

As Introduced

132nd General Assembly

Regular Session

2017-2018

S. B. No. 314

Senator Schiavoni

Cosponsors: Senators Thomas, Williams, Brown, Tavares, Yuko, O'Brien, Sykes

A BILL

To amend sections 3314.03 and 3326.11 and to enact 1
sections 3301.0730, 3317.26, 3319.077, and 2
3319.078 of the Revised Code and to amend 3
Section 265.10 of Am. Sub. H.B. 49 of the 132nd 4
General Assembly and Section 265.210 of Am. Sub. 5
H.B. 49 of the 132nd General Assembly, as 6
subsequently amended, with regard to mental 7
health services in public and nonpublic schools, 8
to require school districts to employ school 9
psychologists and intervention specialists, to 10
provide an additional state payment to school 11
districts for school psychologist and 12
intervention specialist services, and to make an 13
appropriation. 14

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

Section 1. That sections 3314.03 and 3326.11 be amended 15
and sections 3301.0730, 3317.26, 3319.077, and 3319.078 of the 16
Revised Code be enacted to read as follows: 17

Sec. 3301.0730. (A) The department of education, in 18

collaboration with the department of mental health and addiction 19
services, shall develop an age-appropriate annual mental health 20
screening assessment to be administered by each city, local, and 21
exempted village school district. Each mental health screening 22
assessment shall include the data verification code of the 23
student to whom the assessment will be administered, as assigned 24
pursuant to division (D)(2) of section 3301.0714 of the Revised 25
Code. Data shall be collected by each school district in these 26
assessments and shall be sent to the appropriate school 27
officials for further internal assessment and action. 28

(B) Within seven school days after receiving the data 29
collected by the assessments prescribed under division (A) of 30
this section, each school shall develop, in conjunction with its 31
school psychologist, other school behavior health providers, and 32
teaching and administrative staff members, a program to 33
correctly identify and effectively aid those students determined 34
to be in mental or emotional distress. A copy of each program 35
developed under this division shall be sent to the department of 36
education. 37

Sec. 3314.03. A copy of every contract entered into under 38
this section shall be filed with the superintendent of public 39
instruction. The department of education shall make available on 40
its web site a copy of every approved, executed contract filed 41
with the superintendent under this section. 42

(A) Each contract entered into between a sponsor and the 43
governing authority of a community school shall specify the 44
following: 45

(1) That the school shall be established as either of the 46
following: 47

(a) A nonprofit corporation established under Chapter 48
1702. of the Revised Code, if established prior to April 8, 49
2003; 50

(b) A public benefit corporation established under Chapter 51
1702. of the Revised Code, if established after April 8, 2003. 52

(2) The education program of the school, including the 53
school's mission, the characteristics of the students the school 54
is expected to attract, the ages and grades of students, and the 55
focus of the curriculum; 56

(3) The academic goals to be achieved and the method of 57
measurement that will be used to determine progress toward those 58
goals, which shall include the statewide achievement 59
assessments; 60

(4) Performance standards, including but not limited to 61
all applicable report card measures set forth in section 3302.03 62
or 3314.017 of the Revised Code, by which the success of the 63
school will be evaluated by the sponsor; 64

(5) The admission standards of section 3314.06 of the 65
Revised Code and, if applicable, section 3314.061 of the Revised 66
Code; 67

(6) (a) Dismissal procedures; 68

(b) A requirement that the governing authority adopt an 69
attendance policy that includes a procedure for automatically 70
withdrawing a student from the school if the student without a 71
legitimate excuse fails to participate in one hundred five 72
consecutive hours of the learning opportunities offered to the 73
student. 74

(7) The ways by which the school will achieve racial and 75

ethnic balance reflective of the community it serves; 76

(8) Requirements for financial audits by the auditor of 77
state. The contract shall require financial records of the 78
school to be maintained in the same manner as are financial 79
records of school districts, pursuant to rules of the auditor of 80
state. Audits shall be conducted in accordance with section 81
117.10 of the Revised Code. 82

(9) An addendum to the contract outlining the facilities 83
to be used that contains at least the following information: 84

(a) A detailed description of each facility used for 85
instructional purposes; 86

(b) The annual costs associated with leasing each facility 87
that are paid by or on behalf of the school; 88

(c) The annual mortgage principal and interest payments 89
that are paid by the school; 90

(d) The name of the lender or landlord, identified as 91
such, and the lender's or landlord's relationship to the 92
operator, if any. 93

(10) Qualifications of teachers, including a requirement 94
that the school's classroom teachers be licensed in accordance 95
with sections 3319.22 to 3319.31 of the Revised Code, except 96
that a community school may engage noncertificated persons to 97
teach up to twelve hours per week pursuant to section 3319.301 98
of the Revised Code. 99

(11) That the school will comply with the following 100
requirements: 101

(a) The school will provide learning opportunities to a 102
minimum of twenty-five students for a minimum of nine hundred 103

twenty hours per school year. 104

(b) The governing authority will purchase liability 105
insurance, or otherwise provide for the potential liability of 106
the school. 107

(c) The school will be nonsectarian in its programs, 108
admission policies, employment practices, and all other 109
operations, and will not be operated by a sectarian school or 110
religious institution. 111

(d) The school will comply with sections 9.90, 9.91, 112
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 113
3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.0730, 3301.948, 114
3313.472, 3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 115
3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 116
3313.643, 3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 117
3313.666, 3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 118
3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 119
3313.7112, 3313.721, 3313.80, 3313.814, 3313.816, 3313.817, 120
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.321, 121
3319.39, 3319.391, 3319.41, 3319.46, 3321.01, 3321.041, 3321.13, 122
3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 123
4113.52, and 5705.391 and Chapters 117., 1347., 2744., 3365., 124
3742., 4112., 4123., 4141., and 4167. of the Revised Code as if 125
it were a school district and will comply with section 3301.0714 126
of the Revised Code in the manner specified in section 3314.17 127
of the Revised Code. 128

(e) The school shall comply with Chapter 102. and section 129
2921.42 of the Revised Code. 130

(f) The school will comply with sections 3313.61, 131
3313.611, and 3313.614 of the Revised Code, except that for 132

students who enter ninth grade for the first time before July 1, 133
2010, the requirement in sections 3313.61 and 3313.611 of the 134
Revised Code that a person must successfully complete the 135
curriculum in any high school prior to receiving a high school 136
diploma may be met by completing the curriculum adopted by the 137
governing authority of the community school rather than the 138
curriculum specified in Title XXXIII of the Revised Code or any 139
rules of the state board of education. Beginning with students 140
who enter ninth grade for the first time on or after July 1, 141
2010, the requirement in sections 3313.61 and 3313.611 of the 142
Revised Code that a person must successfully complete the 143
curriculum of a high school prior to receiving a high school 144
diploma shall be met by completing the requirements prescribed 145
in division (C) of section 3313.603 of the Revised Code, unless 146
the person qualifies under division (D) or (F) of that section. 147
Each school shall comply with the plan for awarding high school 148
credit based on demonstration of subject area competency, and 149
beginning with the 2017-2018 school year, with the updated plan 150
that permits students enrolled in seventh and eighth grade to 151
meet curriculum requirements based on subject area competency 152
adopted by the state board of education under divisions (J) (1) 153
and (2) of section 3313.603 of the Revised Code. Beginning with 154
the 2018-2019 school year, the school shall comply with the 155
framework for granting units of high school credit to students 156
who demonstrate subject area competency through work-based 157
learning experiences, internships, or cooperative education 158
developed by the department under division (J) (3) of section 159
3313.603 of the Revised Code. 160

(g) The school governing authority will submit within four 161
months after the end of each school year a report of its 162
activities and progress in meeting the goals and standards of 163

divisions (A) (3) and (4) of this section and its financial 164
status to the sponsor and the parents of all students enrolled 165
in the school. 166

(h) The school, unless it is an internet- or computer- 167
based community school, will comply with section 3313.801 of the 168
Revised Code as if it were a school district. 169

(i) If the school is the recipient of moneys from a grant 170
awarded under the federal race to the top program, Division (A), 171
Title XIV, Sections 14005 and 14006 of the "American Recovery 172
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 173
the school will pay teachers based upon performance in 174
accordance with section 3317.141 and will comply with section 175
3319.111 of the Revised Code as if it were a school district. 176

(j) If the school operates a preschool program that is 177
licensed by the department of education under sections 3301.52 178
to 3301.59 of the Revised Code, the school shall comply with 179
sections 3301.50 to 3301.59 of the Revised Code and the minimum 180
standards for preschool programs prescribed in rules adopted by 181
the state board under section 3301.53 of the Revised Code. 182

(k) The school will comply with sections 3313.6021 and 183
3313.6023 of the Revised Code as if it were a school district 184
unless it is either of the following: 185

(i) An internet- or computer-based community school; 186

(ii) A community school in which a majority of the 187
enrolled students are children with disabilities as described in 188
division (A) (4) (b) of section 3314.35 of the Revised Code. 189

(12) Arrangements for providing health and other benefits 190
to employees; 191

(13) The length of the contract, which shall begin at the 192
beginning of an academic year. No contract shall exceed five 193
years unless such contract has been renewed pursuant to division 194
(E) of this section. 195

(14) The governing authority of the school, which shall be 196
responsible for carrying out the provisions of the contract; 197

(15) A financial plan detailing an estimated school budget 198
for each year of the period of the contract and specifying the 199
total estimated per pupil expenditure amount for each such year. 200

(16) Requirements and procedures regarding the disposition 201
of employees of the school in the event the contract is 202
terminated or not renewed pursuant to section 3314.07 of the 203
Revised Code; 204

(17) Whether the school is to be created by converting all 205
or part of an existing public school or educational service 206
center building or is to be a new start-up school, and if it is 207
a converted public school or service center building, 208
specification of any duties or responsibilities of an employer 209
that the board of education or service center governing board 210
that operated the school or building before conversion is 211
delegating to the governing authority of the community school 212
with respect to all or any specified group of employees provided 213
the delegation is not prohibited by a collective bargaining 214
agreement applicable to such employees; 215

(18) Provisions establishing procedures for resolving 216
disputes or differences of opinion between the sponsor and the 217
governing authority of the community school; 218

(19) A provision requiring the governing authority to 219
adopt a policy regarding the admission of students who reside 220

outside the district in which the school is located. That policy 221
shall comply with the admissions procedures specified in 222
sections 3314.06 and 3314.061 of the Revised Code and, at the 223
sole discretion of the authority, shall do one of the following: 224

(a) Prohibit the enrollment of students who reside outside 225
the district in which the school is located; 226

(b) Permit the enrollment of students who reside in 227
districts adjacent to the district in which the school is 228
located; 229

(c) Permit the enrollment of students who reside in any 230
other district in the state. 231

(20) A provision recognizing the authority of the 232
department of education to take over the sponsorship of the 233
school in accordance with the provisions of division (C) of 234
section 3314.015 of the Revised Code; 235

(21) A provision recognizing the sponsor's authority to 236
assume the operation of a school under the conditions specified 237
in division (B) of section 3314.073 of the Revised Code; 238

(22) A provision recognizing both of the following: 239

(a) The authority of public health and safety officials to 240
inspect the facilities of the school and to order the facilities 241
closed if those officials find that the facilities are not in 242
compliance with health and safety laws and regulations; 243

(b) The authority of the department of education as the 244
community school oversight body to suspend the operation of the 245
school under section 3314.072 of the Revised Code if the 246
department has evidence of conditions or violations of law at 247
the school that pose an imminent danger to the health and safety 248

of the school's students and employees and the sponsor refuses 249
to take such action. 250

(23) A description of the learning opportunities that will 251
be offered to students including both classroom-based and non- 252
classroom-based learning opportunities that is in compliance 253
with criteria for student participation established by the 254
department under division (H) (2) of section 3314.08 of the 255
Revised Code; 256

(24) The school will comply with sections 3302.04 and 257
3302.041 of the Revised Code, except that any action required to 258
be taken by a school district pursuant to those sections shall 259
be taken by the sponsor of the school. However, the sponsor 260
shall not be required to take any action described in division 261
(F) of section 3302.04 of the Revised Code. 262

(25) Beginning in the 2006-2007 school year, the school 263
will open for operation not later than the thirtieth day of 264
September each school year, unless the mission of the school as 265
specified under division (A) (2) of this section is solely to 266
serve dropouts. In its initial year of operation, if the school 267
fails to open by the thirtieth day of September, or within one 268
year after the adoption of the contract pursuant to division (D) 269
of section 3314.02 of the Revised Code if the mission of the 270
school is solely to serve dropouts, the contract shall be void. 271

(26) Whether the school's governing authority is planning 272
to seek designation for the school as a STEM school equivalent 273
under section 3326.032 of the Revised Code; 274

(27) That the school's attendance and participation 275
policies will be available for public inspection; 276

(28) That the school's attendance and participation 277

records shall be made available to the department of education, 278
auditor of state, and school's sponsor to the extent permitted 279
under and in accordance with the "Family Educational Rights and 280
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, 281
and any regulations promulgated under that act, and section 282
3319.321 of the Revised Code; 283

(29) If a school operates using the blended learning 284
model, as defined in section 3301.079 of the Revised Code, all 285
of the following information: 286

(a) An indication of what blended learning model or models 287
will be used; 288

(b) A description of how student instructional needs will 289
be determined and documented; 290

(c) The method to be used for determining competency, 291
granting credit, and promoting students to a higher grade level; 292

(d) The school's attendance requirements, including how 293
the school will document participation in learning 294
opportunities; 295

(e) A statement describing how student progress will be 296
monitored; 297

(f) A statement describing how private student data will 298
be protected; 299

(g) A description of the professional development 300
activities that will be offered to teachers. 301

(30) A provision requiring that all moneys the school's 302
operator loans to the school, including facilities loans or cash 303
flow assistance, must be accounted for, documented, and bear 304
interest at a fair market rate; 305

(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.

(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:

(1) The process by which the governing authority of the school will be selected in the future;

(2) The management and administration of the school;

(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;

(4) The instructional program and educational philosophy of the school;

(5) Internal financial controls.

When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.

(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract

between the governing authority and the sponsor. The total 334
amount of such payments for monitoring, oversight, and technical 335
assistance of the school shall not exceed three per cent of the 336
total amount of payments for operating expenses that the school 337
receives from the state. 338

(D) The contract shall specify the duties of the sponsor 339
which shall be in accordance with the written agreement entered 340
into with the department of education under division (B) of 341
section 3314.015 of the Revised Code and shall include the 342
following: 343

(1) Monitor the community school's compliance with all 344
laws applicable to the school and with the terms of the 345
contract; 346

(2) Monitor and evaluate the academic and fiscal 347
performance and the organization and operation of the community 348
school on at least an annual basis; 349

(3) Report on an annual basis the results of the 350
evaluation conducted under division (D) (2) of this section to 351
the department of education and to the parents of students 352
enrolled in the community school; 353

(4) Provide technical assistance to the community school 354
in complying with laws applicable to the school and terms of the 355
contract; 356

(5) Take steps to intervene in the school's operation to 357
correct problems in the school's overall performance, declare 358
the school to be on probationary status pursuant to section 359
3314.073 of the Revised Code, suspend the operation of the 360
school pursuant to section 3314.072 of the Revised Code, or 361
terminate the contract of the school pursuant to section 3314.07 362

of the Revised Code as determined necessary by the sponsor; 363

(6) Have in place a plan of action to be undertaken in the 364
event the community school experiences financial difficulties or 365
closes prior to the end of a school year. 366

(E) Upon the expiration of a contract entered into under 367
this section, the sponsor of a community school may, with the 368
approval of the governing authority of the school, renew that 369
contract for a period of time determined by the sponsor, but not 370
ending earlier than the end of any school year, if the sponsor 371
finds that the school's compliance with applicable laws and 372
terms of the contract and the school's progress in meeting the 373
academic goals prescribed in the contract have been 374
satisfactory. Any contract that is renewed under this division 375
remains subject to the provisions of sections 3314.07, 3314.072, 376
and 3314.073 of the Revised Code. 377

(F) If a community school fails to open for operation 378
within one year after the contract entered into under this 379
section is adopted pursuant to division (D) of section 3314.02 380
of the Revised Code or permanently closes prior to the 381
expiration of the contract, the contract shall be void and the 382
school shall not enter into a contract with any other sponsor. A 383
school shall not be considered permanently closed because the 384
operations of the school have been suspended pursuant to section 385
3314.072 of the Revised Code. 386

Sec. 3317.26. In addition to any other payments made under 387
this chapter, for each fiscal year, the department of education 388
shall pay to each city, local, or exempted village school 389
district an amount equal to the respective statewide average 390
salary for a school psychologist or intervention specialist for 391
each school psychologist or intervention specialist employed by 392

the district in compliance with section 3319.078 of the Revised 393
Code. 394

Sec. 3319.077. (A) The board of education of each city, 395
local, and exempted village school district, the governing board 396
of each educational service center, and the governing authority 397
of each chartered and nonchartered nonpublic school shall adopt 398
or adapt a curriculum approved by the department of education 399
for in-service training in social-emotional development and 400
trauma-informed care. Each person employed by any school 401
district or service center to work in a school as a nurse, 402
teacher, counselor, school psychologist, or administrator shall 403
complete in-service training on social-emotional development. 404
The training completed under this division shall count toward 405
the satisfaction of requirements for in-service training under 406
section 3319.073 of the Revised Code. 407

(B) The board of education of each city, local, and 408
exempted village school district, the governing board of each 409
educational service center, and the governing authority of each 410
chartered and nonchartered nonpublic school shall approve a 411
tiered support program, developed in conjunction with the school 412
psychologist, intervention specialist, other school behavioral 413
health providers, teaching and administrative staff members, and 414
district board, intended to foster a more positive school 415
climate and empower students to build positive relationships. A 416
program developed under this division may include the following 417
topics: 418

(1) Increased awareness of trauma and mental health issues 419
among school-age youth serviced by the district or school; 420

(2) Increased universal supports available to all 421
students; 422

(3) Increased access to mental health services and 423
interventions; 424

(4) Increased trauma-informed care, supplemental mental 425
health, and social-emotional development resources; 426

(5) Bullying and youth violence prevention; 427

(6) Sustainable community-based mental health promotion, 428
illness prevention, and early identification of at-risk mental 429
health distress; 430

(7) Collaboration between families, schools, and 431
communities for program planning and support services; 432

(8) Access to existing funding systems that support mental 433
health services for school-age youth; 434

(9) Crisis intervention; 435

(10) Restorative practices. 436

Sec. 3319.078. The board of education for each city, 437
local, and exempted village school district shall employ one 438
school psychologist, as defined in division (G) or (H) of 439
section 4732.01 of the Revised Code, and one intervention 440
specialist, as defined by rule of the state board of education. 441
For each district with a total student enrollment exceeding one 442
thousand students, the board shall employ one additional school 443
psychologist and one additional intervention specialist for 444
every additional six hundred students or part thereof. 445

Sec. 3326.11. Each science, technology, engineering, and 446
mathematics school established under this chapter and its 447
governing body shall comply with sections 9.90, 9.91, 109.65, 448
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 449
3301.0714, 3301.0715, 3301.0729, 3301.0730, 3301.948, 3313.14, 450

3313.15, 3313.16, 3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 451
3313.481, 3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 452
3313.608, 3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 453
3313.6021, 3313.61, 3313.611, 3313.614, 3313.615, 3313.643, 454
3313.648, 3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 455
3313.667, 3313.668, 3313.67, 3313.671, 3313.672, 3313.673, 456
3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 457
3313.721, 3313.80, 3313.801, 3313.814, 3313.816, 3313.817, 458
3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.21, 3319.32, 459
3319.321, 3319.35, 3319.39, 3319.391, 3319.41, 3319.45, 3319.46, 460
3321.01, 3321.041, 3321.05, 3321.13, 3321.14, 3321.17, 3321.18, 461
3321.19, 3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and 462
Chapters 102., 117., 1347., 2744., 3307., 3309., 3365., 3742., 463
4112., 4123., 4141., and 4167. of the Revised Code as if it were 464
a school district. 465

Section 2. That existing sections 3314.03 and 3326.11 of 466
the Revised Code are hereby repealed. 467

Section 3. That Section 265.10 of Am. Sub. H.B. 49 of the 468
132nd General Assembly be amended to read as follows: 469

Sec. 265.10. EDU DEPARTMENT OF EDUCATION 470

General Revenue Fund 471

GRF	200321	Operating Expenses	\$ 14,693,536	\$ 14,736,578	472
GRF	200408	Early Childhood	\$ 68,116,789	\$ 68,116,789	473
		Education			474
GRF	200420	Information Technology	\$ 3,770,170	\$ 3,770,170	475
		Development and Support			476
GRF	200422	School Management	\$ 2,077,615	\$ 2,113,413	477
		Assistance			478

GRF	200424	Policy Analysis	\$ 428,962	\$ 428,962	479
GRF	200426	Ohio Educational Computer Network	\$ 15,457,000	\$ 15,457,000	480 481
GRF	200427	Academic Standards	\$ 3,819,487	\$ 3,819,487	482
GRF	200437	Student Assessment	\$ 55,959,287	\$ 56,025,042	483
GRF	200439	Accountability/Report Cards	\$ 413,167	\$ 913,167	484 485
GRF	200442	Child Care Licensing	\$ 1,852,200	\$ 1,887,863	486
GRF	200446	Education Management Information System	\$ 7,574,367	\$ 7,620,414	487 488
GRF	200448	Educator Preparation	\$ 1,710,384	\$ 1,710,384	489
GRF	200455	Community Schools and Choice Programs	\$ 4,435,845	\$ 4,585,028	490 491
GRF	200465	Education Technology Resources	\$ 5,179,107	\$ 5,179,107	492 493
GRF	200502	Pupil Transportation	\$ 546,738,753	\$ 527,129,809	494
GRF	200505	School Lunch Match	\$ 8,963,500	\$ 8,963,500	495
GRF	200511	Auxiliary Services	\$ 150,594,178	\$ 150,594,178	496
GRF	200532	Nonpublic Administrative Cost Reimbursement	\$ 68,034,790	\$ 68,034,790	497 498 499
GRF	200540	Special Education Enhancements	\$ 152,350,000	\$ 152,350,000	500 501
GRF	200545	Career-Technical Education Enhancements	\$ 10,665,866	\$ 9,600,892	502 503

GRF	200550	Foundation Funding	\$ 6,799,882,816	\$ 6,937,228,845	504
				<u>7,250,728,845</u>	505
GRF	200566	Literacy Improvement	\$ 750,000	\$ 1,250,000	506
GRF	200572	Adult Education	\$ 7,533,216	\$ 8,702,475	507
		Programs			508
GRF	200573	EdChoice Expansion	\$ 38,400,000	\$ 47,700,000	509
GRF	200574	Half-Mill Maintenance	\$ 18,715,000	\$ 18,912,000	510
		Equalization			511
GRF	200576	Adaptive Sports	\$ 50,000	\$ 50,000	512
		Program			513
GRF	200578	Violence Prevention	\$ 250,000	\$ 250,000	514
		and School Safety			515
GRF	657401	Medicaid in Schools	\$ 295,500	\$ 295,500	516
TOTAL GRF	General Revenue Fund		\$ 7,988,711,535	\$ 8,117,425,393	517
				<u>8,430,925,393</u>	518
Dedicated Purpose Fund Group					519
4520	200638	Charges and	\$ 1,000,000	\$ 1,000,000	520
		Reimbursements			521
4540	200610	High School	\$ 1,187,065	\$ 0	522
		Equivalency			523
4550	200608	Commodity Foods	\$ 16,000,000	\$ 16,000,000	524
4L20	200681	Teacher Certification	\$ 16,002,297	\$ 16,002,297	525
		and Licensure			526
5980	200659	Auxiliary Services	\$ 2,930,000	\$ 2,930,000	527
		Reimbursement			528

5H30	200687	School District	\$ 8,000,000	\$ 8,000,000	529
		Solvency Assistance			530
5KX0	200691	Ohio School	\$ 828,600	\$ 828,600	531
		Sponsorship Program			532
5MM0	200677	Child Nutrition	\$ 550,000	\$ 550,000	533
		Refunds			534
5U20	200685	National Education	\$ 150,000	\$ 150,000	535
		Statistics			536
5UC0	200662	Accountability/Report	\$ 5,000,000	\$ 5,000,000	537
		Cards			538
6200	200615	Educational	\$ 800,000	\$ 600,000	539
		Improvement Grants			540
TOTAL DPF Dedicated Purpose Fund			\$ 52,447,962	\$ 51,060,897	541
Group					542
Internal Service Activity Fund Group					543
1380	200606	Information Technology	\$ 7,047,645	\$ 7,047,645	544
		Development and Support			545
4R70	200695	Indirect Operational	\$ 7,856,766	\$ 7,856,766	546
		Support			547
4V70	200633	Interagency Program	\$ 500,000	\$ 500,000	548
		Support			549
TOTAL ISA Internal Service Activity			\$ 15,404,411	\$ 15,404,411	550
Fund Group					551
State Lottery Fund Group					552
7017	200612	Foundation Funding	\$ 1,086,030,000	\$ 1,087,030,000	553
7017	200629	Community Connectors	\$ 4,000,000	\$ 4,000,000	554

7017	200684	Community School	\$ 16,600,000	\$ 16,600,000	555
		Facilities			556
TOTAL SLF State Lottery Fund Group			\$ 1,106,630,000	\$ 1,107,630,000	557
Federal Fund Group					558
3670	200607	School Food Services	\$ 10,080,635	\$ 10,280,635	559
3700	200624	Education of	\$ 2,000,000	\$ 2,000,000	560
		Exceptional Children			561
3AF0	657601	Schools Medicaid	\$ 750,000	\$ 750,000	562
		Administrative Claims			563
3AN0	200671	School Improvement	\$ 25,000,000	\$ 25,000,000	564
		Grants			565
3C50	200661	Early Childhood	\$ 12,555,000	\$ 12,555,000	566
		Education			567
3D20	200667	Math Science	\$ 7,000,000	\$ 7,000,000	568
		Partnerships			569
3EH0	200620	Migrant Education	\$ 2,500,000	\$ 2,500,000	570
3EJ0	200622	Homeless Children	\$ 2,600,000	\$ 2,600,000	571
		Education			572
3GE0	200674	Summer Food Service	\$ 14,856,635	\$ 14,856,635	573
		Program			574
3GG0	200676	Fresh Fruit and	\$ 4,677,340	\$ 4,677,340	575
		Vegetable Program			576
3HF0	200649	Federal Education	\$ 6,364,327	\$ 6,364,327	577
		Grants			578
3L60	200617	Federal School Lunch	\$ 394,612,000	\$ 406,450,000	579

3L70	200618	Federal School	\$ 142,688,750	\$ 154,103,850	580
		Breakfast			581
3L80	200619	Child/Adult Food	\$ 106,913,755	\$ 106,913,755	582
		Programs			583
3L90	200621	Career-Technical	\$ 44,663,900	\$ 44,663,900	584
		Education Basic Grant			585
3M00	200623	ESEA Title 1A	\$ 600,000,000	\$ 600,000,000	586
3M20	200680	Individuals with	\$ 445,000,000	\$ 445,000,000	587
		Disabilities Education			588
		Act			589
3T40	200613	Public Charter Schools	\$ 14,200,000	\$ 14,200,000	590
3Y20	200688	21st Century Community	\$ 47,500,000	\$ 47,500,000	591
		Learning Centers			592
3Y60	200635	Improving Teacher	\$ 85,000,000	\$ 85,000,000	593
		Quality			594
3Y70	200689	English Language	\$ 10,101,411	\$ 10,101,411	595
		Acquisition			596
3Y80	200639	Rural and Low Income	\$ 3,300,000	\$ 3,300,000	597
		Technical Assistance			598
3Z20	200690	State Assessments	\$ 11,500,000	\$ 11,500,000	599
3Z30	200645	Consolidated Federal	\$ 10,168,964	\$ 10,168,964	600
		Grant Administration			601
TOTAL FED	Federal Fund Group		\$ 2,004,032,717	\$ 2,027,485,817	602
TOTAL ALL BUDGET FUND GROUPS			\$ 11,167,226,625	\$ 11,319,006,518	603
				<u>11,632,506,518</u>	604

Section 4. That existing Section 265.10 of Am. Sub. H.B. 605

49 of the 132nd General Assembly is hereby repealed.

Section 5. That Section 265.210 of Am. Sub. H.B. 49 of the 132nd General Assembly, as amended by Sub. H.B. 98 of the 132nd General Assembly, be amended to read as follows:

Sec. 265.210. FOUNDATION FUNDING

Of the foregoing appropriation item 200550, Foundation Funding, up to \$40,000,000 in each fiscal year shall be used to provide additional state aid to school districts, joint vocational school districts, community schools, and STEM schools for special education students under division (C) (3) of section 3314.08, section 3317.0214, division (B) of section 3317.16, and section 3326.34 of the Revised Code, except that the Controlling Board may increase these amounts if presented with such a request from the Department of Education at the final meeting of the fiscal year.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$3,800,000 in each fiscal year shall be used to fund gifted education at educational service centers. The Department shall distribute the funding through the unit-based funding methodology in place under division (L) of section 3317.024, division (E) of section 3317.05, and divisions (A), (B), and (C) of section 3317.053 of the Revised Code as they existed prior to fiscal year 2010.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$40,000,000 in each fiscal year shall be reserved to fund the state reimbursement of educational service centers under the section of ~~this act~~ Am. Sub. H.B. 49 of the 132nd General Assembly entitled "EDUCATIONAL SERVICE CENTERS FUNDING."

Of the foregoing appropriation item 200550, Foundation

Funding, up to \$3,500,000 in each fiscal year shall be 635
distributed to educational service centers for School 636
Improvement Initiatives and for the provision of technical 637
assistance to schools and districts. The Department may 638
distribute these funds through a competitive grant process. 639

Of the foregoing appropriation item 200550, Foundation 640
Funding, up to \$10,000,000 in fiscal year 2018 and up to 641
\$7,000,000 in fiscal year 2019 shall be reserved for payments 642
under sections 3317.028 and 3317.029 of the Revised Code. If 643
this amount is not sufficient, the Superintendent of Public 644
Instruction may reallocate excess funds for other purposes 645
supported by this appropriation item in order to fully pay the 646
amounts required by those sections, provided that the aggregate 647
amount appropriated in appropriation item 200550, Foundation 648
Funding, is not exceeded. 649

Of the foregoing appropriation item 200550, Foundation 650
Funding, up to \$28,600,000 in fiscal year 2018 and up to 651
\$26,400,000 in fiscal year 2019 shall be used to support school 652
choice programs. 653

Of the portion of the funds distributed to the Cleveland 654
Municipal School District under this section, up to \$15,400,000 655
in fiscal year 2018 and \$17,600,000 in fiscal year 2019 shall be 656
used to operate the school choice program in the Cleveland 657
Municipal School District under sections 3313.974 to 3313.979 of 658
the Revised Code. Notwithstanding divisions (B) and (C) of 659
section 3313.978 and division (C) of section 3313.979 of the 660
Revised Code, up to \$1,000,000 in each fiscal year of this 661
amount shall be used by the Cleveland Municipal School District 662
to provide tutorial assistance as provided in division (H) of 663
section 3313.974 of the Revised Code. The Cleveland Municipal 664

School District shall report the use of these funds in the 665
district's three-year continuous improvement plan as described 666
in section 3302.04 of the Revised Code in a manner approved by 667
the Department. 668

Of the foregoing appropriation item 200550, Foundation 669
Funding, up to \$1,500,000 in each fiscal year may be used for 670
payment of the College Credit Plus Program for students 671
instructed at home pursuant to section 3321.04 of the Revised 672
Code. 673

Of the foregoing appropriation item 200550, Foundation 674
Funding, an amount shall be available in each fiscal year to be 675
paid to joint vocational school districts in accordance with 676
division (A) of section 3317.16 of the Revised Code, and the 677
section of ~~this act~~ Am. Sub. H.B. 49 of the 132nd General 678
Assembly entitled "TEMPORARY TRANSITIONAL AID FOR JOINT 679
VOCATIONAL SCHOOL DISTRICTS." 680

Of the foregoing appropriation item 200550, Foundation 681
Funding, up to \$700,000 in each fiscal year shall be used by the 682
Department for a program to pay for educational services for 683
youth who have been assigned by a juvenile court or other 684
authorized agency to any of the facilities described in division 685
(A) of the section of ~~this act~~ Am. Sub. H.B. 49 of the 132nd 686
General Assembly entitled "PRIVATE TREATMENT FACILITY PROJECT." 687

Of the foregoing appropriation item 200550, Foundation 688
Funding, a portion may be used to pay college-preparatory 689
boarding schools the per pupil boarding amount pursuant to 690
section 3328.34 of the Revised Code. 691

Of the foregoing appropriation item 200550, Foundation 692
Funding, up to \$1,500,000 in each fiscal year shall be used for 693

the Bright New Leaders for Ohio Schools Program created and 694
implemented by the nonprofit corporation incorporated pursuant 695
to section 3319.271 of the Revised Code, to provide an 696
alternative path for individuals to receive training and 697
development in the administration of primary and secondary 698
education and leadership, enable those individuals to earn 699
degrees and obtain licenses in public school administration, and 700
promote the placement of those individuals in public schools 701
that have a poverty percentage greater than fifty per cent. 702

Of the foregoing appropriation item 200550, Foundation 703
Funding, a portion in each fiscal year shall be used to pay 704
community schools and STEM schools the amounts calculated for 705
the graduation and third-grade reading bonuses under sections 706
3314.085 and 3326.41 of the Revised Code. 707

Of the foregoing appropriation item 200550, Foundation 708
Funding, up to \$600,000 in each fiscal year may be used by the 709
Department for duties and activities related to the 710
establishment of academic distress commissions under section 711
3302.10 of the Revised Code. A portion of the funds may be used 712
as matching funds for any monetary contributions made by a 713
school district for which an academic distress commission is 714
established or by the district's local community to support 715
innovative education programs or a high-quality school 716
accelerator as provided for in section 3302.10 of the Revised 717
Code. 718

The remainder of appropriation item 200550, Foundation 719
Funding, shall be used to distribute the amounts calculated for 720
formula aid under ~~section~~ sections 3317.022 and 3317.26 of the 721
Revised Code, the section of ~~this act~~ Am. Sub. H.B. 49 of the 722
132nd General Assembly entitled "TEMPORARY TRANSITIONAL AID FOR 723

CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS," and the 724
section of ~~this act~~ Am. Sub. H.B. 49 of the 132nd General 725
Assembly entitled "CAP OFFSET AMOUNT FOR CITY, LOCAL, AND 726
EXEMPTED VILLAGE SCHOOL DISTRICTS." 727

Appropriation items 200502, Pupil Transportation, 200540, 728
Special Education Enhancements, and 200550, Foundation Funding, 729
other than specific set-asides, are collectively used in each 730
fiscal year to pay state formula aid obligations for school 731
districts, community schools, STEM schools, college preparatory 732
boarding schools, and joint vocational school districts under 733
~~this act~~ Am. Sub. H.B. 49 of the 132nd General Assembly. The 734
first priority of these appropriation items, with the exception 735
of specific set-asides, is to fund state formula aid 736
obligations. It may be necessary to reallocate funds among these 737
appropriation items or use excess funds from other general 738
revenue fund appropriation items in the Department of 739
Education's budget in each fiscal year in order to meet state 740
formula aid obligations. If it is determined that it is 741
necessary to transfer funds among these appropriation items or 742
to transfer funds from other General Revenue Fund appropriations 743
in the Department's budget to meet state formula aid 744
obligations, the Superintendent of Public Instruction shall seek 745
approval from the Director of Budget and Management to transfer 746
funds as needed. 747

The Superintendent of Public Instruction shall make 748
payments, transfers, and deductions, as authorized by Title 749
XXXIII of the Revised Code in amounts substantially equal to 750
those made in the prior year, or otherwise, at the discretion of 751
the Superintendent, until at least the effective date of the 752
amendments and enactments made to Title XXXIII by ~~this act~~ Am. 753
Sub. H.B. 49 of the 132nd General Assembly. Any funds paid to 754

districts or schools under this section shall be credited toward 755
the annual funds calculated for the district or school after the 756
changes made to Title XXXIII in ~~this act~~ Am. Sub. H.B. 49 of the 757
132nd General Assembly are effective. Upon the effective date of 758
changes made to Title XXXIII in ~~this act~~ Am. Sub. H.B. 49 of the 759
132nd General Assembly, funds shall be calculated as an annual 760
amount. 761

Section 6. That existing Section 265.210 of Am. Sub. H.B. 762
49 of the 132nd General Assembly, as amended by Sub. H.B. 98 of 763
the 132nd General Assembly, is hereby repealed. 764