



John E. Rau

*Bill Analysis*  
*Legislative Service Commission*

**H.B. 445**  
123rd General Assembly  
(As Introduced)

**Reps. Barrett, Ford, Pringle, Bender, Britton, Hollister**

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**BILL SUMMARY**

- Increases the required number of full-time-equivalent educational service personnel to be employed by a school district from five to six per every 1,000 students and requires that one of these persons be a high school guidance counselor.

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**CONTENT AND OPERATION**

(R.C. 3317.023(D) and (L))

Existing law imposes a financial penalty for any school district that employs fewer than five full-time-equivalent "educational service personnel" for every 1,000 nonhandicapped students attending school in the district.<sup>1</sup> If a district fails to comply with this provision, the statute requires the Department of Education to deduct from the district's state aid an amount derived from a formula that is based on the degree of noncompliance by the district. (See **COMMENT 1**.) Educational service persons are teaching and nonteaching employees who work in one of eight "specialist areas." These recognized specialists are: "elementary school art, music, and physical education teachers, counselors, librarians, visiting teachers, school social workers, and school nurses."<sup>2</sup>

The bill requires school districts to employ *six*, rather than five, full-time-equivalent educational service personnel for every 1,000 students, and it requires

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<sup>1</sup> *The requirement does not apply to any school district that has entered into an agreement with an adjacent school district in an adjacent state to share resources and services under R.C. 3313.42 (not in the bill).*

<sup>2</sup> *The term "educational service personnel" does not include specialists paid from federal moneys or those assigned to full-time vocational or special education students and classes. R.C. 3317.023(A)(2).*

that at least one of these six persons be a guidance counselor for grades nine through 12. The bill further specifies that guidance counseling services must be distributed evenly among the four high school grade levels. Finally, the bill also adjusts the penalty formula to reflect the new requirement of six specialists for every 1,000 students. (See **COMMENT 2.**)

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## **COMMENT**

1. The penalty provided under existing law is:

[number of students in the district's "regular student population" minus  
(number of FTE educational service personnel employed  
divided by .005)] multiplied by \$94

For example, if a district has a regular school population of 4,000 students, under existing law it must employ at least 20 educational service personnel. If it employs only 19 such persons, the penalty is  $[4,000 - (19/.005)] \times \$94 = \$18,800$ .

2. The bill changes the penalty to:

[number of students in the district's "regular student population minus  
(number of FTE educational service personnel employed  
divided by .006)] multiplied by \$94

It does not appear to provide any penalty for a district that employs the minimum aggregate number of specialists but that fails to employ the correct number of high school guidance counselors among those specialists.

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## **HISTORY**

ACTION	DATE	JOURNAL ENTRY
Introduced	09-16-99	pp. 1218-1219

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