)(2) of section 3317.014 of the Revised Code $\times$ the statewide average career-technical base cost per pupil for that fiscal year;

(iii) The school's category three career-technical education ADM $\times$ the multiple specified under division (A)(3) of section 3317.014 of the Revised Code $\times$ the statewide average career-technical base cost per pupil for that fiscal year;

(iv) The school's category four career-technical education ADM $\times$ the multiple specified under division (A)(4) of section 3317.014 of the Revised Code $\times$ the statewide average career-technical base cost per pupil for that fiscal year;

(v) The school's category five career-technical education ADM $\times$ the multiple specified under division (A)(5) of section 3317.014 of the Revised Code $\times$ the statewide average career-technical base cost per pupil for that fiscal year.

(f) An amount equal to the following:

The multiple for career-technical associated services specified under division (B) of section 3317.014 of the Revised Code $\times$ the statewide average career-technical base cost per pupil for that fiscal year $\times$ the sum of the school's categories one through five career-technical education ADM

(g) If the school is a community school, an amount equal to the following:

The number of students reported by the community school under division (B)(5) of section 3314.08 of the Revised Code $\times$ (the aggregate base cost calculated for the school for that fiscal year under section 3317.0110 of the Revised Code / the school's enrolled ADM) $\times$ 0.20

(h) If the school is a community school that is not an internet- or computer-based community school, an equity supplement calculated as follows:

The number of students in the school's enrolled ADM X \$500 for fiscal year 2026 and \$400 for fiscal year 2027

(2) For each community and STEM school, determine the lesser of the following:

(a) The following sum:

The school's funding base + {[the sum calculated for the school under division (A) of this section] - the school's funding base} X the school's general phase-in percentage for that fiscal year}

(b) The sum of the amounts calculated for the school for that fiscal year under division (A) of this section.

(3) Compute the sum of the amounts determined under division (B) of this section to determine the amount calculated for the community and STEM school unit.

(B) Notwithstanding division (D) of section 3317.022 of the Revised Code, for each fiscal year, the department shall distribute to each community school and each STEM school, from the funds paid to the community and STEM school unit under section 3317.022 of the Revised Code, an amount equal to the amount determined for that school under division (A)(2) of this section.

Sec. 3317.0212. (A) As used in this section:

(1) For fiscal years ~~2024-2026~~ and ~~2025~~2027, "assigned bus" means a school bus used to transport qualifying riders.

(2) For fiscal years ~~2024-2026~~ and ~~2025~~2027, "density" means the total riders per square mile of a school district.

(3) For fiscal years ~~2024-2026~~ and ~~2025~~2027, "nontraditional ridership" means the average number of qualifying riders who are enrolled in a community school established under Chapter 3314. of the Revised Code, in a STEM school established under Chapter 3326. of the Revised Code, or in a nonpublic school and are provided school bus service by a school district during the first full week of October.

(4) "Qualifying riders" means the following:

(a) For fiscal years ~~2024-2026~~ and ~~2025~~2027, resident students enrolled in preschool and regular education in grades kindergarten to twelve who are provided school bus service by a school district, including students with dual enrollment in a joint vocational school district or a cooperative education school district, and students enrolled in a community school, STEM school, or nonpublic school;

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, students specified by the general assembly.

(5) "Qualifying ridership" means the following:

(a) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the greater of the average number of qualifying riders counted in the morning or counted in the afternoon who are provided school bus service by a school district during the first full week of October;

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, a ridership determined in a manner specified by the general assembly.

(6) "Rider density" means the following:

(a) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the following quotient:

A school district's total number of qualifying riders/ the number of square miles in the district

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, a number calculated in a manner determined by the general assembly.

(7) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, "riders" means students enrolled in regular and special education in grades kindergarten through twelve who are provided school bus service by a school district, including students with dual enrollment in a joint vocational school district or a cooperative education school district, and students enrolled in a community school, STEM school, or nonpublic school.

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

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

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

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

(B) Not later than the first day of November, for fiscal years ~~2024-2026~~ and ~~2025-2027~~, or a date determined by the general assembly, for fiscal year ~~2026-2028~~ and each fiscal year thereafter, of each year, each city, local, and exempted village school district shall report to the department of education and workforce its qualifying ridership and any other information requested by the department. Subsequent adjustments to the reported numbers shall be made only in accordance with rules adopted by the department.

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

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

(2) After excluding districts that do not provide school bus service and the ten districts with the highest transportation costs per student and the ten districts with the lowest transportation costs per student, divide the aggregate cost for school bus service for the remaining districts in the previous fiscal year by the aggregate qualifying ridership of those districts in the previous fiscal year.

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

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

(2) After excluding districts that do not provide school bus service and the ten districts with

the highest transportation costs per mile and the ten districts with the lowest transportation costs per mile, divide the aggregate cost for school bus service for the remaining districts in the previous fiscal year by the aggregate miles driven for school bus service in those districts in the previous fiscal year.

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

(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~:

(a) Calculate the sum of the following:

(i) The product of the statewide transportation cost per student and the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in the district;

(ii) 1.5 times the statewide transportation cost per student times the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in community schools established under Chapter 3314. of the Revised Code or STEM schools established under Chapter 3326. of the Revised Code;

(iii) 2.0 times the statewide transportation cost per student times the number of students counted in the district's qualifying ridership for the current fiscal year who are enrolled in nonpublic schools.

(b) Calculate the sum of the following:

(i) The product of the statewide transportation cost per mile and the number of miles driven for school bus service as reported for qualifying riders for the current fiscal year who are enrolled in the district;

(ii) 1.5 times the statewide transportation cost per mile times the number of miles driven for school bus service as reported for qualifying riders for the current fiscal year who are enrolled in community schools or STEM schools;

(iii) 2.0 times the statewide transportation cost per mile times the number of miles driven for school bus service as reported for qualifying riders for the current fiscal year who are enrolled in nonpublic schools.

(c) Multiply the greater of the amounts calculated under divisions (E)(1)(a) and (b) of this section by the following:

(i) For fiscal year ~~2024-2026~~, the greater of ~~thirty-seven-forty-five~~ and ~~one-half-eighty-three hundredths~~ per cent or the district's state share percentage, as defined in section 3317.02 of the Revised Code;

(ii) For fiscal year ~~2025-2027~~, the greater of ~~forty-one-and-two-thirds-fifty~~ per cent or the district's state share percentage.

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount determined by the general assembly.

(F) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the department shall pay a district's efficiency

adjustment payment in accordance with divisions (F)(1) to (3) of this section. For fiscal year ~~2026~~ 2028 and each fiscal year thereafter, the department shall pay a district's efficiency adjustment payment in a manner determined by the general assembly, if the general assembly authorizes such a payment to districts.

(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~~ from the previous fiscal year in establishing the target number. The target number shall be based on the statewide median number of riders per assigned bus as adjusted to reflect the district's density in comparison to the density of all other districts. The department shall post on the department's web site each district's target number of riders per assigned bus and a description of how the target number was determined.

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

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

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

0.15 X the district's transportation base payment calculated under division (E) of this section

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

$\{[(\text{The district's efficiency index} - 1) \times 0.15] / 0.5\} \times \text{the district's transportation base payment calculated under division (E) of this section}$

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

(G) In addition to funds paid under divisions (E), (F), and (H) of this section, each city, local, and exempted village district shall receive in accordance with rules adopted by the department a payment for students transported by means other than school bus service and whose transportation is not funded under division (C) of section 3317.024 of the Revised Code. The rules shall include provisions for school district reporting of such students.

(H)(1) For purposes of division (H) of this section, a school district's "transportation supplement percentage" means the following:

(a) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the following quotient:

$(28 - \text{the district's rider density}) / 100$

If the result of the calculation for a district under division (H)(1)(a) of this section is less than zero, the district's transportation supplement percentage shall be zero.

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, a percentage calculated in a manner determined by the general assembly.

(2) The department shall pay each district a transportation supplement calculated according to the following formula:

The district's transportation supplement percentage X the amount calculated for the district under division (E)(1)(b) of this section X 0.55

(I)(1) If a school district board and a community school governing authority elect to enter into an agreement under division (A) of section 3314.091 of the Revised Code, the department shall make payments to the community school according to the terms of the agreement for each student actually transported under division (C)(1) of that section. If a community school governing authority accepts transportation responsibility under division (B) of that 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 that 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 calculated under 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 section 3314.091 of the Revised Code.

(b) For any fiscal year which the general assembly has specified that the transportation payments to school districts be calculated in accordance with this section and any rules of the department implementing this section, the payment to the community school shall be the following:

(i) For fiscal years ~~2024-2026~~ and ~~2025~~2027, either of the following:

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

(II) If the school district in which the student is entitled to attend school would have used a method of transportation for the student for which payments are computed and paid in a manner described in division (G) of this section, the amount that would otherwise be computed for and paid to the district.

(ii) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

The community school, however, is not required to use the same method to transport the 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) A community school shall be paid under division (I)(2) of this section only for students who are eligible as specified in section 3327.01 of the Revised Code and division (C)(1) of section 3314.091 of the Revised Code, 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.

Sec. 3317.0213. (A) The department of education and workforce shall compute and pay in accordance with this section additional state aid for preschool children with disabilities to each city, local, and exempted village school district and to each institution, as defined in section 3323.091 of the Revised Code. Funding shall be provided for children who are not enrolled in kindergarten and who are under age six on the thirtieth day of September of the academic year, or on the first day of August of the academic year if the school district in which the child is enrolled has adopted a resolution under division (A)(3) of section 3321.01 of the Revised Code, but not less than age three on the first day of December of the academic year.

For fiscal years ~~2024-2026~~ and ~~2025~~2027, the additional state aid shall be calculated under the following formula:

$(\$4,000 \times \text{the number of students who are preschool children with disabilities}) + \text{the sum of the following:}$

(1) The district's or institution's category one special education students who are preschool children with disabilities $\times$ the multiple specified in division (A) of section 3317.013 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ the district's state share percentage $\times$ 0.50;

(2) The district's or institution's category two special education students who are preschool children with disabilities $\times$ the multiple specified in division (B) of section 3317.013 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ the district's state share percentage $\times$ 0.50;

(3) The district's or institution's category three special education students who are preschool children with disabilities $\times$ the multiple specified in division (C) of section 3317.013 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ the district's state share percentage $\times$ 0.50;

(4) The district's or institution's category four special education students who are preschool children with disabilities $\times$ the multiple specified in division (D) of section 3317.013 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ the district's state share percentage $\times$ 0.50;

(5) The district's or institution's category five special education students who are preschool children with disabilities $\times$ the multiple specified in division (E) of section 3317.013 of the Revised

Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage X 0.50;

(6) The district's or institution's category six special education students who are preschool children with disabilities X the multiple specified in division (F) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage X 0.50.

For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the additional state aid shall be calculated for each category of special education students who are preschool children with disabilities using a formula specified by the general assembly.

The special education disability categories for preschool children used in this section are the same categories prescribed in section 3317.013 of the Revised Code.

As used in division (A) of this section, the state share percentage of a student enrolled in an institution is the state share percentage of the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code.

(B) If an educational service center is providing services to students who are preschool children with disabilities under agreement with the city, local, or exempted village school district in which the students are entitled to attend school, that district may authorize the department to transfer funds computed under this section to the service center providing those services.

(C) If a county DD board is providing services to students who are preschool children with disabilities under agreement with the city, local, or exempted village school district in which the students are entitled to attend school, the department shall deduct from the district's payment computed under division (A) of this section the total amount of those funds that are attributable to the students served by the county DD board and pay that amount to that board.

Sec. 3317.0215. (A)(1) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the department of education and workforce shall withhold from the aggregate amount paid for a fiscal year to each city, local, exempted village, and joint vocational school district, ~~community school established under Chapter 3314. of the Revised Code, and science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code~~ an amount equal to the following:

(a) In the case of a city, local, or exempted village school district, the aggregate amount of special education funding paid to the district under division (A)(3) of section 3317.022 of the Revised Code times 0.10, subject to any funding limitations enacted by the general assembly to the computation.

~~(b) In the case of a community school or STEM school, the aggregate amount of special education funding paid to the school under division (A)(1)(b) of section 3317.026 of the Revised Code times 0.10, subject to any funding limitations enacted by the general assembly to the computation.~~

~~(c)~~ In the case of a joint vocational school district, the aggregate amount of special education funding paid to the school under division (A)(2) of section 3317.16 of the Revised Code times 0.10,

subject to any funding limitations enacted by the general assembly to the computation.

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the department shall withhold from the aggregate amount paid for a fiscal year to each city, local, exempted village, and joint vocational school district, ~~community school, and science, technology, engineering, and mathematics school~~ an amount determined by the general assembly, if any, for purposes of this section.

(B) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the department shall use the amount of funds withheld under division (A) of this section for purposes of ~~division (C)(1) of section 3314.08 of the Revised Code, section 3317.0214 of the Revised Code, and division (B) of section 3317.16 of the Revised Code, and section 3326.34 of the Revised Code.~~

For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the department shall use the amount of funds withheld under division (A) of this section, if any, for purposes determined by the general assembly.

(C)(1) For fiscal years 2026 and 2027, the department shall withhold from the aggregate amount paid for a fiscal year to each community school established under Chapter 3314. of the Revised Code and STEM school established under Chapter 3326. of the Revised Code an amount equal to the aggregate amount of special education funding paid to the school under division (A)(1) (b) of section 3317.026 of the Revised Code times 0.05, subject to any funding limitations enacted by the general assembly to the computation.

(2) For fiscal year 2028 and each fiscal year thereafter, the department shall withhold from the aggregate amount paid for a fiscal year to each community school and STEM school an amount determined by the general assembly, if any, for purposes of this section.

(D)(1) For fiscal years 2026 and 2027, the department shall use the amount of funds withheld under division (C) of this section for purposes of division (C)(1) of section 3314.08 of the Revised Code and section 3326.34 of the Revised Code. Any unused funds shall be redistributed by the department, in a manner determined by the department, to community schools and STEM schools in the same proportion that the funds were originally contributed.

(2) For fiscal year 2028 and each fiscal year thereafter, the department shall use the amount of funds withheld under division (C) of this section, if any, for purposes determined by the general assembly.

Sec. 3317.0217. This section shall apply only for fiscal years ~~2024-2026~~ and ~~2025~~2027.

Payment of the amount calculated for a school district under this section shall be made under division (A) of section 3317.022 of the Revised Code.

(A) For each fiscal year, the department of education and workforce shall compute targeted assistance funds for city, local, and exempted village school districts, in accordance with the following formula:

A district's capacity amount for that fiscal year calculated under division (B) of this section + a district's wealth amount for that fiscal year calculated under division (C) of this section

(B) The department shall calculate each district's capacity amount for a fiscal year as follows:

(1) Calculate each district's weighted wealth for that fiscal year, which equals the following sum:

(The amount determined for the district for that fiscal year under division (A)(1)(a) of section 3317.017 of the Revised Code X 0.6) + (the amount determined for the district for that fiscal year under division (A)(2)(a) of section 3317.017 of the Revised Code X 0.4)

(2) Determine the median weighted wealth of all school districts in this state for that fiscal year;

(3) Compute each district's capacity index for that fiscal year by dividing the median weighted wealth of all school districts in this state for that fiscal year by the district's weighted wealth for that fiscal year;

(4) Compute each district's capacity amount for that fiscal year as follows:

(a) The district's capacity amount shall be zero if the district satisfies either of the following criteria for that fiscal year:

(i) The district's capacity index is less than 1.

(ii) The district's enrolled ADM is less than 200.

(b) If the district does not satisfy either of the criteria specified in division (B)(4)(a) of this section for that fiscal year, the district's capacity amount for that fiscal year shall be calculated as follows:

(i) Compute the following amount for the district:

(The median weighted wealth of all school districts in this state for that fiscal year X 0.008) – (the district's weighted wealth for that fiscal year X 0.008)

(ii) If the district's enrolled ADM for that fiscal year is greater than or equal to 200 but less than or equal to 400, the district's capacity amount for that fiscal year shall be equal to 0.05 X the amount computed under division (B)(4)(b)(i) of this section.

(iii) If the district's enrolled ADM for that fiscal year is greater than 400 and less than 600, the district's capacity amount for that fiscal year shall be calculated in accordance with the following formula:

$\{[0.95 \times (\text{the district's enrolled ADM for that fiscal year} - 400)/200] + 0.05\} \times \text{the amount computed under division (B)(4)(b)(i) of this section}$

(iv) If the district's enrolled ADM for that fiscal year is greater than or equal to 600, the district's capacity amount for that fiscal year shall be equal to the amount computed under division (B)(4)(b)(i) of this section.

(C) The department shall calculate each district's wealth amount for a fiscal year as follows:

(1) Calculate each district's weighted wealth per pupil for that fiscal year, which equals the following quotient:

The district's weighted wealth for that fiscal year calculated under division (B)(1) of this section/ (the district's enrolled ADM for that fiscal year - the students described in division (A)(1)(b) of section 3317.03 of the Revised Code + the students described in division (A)(2)(d) of section 3317.03 of the Revised Code)

(2) Determine the median weighted wealth per pupil of all school districts in this state for that fiscal year;

(3) Compute each district's wealth index for that fiscal year by dividing the median weighted wealth per pupil of all school districts in this state for that fiscal year by the district's weighted wealth per pupil for that fiscal year;

(4) Compute each district's wealth amount for that fiscal year, as follows:

(a) If the district's wealth index computed under division (C)(3) of this section for that fiscal year is less than 0.8, the district's wealth amount for that fiscal year shall be zero.

(b) If the district's wealth index computed under division (C)(3) of this section for that fiscal year is greater than or equal to 0.8, the district's wealth amount for that fiscal year shall be calculated in accordance with the following formula:

$$[(\text{The median weighted wealth per pupil of all school districts in this state for that fiscal year} \times 0.014) - (\text{the district's weighted wealth per pupil for that fiscal year} \times 0.0112)] \times \text{the district's enrolled ADM for that fiscal year}$$

2.22.0 Sec. 3317.03. (A) The superintendent of each city, local, and exempted village school district shall report to the department of education and workforce as of the last day of October, March, and June of each year the enrollment of students receiving services from schools under the superintendent's supervision, and the numbers of other students entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code the superintendent is required to report under this section, so that the department can calculate the district's enrolled ADM, formula ADM, total ADM, category one through five career-technical education ADM, category one through three English learner ADM, category one through six special education ADM, transportation ADM, and, for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership.

(1) The enrollment reported by the superintendent during the reporting period shall consist of the number of students in grades kindergarten through twelve receiving any educational services from the district, except that the following categories of students shall not be included in the determination:

(a) Students enrolled in adult education classes;

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

(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 another district pursuant to section 3313.64 or 3313.65 of the Revised Code;

The above boxed and initialed text was disapproved.

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(d) Students for whom tuition is payable pursuant to sections 3317.081 and 3323.141 of the Revised Code;

(e) Students receiving services in the district through a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code.

When reporting students under division (A)(1) of this section, the superintendent also shall report the district where each student is entitled to attend school pursuant to sections 3313.64 and 3313.65 of the Revised Code.

(2) The department shall compile a list of all students reported to be enrolled in a district under division (A)(1) of this section and of the students entitled to attend school in the district pursuant to section 3313.64 or 3313.65 of the Revised Code on an FTE basis but receiving educational services in grades kindergarten through twelve from one or more of the following entities:

(a) A community school pursuant to Chapter 3314. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in such community school;

(b) An alternative school pursuant to sections 3313.974 to 3313.979 of the Revised Code;

(c) A college pursuant to Chapter 3365. of the Revised Code, except when the student is enrolled in the college while also enrolled in a community school pursuant to Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(d) An adjacent or other school district under an open enrollment policy adopted pursuant to section 3313.98 of the Revised Code;

(e) An educational service center or cooperative education district;

(f) Another school district under a cooperative education agreement, compact, or contract;

(g) A chartered nonpublic school with a scholarship paid under section 3317.022 of the Revised Code, if the students qualified for the scholarship under section 3310.03 or 3310.032 of the Revised Code;

(h) An alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code.

As used in this section, "alternative public provider" and "registered private provider" have the same meanings as in section 3310.41 or 3310.51 of the Revised Code, as applicable.

(i) A science, technology, engineering, and mathematics school established under Chapter 3326. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;

(j) A college-preparatory boarding school established under Chapter 3328. of the Revised Code, including any participation in a college pursuant to Chapter 3365. of the Revised Code while enrolled in the school;

(k) A nonchartered nonpublic school if the students have educational savings accounts

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established under sections 3310.21 to 3310.26 of the Revised Code.

(3) The department also shall compile a list of the students entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code who are enrolled in a joint vocational school district or under a career-technical education compact, excluding any students so entitled to attend school in the district who are enrolled in another school district through an open enrollment policy as reported under division (A)(2)(d) of this section and then enroll in a joint vocational school district or under a career-technical education compact.

The department shall provide each city, local, and exempted village school district with an opportunity to review the list of students compiled under divisions (A)(2) and (3) of this section to ensure that the students reported accurately reflect the enrollment of students in the district.

(B) To enable the department to obtain the data needed to complete the calculation of payments pursuant to this chapter, each superintendent shall certify from the reports provided by the department under division (A) of this section all of the following:

(1) The total student enrollment in regular learning day classes included in the report under division (A)(1) or (2), including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, of this section for each of the individual grades kindergarten through twelve in schools under the superintendent's supervision;

(2) The unduplicated count of the number of preschool children with disabilities enrolled in the district for whom the district is eligible to receive funding under section 3317.0213 of the Revised Code adjusted for the portion of the year each child is so enrolled, in accordance with the disability categories prescribed in section 3317.013 of the Revised Code;

(3) The number of children entitled to attend school in the district pursuant to section 3313.64 or 3313.65 of the Revised Code who are:

(a) Enrolled in a college under Chapter 3365. of the Revised Code, except when the student is enrolled in the college while also enrolled in a community school pursuant to Chapter 3314. of the Revised Code, a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code;

(b) Participating in a program operated by a county board of developmental disabilities or a state institution.

(4) The total enrollment of pupils in joint vocational schools;

(5) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship

The above boxed and initialed text was disapproved.

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awarded under sections 3310.51 to 3310.64 of the Revised Code;

(6) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for category two disabilities described in division (B) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(7) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(8) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(9) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under sections 3310.51 to 3310.64 of the Revised Code;

(10) The combined enrollment of children with disabilities reported under division (A)(1) or (2) of this section, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section, receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, including children attending a special education program operated by an alternative public provider or a registered private provider with a scholarship awarded under either section 3310.41 or sections 3310.51 to 3310.64 of the Revised Code;

(11) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and

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excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j), and (k)~~ of this section, in category one career-technical education programs or classes, described in division (A)(1) of section 3317.014 of the Revised Code, operated by the school district or by another district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(12) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j), and (k)~~ of this section, in category two career-technical education programs or services, described in division (A)(2) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(13) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j), and (k)~~ of this section, in category three career-technical education programs or services, described in division (A)(3) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(14) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j), and (k)~~ of this section, in category four career-technical education programs or services, described in division (A)(4) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

(15) The enrollment of pupils reported under division (A)(1) or (2) of this section on a full-time equivalency basis, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j), and (k)~~ of this section, in category five career-technical education programs or services, described in division (A)(5) of section 3317.014 of the Revised Code, operated by the school district or another school district that is a member of the district's career-technical planning district, other than a joint vocational school district, or by an educational service center, notwithstanding division (M) of section 3317.02 of the Revised Code and division (C)(3) of this section;

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RmD (16) The enrollment of pupils reported under division (A)(1) or (2) of this section who are English learners described in division (A) of section 3317.016 of the Revised Code, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section;

(17) The enrollment of pupils reported under division (A)(1) or (2) of this section who are English learners described in division (B) of section 3317.016 of the Revised Code, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j)~~, and (k) of this section;

(18) The enrollment of pupils reported under division (A)(1) or (2) of this section who are English learners described in division (C) of section 3317.016 of the Revised Code, including any student described in division (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), and (j) of this section;

(19) The average number of children transported during the reporting period by the school district on board-owned or contractor-owned and -operated buses, reported in accordance with rules adopted by the department;

(20)(a) The number of children, other than preschool children with disabilities, the district placed with a county board of developmental disabilities in fiscal year 1998. Division (B)(20)(a) of this section does not apply after fiscal year 2013.

(b) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code;

(c) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for category two disabilities described in division (B) of section 3317.013 of the Revised Code;

(d) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code;

(e) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code;

(f) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code;

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(g) The number of children with disabilities, other than preschool children with disabilities, placed with a county board of developmental disabilities in the current fiscal year to receive special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code.

(21) The enrollment of students who are economically disadvantaged, as defined by the department, including any student described in divisions (A)(1)(b) of this section and excluding any student reported under divisions (A)(2)(a), (b), (d), (g), (h), (i), ~~and (j), and (k)~~ of this section. A student shall not be categorically excluded from the number reported under division (B)(21) of this section based on anything other than family income.

(22) The enrollment of students identified as gifted under division (A), (B), (C), or (D) of section 3324.03 of the Revised Code.

(C)(1) The department shall adopt rules necessary for implementing divisions (A), (B), and (D) of this section.

(2) A student enrolled in a community school established under Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code shall be counted in the formula ADM of the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code for the same proportion of the school year that the student is counted in the enrollment of the community school, the science, technology, engineering, and mathematics school, or the college-preparatory boarding school for purposes of section 3317.022 or 3328.24 of the Revised Code. Notwithstanding the enrollment of students reported pursuant to division (A)(2)(a), (i), or (j) of this section, the department may adjust the formula ADM of a school district to account for students entitled to attend school in the district under section 3313.64 or 3313.65 of the Revised Code who are enrolled in a community school, a science, technology, engineering, and mathematics school, or a college-preparatory boarding school for only a portion of the school year.

(3) No child shall be counted as more than a total of one child in the sum of the enrollment of students of a school district under division (A), divisions (B)(1) to (22), or division (D) of this section, except as follows:

(a)(i) A child with a disability described in section 3317.013 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, two, three, four, or five career-technical education ADM. As provided in division (M) 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.

(ii) A child with a disability described in section 3317.013 of the Revised Code may be counted both in enrolled ADM and in category one, two, three, four, five, or six special education ADM and, if applicable, in category one, two, three, four, or five career-technical education ADM.

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As provided in division (M) 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 enrolled ADM.

(b)(i) A child enrolled in career-technical education programs or classes described in section 3317.014 of the Revised Code may be counted both in formula ADM and category one, two, three, four, or five career-technical 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, two, three, four, or five career-technical education ADM in the same proportion as the percentage of time that the child spends in the career-technical education programs or classes.

(ii) A child enrolled in career-technical education programs or classes described in section 3317.014 of the Revised Code may be counted both in enrolled ADM and category one, two, three, four, or five career-technical 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, two, three, four, or five career-technical education ADM in the same proportion as the percentage of time that the child spends in the career-technical education programs or classes.

(4) Based on the information reported under this section, the department shall determine the total student count, as defined in section 3301.011 of the Revised Code, for each school district.

(D)(1) The superintendent of each joint vocational school district shall report and certify to the department as of the last day of October, March, and June of each year the enrollment of students receiving services from schools under the superintendent's supervision so that the department can calculate the district's enrolled ADM, formula ADM, total ADM, category one through five career-technical education ADM, category one through three English learner ADM, category one through six special education ADM, and for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership.

The enrollment reported and certified by the superintendent, except as otherwise provided in this division, shall consist of the number of students in grades six through twelve receiving any educational services from the district, except that the following categories of students shall not be included in the determination:

- (a) Students enrolled in adult education classes;
- (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;
- (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;
- (d) Students for whom tuition is payable pursuant to sections 3317.081 and 3323.141 of the Revised Code.

(2) To enable the department to obtain the data needed to complete the calculation of payments pursuant to this chapter, each superintendent shall certify from the report provided under

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division (D)(1) of this section the enrollment for each of the following categories of students:

(a) Students enrolled in each individual grade included in the joint vocational district schools, including any student described in division (D)(1)(b) of this section;

(b) Children with disabilities receiving special education services for the category one disability described in division (A) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(c) Children with disabilities receiving special education services for the category two disabilities described in division (B) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(d) Children with disabilities receiving special education services for category three disabilities described in division (C) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(e) Children with disabilities receiving special education services for category four disabilities described in division (D) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(f) Children with disabilities receiving special education services for the category five disabilities described in division (E) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(g) Children with disabilities receiving special education services for category six disabilities described in division (F) of section 3317.013 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(h) Students receiving category one career-technical education services, described in division (A)(1) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(i) Students receiving category two career-technical education services, described in division (A)(2) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(j) Students receiving category three career-technical education services, described in division (A)(3) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(k) Students receiving category four career-technical education services, described in division (A)(4) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(l) Students receiving category five career-technical education services, described in division (A)(5) of section 3317.014 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(m) English learners described in division (A) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

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(n) English learners described in division (B) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(o) English learners described in division (C) of section 3317.016 of the Revised Code, including any student described in division (D)(1)(b) of this section;

(p) Students who are economically disadvantaged, as defined by the department, including any student described in division (D)(1)(b) of this section. A student shall not be categorically excluded from the number reported under division (D)(2)(p) of this section based on anything other than family income.

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 enrollment, which record shall accurately show, for each day the school is in session, the actual enrollment in regular day classes. For the purpose of determining the enrollment of students, the enrollment figure of any school shall not include any pupils except those pupils described by division (A) or (D) of this section. The record of enrollment for each school shall be maintained in such manner that no pupil shall be counted as enrolled 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 enrolled from and after the date of such withdrawal. There shall not be included in the enrollment 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 assessments were administered under section 3301.0711 of the Revised Code but did not take one or more of the 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;

(5) Any pupil who has a certificate of high school equivalence as defined in section 5107.40 of the Revised Code.

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 the enrollment of students determined under this

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section.

Notwithstanding division (E)(3) of this section, the enrollment of any school may include a pupil who did not take an assessment required by section 3301.0711 of the Revised Code if the department of education and workforce grants a waiver from the requirement to take the assessment to the specific pupil and a parent is not paying tuition for the pupil pursuant to section 3313.6410 of the Revised Code. The department may grant such a waiver only for good cause in accordance with rules adopted by the department.

The enrolled ADM, formula ADM, total ADM, category one through five career-technical education ADM, category one through three English learner ADM, category one through six special education ADM, transportation ADM, and, for purposes of provisions of law outside of Chapter 3317. of the Revised Code, average daily membership of any school district shall be determined in accordance with rules adopted by the department.

(F)(1) If a student attending a community school under Chapter 3314., a science, technology, engineering, and mathematics school established under Chapter 3326., or a college-preparatory boarding school established under Chapter 3328. of the Revised Code is not included in the formula ADM calculated for the school district in which the student is entitled to attend school under section 3313.64 or 3313.65 of the Revised Code, the department shall adjust the formula ADM of that school district to include the student in accordance with division (C)(2) of this section.

(2) If a student awarded an educational choice scholarship is not included in the formula ADM of the school district in which the student resides, the department shall adjust the formula ADM of that school district to include the student.

(3) If a student awarded a scholarship under the Jon Peterson special needs scholarship program is not included in the formula ADM of the school district in which the student resides, the department shall adjust the formula ADM of that school district to include the student.

(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 department, in the manner prescribed by the director of education and workforce, both of the following:

(i) The unduplicated count of the number of all children with disabilities other than preschool children with disabilities receiving services at the institution for each category of disability described in divisions (A) to (F) of section 3317.013 of the Revised Code adjusted for the portion of the year each child is so enrolled;

(ii) The unduplicated count of the number of all preschool children with disabilities in classes or programs for whom the district is eligible to receive funding under section 3317.0213 of the Revised Code adjusted for the portion of the year each child is so enrolled, reported according to the categories prescribed in section 3317.013 of the Revised Code.

(b) The superintendent of an institution with career-technical education units approved under section 3317.05 of the Revised Code shall, for the units under the superintendent's supervision,

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certify to the department the enrollment in those units, in the manner prescribed by the director of education and workforce.

(2) The superintendent of each county board of developmental disabilities that maintains special education classes under section 3317.20 of the Revised Code or provides services to preschool children with disabilities pursuant to an agreement between the county board and the appropriate school district shall do both of the following:

(a) Certify to the department, in the manner prescribed by the department, the enrollment in classes under section 3317.20 of the Revised Code for each school district that has placed children in the classes;

(b) Certify to the department, in the manner prescribed by the department, the unduplicated count of the number of all preschool children with disabilities enrolled in classes for which the board is eligible to receive funding under section 3317.0213 of the Revised Code adjusted for the portion of the year each child is so enrolled, reported according to the categories prescribed in section 3317.013 of the Revised Code, and the number of those classes.

(H) Except as provided in division (I) of this section, when any city, local, or exempted village school district provides instruction for a nonresident pupil whose attendance is unauthorized attendance as defined in section 3327.06 of the Revised Code, that pupil's enrollment shall not be included in that district's enrollment figure used in calculating the district's payments under this chapter. The reporting official shall report separately the enrollment of all pupils whose attendance in the district is unauthorized attendance, and the enrollment of each such pupil shall be credited to the school district in which the pupil is entitled to attend school under division (B) of section 3313.64 or section 3313.65 of the Revised Code as determined by the department.

(I) This division shall not apply on or after September 30, 2021.

(1) A city, local, exempted village, or joint vocational school district admitting a scholarship student of a pilot project district pursuant to division (C) of section 3313.976 of the Revised Code may count such student in its enrollment.

(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 its enrollment:

(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;

(b) All children who were enrolled in the district in the preceding year who are utilizing a scholarship to attend an alternative school.

(J) The superintendent of each cooperative education school district shall certify to the director of education and workforce, in a manner prescribed by the department, the applicable enrollments 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.

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(K) If the director of education and workforce determines that a component of the enrollment certified or reported by a district superintendent, or other reporting entity, is not correct, the director of education and workforce may order that the district's enrolled ADM, formula ADM, or both be adjusted in the amount of the error.

Sec. 3317.035. The auditor of state may conduct annual audits of the information certified under section 3317.03 of the Revised Code ~~by a number of school districts determined by the auditor of state and selected at random.~~

Sec. 3317.051. (A) The department of education and workforce shall compute and pay to a school district funds based on units for services to students identified as gifted under Chapter 3324. of the Revised Code as prescribed by this section.

(B) The department shall allocate gifted units for a school district as follows:

(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~:

(a) One gifted coordinator unit shall be allocated for every 3,300 students in a district's enrolled ADM, with a minimum of 0.5 units and a maximum of 8 units allocated for the district.

(b) One kindergarten through eighth grade gifted intervention specialist unit shall be allocated for every 140 gifted students enrolled in grades kindergarten through eight in the district, as certified under division (B)(22) of section 3317.03 of the Revised Code, with a minimum of 0.3 units allocated for the district.

(c) One ninth through twelfth grade gifted intervention specialist unit shall be allocated for every 140 gifted students enrolled in grades nine through twelve in the district, as certified under division (B)(22) of section 3317.03 of the Revised Code, with a minimum of 0.3 units allocated for the district.

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, in the manner prescribed by the general assembly.

(C) The department shall pay an amount to a school district for gifted units as follows:

(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, an amount equal to the following sum:

$(\$85,776 \times \text{the number of units allocated to a school district under division (B)(1)(a) of this section} \times \text{the district's state share percentage}) + (\$89,378 \times \text{the number of units allocated to a school district under division (B)(1)(b) of this section} \times \text{the district's state share percentage}) + (\$80,974 \times \text{the number of units allocated to a school district under division (B)(1)(c) of this section} \times \text{the district's state share percentage})$

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(D) A school district may assign gifted unit funding that it receives under division (C) of this section to another school district, an educational service center, a community school, or a STEM school as part of an arrangement to provide services to the district.

Sec. 3317.06. Moneys paid to school districts under division (E)(1) of section 3317.024 of the Revised Code shall be used for the following independent and fully severable purposes:

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(A) To purchase such secular textbooks or digital texts as have been approved by the department of education and workforce for use in public schools in the state and to loan such textbooks or digital texts to pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code or to their parents and to hire clerical personnel to administer such lending program. Such loans shall be based upon individual requests submitted by such nonpublic school pupils or parents. Such requests shall be submitted to the school district in which the nonpublic school is located. Such individual requests for the loan of textbooks or digital texts shall, for administrative convenience, be submitted by the nonpublic school pupil or the pupil's parent to the nonpublic school, which shall prepare and submit collective summaries of the individual requests to the school district. As used in this section:

(1) "Textbook" means any book or book substitute that a pupil uses as a consumable or nonconsumable text, text substitute, or text supplement in a particular class or program in the school the pupil regularly attends.

(2) "Digital text" means a consumable book or book substitute that a student accesses through the use of a computer or other electronic medium or that is available through an internet-based provider of course content, or any other material that contributes to the learning process through electronic means.

(B) To provide speech and hearing diagnostic services to pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code. Such service shall be provided in the nonpublic school attended by the pupil receiving the service.

(C) To provide physician, nursing, dental, and optometric services to pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code. Such services shall be provided in the school attended by the nonpublic school pupil receiving the service.

(D) To provide diagnostic mental health or psychological services to pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code. Such services shall be provided in the school attended by the pupil receiving the service.

(E) To provide therapeutic mental health, psychological, and speech and hearing services to pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code. Such services shall be provided in the public school, in nonpublic schools, in public centers, or in mobile units located on or off of the nonpublic premises. If such services are provided in the public school or in public centers, transportation to and from such facilities shall be provided by the school district in which the nonpublic school is located.

(F) To provide guidance, counseling, and social work services to pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code. Such services shall be provided in the public school, in nonpublic schools, in public centers, or in mobile units located on or off of the nonpublic premises. If such services are provided in the public school or in public centers, transportation to and from such facilities shall be provided by the school

district in which the nonpublic school is located.

(G) To provide remedial services to pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code. Such services shall be provided in the public school, in nonpublic schools, in public centers, or in mobile units located on or off of the nonpublic premises. If such services are provided in the public school or in public centers, transportation to and from such facilities shall be provided by the school district in which the nonpublic school is located.

(H) To supply for use by pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code such standardized tests and scoring services as are in use in the public schools of the state;

(I) To provide programs for children who attend nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code and are children with disabilities as defined in section 3323.01 of the Revised Code or gifted children. Such programs shall be provided in the public school, in nonpublic schools, in public centers, or in mobile units located on or off of the nonpublic premises. If such programs are provided in the public school or in public centers, transportation to and from such facilities shall be provided by the school district in which the nonpublic school is located.

(J) To hire clerical personnel to assist in the administration of programs pursuant to divisions (B), (C), (D), (E), (F), (G), and (I) of this section and to hire supervisory personnel to supervise the providing of services and textbooks pursuant to this section.

(K) To purchase or lease any secular, neutral, and nonideological computer application software designed to assist students in performing a single task or multiple related tasks, device management software, learning management software, site-licensing, digital video on demand (DVD), wide area connectivity and related technology as it relates to internet access, mathematics or science equipment and materials, instructional materials, and school library materials that are in general use in the public schools of the state and loan such items to pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code or to their parents, and to hire clerical personnel to administer the lending program. Only such items that are incapable of diversion to religious use and that are susceptible of loan to individual pupils and are furnished for the use of individual pupils shall be purchased and loaned under this division. As used in this section, "instructional materials" means prepared learning materials that are secular, neutral, and nonideological in character and are of benefit to the instruction of school children. "Instructional materials" includes media content that a student may access through the use of a computer or electronic device.

Mobile applications that are secular, neutral, and nonideological in character and that are purchased for less than twenty dollars for instructional use shall be considered to be consumable and shall be distributed to students without the expectation that the applications must be returned.

(L) To purchase or lease instructional equipment, including computer hardware and related

equipment in general use in the public schools of the state, for use by pupils attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code and to loan such items to pupils attending such nonpublic schools within the district or to their parents, and to hire clerical personnel to administer the lending program. "Computer hardware and related equipment" includes desktop computers and workstations; laptop computers, computer tablets, and other mobile handheld devices; their operating systems and accessories; and any equipment designed to make accessible the environment of a classroom to a student, who is physically unable to attend classroom activities due to hospitalization or other circumstances, by allowing real-time interaction with other students both one-on-one and in group discussion.

(M) To purchase mobile units to be used for the provision of services pursuant to divisions (E), (F), (G), and (I) of this section and to pay for necessary repairs and operating costs associated with these units.

(N) To reimburse costs the district incurred to store the records of a chartered nonpublic school that closes. Reimbursements under this division shall be made one time only for each chartered nonpublic school described in division (E)(1) of section 3317.024 of the Revised Code that closes.

(O) To purchase life-saving medical or other emergency equipment for placement in nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code or to maintain such equipment.

(P) To procure and pay for security services from a county sheriff or a township or municipal police force, from a retired Ohio peace officer, or from a person certified through the Ohio peace officer training commission, in accordance with section 109.78 of the Revised Code, as a special police, security guard, or as a privately employed person serving in a police capacity for nonpublic schools in the district described in division (E)(1) of section 3317.024 of the Revised Code.

(Q) To provide language and academic support services and other accommodations for English learners attending nonpublic schools within the district described in division (E)(1) of section 3317.024 of the Revised Code.

Clerical and supervisory personnel hired pursuant to division (J) of this section shall perform their services in the public schools, in nonpublic schools, public centers, or mobile units where the services are provided to the nonpublic school pupil, except that such personnel may accompany pupils to and from the service sites when necessary to ensure the safety of the children receiving the services.

All services provided pursuant to this section may be provided under contract with educational service centers, the department of health, city or general health districts, or private agencies whose personnel are properly licensed by an appropriate state board or agency. School districts shall not deny a nonpublic school's request for personnel who are properly licensed by a state board or agency.

Transportation of pupils provided pursuant to divisions (E), (F), (G), and (I) of this section shall be provided by the school district from its general funds and not from moneys paid to it under division (E)(1) of section 3317.024 of the Revised Code unless a special transportation request is submitted by the parent of the child receiving service pursuant to such divisions. If such an application is presented to the school district, it may pay for the transportation from moneys paid to it under division (E)(1) of section 3317.024 of the Revised Code.

No school district shall provide health or remedial services to nonpublic school pupils as authorized by this section unless such services are available to pupils attending the public schools within the district.

Materials, equipment, computer hardware or software, textbooks, digital texts, and health and remedial services provided for the benefit of nonpublic school pupils pursuant to this section and the admission of pupils to such nonpublic schools shall be provided without distinction as to race, creed, color, or national origin of such pupils or of their teachers.

No school district shall provide services, materials, or equipment that contain religious content for use in religious courses, devotional exercises, religious training, or any other religious activity.

As used in this section, "parent" includes a person standing in loco parentis to a child.

Notwithstanding section 3317.01 of the Revised Code, payments shall be made under this section to any city, local, or exempted village school district within which is located one or more nonpublic elementary or high schools described in division (E)(1) of section 3317.024 of the Revised Code and any payments made to school districts under division (E)(1) of section 3317.024 of the Revised Code for purposes of this section may be disbursed without submission to and approval of the controlling board.

The allocation of payments for materials, equipment, textbooks, digital texts, health services, and remedial services to city, local, and exempted village school districts shall be on the basis of the department's estimated annual average daily membership in nonpublic elementary and high schools located in the district described in division (E)(1) of section 3317.024 of the Revised Code.

Payments made to city, local, and exempted village school districts under this section shall be equal to specific appropriations made for the purpose. All interest earned by a school district on such payments shall be used by the district for the same purposes and in the same manner as the payments may be used.

The department shall adopt guidelines and procedures under which such programs and services shall be provided, under which districts and educational service centers with which districts contract to provide auxiliary services shall be reimbursed for administrative costs incurred in providing such programs and services, and under which any unexpended balance of the amounts appropriated by the general assembly to implement this section may be transferred to the auxiliary services personnel unemployment compensation fund established pursuant to section 4141.47 of the Revised Code. If a district contracts with an educational service center to provide auxiliary services,

only the service center shall be reimbursed for administrative costs. The department shall also adopt guidelines and procedures limiting the purchase and loan of the items described in division (K) of this section to items that are in general use in the public schools of the state, that are incapable of diversion to religious use, and that are susceptible to individual use rather than classroom use. Within thirty days after the end of each biennium, each board of education shall remit to the department all moneys paid to it under division (E)(1) of section 3317.024 of the Revised Code and any interest earned on those moneys that are not required to pay expenses incurred under this section during the biennium for which the money was appropriated and during which the interest was earned. If a board of education subsequently determines that the remittal of moneys leaves the board with insufficient money to pay all valid expenses incurred under this section during the biennium for which the remitted money was appropriated, the board may apply to the department for a refund of money, not to exceed the amount of the insufficiency. If the department determines the expenses were lawfully incurred and would have been lawful expenditures of the refunded money, it shall certify its determination and the amount of the refund to be made to the director of job and family services who shall make a refund as provided in section 4141.47 of the Revised Code.

Each school district shall label materials, equipment, computer hardware or software, textbooks, and digital texts purchased or leased for loan to a nonpublic school under this section, acknowledging that they were purchased or leased with state funds under this section. However, a district need not label materials, equipment, computer hardware or software, textbooks, or digital texts that the district determines are consumable in nature or have a value of less than two hundred dollars.

Sec. 3317.11. (A) As used in this section:

(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, "base amount" is equal to \$356,250.

(2) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, "funding base" means an amount calculated by the department of education and workforce that is equal to the amount an educational service center would have received under Section 265.360 of H.B. 166 of the 133rd general assembly for fiscal year 2020 using the student counts of the school districts with which the service center has service agreements for the fiscal year for which payments under this section are being made.

(3) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, "general phase-in percentage" for an educational service center means the "general phase-in percentage" for school districts as defined in section 3317.02 of the Revised Code.

(4) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, "student count" means the count calculated under division (G)(1) of section 3313.843 of the Revised Code.

(B)(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the department of education and workforce shall pay the governing board of each educational service center an amount equal to the following:

The educational service center's funding base + [(the amount calculated for the educational service center for that fiscal year under division (C) of this section - the educational service center's funding base) X the educational service center's general phase-in percentage for that fiscal year]

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the department shall pay the governing board of each educational service center an amount calculated in a manner determined by the general assembly.

(C) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the department shall calculate an amount for each educational service center as follows:

(1) If the educational service center has a student count of 5,000 students or less, the base amount.

(2) If the educational service center has a student count greater than 5,000 students but less than or equal to 35,000 students, the following sum:

The base amount + [(the educational service center's student count - 5,000) X \$24.72]

(3) If the educational service center has a student count greater than 35,000 students, the following sum:

The base amount + (30,000 X \$24.72) + [(the educational service center's student count - 35,000) X \$30.90]

Sec. 3317.16. The department of education and workforce shall compute and distribute state core foundation funding to each funding unit that is a joint vocational school district for the fiscal year as follows:

For fiscal years ~~2024-2026~~ and ~~2025-2027~~:

The district's funding base + [(the district's state core foundation funding components for that fiscal year calculated under divisions (A)(1), (2), (4), (5), and (6) of this section - the district's general funding base) X the district's general phase-in percentage for that fiscal year] + [(the district's disadvantaged pupil impact aid for that fiscal year calculated under division (A)(3) of this section - the district's disadvantaged pupil impact aid funding base) X the district's phase-in percentage for disadvantaged pupil impact aid for that fiscal year]

For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the sum of the district's state core foundation funding components for that fiscal year calculated under divisions (A)(1), (2), (3), (4), (5), and (6) of this section.

(A) A district's state core foundation funding components shall be all of the following:

(1) The district's state share of the base cost, which is equal to the following:

(a) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, an amount calculated according to the following formula:

~~(The district's base cost calculated under section 3317.012 of the Revised Code) - (0.0005 X the lesser of the district's three year average valuation or the district's most recent valuation) -~~

~~However, no district shall receive an amount under division (A)(1) of this section that is less than 0.10 times the base cost calculated for the district under section 3317.012 of the Revised Code: enrolled ADM for the fiscal year) X (the district's state share percentage for the fiscal year) X (the~~

district's base cost per pupil for the fiscal year)

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

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

(a) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the sum of the following:

(i) The district's category one special education ADM X the multiple specified in division (A) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage;

(ii) The district's category two special education ADM X the multiple specified in division (B) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage;

(iii) The district's category three special education ADM X the multiple specified in division (C) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage;

(iv) The district's category four special education ADM X the multiple specified in division (D) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage;

(v) The district's category five special education ADM X the multiple specified in division (E) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage;

(vi) The district's category six special education ADM X the multiple specified in division (F) of section 3317.013 of the Revised Code X the statewide average base cost per pupil for that fiscal year X the district's state share percentage.

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the sum of the following:

(i) An amount calculated in a manner determined by the general assembly times the funding unit's category one special education ADM;

(ii) An amount calculated in a manner determined by the general assembly times the funding unit's category two special education ADM;

(iii) An amount calculated in a manner determined by the general assembly times the funding unit's category three special education ADM;

(iv) An amount calculated in a manner determined by the general assembly times the funding unit's category four special education ADM;

(v) An amount calculated in a manner determined by the general assembly times the funding unit's category five special education ADM;

(vi) An amount calculated in a manner determined by the general assembly times the funding unit's category six special education ADM.

(3) Disadvantaged pupil impact aid calculated as follows:

(a) For fiscal years ~~2024-2026~~ and ~~2025~~2027, an amount calculated according to the following formula:

$\$422 \times \text{the district's economically disadvantaged index} \times \text{the number of students who are economically disadvantaged as certified under division (D)(2)(p) of section 3317.03 of the Revised Code}$

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount calculated in a manner determined by the general assembly.

(4) English learner funds calculated as follows:

(a) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the sum of the following:

(i) The district's category one English learner ADM $\times$ the multiple specified in division (A) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ the district's state share percentage;

(ii) The district's category two English learner ADM $\times$ the multiple specified in division (B) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ the district's state share percentage;

(iii) The district's category three English learner ADM $\times$ the multiple specified in division (C) of section 3317.016 of the Revised Code $\times$ the statewide average base cost per pupil for that fiscal year $\times$ the district's state share percentage.

(b) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, the sum of the following:

(i) An amount calculated in a manner determined by the general assembly times the funding unit's category one English learner ADM;

(ii) An amount calculated in a manner determined by the general assembly times the funding unit's category two English learner ADM;

(iii) An amount calculated in a manner determined by the general assembly times the funding unit's category three English learner ADM.

(5) Career-technical education funds calculated under division (C) of section 3317.014 of the Revised Code.

(6) Career-technical education associated services funds calculated under division (D) of section 3317.014 of the Revised Code.

(B)(1) If a joint vocational school district's costs for a fiscal year for a student in its categories two through six special education ADM exceed the threshold cost for serving the student, as specified in division (B) of section 3317.0214 of the Revised Code, the district may submit to the department documentation, as prescribed by the department, of all of its costs for that student. Upon submission of documentation for a student of the type and in the manner prescribed, the department shall pay to the district an amount equal to the sum of the following:

(a) One-half of the district's costs for the student in excess of the threshold cost;

(b) The product of one-half of the district's costs for the student in excess of the threshold cost multiplied by the district's state share percentage.

(2) The district shall report under division (B)(1) of this section, and the department shall pay for, only 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.

(C)(1) 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 school 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 division (A) of this section.

Those excess costs shall be calculated using a formula approved by the department.

(2) The board of education of the joint vocational school district may report the excess costs calculated under division (C)(1) of this section to the department.

(3) If the board of education of the joint vocational school district reports excess costs under division (C)(2) of this section, the department shall pay the amount of excess cost calculated under division (C)(2) of this section to the joint vocational school district and shall deduct that amount as provided in division (C)(3)(a) or (b) of this section, as applicable:

(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 (J) of section 3317.023 of the Revised Code.

(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.

(D) A joint vocational school district shall spend the funds it receives under division (A)(3) of this section in accordance with section 3317.25 of the Revised Code.

(E) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, a school district shall spend the funds it receives under division (A)(4) of this section only for services for English learners.

(F) As used in this section:

(1) "Community school" means a community school established under Chapter 3314. of the Revised Code.

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

Sec. 3317.161. (A) As used in this section, "lead district" has the same meaning as in section 3317.023 of the Revised Code.

(B)(1) A career-technical education program or a dropout prevention and recovery program of a city, local, or exempted village school district, community school, or STEM school shall be subject to approval under this section in order for the district or school to qualify for state funding for the program. Approval granted under this section shall be valid for the five fiscal years following the fiscal year in which the program is approved and may be renewed. Approval shall be subject to

annual review under division (E) of this section.

(2) If a district or school becomes a new member of a career-technical planning district, its career-technical education programs shall be approved or disapproved by the lead district of the career-technical planning district during the fiscal year in which the district or school becomes a member of the career-technical planning district. Any program of the district or school that was approved by the department of education and workforce for an approval period that includes the fiscal year in which the district or school becomes a new member of the career-technical planning district shall retain its approved status during that fiscal year.

(3) If an existing member of a career-technical planning district develops a new career-technical education program, that program shall be approved or disapproved by the lead district of the career-technical planning district prior to the first fiscal year for which the district or school is seeking funding for the program.

(4) Except as provided in division (B)(2) of this section, if a career-technical education program was approved by the department prior to September 29, 2013, that approval remains valid for the unexpired remainder of the approval period specified by the department. Approval of that program may then be renewed in accordance with this section on a date prior to the expiration of the approval period.

(C)(1) The lead district of a career-technical planning district shall approve or disapprove for a five-year period each career-technical education program of the city, local, and exempted village school districts, community schools, and STEM schools that are assigned by the department to the career-technical planning district. The lead district's decision to approve or disapprove a program shall be based on requirements for career-technical education programs that are specified in rules adopted by the department. These requirements shall include, but are not limited to, all of the following:

- (a) Demand for the career-technical education program by industries in the state;
- (b) Quality of the program;
- (c) Potential for a student enrolled in the program to receive the training that will qualify the student for industry credentials or post-secondary education;
- (d) Admission requirements of the lead district;
- (e) Past performance of the district or school that is offering the program;
- (f) Traveling distance;
- (g) Sustainability;
- (h) Capacity;
- (i) Availability of the program within the career-technical planning district;
- (j) In the case of a new program, the cost to begin the program.

~~(2) The lead district shall approve or disapprove each program not later than the first day of March prior to the first fiscal year for which the district or school is seeking funding for the program.~~ If a program is approved, the lead district shall notify the department of its decision. If a

program is disapproved, the lead district shall notify the district or school of its decision.

If the lead district disapproves the program or does not take any action to approve or disapprove the program ~~by the first day of March~~, the district or school may appeal the lead district's decision or failure to take action to the department ~~by the fifteenth day of March~~.

(D)(1) Upon receiving notification of a lead district's approval of a district's or school's career-technical education program, the department shall review the lead district's decision and determine whether to approve or disapprove the program ~~not later than the fifteenth day of May prior to the first fiscal year for which the district or school is seeking funding for the program~~. The department shall notify the district or school and the lead district of the district's or school's career-technical planning district of its determination.

(2) Upon receiving an appeal from a district or school of a lead district's disapproval of a career-technical education program or failure to take action to approve or disapprove the program, the department shall review the lead district's disapproval or failure to take action. The department shall decide whether to approve or disapprove the program as a result of this review ~~not later than the fifteenth day of May prior to the first fiscal year for which the district or school is seeking funding for the program~~. The department shall notify the lead district and the appealing district or school of its determination.

(3) In conducting a review under division (D)(1) or (2) of this section, the department shall consider the criteria prescribed under division (C)(1) of this section.

(4) If the department approves a program under division (D)(1) or (2) of this section, it shall authorize the payment to the district or school of the funds attributed to the career-technical students enrolled in that program in the next fiscal year according to a payment schedule prescribed by the department.

(5) The department's decisions under divisions (D)(1) and (2) of this section shall be final and not appealable.

~~(6) The director of education and workforce may adopt guidelines identifying circumstances in which the department may, after consulting with a lead district, approve or disapprove a program that has been approved or disapproved by the lead district after the deadline prescribed in division (D)(1) or (2) of this section has passed.~~

The department shall authorize a payment for any dropout prevention and recovery program offering career-technical education that is in its first year of operation and that submits an application ~~during the additional application period described in division (D)(6) of this section~~ in the fiscal year for which the application was submitted.

(E) The department and the lead district of each career-technical planning district shall conduct an annual review of each career-technical education program in the lead district's career-technical planning district that receives approval under this section. Continued funding of the program during the five-year approval period shall be subject to the school's compliance with any directives for performance improvement that are issued by the department or the lead district as a

result of any review conducted under this section.

Sec. 3317.162. (A) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, the department of education and workforce shall pay temporary transitional aid to each joint vocational school district according to the following formula:

(The district's funding base, as that term is defined in section 3317.02 of the Revised Code) – (the district's payment under section 3317.16 of the Revised Code for the fiscal year for which the payment is computed)

If the computation made under division (A) of this section results in a negative number, the district's funding under division (A) of this section shall be zero.

(B) If a joint vocational school district begins receiving payments under section 3317.16 of the Revised Code for fiscal year ~~2024-2026~~ or fiscal year ~~2025-2027~~ but does not receive payments for the fiscal year immediately preceding that fiscal year, the department shall establish the district's funding base, as that term is defined in section 3317.02 of the Revised Code, as an amount equal to the absolute value of the sum of the associated adjustments of any local school district's funding base under division (C) of section 3317.019 of the Revised Code.

Sec. 3317.163. (A) As used in this section:

(1) "Credential-only program" means an industry-approved credentialing program, or a series of such programs, offered by a dropout prevention and recovery community school in which students enrolled in grades eleven and twelve may earn an industry-recognized credential approved under section 3313.6113 of the Revised Code. The program, or programs, shall align with a career-technical education program approved under section 3317.161 of the Revised Code. The dropout prevention and recovery community school shall offer the program, or programs, using classroom teachers employed by the school.

(2) "Dropout prevention and recovery community school" has the same meaning as in section ~~3319.301-3314.02~~ of the Revised Code.

(B) Notwithstanding any provision of Chapter 3317. of the Revised Code to the contrary, all of the following shall apply:

(1) For the purposes of sections 3317.014, 3317.022, and 3317.026 of the Revised Code, the department of education and workforce shall adjust the career-technical education ADM of a dropout prevention and recovery community school that offers a credential-only program so that each student enrolled in that program is included only in the school's category one career-technical education ADM, regardless of whether the credential-only program includes programs described in division (A)(1) of section 3317.014 of the Revised Code.

(2) For funding purposes, the department shall count each student enrolled in a credential-only program as a full-time student.

(3) A dropout prevention and recovery community school that offers a credential-only program may provide support services to students who graduate from the school to assist them in securing post-secondary placement opportunities, including careers with state, regional, or local

labor organizations. For that purpose, the school may use a portion of the career-technical education funds received under section 3317.022 of the Revised Code to provide recent graduates, in the year following their graduation from the school, with short-term, emergency financial assistance for expenses related to child care, housing, food insecurity, transportation, and services including but not limited to health care, dental care, mental health care, and addiction treatment services.

Sec. 3317.165. (A)(1) For fiscal years 2026 and 2027, the department of education and workforce shall calculate a joint vocational school district's per-pupil local capacity amount according to the following formula:

$(0.0005 \times \text{the lesser of the district's three-year average valuation or the district's most recent valuation}) / (\text{the district's base cost enrolled ADM})$

(2) For fiscal year 2028 and each fiscal year thereafter, the department shall calculate a district's per-pupil local capacity amount in a manner determined by the general assembly.

(B)(1) For fiscal years 2026 and 2027, the department shall calculate a joint vocational school district's state share percentage according to the following formula:

$(\text{The district's base cost per pupil for the fiscal year} - \text{the district's per-pupil local capacity amount for the fiscal year}) / (\text{the district's base cost per pupil for the fiscal year})$

If the result is less than 0.10, the state share percentage shall be 0.10.

(2) For fiscal year 2028 and each fiscal year thereafter, the department shall calculate the state share percentage for a joint vocational school district in a manner determined by the general assembly.

Sec. 3317.20. This section does not apply to preschool children with disabilities.

(A) As used in this section:

(1) "Applicable special education amount" means the amount specified in section 3317.013 of the Revised Code for a disability described in that section.

(2) "Child's school district" means the school district in which a child is entitled to attend school pursuant to section 3313.64 or 3313.65 of the Revised Code.

(3) "State share percentage" means the state share percentage of the child's school district.

(B) The department shall annually pay each county board of developmental disabilities for each child with a disability, other than a preschool child with a disability, for whom the county board provides special education and related services an amount equal to the following:

(1) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the statewide average base cost per pupil + (state share percentage X the applicable special education multiple X the statewide average base cost per pupil);

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, an amount determined by the general assembly.

(C) Each county board of developmental disabilities shall report to the department, in the manner specified by the department, the name of each child for whom the county board of

developmental disabilities provides special education and related services and the child's school district.

(D)(1) For the purpose of verifying the accuracy of the payments under this section, the department may request from either of the following entities the data verification code assigned under division (D)(2) of section 3301.0714 of the Revised Code to any child who is placed with a county board of developmental disabilities:

- (a) The child's school district;
- (b) The independent contractor engaged to create and maintain data verification codes.

(2) Upon a request by the department under division (D)(1) of this section for the data verification code of a child, the child's school district shall submit that code to the department in the manner specified by the department. If the child has not been assigned a code, the district shall assign a code to that child and submit the code to the department by a date specified by the department. If the district does not assign a code to the child by the specified date, the department shall assign a code to the child.

The department annually shall submit to each school district the name and data verification code of each child residing in the district for whom the department has assigned a code under this division.

(3) The department shall not release any data verification code that it receives under division (D) of this section to any person except as provided by law.

(E) Any document relative to special education and related services provided by a county board of developmental disabilities that the department holds in its files that contains both a student's name or other personally identifiable information and the student's data verification code shall not be a public record under section 149.43 of the Revised Code.

Sec. 3317.201. This section does not apply to preschool children with disabilities.

(A) As used in this section, the "total special education amount" for an institution means the following:

(1) For fiscal years ~~2024-2026~~ and ~~2025~~2027, the sum of the following amounts:

(a) The number of children certified 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) of section 3317.013 of the Revised Code multiplied by the multiple specified in that division multiplied by the statewide average base cost per pupil;

(b) The number of children certified 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) of section 3317.013 of the Revised Code multiplied by the multiple specified in that division multiplied by the statewide average base cost per pupil;

(c) The number of children certified 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) of section 3317.013 of the Revised Code multiplied by the multiple specified in that division multiplied

by the statewide average base cost per pupil;

(d) The number of children certified 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) of section 3317.013 of the Revised Code multiplied by the multiple specified in that division multiplied by the statewide average base cost per pupil;

(e) The number of children certified 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) of section 3317.013 of the Revised Code multiplied by the multiple specified in that division multiplied by the statewide average base cost per pupil;

(f) The number of children certified 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 (F) of section 3317.013 of the Revised Code multiplied by the multiple specified in that division multiplied by the statewide average base cost per pupil.

(2) For fiscal year ~~2026~~2028 and each fiscal year thereafter, the sum of the following amounts:

(a) An amount calculated in a manner determined by the general assembly times the number of children certified 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) of section 3317.013 of the Revised Code;

(b) An amount calculated in a manner determined by the general assembly times the number of children certified 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) of section 3317.013 of the Revised Code;

(c) An amount calculated in a manner determined by the general assembly times the number of children certified 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) of section 3317.013 of the Revised Code;

(d) An amount calculated in a manner determined by the general assembly times the number of children certified 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) of section 3317.013 of the Revised Code;

(e) An amount calculated in a manner determined by the general assembly times the number of children certified 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) of section 3317.013 of the Revised Code;

(f) An amount calculated in a manner determined by the general assembly times the number of children certified 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 (F) of section 3317.013 of the

Revised Code.

(B) For each fiscal year, the department of education and workforce shall pay each state institution required to provide special education services under division (A) of section 3323.091 of the Revised Code an amount equal to the institution's total special education amount.

Sec. 3317.22. (A) As used in this section:

(1) "Eligible internet- or computer-based community school" means an internet- or computer-based community school ~~in which a majority of the students were enrolled in that is a dropout prevention and recovery program~~ community school, as defined in section 3314.02 of the Revised Code.

(2) "Statewide average base cost per-pupil" has the same meaning as in section 3317.02 of the Revised Code.

~~(3) "Internet- or computer-based community school" has the same meaning as in section 3314.02 of the Revised Code.~~

(B) The department of education and workforce shall establish a program to provide additional funding for students enrolled in grades eight through twelve in eligible internet- or computer-based community schools. An eligible internet- or computer-based community school may choose to participate in the program by notifying the department not later than the first day of February of the school year in which the school will participate in the program in a form and manner determined by the department.

(C) The department shall require each eligible internet- or computer-based community school that chooses to participate in the program to report all information that is necessary to make payments under division (D) of this section.

(D) The department shall calculate an additional payment for each eligible internet- or computer-based community school that chooses to participate in the program, as follows:

(1) Compute the lesser of the following for each student enrolled in grades eight through twelve:

(a) The statewide average base cost per-pupil X the maximum full-time equivalency for the portion of the school year for which the student is enrolled in the school;

(b) The sum of the following:

(i) A one-time payment of \$1,750. In the case of a student enrolled in the school for the first time for the school year for which the payment is being made, payment shall be made under division (D)(1)(b)(i) of this section at least thirty days after the student is considered to be enrolled in the school in accordance with division (H)(2) of section 3314.08 of the Revised Code, provided the student has been continuously enrolled in the school during that time, as determined by the department. In the case of a student that was enrolled in the school for the prior school year, payment shall be made under division (D)(1)(b)(i) of this section at least thirty days after the student has started to participate in learning opportunities for the school year for which the payment is being made, provided the student has been continuously enrolled in the school during that time, as

determined by the department.

(ii) The statewide average base cost per-pupil X (1/920) X the lesser of the number of hours the student participates in learning opportunities in that fiscal year or 920;

(iii) The lesser of (\$500 X either the number of courses completed by the student in that fiscal year, in the case of a student enrolled in grade eight, or the number of credits earned by the student in that fiscal year, in the case of a student enrolled in grades nine through twelve) or \$2,500.

(2) Compute the sum of the amounts calculated under division (D)(1) of this section for all students enrolled in grades eight through twelve.

(3) Compute the school's payment in accordance with the following formula:

(The amount determined under division (D)(2) of this section) - (the number of full-time equivalent students enrolled in grades eight through twelve in the school X the statewide average base cost per-pupil)

If the amount computed under division (D)(3) is a negative number, the school shall not receive a payment under this section.

(E)(1) The department may complete a review of the enrollment of each eligible internet- or computer-based community school that chooses to participate in the program in accordance with division (K) of section 3314.08 of the Revised Code. If the department determines a school has been overpaid based on a review completed under division (E)(1) of this section, the department shall require a repayment of the overpaid funds and may require the school to establish a plan to improve the reporting of enrollment.

(2) To the extent that an eligible internet- or computer-based community school that chooses to participate in the program had, for the prior school year, a percentage of student engagement in learning opportunities that was less than sixty-five per cent, the school shall provide to the department a meaningful plan for increasing student engagement.

(3) All eligible internet- or computer-based community schools that choose to participate in the program shall implement programming or protocol which documents enrollment and participation in learning opportunities in order to participate in the program.

Sec. 3317.25. (A) As used in this section, "disadvantaged pupil impact aid" means the following:

(1) For a city, local, or exempted village school district, the funds received under division (A)(4)(a) of section 3317.022 of the Revised Code;

(2) For a joint vocational school district, the funds received under division (A)(3) of section 3317.16 of the Revised Code;

(3) For a community school established under Chapter 3314. of the Revised Code, the funds received under division (A)(4)(b) of section 3317.022 of the Revised Code;

(4) For a STEM school established under Chapter 3326. of the Revised Code, the funds received under division (A)(4)(b) of section 3317.022 of the Revised Code.

(B)(1) For fiscal years ~~2024-2026~~ and ~~2025~~2027, a city, local, exempted village, or joint

vocational school district, community school, or STEM school shall spend the disadvantaged pupil impact aid it receives for any of the following initiatives or a combination of any of the following initiatives:

- (a) Extended school day and school year;
- (b) Reading improvement and intervention that is aligned with the science of reading and evidence-based strategies for effective literacy instruction;
- (c) Instructional technology or blended learning;
- (d) Professional development in the science of reading and evidence-based strategies for effective literacy instruction for teachers of students in kindergarten through third grade;
- (e) Dropout prevention;
- (f) School safety and security measures;
- (g) Community learning centers that address barriers to learning;
- (h) Academic interventions for students in any of grades six through twelve;
- (i) Employment of an individual who has successfully completed the bright new leaders for Ohio schools program as a principal or an assistant principal under section 3319.272 of the Revised Code;
- (j) Mental health services, including telehealth services, community-based behavioral health services, and recovery supports;
- (k) Culturally appropriate, evidence-based or evidence-informed prevention services, including youth-led programming and curricula to promote mental health and prevent substance use and suicide, and trauma-informed services;
- (l) Services for homeless youth;
- (m) Services for child welfare involved youth;
- (n) Community liaisons or programs that connect students to community resources, including behavioral wellness coordinators and city connects, communities in schools, and other similar programs;
- (o) Physical health care services, including telehealth services and community-based health services;
- (p) Family engagement and support services;
- (q) Student services provided prior to or after the regularly scheduled school day or any time school is not in session, including mentoring programs.

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, each city, local, exempted village, and joint vocational school district, community school, and STEM school shall spend the disadvantaged pupil impact aid it receives for one or more initiatives specified by the general assembly.

(C)(1) For fiscal years ~~2024-2026~~ and ~~2025-2027~~, each city, local, exempted village, and joint vocational school district, community school, and STEM school that is subject to the requirements of this section shall develop a plan for utilizing the disadvantaged pupil impact aid it receives in

coordination with at least one of the following community partners:

(a) A board of alcohol, drug addiction, and mental health services established under Chapter 340. of the Revised Code;

(b) An educational service center;

(c) A county board of developmental disabilities;

(d) A ~~community-based~~ community mental health prevention or treatment provider;

(e) A board of health of a city or general health district;

(f) A county department of job and family services;

(g) A nonprofit organization with experience serving children;

(h) A public hospital agency.

(2) For fiscal year ~~2026-2028~~ and each fiscal year thereafter, each city, local, exempted village, and joint vocational school district, community school, and STEM school that is subject to the requirements of this section shall develop a plan for utilizing the disadvantaged pupil impact aid it receives in the manner specified by the general assembly, if the general assembly requires city, local, exempted village, and joint vocational school districts, community schools, and STEM schools to develop such a plan.

(D) After the end of each fiscal year, each city, local, exempted village, or joint vocational school district, community school, and STEM school shall submit a report to the department of education and workforce describing the initiative or initiatives on which the district's or school's disadvantaged pupil impact aid were spent during that fiscal year. For fiscal years ~~2024-2026~~ and ~~2025-2027~~, this report shall be submitted in a manner prescribed by the department and shall also describe the amount of money that was spent on each initiative.

(E) Starting in 2015, the department shall submit a report of the information it receives under division (C) of this section to the general assembly not later than the first day of December of each odd-numbered year in accordance with section 101.68 of the Revised Code.

Sec. 3317.27. The quality community school support program is established. Under the program, the department of education and workforce shall pay each community school established under Chapter 3314. of the Revised Code and designated as a community school of quality under section 3317.28 of the Revised Code an amount up to three thousand dollars in each fiscal year for each student identified as economically disadvantaged and up to two thousand two hundred fifty dollars in each fiscal year for each student that is not identified as economically disadvantaged. The payment for a fiscal year shall be calculated using the adjusted full-time equivalent number of students enrolled in the school for that fiscal year as of the date the payment is made, as reported by the school under section 3314.08 of the Revised Code. The department shall make periodic payments to each designated school beginning in January of that fiscal year.

Sec. 3317.28. Not later than the thirty-first day of December of each fiscal year, the department of education and workforce shall designate as a community school of quality each community school established under Chapter 3314. of the Revised Code that meets the criteria

established in division (A), (B), (C), (D), or (E) of this section.

(A) A community school qualifies as a community school of quality if the school meets all of the following criteria:

(1) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

(2) The school received a higher performance index score than the school district in which the school is located on the two most recent report cards issued for the school under section 3302.03 of the Revised Code.

(3) The school received a performance rating of four stars or higher for the progress component on the most recent report card issued for the school under section 3302.03 of the Revised Code or is a school described under division (B) of section 3314.35 of the Revised Code and did not receive a rating for the progress component on the most recent report card.

(4) At least fifty per cent of the students enrolled in the school in the prior fiscal year were economically disadvantaged, as determined by the department.

(B) A community school qualifies as a community school of quality if the school meets all of the following criteria:

(1) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

(2) The school received a higher performance index score than the school district in which the school is located on the most recent report card issued for the school under section 3302.03 of the Revised Code.

(3) The school received a performance rating of three stars or higher for the progress component on the most recent report card issued for the school under section 3302.03 of the Revised Code.

(4) The school received a performance rating of three stars or higher for the achievement component on the most recent report card issued for the school under section 3302.03 of the Revised Code.

(C) A community school qualifies as a community school of quality if the school meets all of the following criteria:

(1) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

(2) The school is in its first year of operation or the school opened as a kindergarten school and has added one grade per year and has been in operation for less than four school years.

(3) The school is replicating an operational and instructional model used by a community school described in division (A) of this section.

(4) If the school has an operator, the operator received a rating of three stars or better on its most recent performance report published under section 3314.031 of the Revised Code.

(D) A community school qualifies as a community school of quality if the school meets all

of the following criteria:

(1) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

(2) The school satisfies either of the following:

(a) The school contracts with an operator that operates schools in other states and meets at least one of the following criteria:

(i) Has operated a school that received a grant funded through the federal charter school program established under 20 U.S.C. 7221 within the five years prior to the date of application or received funding from the charter school growth fund;

(ii) Meets all of the following criteria:

(I) One of the operator's schools in another state performed better than the school district in which the school is located, as determined by the department.

(II) At least fifty per cent of the total number of students enrolled in all of the operator's schools are economically disadvantaged, as determined by the department.

(III) The operator is in good standing in all states where it operates schools, as determined by the department.

(IV) The department has determined that the operator does not have any financial viability issues that would prevent it from effectively operating a community school in Ohio.

(b) The school is replicating an operational and instructional model through an agreement with a college or university used by a community school or its equivalent in another state that performed better than the school district in which the school is located, as determined by the department.

(3) The school is in its first year of operation or, if not in its first year of operation and qualifying under division (D)(2)(b) of this section, meets either of the following conditions:

(a) The school opened on July 1, 2022, and has not previously been designated as a community school of quality under this section, in which case the first payment under section 3317.27 of the Revised Code shall be made on or before January 31, 2024, and shall be calculated based on the adjusted full-time equivalent number of students enrolled in the school for fiscal year 2024.

(b) The school opened on or after July 1, 2019, and has not previously been designated as a community school of quality under this section, in which case the first payment under section 3317.27 of the Revised Code shall be made within thirty days of the effective date of this section and shall be calculated based on the adjusted full-time equivalent number of students enrolled in the school for the fiscal year for which the payment is being made.

(E) A community school qualifies as a community school of quality if it meets all of the following criteria:

(1) The school is a dropout prevention and recovery school as defined under section 3314.02 of the Revised Code.

(2) The school's sponsor was rated "exemplary" or "effective" on the sponsor's most recent evaluation conducted under section 3314.016 of the Revised Code.

(3) The school received an "exceeds standards" on the performance indicator prescribed under division (C)(2) of section 3314.017 of the Revised Code on the two most recent report cards issued for the school under section 3314.017 of the Revised Code.

(4) The school is not an internet- or computer-based community school.

(F) A school designated as a community school of quality under division (A), (B), (C), or (E) of this section shall maintain that designation for the two fiscal years following the fiscal year in which the school was initially designated as a community school of quality. A school designated as a community school of quality under division (D) of this section shall maintain that designation for the four fiscal years following the fiscal year in which the school was initially designated as a community school of quality.

(G) A school designated a community school of quality may renew its designation each year that it satisfies the criteria under division (A) or (B) of this section. The school shall maintain that designation for the two fiscal years following each fiscal year in which the criteria under division (A) or (B) of this section are satisfied.

(H) A school that was designated as a community school of quality for the first time under division (C) of this section for the 2022-2023 school year shall be considered to have maintained that designation for the 2022-2023 school year, shall maintain that designation through the 2029-2030 school year, and may renew its designation under division (G) of this section after that year.

(I) If two or more community schools have merged or merge in accordance with division (B) of section 3314.0211 of the Revised Code on or after June 30, 2022, the surviving community school is eligible to receive funds under this program, provided it otherwise qualifies as a community school of quality under division (A), (B), (C), (D), or (E) of this section. In such a case, the payment for a fiscal year shall be calculated using the adjusted full-time equivalent number of students enrolled in the school for that fiscal year as of the date the payments are made, as reported by the surviving community school under section 3314.08 of the Revised Code, regardless of whether those students were previously enrolled in a community school that was dissolved as part of the merger. A community school qualified to receive funds under the program prior to merging on or after June 30, 2022, and was dissolved due to the merger, shall be considered to have been eligible for funds under the program prior to the effective date of this section and shall not be required to return any funds received prior to that date.

Sec. 3317.29. (A) The quality independent STEM school support program is established. Under the program, the department of education and workforce shall pay each STEM school established under Chapter 3326. of the Revised Code and designated as an independent STEM school of quality under this section an amount up to three thousand dollars in each fiscal year for each student identified as economically disadvantaged and up to two thousand two hundred fifty dollars in each fiscal year for each student that is not identified as economically disadvantaged. The

payment for a fiscal year shall be calculated using the adjusted full-time equivalent number of students enrolled in the school for that fiscal year as of the date the payment is made, as reported by the school under section 3326.32 of the Revised Code. The department shall make periodic payments to each designated school beginning in January of a fiscal year.

(B) Not later than the thirty-first day of December each fiscal year, the department shall designate a STEM school as an independent STEM school of quality if the school satisfies all of the following criteria:

(1) The STEM school operates autonomously under section 3326.031 of the Revised Code.

(2) The STEM school does not have a STEM school equivalent designation under section 3326.032 of the Revised Code.

(3) The STEM school is not governed by a school district under section 3326.51 of the Revised Code.

(4) The STEM school is not a community school established under Chapter 3314. of the Revised Code.

(5) The STEM school cannot levy taxes or issue tax-secured bonds in accordance with section 3326.49 of the Revised Code.

(6) The STEM school satisfies the requirements prescribed by section 3326.03 of the Revised Code.

(7) The STEM school satisfies the requirements described in the quality model for STEM and STEAM schools established by the department of education and workforce in accordance with Chapter 3326. of the Revised Code.

(C) A school designated as an independent STEM school of quality under this section shall maintain that designation for the two fiscal years following the fiscal year in which the school was initially designated as an independent STEM school of quality.

(D) A school designated as an independent STEM school of quality may renew its designation each year that it satisfies the criteria under division (B) of this section. The school shall maintain that designation for the two fiscal years following each fiscal year in which the criteria under division (B) of this section are satisfied. This division applies to schools designated as an independent STEM school of quality based on the report cards issued in accordance with sections 3302.03 and 3326.17 of the Revised Code for the 2017-2018 and 2018-2019 school years.

Sec. 3317.31. The department of education and workforce shall pay each community school established under Chapter 3314. of the Revised Code and each STEM school established under Chapter 3326. of the Revised Code an amount equal to twenty-five dollars in each fiscal year for each full-time equivalent student in an internet- or computer-based community school and one thousand dollars in each fiscal year for each full-time equivalent student in all other community or STEM schools for assistance with the cost associated with facilities.

Sec. 3318.01. As used in sections 3318.01 to 3318.20 of the Revised Code:

(A) "Ohio facilities construction commission" means the commission created pursuant to

The above boxed and initialed text was

disapproved.

JUNE 30, 2025

Date:

Mike DeWine

Mike DeWine, Governor

section 123.20 of the Revised Code.

(B) "Classroom facilities" means rooms in which pupils regularly assemble in public school buildings to receive instruction and education and such facilities and building improvements for the operation and use of such rooms as may be needed in order to provide a complete educational program, and may include space within which a child care facility or a community resource center is housed. "Classroom facilities" includes any space necessary for the operation of a vocational education program for secondary students in any school district that operates such a program.

(C) "Project" means a project to construct or acquire classroom facilities, or to reconstruct or make additions to existing classroom facilities, to be used for housing the applicable school district and its functions.

(D) "School district" means a local, exempted village, or city school district as such districts are defined in Chapter 3311. of the Revised Code, acting as an agency of state government, performing essential governmental functions of state government pursuant to sections 3318.01 to 3318.20 of the Revised Code.

For purposes of assistance provided under sections 3318.40 to 3318.45 of the Revised Code, the term "school district" as used in this section and in divisions (A), (C), and (D) of section 3318.03 and in sections 3318.031, 3318.042, 3318.07, 3318.08, 3318.083, 3318.084, 3318.085, 3318.086, 3318.10, 3318.11, 3318.12, 3318.13, 3318.14, 3318.15, 3318.16, and 3318.20 of the Revised Code means a joint vocational school district established pursuant to section 3311.18 of the Revised Code.

(E) "School district board" means the board of education of a school district.

(F) "Net bonded indebtedness" means the difference between the sum of the par value of all outstanding and unpaid bonds and notes which a school district board is obligated to pay and any amounts the school district is obligated to pay under lease-purchase agreements entered into under section 3313.375 of the Revised Code, and the amount held in the sinking fund and other indebtedness retirement funds for their redemption. Notes issued for school buses in accordance with section 3327.08 of the Revised Code, notes issued in anticipation of the collection of current revenues, and bonds issued to pay final judgments shall not be considered in calculating the net bonded indebtedness.

"Net bonded indebtedness" does not include indebtedness arising from the acquisition of land to provide a site for classroom facilities constructed, acquired, or added to pursuant to sections 3318.01 to 3318.20 of the Revised Code or the par value of bonds that have been authorized by the electors and the proceeds of which will be used by the district to provide any part of its portion of the basic project cost.

(G) "Board of elections" means the board of elections of the county containing the most populous portion of the school district.

(H) "County auditor" means the auditor of the county in which the greatest value of taxable property of such school district is located.

(I) "Tax duplicates" means the general tax lists and duplicates prescribed by sections 319.28

The above boxed and initialed text was

disapproved.

JUNE 30/
Date: 2025

Mike DeWine

Mike DeWine, Governor

and 319.29 of the Revised Code.

(J) "Required level of indebtedness" means:

RMD

(1) In the case of school districts in the first percentile, five per cent of the district's valuation for the year preceding the year in which the controlling board approved the project under section 3318.04 of the Revised Code.

(2) In the case of school districts ranked in a subsequent percentile, five per cent of the district's valuation for the year preceding the year in which the controlling board approved the project under section 3318.04 of the Revised Code, plus [two one-hundredths of one per cent multiplied by (the percentile in which the district ranks for the fiscal year preceding the fiscal year in which the controlling board approved the district's project minus one)].

(K) "Required percentage of the basic project costs" means one per cent of the basic project costs times the percentile in which the school district ranks for the fiscal year preceding the fiscal year in which the controlling board approved the district's project.

(L) "Basic project cost" means a cost amount determined in accordance with rules adopted under section 111.15 of the Revised Code by the Ohio facilities construction commission. The basic project cost calculation shall take into consideration the square footage and cost per square foot necessary for the grade levels to be housed in the classroom facilities, the variation across the state in construction and related costs, the cost of the installation of site utilities and site preparation, the cost of demolition of all or part of any existing classroom facilities that are abandoned under the project, the cost of insuring the project until it is completed, any contingency reserve amount prescribed by the commission under section 3318.086 of the Revised Code, and the professional planning, administration, and design fees that a school district may have to pay to undertake a classroom facilities project.

For a joint vocational school district that receives assistance under sections 3318.40 to 3318.45 of the Revised Code, the basic project cost calculation for a project under those sections shall also take into account the types of laboratory spaces and program square footages needed for the vocational education programs for high school students offered by the school district.

For a district that opts to divide its entire classroom facilities needs into segments, as authorized by section 3318.034 of the Revised Code, "basic project cost" means the cost determined in accordance with this division of a segment.

(M)(1) Except for a joint vocational school district that receives assistance under sections 3318.40 to 3318.45 of the Revised Code, a "school district's portion of the basic project cost" means the amount determined under section 3318.032 of the Revised Code.

(2) For a joint vocational school district that receives assistance under sections 3318.40 to 3318.45 of the Revised Code, a "school district's portion of the basic project cost" means the amount determined under division (C) of section 3318.42 of the Revised Code.

(N) "Child care facility" means space within a classroom facility in which the needs of infants, toddlers, preschool children, and school children are provided for by persons other than the

disapproved.

June 30, 2025
Date: _____

Mike DeWine

Mike DeWine, Governor

parent or guardian of such children for any part of the day, ~~including persons not employed by the school district operating such classroom facility.~~

(O) "Community resource center" means space within a classroom facility in which comprehensive services that support the needs of families and children are provided by community-based social service providers.

(P) "Valuation" means the total value of all property in the school district as listed and assessed for taxation on the tax duplicates.

(Q) "Percentile" means the percentile in which the school district is ranked pursuant to section 3318.011 of the Revised Code.

(R) "Installation of site utilities" means the installation of a site domestic water system, site fire protection system, site gas distribution system, site sanitary system, site storm drainage system, and site telephone and data system.

(S) "Site preparation" means the earthwork necessary for preparation of the building foundation system, the paved pedestrian and vehicular circulation system, playgrounds on the project site, and lawn and planting on the project site.

(T) "The county auditor's ~~appraised-market~~ value" and "effective rate" have the same meanings as in section 5705.01 of the Revised Code.

Sec. 3318.032. (A) Except as otherwise provided in divisions ~~(C)(B)~~, (D), and ~~(D)(E)~~ of this section, the portion of the basic project cost supplied by the school district shall be the ~~greater of:~~

~~(1) The required percentage of the basic project costs;~~

~~(2)(a)(B) For all districts except a district that opts to divide its entire classroom facilities needs into segments to be completed separately as authorized by section 3318.034 of the Revised Code, an amount necessary to raise the school district's net bonded indebtedness the portion of the basic project cost supplied by the school district for the first segment shall be calculated using the required percentage of the basic project costs; as of the date the controlling board approved the project, to within five thousand dollars of the required level of indebtedness; Any future segment's portion of the basic project cost shall use the same respective share as the first segment.~~

~~(b) For a district that opts to divide its entire classroom facilities needs into segments to be completed separately as authorized by section 3318.034 of the Revised Code, an amount necessary to raise the school district's net bonded indebtedness, as of the date the controlling board approved the project, to within five thousand dollars of the following:~~

~~The required level of indebtedness X (the basic
project cost of the segment as approved
by the controlling board / the estimated basic
project cost of the district's entire classroom facilities
needs as determined jointly by the staff of the Ohio~~

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~~facilities construction commission and the district)~~

~~(B)~~(C) The amount of the district's share determined under this section shall be calculated only as of the date the controlling board approved the project, and that amount applies throughout the sixteen-month period permitted under section 3318.05 of the Revised Code for the district's electors to approve the propositions described in that section. If the amount reserved and encumbered for a project is released because the electors do not approve those propositions within that period, and the school district later receives the controlling board's approval for the project, subject to a new project scope and estimated costs under section 3318.054 of the Revised Code, the district's portion shall be recalculated in accordance with this section as of the date of the controlling board's subsequent approval.

~~(C)~~(D) At no time shall a school district's portion of the basic project cost be greater than ninety-five per cent of the total basic project cost.

~~(D)~~(E) If the controlling board approves a project under sections 3318.01 to 3318.20 of the Revised Code for a school district that previously received assistance under those sections or section 3318.37 of the Revised Code within the twenty-year period prior to the date on which the controlling board approves the new project, the district's portion of the basic project cost for the new project shall be the lesser of the following:

- (1) The portion calculated under division (A) of this section;
- (2) The greater of the following:
 - (a) The required percentage of the basic project costs for the new project;
 - (b) The percentage of the basic project cost paid by the district for the previous project.

Sec. 3318.051. (A) Any city, exempted village, or local school district that commences a project under sections 3318.01 to 3318.20, 3318.36, 3318.37, or 3318.38 of the Revised Code on or after September 5, 2006, need not levy the tax otherwise required under division (B) of section 3318.05 of the Revised Code, if the district board of education adopts a resolution petitioning the Ohio facilities construction commission to approve the transfer of money in accordance with this section and the commission approves that transfer. If so approved, the commission and the district board shall enter into an agreement under which the board, in each of twenty-three consecutive years beginning in the year in which the board and the commission enter into the project agreement under section 3318.08 of the Revised Code, shall transfer into the maintenance fund required by division (D) of section 3318.05 of the Revised Code not less than an amount equal to one-half mill for each dollar of the district's valuation unless and until the agreement to make those transfers is rescinded by the district board pursuant to division (F) of this section.

(B) On the first day of July each year, or on an alternative date prescribed by the commission, the district treasurer shall certify to the commission and the auditor of state that the amount required for the year has been transferred. The auditor of state shall include verification of the transfer as part of any audit of the district under section 117.11 of the Revised Code. If the auditor of state finds that less than the required amount has been deposited into a district's

maintenance fund, the auditor of state shall notify the district board of education in writing of that fact and require the board to deposit into the fund, within ninety days after the date of the notice, the amount by which the fund is deficient for the year. If the district board fails to demonstrate to the auditor of state's satisfaction that the board has made the deposit required in the notice, the auditor of state shall notify the department of education and workforce. At that time, the department shall withhold an amount equal to ten per cent of the district's funds calculated for the current fiscal year under Chapter 3317. of the Revised Code until the ~~auditor of state~~ district notifies the department that the ~~auditor of state is satisfied that the~~ board has made the required transfer.

(C) Money transferred to the maintenance fund shall be used for the maintenance or, upon approval of the Ohio facilities construction commission, upgrade of the facilities acquired under the district's project.

(D) The transfers to the maintenance fund under this section 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.

Sec. 3318.06. (A) After receipt of the conditional approval of the Ohio facilities construction commission, the school district board by a majority of all of its members shall, if it desires to proceed with the project, declare all of the following by resolution: *RM D*

(1) That by issuing bonds in an amount equal to the school district's portion of the basic project cost the district is unable to provide adequate classroom facilities without assistance from the state;

(2) Unless the school district board has resolved to transfer money in accordance with section 3318.051 of the Revised Code or to apply the proceeds of a property tax or the proceeds of an income tax, or a combination of proceeds from such taxes, as authorized under section 3318.052 of the Revised Code, that to qualify for such state assistance it is necessary to do either of the following:

(a) Levy a tax outside the ten-mill limitation the proceeds of which shall be used to pay the

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cost of maintaining and upgrading the classroom facilities included in the project. The use of the proceeds for upgrades is subject to the approval by the commission under division (E) of section 3318.05 of the Revised Code.

(b) Earmark for maintenance of classroom facilities from the proceeds of an existing permanent improvement tax levied under section 5705.21 of the Revised Code, if such tax can be used for maintenance, an amount equivalent to the amount of the additional tax otherwise required under this section and sections 3318.05 and 3318.08 of the Revised Code.

(3) That the question of any tax levy specified in a resolution described in division (A)(2)(a) of this section, if required, shall be submitted to the electors of the school district at the next general or primary election, if there be a general or primary election not less than ninety and not more than one hundred ten days after the day of the adoption of such resolution or, if not, at a special election to be held at a time specified in the resolution which shall be not less than ninety days after the day of the adoption of the resolution and which shall be in accordance with the requirements of section 3501.01 of the Revised Code.

Such resolution shall also state that the question of issuing bonds of the board shall be combined in a single proposal with the question of such tax levy. More than one election under this section may be held in any one calendar year. Such resolution shall specify both of the following:

(a) That the rate which it is necessary to levy shall be at the rate of not less than one-half mill for each one dollar of taxable value, and that such tax shall be levied for a period of twenty-three years;

(b) That the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project or upgrading those facilities if approved by the commission.

(B) A copy of a resolution adopted under division (A) of this section shall after its passage and not less than ninety days prior to the date set therein for the election be certified to the county board of elections.

The resolution of the school district board, in addition to meeting other applicable requirements of section 133.18 of the Revised Code, shall state that the amount of bonds to be issued will be an amount equal to the school district's portion of the basic project cost, and state the maximum maturity of the bonds which may be any number of years not exceeding the term calculated under section 133.20 of the Revised Code as determined by the board. In estimating the amount of bonds to be issued, the board shall take into consideration the amount of moneys then in the bond retirement fund and the amount of moneys to be collected for and disbursed from the bond retirement fund during the remainder of the year in which the resolution of necessity is adopted.

If the bonds are to be issued in more than one series, the resolution may state, in addition to the information required to be stated under division (B)(3) of section 133.18 of the Revised Code, the number of series, which shall not exceed five, the principal amount of each series, and the approximate date each series will be issued, and may provide that no series, or any portion thereof, may be issued before such date. Upon such a resolution being certified to the county auditor as

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required by division (C) of section 133.18 of the Revised Code, the county auditor, in calculating, advising, and confirming the estimated average annual property tax levy under that division, shall also calculate, advise, and confirm by certification the estimated average property tax levy for each series of bonds to be issued.

Notice of the election shall include the fact that the tax levy shall be at the rate of not less than one-half mill for each one dollar of taxable value for a period of twenty-three years, and that the proceeds of the tax shall be used to pay the cost of maintaining or upgrading the classroom facilities included in the project. The notice shall also express the rate in dollars for each one hundred thousand dollars of the county auditor's ~~appraised-market~~ value and the county auditor's estimate of the amount the tax levy is estimated to collect for each tax year it is levied, as certified pursuant to section 5705.03 of the Revised Code.

If the bonds are to be issued in more than one series, the board of education, when filing copies of the resolution with the board of elections as required by division (D) of section 133.18 of the Revised Code, may direct the board of elections to include in the notice of election the principal amount and approximate date of each series, the maximum number of years over which the principal of each series may be paid, the estimated additional average property tax levy for each series, and the first calendar year in which the tax is expected to be due for each series, in addition to the information required to be stated in the notice under divisions (E)(3)(a), (b), (c), (e), and (f) of section 133.18 of the Revised Code.

(C)(1) Except as otherwise provided in division (C)(2) of this section, the form of the ballot to be used at such election shall be:

"A majority affirmative vote is necessary for passage.

Shall bonds be issued by the _____ (here insert name of school district) school district to pay the local share of school construction under the State of Ohio Classroom Facilities Assistance Program in the principal amount of \$ _____ (here insert principal amount of the bond issue), to be repaid annually over a maximum period of _____ (here insert the maximum number of years over which the principal of the bonds may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value to pay the annual debt charges on the bonds and to pay debt charges on any notes issued in anticipation of the bonds?"

and, unless the additional levy
of taxes is not required pursuant
to division (C) of section
3318.05 of the Revised Code,

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"Shall an additional levy of taxes be made for a period of twenty-three years to benefit the _____ (here insert name of school district) school district, the proceeds of which shall be used to pay the cost of maintaining (or upgrading if approved by the commission) the classroom facilities included in the project, that the county auditor estimates will collect \$ _____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value?"

	FOR THE BOND ISSUE AND TAX LEVY
	AGAINST THE BOND ISSUE AND TAX LEVY

"

(2) If authority is sought to issue bonds in more than one series and the board of education so elects, the form of the ballot shall be as prescribed in section 3318.062 of the Revised Code. If the board of education elects the form of the ballot prescribed in that section, it shall so state in the resolution adopted under this section.

(D) If it is necessary for the school district to acquire a site for the classroom facilities to be acquired pursuant to sections 3318.01 to 3318.20 of the Revised Code, the district board may propose either to issue bonds of the board or to levy a tax to pay for the acquisition of such site, and may combine the question of doing so with the questions specified in division (B) of this section. Bonds issued under this division for the purpose of acquiring a site are a general obligation of the school district and are Chapter 133. securities.

The form of that portion of the ballot to include the question of either issuing bonds or levying a tax for site acquisition purposes shall be one of the following:

(1) "Shall bonds be issued by the _____ (here insert name of the school district) school district to pay costs of acquiring a site for classroom facilities under the State of Ohio Classroom Facilities Assistance Program in the principal amount of \$ _____ (here insert principal amount of the bond issue), to be repaid annually over a maximum period of _____ (here insert maximum number of years over which the principal of the bonds may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised market~~ value to pay the annual debt charges on the bonds and to pay debt charges on any notes issued in anticipation of the bonds?"

(2) "Shall an additional levy of taxes outside the ten-mill limitation be made for the benefit of the _____ (here insert name of the school district) school district for the purpose of acquiring a site for classroom facilities in the sum of \$ _____ (here insert annual amount the levy is to produce) estimated by the county auditor to average _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value?"

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value, for a period of _____ (here insert number of years the millage is to be imposed) years?"

Where it is necessary to combine the question of issuing bonds of the school district and levying a tax as described in division (B) of this section with the question of issuing bonds of the school district for acquisition of a site, the question specified in that division to be voted on shall be "For the Bond Issues and the Tax Levy" and "Against the Bond Issues and the Tax Levy."

Where it is necessary to combine the question of issuing bonds of the school district and levying a tax as described in division (B) of this section with the question of levying a tax for the acquisition of a site, the question specified in that division to be voted on shall be "For the Bond Issue and the Tax Levies" and "Against the Bond Issue and the Tax Levies."

Where the school district board chooses to combine the question in division (B) of this section with any of the additional questions described in divisions (A) to (D) of section 3318.056 of the Revised Code, the question specified in division (B) of this section to be voted on shall be "For the Bond Issues and the Tax Levies" and "Against the Bond Issues and the Tax Levies."

If a majority of those voting upon a proposition hereunder which includes the question of issuing bonds vote in favor thereof, and if the agreement provided for by section 3318.08 of the Revised Code has been entered into, the school district board may proceed under Chapter 133. of the Revised Code, with the issuance of bonds or bond anticipation notes in accordance with the terms of the agreement.

Sec. 3318.061. This section applies only to school districts eligible to receive additional assistance under division (B)(2) of section 3318.04 of the Revised Code.

The board of education of a school district in which a tax described by division (B) of section 3318.05 and levied under section 3318.06 of the Revised Code is in effect, may adopt a resolution by vote of a majority of its members to extend the term of that tax beyond the expiration of that tax as originally approved under that section. The school district board may include in the resolution a proposal to extend the term of that tax at the rate of not less than one-half mill for each dollar of taxable value for a period of twenty-three years from the year in which the school district board and the Ohio facilities construction commission enter into an agreement under division (B)(2) of section 3318.04 of the Revised Code or in the following year, as specified in the resolution. Such a resolution may be adopted at any time before such an agreement is entered into and before the tax levied pursuant to section 3318.06 of the Revised Code expires. If the resolution is combined with a resolution to issue bonds to pay the school district's portion of the basic project cost, it shall conform with the requirements of divisions (A)(1), (2), and (3) of section 3318.06 of the Revised Code, except that the resolution also shall state that the tax levy proposed in the resolution is an extension of an existing tax levied under that section. A resolution proposing an extension adopted under this section does not take effect until it is approved by a majority of electors voting in favor of the resolution at a general, primary, or special election as provided in this section.

A tax levy extended under this section is subject to the same terms and limitations to which the original tax levied under section 3318.06 of the Revised Code is subject under that section.

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except the term of the extension shall be as specified in this section.

The school district board and the county auditor shall proceed ^{RMD} in the same manner as required for a tax levy under section 5705.03 of the Revised Code. The board shall certify a copy of the resolution adopted under this section and the auditor's certification to the proper county board of elections not later than ninety days before the date set in the resolution as the date of the election at which the question will be submitted to electors. The notice of the election shall conform with the requirements of division (A)(3) of section 3318.06 of the Revised Code, except that the notice also shall state that the maintenance tax levy is an extension of an existing tax levy, the levy's estimated annual collections, and the levy's effective rate, expressed in dollars for each one hundred thousand dollars of the county auditor's ~~appraised-market~~ value.

The form of the ballot shall be as follows:

"Shall the existing tax levied to pay the cost of maintaining (or upgrading if approved by the Ohio facilities construction commission) classroom facilities constructed with the proceeds of the previously issued bonds, that the county auditor estimates will collect \$_____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$_____ (effective rate) for each \$100,000 of the county auditor's ~~appraised-market~~ value, be extended until _____ (here insert the year that is twenty-three years after the year in which the district and commission will enter into an agreement under division (B)(2) of section 3318.04 of the Revised Code or the following year)?

	FOR EXTENDING THE EXISTING TAX LEVY	
	AGAINST EXTENDING THE EXISTING TAX LEVY	"

Section 3318.07 of the Revised Code applies to ballot questions under this section.

Sec. 3318.062. (A) If authority is sought to issue bonds in more than one series to pay the school district's portion of the basic project cost under sections 3318.01 to 3318.20 of the Revised Code, the form of the ballot shall be:

"Shall bonds be issued by the _____ (here insert name of school district) school district to pay the local share of school construction under the State of Ohio Classroom Facilities Assistance Program in the total principal amount of \$_____ (total principal amount of the bond issue), to be issued in _____ (number of series) series, each series to be repaid annually over not more than _____ (maximum number of years over which the principal of each series may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation to pay the annual debt charges on the bonds and on any notes issued in anticipation of the bonds, at a rate estimated by the county auditor to average over the repayment period of each series as follows: _____ (insert the following for each series: "the _____ series, in a principal amount of \$_____, that the county auditor estimates will require _____ mills for each \$1 of taxable value, which amounts to \$_____ for each \$100,000 of the county auditor's ~~appraised-market~~ value,

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commencing in _____ and first payable in _____)?"

and, unless the additional levy
of taxes is not required pursuant
to division (C) of section

3318.05 of the Revised Code,

"Shall an additional levy of taxes be made for a period of twenty-three years to benefit the _____ (here insert name of school district) school district, the proceeds of which shall be used to pay the cost of maintaining (or upgrading if approved by the Ohio facilities construction commission) the classroom facilities included in the project, that the county auditor estimates will collect \$ _____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised~~ market value?"

	For the bond issue	"
	Against the bond issue	

(B) If it is necessary for the school district to acquire a site for the classroom facilities to be acquired pursuant to sections 3318.01 to 3318.20 of the Revised Code, the district board may propose either to issue bonds of the board or to levy a tax to pay for the acquisition of such site, and may combine the question of doing so with the questions specified in division (A) of this section. Bonds issued under this division for the purpose of acquiring a site are a general obligation of the school district and are Chapter 133. securities.

The form of that portion of the ballot to include the question of either issuing bonds or levying a tax for site acquisition purposes shall be one of the forms prescribed in division (D) of section 3318.06 of the Revised Code.

(C) Where the school district board chooses to combine the question in division (A) of this section with any of the additional questions described in divisions (A) to (D) of section 3318.056 of the Revised Code, the question specified in division (A) of this section to be voted on shall be "For the Bond Issues and the Tax Levies" and "Against the Bond Issues and the Tax Levies."

(D) If a majority of those voting upon a proposition prescribed in this section which includes the question of issuing bonds vote in favor of that issuance, and if the agreement prescribed in section 3318.08 of the Revised Code has been entered into, the school district board may proceed under Chapter 133. of the Revised Code with the issuance of bonds or bond anticipation notes in accordance with the terms of the agreement.

Sec. 3318.063. If the board of education of a city, exempted village, or local school district that has entered into an agreement under section 3318.051 of the Revised Code to make transfers of

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money in lieu of levying the tax for maintenance or upgrade of the classroom facilities included in the district's project determines that it no longer can continue making the transfers so agreed to and desires to rescind that agreement, the board shall adopt the resolution to submit the question of the tax levy prescribed in this section.

The resolution shall declare that the question of a tax levy specified in division (F) of section 3318.051 of the Revised Code shall be submitted to the electors of the school district at the next general or primary election, if there be a general or primary election not less than seventy-five and not more than ninety-five days after the day of the adoption of such resolution or, if not, at a special election to be held at a time specified in the resolution which shall be not less than seventy-five days after the day of the adoption of the resolution and which shall be in accordance with the requirements of section 3501.01 of the Revised Code. Such resolution shall specify both of the following:

(A) That the rate which it is necessary to levy shall be at the rate of not less than one-half mill for each one dollar of taxable value, and that such tax shall be levied for the number of years required by division (F) of section 3318.051 of the Revised Code;

(B) That the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project.

A copy of such resolution shall after its passage and not less than seventy-five days prior to the date set therein for the election be certified to the county board of elections.

Notice of the election shall include the levy's estimated annual collections, the fact that the tax levy shall be at the rate of not less than one-half mill for each one dollar of taxable value for the number of years required by division (F) of section 3318.051 of the Revised Code, and that the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project. The notice shall also express the rate in dollars for each one hundred thousand dollars of the county auditor's ~~appraised-market~~ value.

The form of the ballot to be used at such election shall be:

"Shall a levy of taxes be made for a period of _____ (here insert the number of years, which shall not be less than the number required by division (F) of section 3318.051 of the Revised Code) years to benefit the _____ (here insert name of school district) school district, the proceeds of which shall be used to pay the cost of maintaining (or upgrading if approved by the Ohio facilities construction commission) the classroom facilities included in the project, that the county auditor estimates will collect \$_____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$_____ for each \$100,000 of the county auditor's ~~appraised-market~~ value?"

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

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Sec. 3318.12. (A) The Ohio facilities construction commission shall cause to be transferred to the school district's project construction fund the necessary amounts from amounts appropriated by the general assembly and set aside for such purpose, from time to time as may be necessary to pay obligations chargeable to such fund when due. All investment earnings of a school district's project construction fund shall be credited to the fund.

(B)(1) The treasurer of the school district board shall disburse funds from the school district's project construction fund, including investment earnings credited to the fund, only upon the approval of the commission or the commission's designated representative. The commission or the commission's designated representative shall issue vouchers against such fund, in such amounts, and at such times as required by the contracts for construction of the project.

(2) Notwithstanding anything to the contrary in division (B)(1) of this section, the school district board may, by a duly adopted resolution, choose to use all or part of the investment earnings of the district's project construction fund that are attributable to the district's contribution to the fund to pay the cost of classroom facilities or portions or components of classroom facilities that are not included in the district's basic project cost but that are related to the district's project. If the district board adopts a resolution in favor of using those investment earnings as authorized under division (B)(2) of this section, the treasurer shall disburse the amount as designated and directed by the board. However, if the district board chooses to use any part of the investment earnings for classroom facilities or portions or components of classroom facilities that are not included in the basic project cost, as authorized under division (B)(2) of this section, and, subsequently, the cost of the project exceeds the amount in the project construction fund, the district board shall restore to the project construction fund the full amount of the investment earnings used under division (B)(2) of this section before any additional state moneys shall be released for the project.

(C) After a certificate of completion has been issued for a project under section 3318.48 of the Revised Code:

(1) At the discretion of the school district board, any investment earnings remaining in the project construction fund that are attributable to the school district's contribution to the fund shall be:

- (a) Retained in the project construction fund for future projects;
- (b) Transferred to the district's maintenance fund required by division (B) of section 3318.05 or section 3318.43 of the Revised Code, and the money so transferred shall be used solely for maintaining the classroom facilities included in the project;
- (c) Transferred to the district's permanent improvement fund.

(2) Any investment earnings remaining in the project construction fund that are attributable to the state's contribution to the fund shall be transferred to the commission for expenditure pursuant to sections 3318.01 to 3318.20 or sections 3318.40 to 3318.45 of the Revised Code.

(3) Any other surplus remaining in the school district's project construction fund shall be transferred to the commission and the school district board in proportion to their respective contributions to the fund. The commission shall use the money transferred to it under this division

for expenditure pursuant to sections 3318.01 to 3318.20 or sections 3318.40 to 3318.45 of the Revised Code.

(D) Pursuant to appropriations of the general assembly, any moneys transferred to the commission under division (C)(2) or (3) of this section from a project construction fund for a project under sections 3318.40 to 3318.45 of the Revised Code may be used for future expenditures for projects under sections 3318.40 to 3318.45 of the Revised Code, ~~notwithstanding the two per cent annual limit specified in~~ accordance with division (B) of section 3318.40 of the Revised Code.

Sec. 3318.361. A school district board opting to qualify for state assistance pursuant to section 3318.36 of the Revised Code through levying the tax specified in division (D)(2)(a) or (D)(4) of that section shall declare by resolution that the question of a tax levy specified in division (D)(2)(a) or (4), as applicable, of section 3318.36 of the Revised Code shall be submitted to the electors of the school district at the next general or primary election, if there be a general or primary election not less than ninety and not more than one hundred ten days after the day of the adoption of such resolution or, if not, at a special election to be held at a time specified in the resolution which shall be not less than ninety days after the day of the adoption of the resolution and which shall be in accordance with the requirements of section 3501.01 of the Revised Code. Such resolution shall specify both of the following:

(A) That the rate which it is necessary to levy shall be at the rate of not less than one-half mill for each one dollar of taxable value, and that such tax shall be levied for a period of twenty-three years;

(B) That the proceeds of the tax shall be used to pay the cost of maintaining the classroom facilities included in the project or upgrading those facilities if approved by the Ohio facilities construction commission.

A copy of such resolution shall after its passage and not less than ninety days prior to the date set therein for the election be certified to the county board of elections.

Notice of the election shall include the levy's estimated annual collections, the fact that the tax levy shall be at the rate of not less than one-half mill for each one dollar of taxable value for a period of twenty-three years, and that the proceeds of the tax shall be used to pay the cost of maintaining or upgrading the classroom facilities included in the project. The notice shall also express the rate in dollars for each one hundred thousand dollars of the county auditor's appraised market value.

The form of the ballot to be used at such election shall be:

"Shall a levy of taxes be made for a period of twenty-three years to benefit the _____ (here insert name of school district) school district, the proceeds of which shall be used to pay the cost of maintaining (or upgrading if approved by the Ohio facilities construction commission) the classroom facilities included in the project, that the county auditor estimates will collect \$ _____ annually, at the rate of _____ (here insert the number of mills, which shall not be less than one-half mill) mills for each \$1 of taxable value, which amounts to \$ _____ for each _____

The above boxed and initialed text was disapproved.

JUNE 30, 2025
Date: _____

Mike DeWine

Mike DeWine, Governor

\$100,000 of the county auditor's ~~appraised~~ market value?

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

RMD

Sec. 3318.40. (A)(1) Sections 3318.40 to 3318.45 of the Revised Code apply only to joint vocational school districts.

(2) As used in sections 3318.40 to 3318.45 of the Revised Code:

(a) "Ohio facilities construction commission," "classroom facilities," "project," and "basic project cost" have the same meanings as in section 3318.01 of the Revised Code.

(b) "Acquisition of classroom facilities" means constructing, reconstructing, repairing, or making additions to classroom facilities.

(B) There is hereby established the vocational school facilities assistance program. Under the program, the Ohio facilities construction commission shall provide assistance to joint vocational school districts for the acquisition of classroom facilities suitable to the vocational education programs of the districts in accordance with sections 3318.40 to 3318.45 of the Revised Code. ~~For purposes of the program, beginning July 1, 2003, the~~ The commission annually may set aside up to two per cent a portion of the aggregate amount appropriated to it for classroom facilities assistance projects in the public school building fund, established under section 3318.15 of the Revised Code, and the school building program assistance fund, established under section 3318.25 of the Revised Code, to provide assistance to at least two joint vocational school districts per biennium. The amount set aside for this purpose shall be determined by the commission.

(C) The commission shall not provide assistance for any distinct part of a project under sections 3318.40 to 3318.45 of the Revised Code that when completed will be used exclusively for an adult education program or exclusively for operation of a driver training school for instruction leading to the issuance of a commercial driver's license under Chapter 4506. of the Revised Code, except for life safety items and basic building components necessary for complete and continuous construction or renovation of a classroom facility as determined by the commission.

(D) The commission shall not provide assistance under sections 3318.40 to 3318.45 of the Revised Code to acquire classroom facilities for vocational educational instruction at a location under the control of a school district that is a member of a joint vocational school district. Any assistance to acquire classroom facilities for vocational educational instruction at such location shall be provided to the school district that is a member of the joint vocational school district through other provisions of this chapter when that member school district is eligible for assistance under those provisions.

(E) By September 1, 2003, the commission shall assess the classroom facilities needs of at least five joint vocational school districts, according to the order of priority prescribed in division

(B) of section 3318.42 of the Revised Code, and based on the results of those assessments shall

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JUNE 30, 2003

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Mike DeWine

Mike DeWine, Governor

determine the extent to which amendments to the specifications adopted under section 3318.311 of the Revised Code are warranted. The commission, thereafter, may amend the specifications as provided in that section.

(F) After the commission has conducted the assessments prescribed in division (E) of this section, the commission shall establish, by rule adopted in accordance with section 111.15 of the Revised Code, guidelines for the commission to use in deciding whether to waive compliance with the design specifications adopted under section 3318.311 of the Revised Code when determining the number of facilities and the basic project cost of projects as prescribed in division (A)(1)(a) of section 3318.41 of the Revised Code. The guidelines shall address the following situations:

(1) Under what circumstances, if any, particular classroom facilities are adequate to meet the needs of the school district even though the facilities do not comply with the specifications adopted under section 3318.311 of the Revised Code;

(2) Under what circumstances, if any, particular classroom facilities will be renovated or repaired rather than replaced by construction of new facilities.

Sec. 3318.45. (A) Unless division (B) of section 3318.44 of the Revised Code applies, if a joint vocational school district board of education proposes to issue securities to generate all or part of the school district's portion of the basic project cost of the school district's project under sections 3318.40 to 3318.45 of the Revised Code, the school district board shall adopt a resolution in accordance with Chapter 133. and section 3311.20 of the Revised Code. Unless the school district board seeks authority to issue securities in more than one series, the school district board shall adopt the form of the ballot prescribed in section 133.18 of the Revised Code.

(B) If authority is sought to issue bonds in more than one series, the form of the ballot shall be:

"Shall bonds be issued by the _____ (here insert name of joint vocational school district) joint vocational school district to pay the local share of school construction under the State of Ohio Joint Vocational School Facilities Assistance Program in the total principal amount of \$ _____ (total principal amount of the bond issue), to be issued in _____ (number of series) series, each series to be repaid annually over not more than _____ (maximum number of years over which the principal of each series may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation to pay the annual debt charges on the bonds and on any notes issued in anticipation of the bonds, at a rate estimated by the county auditor to average over the repayment period of each series as follows: _____ [insert the following for each series: "the _____ series, in a principal amount of \$ _____, that the county auditor estimates will require _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised~~ market value, commencing in _____ and first payable in _____"]?"

For the bond issue

RMD

The above boxed and initialed text was
disapproved.

JUNE 30, 2025
Date: _____

Mike DeWine

Against the bond issue	" <i>RMD</i>
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(C) If it is necessary for the school district to acquire a site for the classroom facilities to be acquired pursuant to sections 3318.40 to 3318.45 of the Revised Code, the district board may propose either to issue bonds of the board or to levy a tax to pay for the acquisition of such site and may combine the question of doing so with the question specified by reference in division (A) of this section or the question specified in division (B) of this section. Bonds issued under this division for the purpose of acquiring a site are a general obligation of the school district and are Chapter 133 securities.

The form of that portion of the ballot to include the question of either issuing bonds or levying a tax for site acquisition purposes shall be one of the following:

(1) "Shall bonds be issued by the _____ (here insert name of the joint vocational school district) joint vocational school district to pay costs of acquiring a site for classroom facilities under the State of Ohio Joint Vocational School Facilities Assistance Program in the principal amount of \$ _____ (here insert principal amount of the bond issue), to be repaid annually over a maximum period of _____ (here insert maximum number of years over which the principal of the bonds may be paid) years, and an annual levy of property taxes be made outside the ten-mill limitation, estimated by the county auditor to average over the repayment period of the bond issue _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value, to pay the annual debt charges on the bonds and to pay debt charges on any notes issued in anticipation of the bonds?"

(2) "Shall an additional levy of taxes outside the ten-mill limitation be made for the benefit of the _____ (here insert name of the joint vocational school district) joint vocational school district for the purpose of acquiring a site for classroom facilities in the sum of \$ _____ (here insert annual amount the levy is to produce) estimated by the county auditor to collect \$ _____ annually and to average _____ mills for each \$1 of taxable value, which amounts to \$ _____ for each \$100,000 of the county auditor's ~~appraised-market~~ value, for a period of _____ (here insert number of years the millage is to be imposed) years?"

Where it is necessary to combine the question of issuing bonds of the joint vocational school district as described in division (A) of this section with the question of issuing bonds of the school district for acquisition of a site, the question specified in that division to be voted on shall be "For the bond issues" and "Against the bond issues."

Where it is necessary to combine the question of issuing bonds of the joint vocational school district as described in division (A) of this section with the question of levying a tax for the acquisition of a site, the question specified in that division to be voted on shall be "For the bond issue and the tax levy" and "Against the bond issue and the tax levy."

(D) Where the school district board chooses to combine a question specified in this section with any of the additional questions described in division (C) of section 3318.44 of the Revised

The above boxed and initialed text was

disapproved.

JUNE 30, 2025

Date: _____

Mike DeWine

Mike DeWine, Governor

Code, the question to be voted on shall be "For the bond issues and the tax levies" and "Against the bond issues and the tax levies."

(E) If a majority of those voting upon a proposition prescribed in this section which includes the question of issuing bonds vote in favor of that issuance and if the agreement prescribed in section 3318.08 of the Revised Code has been entered into, the school district board may proceed under Chapter 133. of the Revised Code with the issuance of bonds or bond anticipation notes in accordance with the terms of the agreement.

Sec. 3318.48. (A) When all of the following have occurred, a project undertaken by a school district pursuant to this chapter shall be considered complete and the Ohio facilities construction commission shall issue a certificate of completion to the district board of education:

(1) All facilities to be constructed under the project, as specified in the project agreement entered into under section 3318.08 of the Revised Code, have been completed and the board has received a permanent certificate of occupancy for each of those facilities.

(2) The commission has issued certificates of contract completion on all prime construction contracts entered into by the board under section 3318.10 of the Revised Code.

(3) The commission has completed a final accounting of the district's project construction fund and has determined that all payments from the fund were made in compliance with all policies of the commission.

(4) Any litigation concerning the project has been finally resolved with no chance of appeal.

(5) All construction management services typically provided by the commission to school districts have been delivered and the commission has canceled any remaining encumbrance of funds for those services.

(B) The commission may issue a certificate of completion to a district board prior to all of the conditions described in division (A) of this section being satisfied, if the commission determines that the circumstances preventing the conditions from being satisfied are so minor in nature that the project should be considered complete. When issuing a certificate of completion under this division, the commission may specify any of the following:

(1) Any construction or work that has yet to be completed and the manner in which the board shall oversee its completion, which may include procedures for reporting progress to the commission and for accounting of expenditures;

(2) Terms and conditions for the resolution of any pending litigation;

(3) Any remaining responsibilities of the construction manager regarding the project.

(C) The commission may issue a certificate of completion to a district board that does not voluntarily participate in the process of closing out the district's project, if the construction manager for the project verifies that all facilities to be constructed under the project, as specified in the project agreement entered into under section 3318.08 of the Revised Code, have been completed and the commission determines that those facilities have been occupied for at least one year. In that case, all funds due to the commission under division (C) of section 3318.12 of the Revised Code shall be

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Date: _____

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returned to the commission not later than thirty days after receipt of the certificate of completion. If the funds due to the commission have not been returned within sixty days after receipt of the certificate of completion, the ~~auditor of state commission shall issue a finding for recovery against the school district and shall request legal action~~ certify a claim to the attorney general for collection under section ~~117.42-131.02~~ of the Revised Code.

(D) Upon issuance of a certificate of completion under this section, the commission's ownership of and interest in the project, as specified in division (F) of section 3318.08 of the Revised Code, shall cease. This cessation shall not alter or otherwise affect the state's or commission's interest in the project or any limitations on the use of the project as specified in the project agreement pursuant to divisions (G), (M), and (N) of that section or as specified in section 3318.16 of the Revised Code.

Sec. 3319.073. (A) The board of education of each city and exempted village school district and the governing board of each educational service center shall adopt or adapt the curriculum developed by the department of education and workforce for, or shall develop in consultation with public or private agencies or persons involved in child abuse prevention or intervention programs, a program of in-service training in the prevention of child abuse, violence, and substance abuse and the promotion of positive youth development. Each person employed by any school district or service center to work in a school as a nurse, teacher, counselor, school psychologist, or administrator shall complete at least four hours of the in-service training within two years of commencing employment with the district or center, and every five years thereafter. A person who is employed by any school district or service center to work in an elementary school as a nurse, teacher, counselor, school psychologist, or administrator on March 30, 2007, shall complete at least four hours of the in-service training not later than March 30, 2009, and every five years thereafter. A person who is employed by any school district or service center to work in a middle or high school as a nurse, teacher, counselor, school psychologist, or administrator on October 16, 2009, shall complete at least four hours of the in-service training not later than October 16, 2011, and every five years thereafter.

(B) Each board shall incorporate training in school safety and violence prevention, including human trafficking content, into the in-service training required by division (A) of this section. For this purpose, the board shall adopt or adapt the curriculum developed by the department or shall develop its own curriculum in consultation with public or private agencies or persons involved in school safety and violence prevention programs.

(C) Each board shall incorporate training on the board's harassment, intimidation, or bullying policy adopted under section 3313.666 of the Revised Code into the in-service training required by division (A) of this section. Each board also shall incorporate training in the prevention of dating violence into the in-service training required by that division for middle and high school employees. The board shall develop its own curricula for these purposes.

(D) Each board shall incorporate training in youth suicide awareness and prevention into the

in-service training required by division (A) of this section for each person employed by a school district or service center to work in a school as a nurse, teacher, counselor, school psychologist, or administrator, and any other personnel that the board determines appropriate. The board shall require each such person to undergo training in youth suicide awareness and prevention programs once every two years. For this purpose, the board ~~shall adopt or adapt the curriculum developed by the department under section 3301.221 of the Revised Code or~~ shall develop its own curriculum in consultation with public or private agencies or persons involved in youth suicide awareness and prevention programs.

The training completed under this division shall count toward the satisfaction of requirements for professional development required by the school district or service center board; ~~and the training may be accomplished through self-review of suitable suicide prevention materials approved by the board.~~

(E) Each board shall incorporate training on child sexual abuse into the in-service training required by division (A) of this section. The training completed under this division shall count toward the satisfaction of requirements for professional development required by the school district or service center board. ~~Any training provided under this section may be presented by either of the following, at their own discretion, so long as they have experience in handling cases involving child sexual abuse or child sexual violence:-~~

~~(1) Law enforcement officers;~~

~~(2) Prosecutors~~For this purpose, the board shall develop its own curriculum in consultation with public or private agencies or persons involved in child sexual abuse prevention or child sexual violence prevention.

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) Except as provided in division (G) of this section, 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 and health 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) Except as provided in division (G) of this section, 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)~~(B) 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~~ occupational licensing and regulatory fund established in section 4743.05 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 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 that would be maintained by the teacher.

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 educational assistants, even though they assist a teacher and work under the direction of a teacher shall not be required to hold a permit or license issued pursuant to this section.

Following the determination of the assignment and general job description of an educational assistant and subject to supervision by the teacher's immediate administrative officer, a teacher to whom an educational assistant is assigned shall make all final determinations of the duties to be assigned to such assistant. Teachers shall not be required to hold a license designated for being a supervisor or administrator in order to perform the necessary supervision of educational assistants.

(E) No person who is, or who has been employed as an educational assistant shall divulge, except to the teacher to whom assigned, or the administrator of the school in the absence of the teacher to whom assigned, or when required to testify in a court or proceedings, any personal information concerning any pupil in the school district which was obtained or obtainable by the educational assistant while so employed. Violation of this provision is grounds for disciplinary action or dismissal, or both.

(F) Notwithstanding anything to the contrary in this section, the superintendent of a school district may allow an employee who does not hold a permit or license issued under this section to work as a substitute for an educational assistant who is absent on account of illness or on a leave of absence, or to fill a temporary position created by an emergency, provided that the superintendent believes the employee's application materials indicate that the employee is qualified to obtain a permit or license under this section.

An employee shall begin work as a substitute under this division not earlier than on the date on which the employee files an application with the state board for a permit or license under this section. An employee shall cease working as a substitute under this division on the earliest of the following:

(1) The date on which the employee files a valid permit or license issued under this section with the superintendent;

(2) The date on which the employee is denied a permit or license under this section;

(3) Sixty days following the date on which the employee began work as a substitute under this division.

The superintendent shall ensure that an employee assigned to work as a substitute under division (F) of this section has undergone a criminal records check in accordance with section 3319.391 of the Revised Code.

(G) The state board shall issue an educational aide permit or educational paraprofessional license in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:

(1) The applicant holds a permit or license in another state.

(2) The applicant has satisfactory work experience, a government certification, or a private certification as described in that chapter as an educational aide or educational paraprofessional in a state that does not issue that permit or license or both.

Sec. 3319.111. Notwithstanding section 3319.09 of the Revised Code, this section applies to any person who is employed under a teacher license issued under this chapter, or under a professional or permanent teacher's certificate issued under former section 3319.222 of the Revised Code, and who spends at least fifty per cent of the time employed providing student instruction. However, this section does not apply to any person who is employed as a substitute teacher or as an instructor of adult education.

(A) The board of education of each school district, in consultation with teachers employed by the board, shall update its standards-based teacher evaluation policy to conform with either the framework for evaluation of teachers adopted under section 3319.112 of the Revised Code or a framework created or adopted by the board. The policy shall become operative at the expiration of any collective bargaining agreement covering teachers employed by the board that is in effect on November 2, 2018, and shall be included in any renewal or extension of such an agreement.

(B) When using measures of student performance as evidence in a teacher's evaluation, those measures shall be high-quality student data. The board of education of each school district may use data from the assessments on the list developed under division (B)(2) of section 3319.112 of the Revised Code as high-quality student data.

(C)(1) The board shall conduct an evaluation of each teacher employed by the board at least once each school year, except as provided in division (C)(2) of this section. The evaluation shall be completed by the first day of May and the teacher shall receive a written report of the results of the evaluation by the tenth day of May.

(2)(a) The board may evaluate each teacher who received a rating of accomplished on the teacher's most recent evaluation conducted under this section once every three school years, so long as the teacher submits a self-directed professional growth plan to the evaluator that focuses on specific areas identified in the observations and evaluation and the evaluator determines that the teacher is making progress on that plan.

(b) The board may evaluate each teacher who received a rating of skilled on the teacher's most recent evaluation conducted under this section once every two years, so long as the teacher and evaluator jointly develop a professional growth plan for the teacher that focuses on specific areas identified in the observations and evaluation and the evaluator determines that the teacher is making progress on that plan.

(c) For each teacher who is evaluated pursuant to division (C)(2) of this section, the evaluation shall be completed by the first day of May of the applicable school year, and the teacher shall receive a written report of the results of the evaluation by the tenth day of May of that school year.

(d) The board may elect not to conduct an evaluation of a teacher who meets one of the following requirements:

(i) The teacher was on leave from the school district for fifty per cent or more of the school year, as calculated by the board.

(ii) The teacher has submitted notice of retirement and that notice has been accepted by the board not later than the first day of December of the school year in which the evaluation is otherwise scheduled to be conducted.

~~(e) The board may elect not to conduct an evaluation of a teacher who is participating in the teacher residency program established under section 3319.223 of the Revised Code for the year during which that teacher takes, for the first time, at least half of the performance-based assessment prescribed by the state board of education for resident educators.~~

(3) In any year that a teacher is not formally evaluated pursuant to division (C) of this section as a result of receiving a rating of accomplished or skilled on the teacher's most recent evaluation, an individual qualified to evaluate a teacher under division (D) of this section shall conduct at least one observation of the teacher and hold at least one conference with the teacher. The conference shall include a discussion of progress on the teacher's professional growth plan.

(D) Each evaluation conducted pursuant to this section shall be conducted by one or more of the following persons who hold a credential established by the state board of education for being an evaluator:

(1) A person who is under contract with the board pursuant to section 3319.01 or 3319.02 of the Revised Code and holds a license designated for being a superintendent, assistant superintendent, or principal issued under section 3319.22 of the Revised Code;

(2) A person who is under contract with the board pursuant to section 3319.02 of the Revised Code and holds a license designated for being a vocational director, administrative specialist, or supervisor in any educational area issued under section 3319.22 of the Revised Code;

(3) A person designated to conduct evaluations under an agreement entered into by the board, including an agreement providing for peer review entered into by the board and representatives of teachers employed by the board;

(4) A person who is employed by an entity contracted by the board to conduct evaluations

and who holds a license designated for being a superintendent, assistant superintendent, principal, vocational director, administrative specialist, or supervisor in any educational area issued under section 3319.22 of the Revised Code or is qualified to conduct evaluations.

(E) Notwithstanding division (A)(3) of section 3319.112 of the Revised Code, the board shall require at least three formal observations of each teacher who is under consideration for nonrenewal and with whom the board has entered into a limited contract or an extended limited contract under section 3319.11 of the Revised Code.

(F) The board shall include in its evaluation policy procedures for using the evaluation results for retention and promotion decisions and for removal of poorly performing teachers. Seniority shall not be the basis for a decision to retain a teacher, except when making a decision between teachers who have comparable evaluations.

(G) For purposes of section 3333.0411 of the Revised Code, the board annually shall report to the state board the number of teachers for whom an evaluation was conducted under this section and the number of teachers assigned each rating prescribed under division (B)(1) of section 3319.112 of the Revised Code or the equivalent framework created or adopted by the board, aggregated by the teacher preparation programs from which and the years in which the teachers graduated. The state board shall establish guidelines for reporting the information required by this division. The guidelines shall not permit or require that the name of, or any other personally identifiable information about, any teacher be reported under this division.

(H) Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, the requirements of this section prevail over any conflicting provisions of a collective bargaining agreement entered into on or after November 2, 2018.

Sec. 3319.173. (A) The superintendent of each school district shall assign teachers to positions based on the best interests of the students enrolled in the district. In assigning, reassigning, or transferring a teacher, whether voluntary or involuntary on the part of the teacher, the superintendent shall not use seniority or continuing contract status as the primary factor in determining the teacher's assignment.

(B) Notwithstanding any provision to the contrary in section 4117.10 of the Revised Code, the requirements of this section prevail over any conflicting provisions of agreements between employee organizations and public employers entered into on or after the effective date of this section.

Sec. 3319.223. (A) The superintendent of public instruction and the chancellor of higher education jointly shall establish the Ohio teacher residency program, which shall be a two-year, entry-level program for classroom teachers. Except as provided in division (B) of this section, the teacher residency program shall include at least the following components:

(1) Mentoring by teachers, which may be provided online or in person. The state superintendent shall provide participants and mentors with access to online professional development resources ~~and sample videos of Ohio classroom lessons submitted for the assessment~~

~~prescribed under division (A)(3) of this section at no cost.~~

(2) Counseling, as determined necessary by the school district or school, to ensure that program participants receive needed professional development. ~~The state superintendent shall provide to each participant who does not receive a passing score on the assessment under division (A)(3) of this section, at no cost, the opportunity to meet online with an instructional coach who is a certified assessor of the assessment to review the participant's assessment score results and discuss improvement strategies and professional development.~~

~~Participants who choose to meet with an instructional coach shall select from an online pool of instructional coaches who have completed training and are approved by the state superintendent. The characteristics of each coach's school or district, including its size, typology, and demographics, shall be made available. However, participants shall not be required to choose an instructional coach from a similar district or school.~~

~~Participants who have not taken the assessment under division (A)(3) of this section may meet online with instructional coaches approved by the state superintendent if the participant's school district or school pays the costs associated with the meetings.~~

(3) Measures of appropriate progression through the program, ~~which shall include the performance-based assessment prescribed by the state board of education for resident educators. The state board shall not limit the number of attempts to successfully complete the performance-based assessment.~~

~~An individual may submit the assessment between the first Tuesday of October and the first Friday of April of the individual's second year of the program. The results of the assessment shall be returned within thirty days unless a new assessor is contracted, in which case the results shall be returned in forty-five days. The teacher evaluation system adopted under section 3319.111 of the Revised Code may be used to assess an individual participating in the teacher residency program.~~

(B) No individual who is teaching career-technical courses under an alternative resident educator license issued under section 3319.26 of the Revised Code or rule of the state board shall be required to ~~do either of the following:~~

~~(1) Complete complete the conditions of the Ohio teacher residency program that a participant, as of September 29, 2015, would have been required to complete during the participant's first and second year of teaching under an alternative resident educator license.~~

~~(2) Take a performance-based assessment.~~

(C) The teacher residency program shall be aligned with the standards for teachers adopted by the state board under section 3319.61 of the Revised Code and best practices identified by the superintendent of public instruction.

(D) Each person who holds a resident educator license issued under section 3319.22 or 3319.227 of the Revised Code or an alternative resident educator license issued under section 3319.26 of the Revised Code shall participate in the teacher residency program. Successful completion of the program shall be required to qualify any such person for a professional educator

license issued under section 3319.22 of the Revised Code.

Sec. 3319.236. (A) Except as provided in section 3313.6033 of the Revised Code or in division (B) or (E) of this section, a school district shall require an individual to hold a valid educator license in computer science, or have a license endorsement in computer technology and a passing score on a content examination in the area of computer science, to teach computer science courses.

(B) A school district may employ an individual, for the purpose of teaching computer science courses, who holds a valid educator license, provided the individual meets the requirements established by rules of the state board of education to qualify for a supplemental teaching license for teaching computer science. The rules shall require an applicant for a supplemental teaching license to pass a content examination in the area of computer science. The rules also shall permit an individual, after at least two years of successfully teaching computer science courses under the supplemental teaching license, to advance to a standard educator license in computer science by completing a pedagogy course applicable to the grade levels in which the individual is teaching. However, the rules may exempt an individual teaching computer science from the requirement to complete a pedagogy course if the individual previously completed a pedagogy course applicable to the grade levels in which the individual is teaching.

(C) In order for an individual to teach advanced placement computer science courses, a school district shall require the individual to also complete a professional development program endorsed or provided by the organization that creates and administers national advanced placement examinations. For this purpose, the individual may complete the program at any time during the calendar year.

(D) Notwithstanding section 3301.012 of the Revised Code, as used in this section, "computer science courses" means any courses that are reported in the education management information system established under section 3301.0714 of the Revised Code as computer science courses and which are aligned to computer science standards adopted by the department of education and workforce.

(E) The state board of education shall adopt rules to create a computer science teaching license for industry professionals to teach computer science to specific grades. The holder of a computer science teaching license for industry professionals shall be limited to teaching forty hours in a week in the subject area of computer science. The superintendent of public instruction shall consult with the chancellor of higher education in creating and revising the requirements for computer science teacher licensure.

(F) Licenses issued under this section shall specify whether the educator is licensed to teach grades kindergarten through twelve, pre-kindergarten through five, grades four through nine, or grades seven through twelve.

Sec. 3319.2310. (A) As used in this section, "other public school" has the same meaning as in section 3301.0711 of the Revised Code.

(B) The department of education and workforce shall do both of the following:

(1) Maintain a training course for licensed educators that serves as an introduction to the science of reading;

(2) Develop a competency-based training course for licensed educators that updates and reinforces educators' knowledge and skills in the science of reading.

(C) Each individual employed by a school district or other public school as a teacher, administrator, school psychologist, or speech-language pathologist shall complete training in the science of reading in accordance with division (C) of this section.

(1) An individual hired by the district or other public school as a teacher or administrator prior to July 1, 2025, shall complete the training described in division (B)(2) of this section by June 30, 2030, and every five years thereafter.

(2) An individual hired by the district or other public school as a teacher or administrator on or after July 1, 2025, shall complete the training described in division (B)(1) of this section within one year after the date of hire and shall complete the training described in division (B)(2) of this section every five years thereafter. However, an individual shall not be required to complete the training described in division (B)(1) of this section if the district superintendent or head administrator of the other public school has verified that the individual did either of the following within five years prior to the date of hire:

(a) Completed that training or a similar training, as determined by the department;

(b) Completed appropriate coursework in the science of reading as part of the individual's educator or licensure preparation program.

(3) An individual employed by the district or other public school as a school psychologist or speech-language pathologist shall complete the training described in division (B)(1) of this section by June 30, 2027, and shall complete the training described in division (B)(2) of this section every five years thereafter.

(D) A professional development committee established under section 3319.22 of the Revised Code shall count training described in division (B) of this section toward professional development requirements for educator licensure renewal. The committee shall permit an individual to apply any hours earned over the minimum amount of hours required for professional development coursework for licensure renewal to the next renewal period for that license.

Sec. 3319.263. Until July 1, 2028, notwithstandingNotwithstanding anything to the contrary in section 3319.26 of the Revised Code or any rule of the state board of education adopted under that section, the state board shall not limit the subject areas for which an individual may receive an alternative resident educator license issued under that section.

Sec. 3319.29. Each application for any license, certificate, or permit under this chapter, or renewal or duplicate of such a license, certificate, or permit, shall be accompanied by the payment of a fee in the amount established under division ~~(A)~~(B) of section 3319.51 of the Revised Code. Any fees received under this section shall be paid into the state treasury to the credit of the ~~state board of~~