

Executive

As Passed by the House

1 SFC - 14 Joint Vocational School District Facilities Funding

No provision.

R.C. 133.06, 3318.44

Specifies that bonds issued by a joint vocational school district (JVSD) under existing law to pay for the district's share of the project cost that are payable from a property tax for general permanent improvements, are not counted toward the district's unvoted debt limit if the district formally covenants to continue collecting the tax in sufficient amount to pay the bonds. (A similar provision currently applies to school districts.)

Fiscal effect: Provides JVSDs more flexibility in providing local funding for facilities projects.

2 SFC - 13 Design Specifications for Community Schools

No provision.

No provision.

R.C. 3314.052

Requires all community schools except e-schools to meet the classroom facility design guidelines adopted by SFC.

Specifies the 350 minimum service capacity for an entire classroom facility specified in the SFC guidelines for school districts does not apply to community schools.

Fiscal effect: Depending on the application of the SFC guidelines, community schools could incur additional facility costs.

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3 SFC - 3 Changes to Maintenance Levy Requirement for Accelerated Urban Districts
R.C. 3318.061, 3318.38, Section 385.30

Eliminates the requirement, for the six districts participating in the Accelerated Urban Initiative (AUI), that the district's one-half-mill maintenance levy extend for 23 years after the district's last segment is undertaken if the project is divided into segments. Instead, requires the maintenance levy to run for 23 years from the date the initial segment is undertaken, as required for all other districts undertaking projects under the Classroom Facilities Assistance Program.

Requires SFC to amend project agreements with the six AUI districts, if necessary, to comply with these changes.

Fiscal effect: The changes would reduce the number of years for which the six AUI districts (Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo) would have to levy the required 1/2 mill property tax for maintenance because all of these districts have divided their projects into segments. Presumably, the AUI districts would use other funds to meet their building maintenance needs.

R.C. 3318.061, 3318.38, Section 385.30

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

4 SFC - 15 Classroom Facilities Study - New Operating Requirements

No provision.

R.C. 3318.312

Requires that SFC conduct a study of new demands upon and issues related to classroom facilities that may arise due to new operating requirements in rules adopted by the Superintendent of Public Instruction relating to expenditure and reporting standards.

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Fiscal effect: Increase in SFC administrative costs to perform the study.

5 SFC - 12 Priority for School Districts Participating in Expedited Local Partnership Program

No provision.

R.C. 3318.36

Specifies that the priority for state assistance under the Classroom Facilities Assistance Program (CFAP) for a school district participating in the Expedited Local Partnership Program (ELPP) is based on the district's percentile ranking on the equity list at the time it entered into ELPP instead of on the current equity list as provided under current law.

Fiscal effect: While this provision has no effect on an ELPP district's local share percentage when it enters into a CFAP project, as that percentage is "locked" into place upon ELPP approval, it could lead to a district entering into a CFAP project agreement sooner or later depending on changes in a district's equity list rankings.

6 SFC - 8 Common Schools General Obligation Debt Service

Section: 385.20

Specifies that GRF appropriation item 230908, Common Schools General Obligation Debt Service, be used to pay all required debt service and related financing costs for obligations issued between July 1, 2009 and June 30, 2011 pursuant to R.C. 151.01 and 153.03.

Section: 385.20

Same as the Executive.

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7 SFC - 7 Operating Expenses

Section: 385.20

Specifies that SSR Fund 5E30 appropriation item 230644, Operating Expenses, be used by SFC to carry out its duties.

Requires the Executive Director of the SFC to certify, on a quarterly basis in each fiscal year, to the Director of Budget and Management the amount of cash to be transferred from the School Buildings Assistance Fund (Fund 7032), the Public School Building Fund (Fund 7021), and the Educational Facilities Trust Fund (Fund N087) to the Ohio School Facilities Commission Fund (Fund 5E30).

Specifies that the amount transferred from Fund 7032 may not exceed investment earnings credited to the fund, less any amount required to be paid for federal arbitrage rebate purposes.

Section: 385.20

Same as the Executive.

Same as the Executive.

8 SFC - 6 School Facilities Encumbrances and Reappropriation

Section: 385.20

Authorizes the Director of Budget and Management, at the request of SFC's Executive Director, to cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within one year of Controlling Board approval. Requires the Executive Director to certify the amounts of the canceled encumbrances on a quarterly basis. Appropriates the amounts of the canceled encumbrances to the Classroom Facilities Assistance Program.

Section: 385.20

Same as the Executive.

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Fiscal effect: The canceled encumbrances would be made available to serve other school districts.

Fiscal effect: Same as the Executive.

9 SFC - 2 Study of Community Space

Section: 385.40

Requires the Executive Director of SFC to conduct a study of spaces included in state-assisted classroom facilities projects that are used for activities, services, and programs shared between schools and other public and private entities in their communities and recommend best practices for increasing shared community spaces in future projects. The study is to be submitted to the Commission by December 31, 2009.

Fiscal effect: Minimal. Conducting the study may result in a minimal increase in administrative costs for SFC.

Section: 385.40

Same as the Executive.

Fiscal effect: Same as the Executive.

10 SFC - 5 Extreme Environmental Contamination of School Facilities

Section: 385.50

Authorizes SFC to provide assistance under the Exceptional Needs School Facilities Program to any school district, regardless of wealth, for the purpose of the relocation or replacement of school facilities required as a result of extreme environmental contamination.

Fiscal effect: Allows a school district experiencing extreme environmental contamination to receive state assistance under the Exceptional Needs program. This provision authorizes the continuation of the current program.

Section: 385.50

Same as the Executive, but limits the district share under the program to 75% of the total project cost.

Fiscal effect: Same as the Executive, but lowers the cost for any school district participating in this program if they would otherwise have a local share higher than 75%. Based on the current available data, Three Rivers Local in Hamilton County would benefit from this provision as it has a 95% share and is eligible for participation in the program.

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11	SFC - 4	Canton City School District Project	
	Section: 385.60	Authorizes SFC to commit up to \$35,000,000 to the Canton City School District for construction of a combined secondary and post-secondary facility in lieu of a high school that would otherwise be authorized under Chapter 3318. of the Revised Code.	Section: 385.60 Same as the Executive.
	Fiscal effect: None. It authorizes the continuation of the current program and does not change the state share of the school facilities project in the Canton City School District.		Fiscal effect: Same as the Executive.
12	SFC - 10	Raising Local Share of Classroom Facilities Project	
	No provision.		Section: 385.70 Extends until December 31, 2009, the deadline for each school district that was conditionally approved for a project under the Classroom Facilities Assistance Program in July 2008 to pass a levy to raise its share of the project cost before the project approval lapses. (The current law deadline is one year, and would be July 1, 2009.)

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13	SFC - 11	Cincinnati School for the Creative and Performing Arts	Section: 385.80
No provision.			Requires SFC, notwithstanding any provision of Chapter 3318. of the Revised Code and the agreement between the Cincinnati City School District and SFC, to pay \$4,000,000 to the Cincinnati School District for the School for Creative and Performing Arts, in addition to the state funds the district is scheduled to receive under its current agreement with SFC.
No provision.			Specifies that the School for the Creative and Performing Arts need not comply with the SFC's Design Manual.
			Fiscal effect: Currently, Cincinnati is set to receive approximately \$160.1 million (23%) of its total project cost from SFC. The additional \$4.0 million for the School will increase the state total to approximately \$164.1 million.
14	SFC - 16	Eligibility for Exceptional Needs Program	Section: 385.85
No provision.			Permits SFC, in FY 2010, to approve a classroom facilities project under the Exceptional Needs School Facilities Assistance Program (ENP) for a school district that (1) initially applied for ENP in FY 2008 and (2) is ranked higher than 360 on the equity list for FY 2009. (Current law generally prohibits a school district that is within three fiscal years of eligibility for the main Classroom Facilities Assistance Program from participating in ENP, which serves low-wealth and "large land area" districts.)

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Fiscal effect: Based on the current available data, Greenville City School District in Darke County would be eligible for ENP assistance under this provision.

15 SFC - 9 School Facilities Project Shares

No provision.

Section: 385.90

Requires SFC to reduce by 1% a school district's portion of the cost of its state-assisted classroom facilities project if its portion as estimated in FY 2008 was one percentile lower than on an alternate equity list required by H.B. 562, the capital appropriations act of the 127th G.A.

Fiscal effect: This provision appears to affect only Clay Local School District in Scioto County. With this change, the local share of Clay's \$22.8 million project will lower by about \$228,000, while the state share of the project will increase by the same amount.

16 SFC - 1 Transfers from Education Facilities Trust and Public School Building Funds to GRF

Section: 512.50

Requires the Director of Budget and Management to transfer \$200,000,000 cash from the Education Facilities Trust Fund (Fund N087) to the General Revenue Fund in either FY 2010 or FY 2011.

Requires that \$200,000,000 cash be deposited into Fund N087, or another fund used by the SFC, by June 30, 2013, for construction and renovation of school facilities.

Section: 512.50

Same as the Executive, but adds the Public School Building Fund (Fund 7021) as another source for the transfer.

Same as the Executive, but specifies the cash be deposited into a fund of SFC, rather than Fund N087 or another SFC fund.