

**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 1702. of the Revised Code, if established prior to April 8, 2003;	48 49 50
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	51 52
(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;	53 54 55 56
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	57 58 59 60
(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	61 62 63 64
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	65 66 67
(6) (a) Dismissal procedures;	68
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the student.	69 70 71 72 73 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 state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	77 78 79 80 81 82
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	83 84
(a) A detailed description of each facility used for instructional purposes;	85 86
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	87 88
(c) The annual mortgage principal and interest payments that are paid by the school;	89 90
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	91 92 93
(10) Qualifications of teachers, including a requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours per week pursuant to section 3319.301 of the Revised Code.	94 95 96 97 98 99
(11) That the school will comply with the following requirements:	100 101
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred	102 103

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 XXXVIII 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 beginning of an academic year. No contract shall exceed five years unless such contract has been renewed pursuant to division (E) of this section.	192 193 194 195
(14) The governing authority of the school, which shall be responsible for carrying out the provisions of the contract;	196 197
(15) A financial plan detailing an estimated school budget for each year of the period of the contract and specifying the total estimated per pupil expenditure amount for each such year.	198 199 200
(16) Requirements and procedures regarding the disposition of employees of the school in the event the contract is terminated or not renewed pursuant to section 3314.07 of the Revised Code;	201 202 203 204
(17) Whether the school is to be created by converting all or part of an existing public school or educational service center building or is to be a new start-up school, and if it is a converted public school or service center building, specification of any duties or responsibilities of an employer that the board of education or service center governing board that operated the school or building before conversion is delegating to the governing authority of the community school with respect to all or any specified group of employees provided the delegation is not prohibited by a collective bargaining agreement applicable to such employees;	205 206 207 208 209 210 211 212 213 214 215
(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;	216 217 218
(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside	219 220



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 Code. 393  
394

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

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

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

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

<u>(3) Increased access to mental health services and interventions;</u>	423 424
<u>(4) Increased trauma-informed care, supplemental mental health, and social-emotional development resources;</u>	425 426
<u>(5) Bullying and youth violence prevention;</u>	427
<u>(6) Sustainable community-based mental health promotion, illness prevention, and early identification of at-risk mental health distress;</u>	428 429 430
<u>(7) Collaboration between families, schools, and communities for program planning and support services;</u>	431 432
<u>(8) Access to existing funding systems that support mental health services for school-age youth;</u>	433 434
<u>(9) Crisis intervention;</u>	435
<u>(10) Restorative practices.</u>	436
<b><u>Sec. 3319.078.</u></b> <u>The board of education for each city, local, and exempted village school district shall employ one school psychologist, as defined in division (G) or (H) of section 4732.01 of the Revised Code, and one intervention specialist, as defined by rule of the state board of education. For each district with a total student enrollment exceeding one thousand students, the board shall employ one additional school psychologist and one additional intervention specialist for every additional six hundred students or part thereof.</u>	437 438 439 440 441 442 443 444 445
<b>Sec. 3326.11.</b> Each science, technology, engineering, and mathematics school established under this chapter and its governing body shall comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 3301.0714, 3301.0715, 3301.0729, <u>3301.0730</u> , 3301.948, 3313.14,	446 447 448 449 450



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	\$ <del>6,937,228,845</del>	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	\$ <del>8,117,425,393</del>	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	\$ <del>11,319,006,518</del>	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. 606

**Section 5.** That Section 265.210 of Am. Sub. H.B. 49 of the 607  
132nd General Assembly, as amended by Sub. H.B. 98 of the 132nd 608  
General Assembly, be amended to read as follows: 609

**Sec. 265.210.** FOUNDATION FUNDING 610

Of the foregoing appropriation item 200550, Foundation 611  
Funding, up to \$40,000,000 in each fiscal year shall be used to 612  
provide additional state aid to school districts, joint 613  
vocational school districts, community schools, and STEM schools 614  
for special education students under division (C) (3) of section 615  
3314.08, section 3317.0214, division (B) of section 3317.16, and 616  
section 3326.34 of the Revised Code, except that the Controlling 617  
Board may increase these amounts if presented with such a 618  
request from the Department of Education at the final meeting of 619  
the fiscal year. 620

Of the foregoing appropriation item 200550, Foundation 621  
Funding, up to \$3,800,000 in each fiscal year shall be used to 622  
fund gifted education at educational service centers. The 623  
Department shall distribute the funding through the unit-based 624  
funding methodology in place under division (L) of section 625  
3317.024, division (E) of section 3317.05, and divisions (A), 626  
(B), and (C) of section 3317.053 of the Revised Code as they 627  
existed prior to fiscal year 2010. 628

Of the foregoing appropriation item 200550, Foundation 629  
Funding, up to \$40,000,000 in each fiscal year shall be reserved 630  
to fund the state reimbursement of educational service centers 631  
under the section of ~~this act~~ Am. Sub. H.B. 49 of the 132nd 632  
General Assembly entitled "EDUCATIONAL SERVICE CENTERS FUNDING." 633

Of the foregoing appropriation item 200550, Foundation 634

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  
XXXVIII 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 XXXVIII 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 XXXVIII 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 XXXVIII 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