

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 294**

**Senator Eklund**

**Cosponsor: Senator Lehner**

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**A BILL**

To amend section 3313.978 of the Revised Code to  
increase the maximum amount that may be awarded  
to students under the Pilot Project (Cleveland)  
Scholarship Program.

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

**Section 1.** That section 3313.978 of the Revised Code be  
amended to read as follows:

**Sec. 3313.978.** (A) Annually by the first day of November,  
the superintendent of public instruction shall notify the pilot  
project school district of the number of initial scholarships  
that the state superintendent will be awarding in each of grades  
kindergarten through twelve.

The state superintendent shall provide information about  
the scholarship program to all students residing in the  
district, shall accept applications from any such students until  
such date as shall be established by the state superintendent as  
a deadline for applications, and shall establish criteria for  
the selection of students to receive scholarships from among all  
those applying prior to the deadline, which criteria shall give

preference to students from low-income families. The state 19  
superintendent shall notify students of their selection prior to 20  
the fifteenth day of January. 21

(1) A student receiving a pilot project scholarship may 22  
utilize it at an alternative public school by notifying the 23  
district superintendent, at any time before the beginning of the 24  
school year, of the name of the public school in an adjacent 25  
school district to which the student has been accepted pursuant 26  
to section 3327.06 of the Revised Code. 27

(2) A student may decide to utilize a pilot project 28  
scholarship at a registered private school in the district if 29  
all of the following conditions are met: 30

(a) By the fifteenth day of February of the preceding 31  
school year, or at any time prior to the start of the school 32  
year, the parent makes an application on behalf of the student 33  
to a registered private school. 34

(b) The registered private school notifies the parent and 35  
the state superintendent as follows that the student has been 36  
admitted: 37

(i) By the fifteenth day of March of the preceding school 38  
year if the student filed an application by the fifteenth day of 39  
February and was admitted by the school pursuant to division (A) 40  
of section 3313.977 of the Revised Code; 41

(ii) Within one week of the decision to admit the student 42  
if the student is admitted pursuant to division (C) of section 43  
3313.977 of the Revised Code. 44

(c) The student actually enrolls in the registered private 45  
school to which the student was first admitted or in another 46  
registered private school in the district or in a public school 47

in an adjacent school district. 48

(B) The state superintendent shall also award in any 49  
school year tutorial assistance grants to a number of students 50  
equal to the number of students who receive scholarships under 51  
division (A) of this section. Tutorial assistance grants shall 52  
be awarded solely to students who are enrolled in the public 53  
schools of the district in a grade level covered by the pilot 54  
project. Tutorial assistance grants may be used solely to obtain 55  
tutorial assistance from a provider approved pursuant to 56  
division (D) of section 3313.976 of the Revised Code. 57

All students wishing to obtain tutorial assistance grants 58  
shall make application to the state superintendent by the first 59  
day of the school year in which the assistance will be used. The 60  
state superintendent shall award assistance grants in accordance 61  
with criteria the superintendent shall establish. 62

(C) (1) In the case of basic scholarships for students in 63  
grades kindergarten through ~~eight~~ twelve, the scholarship amount 64  
shall not exceed the lesser of the net tuition charges of the 65  
alternative school the scholarship recipient attends or ~~four~~ 66  
seven thousand ~~six hundred fifty~~ dollars. 67

~~In the case of basic scholarships for students in grades~~ 68  
~~nine through twelve, the scholarship amount shall not exceed the~~ 69  
~~lesser of the net tuition charges of the alternative school the~~ 70  
~~scholarship recipient attends or six thousand dollars.~~ 71

The net tuition and fees charged to a student shall be the 72  
tuition amount specified by the alternative school minus all 73  
other financial aid, discounts, and adjustments received for the 74  
student. In cases where discounts are offered for multiple 75  
students from the same family, and not all students in the same 76

family are scholarship recipients, the net tuition amount 77  
attributable to the scholarship recipient shall be the lowest 78  
net tuition to which the family is entitled. 79

(2) The state superintendent shall provide for an increase 80  
in the basic scholarship amount in the case of any student who 81  
is a mainstreamed student with a disability and shall further 82  
increase such amount in the case of any separately educated 83  
student with a disability. Such increases shall take into 84  
account the instruction, related services, and transportation 85  
costs of educating such students. 86

(3) In the case of tutorial assistance grants, the grant 87  
amount shall not exceed the lesser of the provider's actual 88  
charges for such assistance or: 89

(a) Before fiscal year 2007, a percentage established by 90  
the state superintendent, not to exceed twenty per cent, of the 91  
amount of the pilot project school district's average basic 92  
scholarship amount; 93

(b) In fiscal year 2007 and thereafter, four hundred 94  
dollars. 95

(D) (1) Annually by the first day of November, the state 96  
superintendent shall estimate the maximum per-pupil scholarship 97  
amounts for the ensuing school year. The state superintendent 98  
shall make this estimate available to the general public at the 99  
offices of the district board of education together with the 100  
forms required by division (D) (2) of this section. 101

(2) Annually by the fifteenth day of January, the chief 102  
administrator of each registered private school located in the 103  
pilot project district and the principal of each public school 104  
in such district shall complete a parental information form and 105

forward it to the president of the board of education. The 106  
parental information form shall be prescribed by the department 107  
of education and shall provide information about the grade 108  
levels offered, the numbers of students, tuition amounts, 109  
achievement test results, and any sectarian or other 110  
organizational affiliations. 111

(E) (1) Only for the purpose of administering the pilot 112  
project scholarship program, the department may request from any 113  
of the following entities the data verification code assigned 114  
under division (D) (2) of section 3301.0714 of the Revised Code 115  
to any student who is seeking a scholarship under the program: 116

(a) The school district in which the student is entitled 117  
to attend school under section 3313.64 or 3313.65 of the Revised 118  
Code; 119

(b) If applicable, the community school in which the 120  
student is enrolled; 121

(c) The independent contractor engaged to create and 122  
maintain data verification codes. 123

(2) Upon a request by the department under division (E) (1) 124  
of this section for the data verification code of a student 125  
seeking a scholarship or a request by the student's parent for 126  
that code, the school district or community school shall submit 127  
that code to the department or parent in the manner specified by 128  
the department. If the student has not been assigned a code, 129  
because the student will be entering kindergarten during the 130  
school year for which the scholarship is sought, the district 131  
shall assign a code to that student and submit the code to the 132  
department or parent by a date specified by the department. If 133  
the district does not assign a code to the student by the 134

specified date, the department shall assign a code to the 135  
student. 136

The department annually shall submit to each school 137  
district the name and data verification code of each student 138  
residing in the district who is entering kindergarten, who has 139  
been awarded a scholarship under the program, and for whom the 140  
department has assigned a code under this division. 141

(3) The department shall not release any data verification 142  
code that it receives under division (E) of this section to any 143  
person except as provided by law. 144

(F) Any document relative to the pilot project scholarship 145  
program that the department holds in its files that contains 146  
both a student's name or other personally identifiable 147  
information and the student's data verification code shall not 148  
be a public record under section 149.43 of the Revised Code. 149

(G) (1) The department annually shall compile the scores 150  
attained by scholarship students enrolled in registered private 151  
schools on the assessments administered to the students pursuant 152  
to division (A) (11) of section 3313.976 of the Revised Code. The 153  
scores shall be aggregated as follows: 154

(a) By school district, which shall include all 155  
scholarship students residing in the pilot project school 156  
district who are enrolled in a registered private school and 157  
were required to take an assessment pursuant to division (A) (11) 158  
of section 3313.976 of the Revised Code; 159

(b) By registered private school, which shall include all 160  
scholarship students enrolled in that school who were required 161  
to take an assessment pursuant to division (A) (11) of section 162  
3313.976 of the Revised Code. 163

(2) The department shall disaggregate the student	164
performance data described in division (G) (1) of this section	165
according to the following categories:	166
(a) Grade level;	167
(b) Race and ethnicity;	168
(c) Gender;	169
(d) Students who have participated in the scholarship	170
program for three or more years;	171
(e) Students who have participated in the scholarship	172
program for more than one year and less than three years;	173
(f) Students who have participated in the scholarship	174
program for one year or less;	175
(g) Economically disadvantaged students.	176
(3) The department shall post the student performance data	177
required under divisions (G) (1) and (2) of this section on its	178
web site and shall include that data in the information about	179
the scholarship program provided to students under division (A)	180
of this section. In reporting student performance data under	181
this division, the department shall not include any data that is	182
statistically unreliable or that could result in the	183
identification of individual students. For this purpose, the	184
department shall not report performance data for any group that	185
contains less than ten students.	186
(4) The department shall provide the parent of each	187
scholarship student enrolled in a registered private school with	188
information comparing the student's performance on the	189
assessments administered pursuant to division (A) (11) of section	190
3313.976 of the Revised Code with the average performance of	191

similar students enrolled in the building operated by the pilot 192  
project school district that the scholarship student would 193  
otherwise attend. In calculating the performance of similar 194  
students, the department shall consider age, grade, race and 195  
ethnicity, gender, and socioeconomic status. 196

**Section 2.** That existing section 3313.978 of the Revised 197  
Code is hereby repealed. 198