

Executive

In House Finance and Appropriations

School Funding

1      EDU - 125      School Funding Formula

R.C.      3306.01, 3306.011

Replaces the current school funding method with a new method that calculates an "adequacy amount" for each city, local, and exempted village school district.

Directs ODE to calculate and report separately the amount of funding for each factor of a district's adequacy amount.

**Fiscal effect: State aid for each school district is calculated differently than under current law. Transitional aid, which is described below in entry EDU-139, guarantees that no district experiences a decrease in state aid in FY 2010 and limits any decrease in FY 2011 to 2%. There is also a cap that limits growth in state aid for each district to 15% in FY 2010 and 16% in FY 2011. The bill appropriates \$7.13 billion in FY 2010 and \$7.39 billion in FY 2011 for formula aid for school districts, community schools, STEM schools, and joint vocational school districts.**

R.C.      3306.01, 3306.011

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive, but the cap is change to limit growth in state aid for each district to 1.9% in FY 2010 and FY 2011. The bill appropriates \$6.75 billion in FY 2010 and \$6.77 billion in FY 2011 for formula aid for school districts, community schools, STEM schools, and joint vocational school districts.**

2      EDU - 167      PASS Form

No provision.

R.C.      3306.012

Renames the "SF-3" form developed by ODE to compute each district's foundation funding as the "PASS form" (Pathway to Student Success).

**Fiscal effect: None.**

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3 EDU - 143 Formula Average Daily Membership (ADM)

R.C. 3306.02, 3317.03, 3306.01

Directs that students attending community schools, a district other than the one in which they reside due to an open enrollment policy, and certain STEM schools be counted directly where they are educated as opposed to where they reside as under current law.

Directs that all students enrolled in kindergarten be counted as one full-time equivalent (FTE) student regardless of whether the student is enrolled in a part-day or all-day kindergarten class. (Under current law kindergarten students are counted as 0.5 FTE and additional funding is provided for certain districts with above average poverty concentrations for kindergarten students receiving all-day services.)

Requires for the calculation of formula ADM, the use of the ADM for the prior fiscal year unless that number for the current year exceeds the prior year by 2% or more, in which case the current year ADM is to be used.

Eliminates the requirement for the second ADM report by school districts during the first full week of February.

R.C. 3306.02, 3317.03, 3306.01

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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**Fiscal effect: Counting kindergarten students as 1.0 FTE increases statewide ADM by about 66,000. There may be administrative savings for districts with significant numbers of resident students attending community schools achieved by funding students where they are educated, as opposed to where they reside, because less resources may be needed for tracking students. Using ADM from the prior year allows a greater level of planning by districts as they better know in advance the amount of state funding they are likely to receive.**

**Fiscal effect: Same as the Executive.**

4 EDU - 126 Adequacy Amount

R.C. 3306.03

Defines the adequacy amount of the proposed school funding formula as the sum of the following:

- (1) Instructional services support under R.C. 3306.05;
- (2) Additional services support under R.C. 3306.06;
- (3) Administrative services support under R.C. 3306.07;
- (4) Operations and maintenance support under R.C. 3306.08;
- (5) Gifted education and enrichment support under R.C. 3306.09;

R.C. 3306.03

Same as the Executive, but makes the following changes to the components of the adequacy amount:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive, but prescribes gifted education support in R.C. 3306.09 and enrichment support in R.C. 3306.091.

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(6) Technology resources support under R.C. 3306.10;

(6) Same as the Executive.

(7) The professional development factor, calculated by multiplying the sum of a school district's core teacher, specialist teacher, career-technical teacher, supplemental teacher, lead teacher, special education teacher, special education teacher's aide, and limited English proficiency teacher positions by \$1,833;

(7) Same as the Executive, but limits it to a school district's core teacher, specialist teacher, lead teacher, and special education teacher positions;

(8) The instructional materials factor, calculated by multiplying the school district's formula ADM by \$165, phased in for all school districts except Cleveland Municipal School District at 25% in FY 2010-2011, 50% for FY 2012-2013, and 75% in FY 2014-2015.

(8) Same as the Executive, but eliminates the exception for Cleveland Municipal School District, and phases in all districts at 20% for FY 2010, 30% for FY 2011, 40% for FY 2012-2013, 60% for FY 2014-2015, and 80% for FY 2016-2017.

**Fiscal effect: The phased in amount for instructional materials is \$41 per student for FY 2010 and FY 2011.**

**Fiscal effect: The phased in amount for instructional materials is \$33 per student for FY 2010 and \$49.50 per student for FY 2011.**

**5 EDU - 171 Use of Professional Development Funds**

No provision.

**R.C. 3306.031**

Requires school districts, community schools, and STEM schools to use funds calculated for the professional development factor of the adequacy amount to provide teachers with professional development that is aligned with the standards developed by the Educator Standards Board and adopted by the State Board.

No provision.

Directs ODE to provide guidance to districts and schools in aligning professional development with the standards.

**Fiscal effect: Minimal administrative costs for ODE to provide guidance.**

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6 EDU - 127 Organizational Units

R.C. 3306.04, 3306.02

Calculates the number of organizational units for all but small school districts, as the sum of the following:

- (1) the number of elementary school organizational units, which is calculated by dividing formula ADM for grades K-5 by 418;
- (2) the number of middle school organizational units, which is calculated by dividing formula ADM for grades 6-8 by 557;
- (3) the number of high school organizational units, which is calculated by dividing formula ADM for grades 9-12 by 733.

Specifies that each small school district, defined as having formula ADM of less than 800 students, constitutes one organizational unit.

No provision.

No provision.

**Fiscal effect: Some of the components of the adequacy amount are determined on the basis of the number of organizational units. Except for small districts, students in grades K-5 have a higher weight in this calculation than students in grades 6-8 who in turn have a higher weight than students in grades 9-12.**

R.C. 3306.04, 3306.02, 3301.16

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive, but defines a small district as having formula ADM of less than 418 students.

Specifies that each school district, regardless of its formula ADM shall have at least one organizational unit.

Clarifies that a high school or an elementary school may consist of less than one or more than one organizational unit for school funding purposes.

**Fiscal effect: Same as the Executive.**

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7 EDU - 128 Instructional Services Support/Career-Technical Education

R.C. 3306.05, 3306.051, 3306.11

Defines the instructional services support component as consisting of funding for core teachers, specialist teachers, career-technical education teachers, lead teachers, special education teachers, special education teacher's aides, limited English proficiency (LEP) teachers, and supplemental teachers.

Defines a specialist teacher as one who provides instruction in music, art, or physical education.

Specifies the number of teacher positions funded as:

(1) Core teachers - 1:25 teacher to student ratio for grades 4-12, 1:15 ratio for grades K-3;

(2) Specialist teachers - 20% of the number of core teachers determined for grades K-8, 25% of the number of core teachers determined for grades 9-12;

(3) Career-technical education teachers - 10% of the number of core teachers determined for grades 9-12;

(4) Lead teachers – one per organizational unit;

(5) Special education teachers – one per 20 special education students where the number of special education students is 90% of the weighted number of children with

R.C. 3306.05, 3306.051, 3306.052, 3306.11, 3306.02, 3306.03

Same as the Executive, but eliminates career-technical education teachers from the instructional services support component.

Same as the Executive, but includes dance, drama and theater, and visual arts teachers in the definition of a specialist teacher.

Same as the Executive, but makes the following changes in the number of teacher positions funded as follows:

(1) Same as the Executive, but changes the teacher to student ratio for grades K-3 to 1:19 for FY 2010-FY 2011, 1:17 for FY 2012-FY 2013, and 1:15 for FY 2014 and thereafter.

(2) Same as the Executive.

(3) No provision.

(4) Same as the Executive.

(5) Same as the Executive.

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disabilities;

(6) Special education teacher's aides – one for every two special education teachers;

(7) LEP teachers – one per 100 LEP students, where the number of LEP students is the district's formula ADM multiplied by its percentage of LEP students as defined under federal law;

(8) Supplemental teachers – one per 100 economically disadvantaged students, where the number of economically disadvantaged students is the district's formula ADM multiplied by the percentage of students who are economically disadvantaged as determined for the district report card.

Specifies total funding for instructional services support be calculated as the IQ Index times the statewide base teacher salary of \$51,407 in FY 2010 and \$52,402 in FY 2011 times the number of teacher positions funded.

Directs each school district to account for expenditures of the amount received for instructional services support and report it to ODE.

No provision.

(6) Same as the Executive, but phases-in funding for special education teacher's aides at 50% for FY 2010 and FY 2011.

(7) Same as the Executive.

(8) Same as the Executive.

Same as the Executive, but replaces the IQ Index with the Educational Challenge Factor (ECF) and changes the statewide base teacher salary to \$56,902 in FY 2010 and \$57,812 in FY 2011.

Same as the Executive, but also specifies that funds received to support children with disabilities may be used to pay for providers of related services for those children.

Calculates career-technical education funding for school districts in FY 2010 as 101.9% of the aggregate amount of vocational education weighted funding received in FY 2009, and in FY 2011 as 101.9% of the amount paid in FY 2010. Specifies that this funding be provided in addition to the state share of the adequacy amount.

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**Fiscal effect:** This component is the largest component of the adequacy amount for districts. Funding per teacher ranges from \$46,266 to \$84,822 in FY 2010 and from \$47,162 to \$86,463 in FY 2011, depending on the district's IQ Index.

**Fiscal effect:** Funding per teacher ranges from \$43,442 to \$93,784 in FY 2010 and from \$44,136 to \$95,284 in FY 2011, depending on the district's ECF. By removing funding for career-technical education outside of the adequacy amount, the state pays the entire calculated amount (there is no local share).

8 EDU - 168 Instructional Quality Index / Educational Challenge Factor

R.C. 3306.051, 3306.02

Defines the Ohio Instructional Quality Index (IQ Index) as an index applied to the statewide base teacher salary to adjust funding amounts to account for student and community socioeconomic factors.

Lists the IQ Index for each district and specifies that it have a minimum value of 0.9 and a maximum value of 1.65 for FY 2010 and FY 2011 and be based on the following characteristics:

- (1) the college attainment rate of the district's population;
- (2) the district's wealth per pupil, based on property valuation and federal adjusted gross income;
- (3) the district's concentration of poverty.

**Fiscal effect:** The IQ index increases the teacher compensation for most districts above the base teacher salary, for some with indices below 1.0, teacher compensation is decreased.

R.C. 3306.051, 3306.02

Same as the Executive, but renames it as the Ohio Educational Challenge Factor (ECF) and eliminates statewide base teacher salary from the definition.

Same as the Executive, but replaces the IQ index values with the ECF values and does not specify a minimum and maximum.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

**Fiscal effect:** Same as the Executive, but the index values for districts are different and as the ECF is applied to more than teacher salary, it increases or decreases other components of the adequacy amount.

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9 EDU - 129 Additional Services Support

R.C. 3306.06, 3306.02

Defines the additional services support component as consisting of funding for student support staff, counselors, summer remediation, school nurses, and registered nurses.

Specifies student support staff be funded as one per 75 economically disadvantaged students using a salary of \$38,633 in FY 2010 and \$39,381 in FY 2011 and with the number of economically disadvantaged students calculated as the district's formula ADM multiplied by the percentage of students who are economically disadvantaged as reported on the district's report card.

Specifies counselors be funded as one counselor for every 250 students in grades 6-12, using a salary of \$66,375 in FY 2010 and \$67,660 in FY 2011.

Specifies summer remediation be funded as one teacher for every 30 participating students, where the participating students are calculated as 50% of economically disadvantaged students, using a stipend of \$3,000 per teacher.

Specifies school nurses be funded as one per organizational unit, using a salary of \$28,009 in FY 2010 and \$28,551 in FY 2011. Specifies that small school districts, defined as having formula ADM of less than 800 students, do not receive funding for a school nurse.

Specifies registered nurses be funded as one per school district, using a salary of \$51,407 in FY 2010 and \$52,402 in FY 2011.

R.C. 3306.06, 3306.02

Same as the Executive, but renames student support staff as family and community liaisons, school nurses as school nurse wellness coordinators, and registered nurses as district health professionals.

Same as the Executive, but renames student support staff as family and community liaisons and multiplies the salary by the district's ECF.

Same as the Executive, but eliminates funding for counselors in FY 2010 and FY 2011.

Same as the Executive, but multiplies the \$3,000 stipend by the ECF.

Same as the Executive, but reclassifies school nurses as school wellness coordinators, eliminates funding for school wellness coordinators in FY 2010 and FY 2011, and stipulates that the funding amount for future biennia will be set by law.

Same as the Executive, but reclassifies registered nurses as district health professionals, eliminates funding for district health professionals in FY 2010 and FY 2011, and

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Directs each school district to account for expenditures of the amount received for additional services support and report it to ODE.

No provision.

stipulates that the funding amount for future biennia will be set by law.

Same as the Executive.

Requires that the Superintendent of Public Instruction's expenditure and reporting standards encourage school districts to give preference to employing or obtaining the services of licensed school nurses with funds received for the school nurse wellness coordinator factor and the district health professional factor.

**10 EDU - 130 Administrative Services Support**

**R.C. 3306.07**

Defines the administrative services support component as consisting of funding for superintendents, treasurers, principals, and administrative support personnel.

Specifies superintendents be funded as one per district, using a salary of \$108,758 in FY 2010 and \$110,864 in FY 2011, phased in at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in.

Specifies treasurers be funded as one per district, using a salary of \$78,418 in FY 2010 and \$79,937 in FY 2011 phased in at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in.

Specifies principals be funded as one per organizational unit, using a salary of \$89,563 in FY 2010 and \$91,297 in FY 2011.

**R.C. 3306.07**

Same as the Executive, but combines funding for superintendents and treasurers and renames it district administration.

Same as the Executive, but combines funding for superintendents and treasurers under district administration and provides funding per district of \$187,176 for FY 2010 and \$190,801 for FY 2011 with no phase-in percentage applied.

See above.

Same as the Executive, but guarantees each "type 1" district (rural/agricultural, high poverty, low median income), and "type 2" district (rural/agricultural, small

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Specifies that administrative support personnel includes building managers, secretaries, and noninstructional aides and is to be funded in the following manner, except that small school districts receive funding for one building manager, one secretary, and one noninstructional aide:

- (1) One building manager per organizational unit, using a salary of \$33,624 in FY 2010 and \$34,275 in FY 2011;
- (2) One secretary per elementary and middle school organizational unit and three secretaries per high school organizational unit, using a salary of \$33,624 in FY 2010 and \$34,275 in FY 2011;
- (3) Two noninstructional aides per elementary and middle school organizational unit and three noninstructional aides per high school organizational unit, using a salary of \$19,966 in FY 2010 and \$20,353 in FY 2011.

Directs each school district to account for expenditures of the amount received for administrative services support and report it to ODE.

**Fiscal effect: The phased-in amount for superintendents is \$27,190 in FY 2010 and \$27,716 in FY 2011 per district. The phased-in amount for treasurers is \$19,605 in FY 2010 and \$19,984 in FY 2011 per district.**

student population, low poverty, low to moderate median income), as specified in typology published by ODE in June 2007, funding for at least one principal at each of its buildings.

Same as the Executive, but adds the specification that all school districts shall receive funding for at least one building manager, one secretary, and (except in FY 2010 and FY 2011) one noninstructional aide.

- (1) Same as the Executive.
- (2) Same as the Executive.

(3) Same as the Executive, but eliminates funding for noninstructional aides in FY 2010 and FY 2011.

Same as the Executive.

**Fiscal effect: Funding for superintendents and treasurers is combined and funded at 100% of \$187,176 in FY 2010 and \$190,801 in FY 2011.**

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11 EDU - 131 Operations and Maintenance Support

R.C. 3306.08

Calculates operations and maintenance support funding as \$902 per student, phased in at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in.

Directs each school district to account for expenditures of the amount received for operations and maintenance support and report it to ODE.

**Fiscal effect: The phased-in amount is \$226 per student in FY 2010 and FY 2011.**

R.C. 3306.08

Same as the Executive, but decreases funding to \$884 per student, and increases the phase-in percentage to 45% in FY 2010-2011 and 75% in FY 2012-2013. Also, eliminates the phase-in exception for Cleveland.

Same as the Executive.

**Fiscal effect: The phased-in amount is \$397.80 per student in FY 2010 and FY 2011.**

12 EDU - 132 Gifted Education and Enrichment Support

R.C. 3306.09

Calculates funding for gifted education support as \$25 per student.

(1) No provision.

(2) No provision.

(3) No provision.

R.C. 3306.09, 3306.091

Replaces the Executive calculation of gifted education support as follows:

(1) Calculates funding for gifted student identification as \$5 per student.

(2) Calculates funding for gifted coordinators as one per 2,500 students at \$66,375 in FY 2010 and \$67,660 in FY 2011.

(3) Calculates funding for gifted intervention specialists as one per organizational unit at the statewide base teacher salary adjusted by the ECF and phased in at 20% in FY 2010, 30% in FY 2011, 40% in FY 2012-FY 2013, 60% in FY 2014-FY 2015, and 80% in FY 2016-FY 2017.

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(4) No provision.

(4) Calculates funding for gifted intervention specialist professional development at \$1,833 per organizational unit, phased in at 20% in FY 2010, 30% in FY 2011, 40% in FY 2012-FY 2013, 60% in FY 2014-FY 2015, and 80% in FY 2016-FY 2017.

No provision.

Disqualifies a district for gifted education support funding if the district does not submit its annual report specifying the number of students identified as gifted or reports zero students identified as gifted.

No provision.

Allows districts to use up to 15% of the gifted intervention specialist funds attributable to grades 6-12 for services specified in gifted students' written education plans, but not described in the laws governing gifted education, subject to ODE's approval.

Specifies that each school district must use the gifted education amount to provide instruction, activities, materials, and supplies for students identified as gifted.

Replaces the Executive provision with a provision that requires that funds be spent in accordance with rules adopted by the Superintendent of Public Instruction and requires that those rules specify the gifted education support component be spent only on staff and services for identified gifted students in accordance with the State Board's operating standards for services to gifted students. Requires the Superintendent's rules take effect July 1, 2011.

No provision.

Requires a district that received gifted unit funding in FY 2009 to spend on services to identified gifted students in subsequent fiscal years not less than the amount of FY 2009 gifted unit funding and disallows such a district from applying for or receiving a waiver of this requirement. Allows any other district to apply for a waiver from spending its gifted education support funding on gifted student services, but limits the duration of such a waiver.

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Directs each school district to account for expenditures of the amount received for gifted education support and report it to ODE.

Calculates enrichment support funding as \$200 per student, phased in at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in.

Directs each school district to account for expenditures of the amount received for enrichment support and report it to ODE.

Specifies that each school district must use the amount provided for enrichment support to support enrichment activities to encourage the intellectual pursuits of all students, including postsecondary courses and advanced placement opportunities, or may use the amount to support gifted programming.

**Fiscal effect: The phased-in amount for student enrichment is \$50 per student in FY 2010 and FY 2011.**

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Same as the Executive, but requires that districts separately account for each of the four factors of gifted education support.

Same as Executive, but decreases the amount to \$100 per student, phased in at 20% in FY 2010 and 30% in FY 2011, 40% in FY 2012-FY 2013, 60% in FY 2014-FY 2015, and 80% in FY 2016-FY 2017 with no exception for Cleveland and applies the ECF to the calculation.

Same as the Executive.

Replaces the Executive provision with a provision that specifies that enrichment activities encourage creative, as well as intellectual pursuits, including fine arts, and requires enrichment support be used for purposes other than services to identified gifted students.

**Fiscal effect: The phased-in amount for gifted intervention specialists ranges from \$8,688 to \$18,757 in FY 2010 and from \$8,827 to \$19,057 in FY 2011 per organizational unit. The phased-in amount for professional development for gifted intervention specialists per organizational unit is \$366.60 in FY 2010 and \$549.90 in FY 2011. The phased-in amount for student enrichment, prior to the application of the ECF, is \$20 per student in FY 2010 and \$30 per student FY 2011.**

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13 EDU - 133 Technology Resources Support

R.C. 3306.10

Defines the technology resources support component as consisting of funding for media services and technical equipment.

Calculates media services funding as \$60,000 per organizational unit.

Calculates technical equipment funding as \$250 per student.

Phases in funding for media services and technical equipment at 25% in FY 2010-2011, 50% in FY 2012-2013, and 75% in FY 2014-2015. Specifies that Cleveland Municipal School District is not subject to the phase-in.

Directs each school district to account for expenditures of the amount received for technology resources support and report it to ODE.

**Fiscal effect: The phased-in amount for media services is equal to \$15,000 per organizational unit and for technical equipment is equal to \$63 per student in FY 2010 and FY 2011.**

R.C. 3306.10

Same as the Executive, but renames the media services factor as the "licensed librarian and media specialist factor."

Same as the Executive, but renames the media services factor as the "licensed librarian and media specialist factor."

Same as the Executive.

Replaces the Executive phase-in percentages with 20% in FY 2010, 30% in FY 2011, 40% in FY 2012-FY 2013, 60% in FY 2014-FY 2015, and 80% in FY 2016-FY 2017 without an exception for Cleveland.

Same as the Executive.

**Fiscal effect: The phased-in amount for media services is equal to \$12,000 per organizational unit in FY 2010 and \$18,000 per organizational unit in FY 2011, and for technical equipment is equal to \$50 per student in FY 2010 and \$75 per student in FY 2011.**

14 EDU - 134 Special Education Weights

R.C. 3306.11

Updates the weights used to calculate weighted special education ADM as follows (current law weight in parentheses):

R.C. 3306.11, 3306.02

Replaces the Executive provision with a provision that changes the weights used to calculate weighted special education ADM as follows:

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(1) Category 1 = 0.2906 (0.2892);

(1) Same as the Executive;

(2) Category 2 = 0.3613 (0.3691);

(2) Category 2 = 0.7374;

(3) Category 3 = 1.7809 (1.7695);

(3) Category 3 = 1.7716;

(4) Category 4 = 2.3143 (2.3646);

(4) Category 4 = 2.3643;

(5) Category 5 = 3.5071 (3.1129);

(5) Category 5 = 3.2022;

(6) Category 6 = 5.3543 (4.7342).

(6) Category 6 = 4.7205.

No provision.

Changes the special education categories as follows:

(1) No provision.

(1) Moves "vision impaired" students from category three to category four;

(2) No provision.

(2) Moves "orthopedically disabled" students from category four to category five.

**15 EDU - 135 Transportation Funding**

R.C. 3306.12, 3306.01

Enacts a new formula for transportation funding for school districts based on recommendations of ODE.

R.C. 3306.12, 3306.01

Same as the Executive.

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Directs ODE to calculate statewide transportation cost per student as follows:

(1) Determine each school district's transportation cost per student by dividing the district's total costs for school bus service in the previous fiscal year by its qualifying ridership in the previous fiscal year;

(2) Calculate the average after excluding districts that do not provide school bus service, the ten districts with the highest cost per student, and the ten districts with the lowest cost per student.

Directs ODE to calculate statewide transportation cost per mile as follows:

(1) Determine each school district's transportation cost per mile by dividing the district's total costs for school bus service in the previous fiscal year by its total number of miles driven in the previous fiscal year;

(2) Calculate the average after excluding districts that do not provide school bus service, the ten districts with the highest cost per mile and the ten districts with the lowest cost per mile.

Directs ODE to calculate each school district's base transportation payment as follows:

(1) Multiply the statewide cost per student by the district's qualifying ridership for the current fiscal year;

(2) Multiply the statewide cost per mile by the district's total number of miles for the current fiscal year;

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

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(3) Multiply the greater of the amount calculated per student or per mile by the greater of 60% or the district's state share percentage, which is equal to the district's state share of the adequacy amount divided by the district's total adequacy amount.

(3) Same as the Executive.

Directs additional funds be distributed for transportation of nontraditional riders (community school, STEM school, or nonpublic school students), transportation of high school students, transportation of students enrolled in grades K-8 who live less than two miles but more than one mile from school, and demonstration of efficiency by transporting more than a target number of students per bus.

Same as the Executive.

Limits the allocation for each district to the district's actual transportation costs.

Same as the Executive.

Continues to require ODE to pay for students transported by a method other than school bus service using a formula adopted by the State Board.

Same as the Executive.

Requires that, in FY 2010 and FY 2011, ODE pay a pro rata portion of the amount calculated for each school district based on state appropriations for transportation.

Same as the Executive.

No provision.

Phases in at 30% in FY 2010 and 70% in FY 2011 a supplemental transportation payment to school districts with both (1) a parity aid wealth per pupil (factoring property value and income) below the state median and (2) bus ridership density below the state median equaling the difference between the full calculated amount for transportation and the prorated payment the district would otherwise receive.

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**Fiscal effect: The bill appropriates \$376.9 million in each fiscal year for these payments.**

**Fiscal effect: The bill appropriates \$386.7 million in FY 2010 and \$401.5 million in FY 2011 for these payments, of which \$376.9 million in each fiscal year is reserved for the prorated portion of transportation aid.**

16      EDU - 136      Local Share of Adequacy Amount

R.C.      3306.13

Calculates each district's local share ("charge-off") of the adequacy amount as:

- (1) 20 mills times the district's total taxable valuation, for districts that levy less than 20.1 effective class-one current expense mills; or
- (2) 20 mills times the district's recognized valuation for districts that levy 20.1 or more effective class-one current expense mills.

Defines a school district's "class one effective operating tax rate" as the quotient obtained by dividing the district's class one taxes charged and payable for current expenses by the district's class one taxable value.

R.C.      3306.13, 3306.02

Same as the Executive, but changes the calculation as follows:

- (1) Same as the Executive, but increases the millage to 22 mills in FY 2010-FY 2011, 21 mills in FY 2012-FY 2013, and 20 mills in FY 2014 and thereafter;
- (2) Same as the Executive, but increases the millage to 22 mills in FY 2010-FY 2011, 21 mills in FY 2012-FY 2013, and 20 mills in FY 2014 and thereafter.

Same as the Executive, but specifies that the "class one effective operating tax rate" does not include the following fixed sum levies: (1) emergency levies, (2) substitute levies, (3) incremental levies, and (4) conversion levies.

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In House Finance and Appropriations

**Fiscal effect: Under current law, school districts contribute 23 mills of their recognized valuation toward base cost funding and up to 3.3 mills of recognized valuation toward special education, career-technical education, and transportation funding. Reducing the local share to 20 mills increases the state share of the calculated adequacy amount and reduces the local share. Additionally, the use of recognized valuation smoothes changes in state aid due to valuation reappraisals and updates. Using taxable value instead of recognized value for districts that levy less than 20.1 effective class-one operating mills eliminates this smoothing effect for those districts.**

**Fiscal effect: Same as the Executive, but the impact of the lowered charge-off is tempered by phasing it in over five years.**

17      EDU - 110      Funding for Joint Vocational School Districts

**R.C.      3306.14, Section 265.30.50**

Directs ODE to distribute funds within GRF appropriation item 200550, Foundation Funding, to each joint vocational school district (JVSD) receiving funds in FY 2009. Specifies that each JVSD receive funding equal to the amount received in the previous year inflated by 1.9%. Requires the Partnership for Continued Learning to establish a JVSD funding committee, whose members shall include business leaders and representatives of JVSDs, to study the extent to which current JVSD programming and funding are responsive to state, regional, and local business and industry needs. Requires the committee to issue a report by September 1, 2010, containing its recommendations for revisions to JVSD programming and funding.

**R.C.      3306.14, Section 265.30.50**

Same as the Executive.

Same as the Executive, but also requires the committee to study the funding of lead districts, specifies that the representatives of JVSDs include at least one superintendent and one treasurer, and adds a member of a school district board of education, appointed by the Governor, to the Committee.

Same as the Executive, but requires inclusion of lead district funding in the report.

**Executive**

**In House Finance and Appropriations**

States that the General Assembly will enact laws implementing revisions to JVSD programming and funding by July 1, 2011.

Same as the Executive, but includes implementation of lead district funding changes in the deadline.

**Fiscal effect: The bill earmarks \$263.2 million in FY 2010 and \$268.2 million in FY 2011 for payments to JVSDs. There are also likely administrative costs associated with the JVSD funding committee.**

**Fiscal effect: Same as the Executive, but eliminates the specific dollar amount in the earmark for JVSD payments.**

18      EDU - 112      Educational Service Centers Funding

R.C.      *3306.15, Section 265.50.10*

R.C.      *3306.15, 3306.21, 3306.32, 3306.321, Section 265.50.10*

Specifies that state funding for educational service centers (ESCs) in FY 2010 and FY 2011 be equal to 90% of the funding provided in FY 2009.

Replaces the Executive provision with a provision that requires the per pupil state payments at the full amount first to ESCs for the students from local school districts, then to students from exempted village and city school districts, and then for brick-and-mortar community school students, and finally for STEM school students. Permits an ESC that assumed the contract of a dissolved ESC to provide services to a city or exempted village school district to receive state funds for the students in that district in the same manner as the dissolved ESC would have.

Establishes the Educational Service Center (ESC) Study Committee to study the extent to which the current ESC system supports school districts in academic achievement, teacher quality, shared educational services, and the purchasing of services and commodities. Directs the committee to make recommendations regarding (1) a new regional service delivery system, (2) ESC governance structure, and (3) accountability metrics for ESCs. Requires a progress report due by July 1, 2010 and a final report due to the Governor by October 1, 2010.

Same as the Executive, but adds a member of a school district board of education, appointed by the Governor, to the Committee.

**Executive**

Requires each ESC to undergo a performance audit during FY 2010 and FY 2011 conducted by the Auditor of State or a vendor contracted by ODE. Directs ODE, the Office of Budget and Management, and the Auditor of State to agree to the audits' scope and set metrics for (1) operational standards utilized by each ESC, (2) utilization of services by school districts, and (3) the quality of educational and professional development services.  
No provision.

**Fiscal effect: The bill earmarks \$42.3 million in each fiscal year for payments to ESCs. The bill earmarks \$16.4 million in FY 2010 and \$18.0 million in FY 2011 for audits and a portion of the amount is directed to be used for the performance audits of ESCs. There are likely administrative costs associated with the ESC Study Committee.**

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Replaces the Executive provision with a provision that requires a performance review of each ESC every five years and requires ODE to review the final report of each ESC performance review and, if necessary, to provide technical assistance to the service center.

States that the funding provisions of the Evidence Based Model do not affect or limit the authority granted in current law for school districts, community schools, and STEM schools to contract for services with ESCs.

**Fiscal effect: Same as the Executive, but increases the earmark for ESC payments to \$47.0 million in each fiscal year and lowers the FY 2010 earmark for performance audits to \$5.0 million.**

19 EDU - 141 Community School Funding

R.C. 3306.16, 3314.03, 3314.08, 3314.083, 3314.084, 3314.087, 3314.091, 3314.10, 3314.26, 3317.03, *Repealed: 3314.085, 3314.13*

Requires that state payments be made directly to community schools, calculated using some elements of the adequacy amount for school districts, as follows:  
(1) Specifies that all community schools constitute one organizational unit for funding purposes, regardless of enrollment size;

R.C. 3306.16, 3314.03, 3314.075, 3314.08, 3314.083, 3314.084, 3314.087, 3314.091, 3314.10, 3314.26, 3317.03, *Repealed: 3314.085, 3314.13*

Same as the Executive, but makes the following changes:

(1) Replaces the Executive provision with a provision that calculates organizational units at one per 291 students, with a minimum of 0.5 organizational unit for brick and mortar schools and a maximum of one organizational unit

## Executive

- (2) Specifies a base teacher salary of \$51,407 for FY 2010 and \$52,402 for FY 2011 (same as school districts);
- (3) Specifies that the IQ Index is not used in calculating community school payments;
- (4) No provision.
- (5) Adjusts the model for "brick and mortar" community schools as follows:
- (a) For additional services support, limits community schools to one counselor regardless of enrollment size, and one school nurse if ADM is less than 800 or one registered nurse if ADM is 800 or more;
- (b) For administrative services support, does not provide funding for a superintendent or a treasurer, and otherwise limits funding to one principal, one building manager, and one secretary.

## In House Finance and Appropriations

- for e-schools;
- (2) Same as the Executive, but lowers the salary to \$52,230 in FY 2011 (neither year is now equal to that used for school districts);
- (3) Replaces the Executive provision with a provision that applies the ECF to the same components as for school districts if the community school is either (1) a conversion school that was open for instruction prior to July 1, 2009, or a start-up school that is sponsored by a school district and has at least 50% of its students coming from that district, in which case applies the ECF of the sponsor district, or (2) a community school that is rated for the previous school year as continuous improvement or higher, in which case applies the statewide average ECF. Applies the greater of the two if the community school meets both criteria.
- (4) Caps annual growth in per pupil payments to community schools in each fiscal year at 1.9%;
- (5) Same as the Executive, but makes the following changes:
- (a) Same as the Executive, but changes the enrollment threshold to 418, changes "school nurses" to "school nurse wellness coordinators" and "registered nurses" to "district health professionals", and eliminates funding for these two factors as well as counselors during the FY 2010-FY 2011 biennium;
- (b) Same as the Executive, but calculates funding for principals and building managers as one per organizational unit instead of limiting funding to one and guarantees funding for at least one-half of one building manager and one-half of one secretary rather than limiting funding to no

**Executive**

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(6) Adjusts the model for Internet- or computer-based community schools ("e-schools") as follows:

(a) For instructional services support, provides funding for core teachers, special education teachers, special education teacher's aides, and LEP teachers. Determines the number of core teachers funded by using a 1:125 student to teacher ratio for all grades. Does not provide funding for specialist teachers, career-technical teachers, lead teachers, or supplemental teachers.

(b) For additional services support, provides funding for one counselor regardless of enrollment size. Does not provide funding for student support staff, summer remediation, school nurses, or registered nurses.

(c) Does not provide funding for administrative services support (superintendent, treasurer, principals, and administrative support personnel), operations and maintenance support, gifted education and enrichment support, or professional development.

(d) For technology resources support, provides \$1,037 per pupil for technical equipment with no phase-in applied; does not provide funding for media services.

Repeals the law requiring each e-school to spend at least a portion of its per-pupil state payment on instruction, as the calculation is based on elements of the current funding formula, instead of the new model.

No provision.

more than one building manager and one secretary.

(6) Same as the Executive, but makes the following changes:

(a) Same as the Executive.

(b) Same as the Executive, but eliminates funding for counselors during the FY 2010-FY 2011 biennium.

(c) Same as the Executive.

(d) Same as the Executive.

Same as the Executive.

Prohibits payment to a community school primarily serving dropouts for any time a student spends in non-classroom learning opportunities.

Executive

No provision.

**Fiscal effect: E-schools receive fewer components of the adequacy amount, thereby significantly reducing the amount of state funds they will receive through the funding formula as opposed to traditional school districts. The bill appropriates \$495.9 million in FY 2010 and \$532.2 million in FY 2011 for formula aid payments to community schools, including e-schools.**

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Requires ODE to compute the aggregate funding for two or more brick-and-mortar community schools located in the same building as if they were one community school and to pay each of the schools a per pupil amount of the aggregate, if the schools have at least one common member on their respective governing authorities and the same chief administrative officer.

**Fiscal effect: Same as the Executive, but the bill appropriates \$470.9 million in FY 2010 and \$511.2 million in FY 2011 for formula aid payments to community schools, including e-schools. Also, for schools sharing a building, if one or more of the consolidating schools had an ADM below the minimum threshold of one-half organizational unit (145.5), calculation of portions of the state aid payments based on organizational units may decrease.**

20 EDU - 142 STEM School Funding

R.C. 3306.17, 3317.03, 3326.31 - 3326.34, 3326.38, 3326.51

Specifies the funding methodology and distribution for STEM schools based on the school's governance:

(1) If the school is governed by a school district board of education as one of the schools of the district, counts the students in the school's formula ADM and credits funding to the district. (Counts students from other districts who enroll in the school in the formula ADM of the district operating the school, instead of the formula ADM of their resident districts.) Subjects the district to current law requiring the board to allocate to the STEM school the funds generated by the STEM school's students.

R.C. 3306.17, 3317.03, 3326.31 - 3326.34, 3326.38, 3326.51

Same as the Executive.

(1) Same as the Executive.

**Executive**

**In House Finance and Appropriations**

(2) Pays other STEM schools state funds directly, calculated using the proposed school funding formula incorporating the adequacy amount, with the following modifications:

(a) Does not apply the IQ Index in calculating the school's payments;

(b) Subjects the STEM school's funding calculation to the same modifications provided for "small school districts," meaning considers the school to be one organizational unit; does not provide funding for school nurses; and provides funding for one principal, one secretary, and one noninstructional aide under the administrative support services.

(2) Same as the Executive, but makes the following conforming changes.

(a) Same as the Executive, but does not apply the ECF instead of the IQ index.

(b) Same as the Executive, but renames "school nurses" as "school nurse wellness coordinators."

**21 EDU - 139 Transitional Aid and Growth Cap**

**R.C. 3306.19**

Requires payment of a transitional aid subsidy to school districts to ensure that:

(1) No district's combined state share of the adequacy amount plus prorated transportation payment in FY 2010 is less than 100% of its transitional aid base for FY 2009, which is equal to the state formula aid credited to the district for FY 2009 less any amount of that aid attributable to community school students and net of any additions or deductions for open enrollment students;

(2) No district's combined state share of the adequacy amount plus prorated transportation payment in FY 2011 is less than 98% of its FY 2010 amount.

**R.C. 3306.19, 3306.191**

Same as the Executive, but makes the following changes to the transitional aid subsidy:

(1) Same as the Executive, but also includes the amount calculated for career-technical education in the base for transitional aid.

(2) Same as the Executive, but also includes the amount calculated for career-technical education in the base for transitional aid.

**Executive**

Limits growth in a district's state share of the adequacy amount plus prorated transportation payment as follows:

(1) In FY 2010, to no more than 115% of its transitional aid base for FY 2009.

(2) In FY 2011, to no more than 116% of its FY 2010 amount.

No provision.

**Fiscal effect: Transitional aid ensures that no school district receives a decrease in state aid in FY 2010 and limits the decrease to 2% in FY 2011. The cap on growth ensures that no school districts sees growth in state aid greater than 15% in FY 2010 or 16% in FY 2011.**

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Same as the Executive, but changes the growth limit as follows:

(1) In FY 2010, to no more than 101.9% of its transitional aid base for FY 2009.

(2) In FY 2011, to no more than 101.9% of its FY 2010 amount.

Requires an additional transitional aid payment in FY 2011 to account for the supplemental transportation payment equal to the difference of 98% of a district's FY 2010 total state education aid (including the supplemental transportation payment) and its fiscal year 2011 total state aid.

**Fiscal effect: Same as the Executive, except that the cap on growth ensures that no district sees growth in state aid greater than 1.9% in FY 2010 and FY 2011.**

22 EDU - 140 Ohio Research-Based Funding Model Advisory Council

R.C. 3306.29

Establishes the Ohio Research-Based Funding Model Advisory Council to submit biennial recommendations for revisions to the components of the adequacy amount calculation. Directs the Council to meet quarterly, beginning August 2009, and submit its recommendations by September of each even-numbered year.

Directs the Office of School Resource Management in ODE to provide staffing assistance to the Council.

R.C. 3306.29, 3306.291, 3306.292, 3301.82

Same as the Executive, but renames the Council as the Ohio School Funding Research Advisory Council and changes the date by which it is to submit its recommendations to December of each even-numbered year.

Same as the Executive, but also requires ODE's Center for Creativity and Innovation to provide staff assistance to the Council.

**Executive**

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- Directs that the Council consist of the following members:
- (1) the Superintendent of Public Instruction, or the Superintendent's designee;
  - (2) the Chancellor of the Board of Regents, or the Chancellor's designee;
  - (3) Two school district teachers, appointed by the Governor;
  - (4) Two nonteaching, nonadministrative school district employees appointed by the Governor;
  - (5) One school district principal, appointed by the Governor;
  - (6) One school district superintendent, appointed by the Governor;
  - (7) One school district treasurer, appointed by the Governor;
  - (8) One representative of an institution of higher education, appointed by the Governor;
  - (9) One member representing the business community, appointed by the Governor;
  - (10) One member representing the general public, appointed by the Governor;
  - (11) One member representing educational service centers (ESCs), appointed by the Governor;

- Same as the Executive, but makes the following changes to the Council's membership:
- (1) Same as the Executive.
  - (2) Same as the Executive.
  - (3) Same as the Executive.
  - (4) Same as the Executive.
  - (5) Same as the Executive.
  - (6) Same as the Executive.
  - (7) Same as the Executive.
  - (8) Same as the Executive, but specifies that the representative be from a college of education within an institution of the University System of Ohio.
  - (9) Same as the Executive.
  - (10) Same as the Executive.
  - (11) Same as the Executive.

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(12) One parent of a student attending a school operated by a school district, appointed by the Governor;

(12) Same as the Executive.

(13) One member representing community schools, appointed by the Governor;

(13) Replaces the Executive provision with a provision that adds to the membership all of the following: (1) one representative of community school sponsors, (2) one representative of nonprofit operators of community schools, (3) one community school fiscal officer, and (4) one parent of a community school student.

(14) One member representing early childhood education providers, appointed by the Governor;

(14) Same as the Executive.

(15) Two members of the House of Representatives appointed by the Speaker, one of whom should be from the minority party, recommended by the Minority Leader;

(15) Same as the Executive.

(16) Two members of the Senate appointed by the Senate President, one of whom should be from the minority party, recommended by the Minority Leader.

(16) Same as the Executive.

(17) No provision.

(17) One member of a school district board of education, appointed by the Governor;

(18) No provision.

(18) One representative of philanthropic organizations, appointed by the Governor;

(19) No provision.

(19) One representative of the Ohio Academy of Science, appointed by the Governor.

No provision.

Requires the Council, when preparing its first report, to analyze the adequacy of the model's financing for (1) gifted education services, (2) career-technical education, (3) arts education, (4) services for limited English proficient students, and (5) early college high schools.

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No provision.

Authorizes the Council to address (1) strategies and incentives to promote school cost-saving measures and efficiencies, (2) options for adding learning time to the school year, (3) the adequacy of the model's accounting for and financing of operation costs, and (4) the accuracy of the funding model's component calculations and the model as a whole.

No provision.

Establishes a subcommittee of the Council to make recommendations for fostering collaboration between school districts and community schools, including fiscal incentives for collaboration. Requires the subcommittee to report its findings by September 1, 2010, and periodically thereafter.

No provision.

Permits the Council the establish other subcommittees and to appoint non-Council members to those subcommittees.

**Fiscal effect: There are likely administrative costs associated with the Council. There is no direct appropriation for this purpose, however the bill earmarks \$600,000 in each fiscal year for the Office of School Resource Management which, among its other duties, is directed to provide staffing assistance to the Council.**

**Fiscal effect: Same as the Executive, but also earmarks \$700,000 in each fiscal year for the Center for Creativity and Innovation which, among its other duties, is directed to provided staffing assistance to the Council.**

Executive

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23 EDU - 23 School Spending Accountability

R.C. 3306.30, 3306.18, 3306.31-3306.34, 3306.40, 117.54

Requires each school district, each community school, and each STEM school to submit to ODE a spending plan for state funds received for components of the school funding adequacy amount that deploys those funds for the purposes designated for each component and complies with the operating standards adopted by the State Board.

No provision.

No provision.

No provision.

Requires each school district that has a high school with a graduation rate of 70% or less (1) to obtain the approval of its spending plan from ODE and the Governor's Closing the Achievement Gap Initiative and (2) to create and staff within its state-funded student support staff the position of linkage coordinator to serve as the primary mentor and

R.C. 3306.30, 3306.02, 3306.18, 3306.31-3306.34, 3306.40, 117.54, 3306.25, 3306.35

Same as the Executive, but instead of the stipulation that schools deploy funds for the purposes designated for each component requires the State Superintendent to adopt rules prescribing spending and reporting requirements for particular components of the adequacy amount, classified into three categories: (1) core academic strategies, (2) academic improvement, and (3) other funded components.

Requires that the rules for spending and reporting for core academic strategies apply to all school districts, community schools, and STEM schools; not take effect earlier than July 1, 2010; and provide flexibility for districts and schools rated as effective or excellent.

Requires that rules for spending and reporting for academic improvement apply only to school districts, community schools, and STEM schools in academic emergency or academic watch for two or more consecutive years, and not take effect earlier than July 1, 2011.

Requires that rules on other components apply to all school districts, community schools, and STEM schools; prescribe only reporting standards and not spending standards; and not take effect earlier than July 1, 2010.

Same as the Executive, but changes qualifying districts to those with a three-year average graduation rate of 80% or less, requires a linkage coordinator in each organizational unit, and requires the linkage coordinator to meet guidelines established by the Governor's Closing the Achievement Gap Initiative. Also, requires a qualifying

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service coordinator for students identified as potential nongraduates.

district to implement actions prescribed by the Initiative in (1) each high school and (2) each elementary and middle school where less than 50% of the students have attained a proficient score on the 4th and 7th grade achievement tests in English language arts and mathematics. Also, requires the Initiative to work with each organizational unit of a qualifying district to assess its progress and assist it in ensuring compliance with the district's annual spending plan.

Requires ODE to annually reconcile each district's, community school's, and STEM school's spending plan with its actual spending.

Same as the Executive.

Requires the Superintendent of Public Instruction to certify to the State Board of Education by July 15 each year the amount each city, local, and exempted village school district spent in the previous fiscal year on each component of the district's adequacy amount.

Same as the Executive.

Requires each school district, community school, and STEM school to undergo a performance audit once every five years under the direction of the Office of School Resource Management within ODE. Requires each district or school to submit a written response that specifies a timeline for implementing the audit recommendations. Requires that, at the end of that timeline, each district or school report its progress on implementing the recommendations.

Same as the Executive, but renames the required performance audits as performance reviews.

Specifies the actions ODE must take when a school district, community school, or STEM school either fails to properly allocate state funds for at least five components of the adequacy amount, fails to submit or comply with a spending plan, fails to cooperate with a performance audit

Same as the Executive, but removes the provision by which ODE must take action when a school district, community school, or STEM school fails to properly allocate funds for at least five components of the spending plan, and instead adds that ODE must take action upon

**Executive**

or submit a response or progress report, or fails to implement recommendations from a performance audit. Requires (1) ODE to provide technical assistance and the district or school to develop a three-year operations improvement plan in the first year of noncompliance, (2) ODE to appoint a State Intervention Team to assist the district or school in the second year of noncompliance, (3) the Superintendent of Public Instruction to appoint an Accountability Compliance Commission or a trustee to manage the district or school in the third year of noncompliance, and (4) the State Board of Education to revoke the district's charter or ODE to order the community school or STEM school to close in the fourth year of noncompliance.

Specifies that the State Board of Education, at any time that a school district fails to comply with the spending accountability measures or to comply with the State Board's new operating standards, may revoke the district's charter. Specifies that ODE may order a community school or STEM school to close if it fails to comply with the spending accountability measures.

Requires the Auditor of State, when conducting an audit of a school district, community school, or STEM school, to determine whether the district or school (1) has developed and submitted, and is complying with a spending plan, and (2) is implementing recommendations from a performance audit. Requires that these determinations be recorded in the audit report.

Permits school districts, community schools, and STEM schools to apply to the Superintendent of Public Instruction for a waiver of the bill's spending requirements or the State

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failure to comply with spending and reporting requirements. Also, specifies that the earliest accountability sanctions can apply is FY 2011.

Same as the Executive.

Same as the Executive, but adds that the Auditor of State shall determine whether the submitted spending plan complies with applicable reporting and expenditure standards and renames the performance audits as performance reviews.

Same as the Executive.

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Board of Education's new operating standards. Directs that the waiver may be in effect for up to five years and may be renewed.

No provision.

**Fiscal effect: (1) School district flexibility in the use of state funds will be restricted.**

**(2) School districts, community schools, and STEM schools will likely bear a local administrative cost for the preparation of spending plans, audit responses, and implementation plans.**

**(3) ODE will bear an administrative cost relating to the review of spending plans and associated monitoring and reconciliation.**

**(4) ODE will bear the cost of the performance audits. The bill earmarks \$16.4 million in FY 2010 and \$18.0 million in FY 2011 for these audits.**

Requires ODE to develop the "Formula Accountability and Transparency" form (FACT form) to provide a public comparison of funded components and actual spending for school districts, community schools, and STEM schools.

**Fiscal effect: Same as the Executive, but district flexibility may be greater, especially for districts rated as excellent or effective; also, the earmark in FY 2010 is reduced to \$5.0 million .**

24 EDU - 154 Harmon Commission, Creative Learning Environments, and Pilot Subsidy

No provision.

R.C. 3306.50, 3306.51-3306.57

Establishes the 21-member Harmon Commission, appointed by legislative leaders and the Governor, to review applications for and designate classrooms operated by school districts and community schools as creative learning environments in accordance with guidelines adopted by the State Board of Education.

No provision.

Requires ODE, through the Center for Creativity and Innovation (established by the bill), to provide staff to assist the Harmon Commission.

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No provision.

Authorizes each school district and each community school, if the community school has a memorandum of understanding with one or more school districts that specifies a collaborative agreement, to apply to the Harmon Commission for designation of one or more classrooms as creative learning environments.

No provision.

Authorizes any school district in the lowest quintile of income wealth and any community school with a creative learning environment designation in one or more of the district's or community school's classrooms to apply for a pilot subsidy.

No provision.

Establishes the FY 2011 subsidy as \$100 times the number of students enrolled in each creative learning environment classroom. Requires that ODE select districts and community schools that apply for the subsidy on a first come, first served basis.

**Fiscal effect: The bill earmarks \$2.0 million in fiscal year 2011 for the pilot subsidy program.**

25 EDU - 172 Distribution of School District Payments

No provision.

R.C. 3317.01

Specifies that payments under Chapter 3317 of the Revised Code be made "periodically" rather than at least monthly as prescribed under current law.

**Fiscal effect: Under the bill, payments to school districts under Chapter 3317 are adjustments and corrections due to special circumstances which may be calculated only a few times per year. Regular state aid payments calculated under Chapter 3306 retain the requirement to be paid at least monthly.**

Executive

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26      EDU - 123      Formula Amount

R.C.      3317.02

Prescribes formula amounts of \$5,841 for FY 2010 and \$5,952 for FY 2011 for (1) districts to use in calculating deposits into their textbook and instructional materials fund and capital and maintenance fund, and (2) the state to use in calculating payments to colleges and universities under the Post-Secondary Enrollment Options program.

R.C.      3317.02

Same as the Executive.

27      EDU - 173      Uncollectable School District Taxes

No provision.

R.C.      3317.025

Removes reference to Chapter 3317 of the Revised Code from provisions requiring the recalculation of state aid based on property tax receipts in the case of uncollectable taxes.

**Fiscal effect: None - under the bill payments due to a school district based on property tax valuations are made under Chapter 3306 of the Revised Code, not Chapter 3317.**

28      EDU - 124      ODJFS Reports to ODE

R.C.      3317.10, *(Repealed)*

Repeals the law requiring the Department of Job and Family Services (ODJFS) to annually report to ODE the number of children in each school district ages 5 to 17 whose families participate in the Ohio Works First program.

R.C.      3317.10, *(Repealed)*

Same as the Executive.

Executive

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**Fiscal effect: The proposed school funding formula will not use the number of students whose families are enrolled in Ohio Works First to determine the economically disadvantaged for funding purposes, but will instead use the percentage of students reported as economically disadvantaged on the district report cards to target funding for economically disadvantaged students.**

**Fiscal effect: Same as the Executive.**

29      EDU - 28      All-Day Kindergarten

R.C.      3321.05, 3321.01, 3317.03

Requires each school district to offer all-day kindergarten to all kindergarten students, beginning in FY 2011, subject to the following exceptions: (1) requires districts to continue to accommodate kindergartners whose parents elect to enroll them for only half-day kindergarten; and (2) permits districts to apply for a waiver of the requirement to the Superintendent of Public Instruction. Permits the Superintendent to take into consideration space concerns or alternative delivery approaches when considering the waiver.

Eliminates the provision by which districts providing all-day kindergarten may charge tuition or fees.

No provision.

R.C.      3321.05, 3321.01, 3317.03

Same as the Executive.

Same as the Executive.

Permits a school district to use space in a child day-care center licensed by the Department of Job and Family Services to provide all-day kindergarten to district students.

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**Fiscal effect: Districts currently not providing all-day kindergarten may need to hire more teachers and acquire more classroom space. Districts currently charging tuition or fees for all-day kindergarten will no longer be able to do so, thus eliminating that local revenue stream. However, the school funding formula counts all kindergarten students as full time students instead of half time students as under current law.**

**Fiscal effect: Same as the Executive, but offers an option to deal with space concerns that may be less costly than other options.**

30      EDU - 51      Post-Secondary Enrollment Options Alternative Funding

R.C.      3365.12, 3314.08, 3326.36, 3365.04,  
             3365.041, 3365.07-3365.10

R.C.      3365.12, 3314.08, 3326.36, 3365.04,  
             3365.041, 3365.07-3365.10

Authorizes the Superintendent of Public Instruction and the Chancellor of the Ohio Board of Regents jointly to adopt rules allowing school districts, community schools, STEM schools, and nonpublic schools to enter into alternative funding agreements to pay colleges and universities for high school students taking college courses through PSEO programs, including Seniors to Sophomores.

Same as the Executive.

**Fiscal effect: The rules adopted may provide flexibility in the amount and manner of payments made to colleges and universities for high school students participating in PSEO programs.**

**Fiscal effect: Same as the Executive.**

31      EDU - 111      Cleveland Municipal School District Early Adopter Project

**Section: 265.40.90**

Provides the Cleveland Municipal School District (CMSD) full funding of its state share of the adequacy amount under the provisions of R.C. 3306.

No provision.

**Executive**

**In House Finance and Appropriations**

Permits the CMSD CEO, upon the expiration of the current collective bargaining agreement, to reassign teachers according to the needs of students in individual organizational units.

No provision.

Requires CMSD to undergo a curriculum audit and a business and operational management study, to be conducted by an organization with experiences in conducting such studies of urban districts selected by the Superintendent of Public Instruction in consultation with the CMSD CEO.

No provision.

Requires the CMSD CEO to collaborate with CMSD's Advisory Council to create a five-year strategic plan. Requires the plan to implement the recommendations of the curriculum audit and the business and operational management study, unless the Superintendent of Public Instruction grants a waiver of the requirement. Requires the district board of education to adopt the strategic plan and monitor its implementation. Requires the Superintendent of Public Instruction to provide technical assistance and monitoring.

No provision.

Requires CMSD to hire a Chief Systems Redesign Officer, who reports directly to the CMSD CEO, to create a five-year redesign plan for each organizational unit.

No provision.

Requires CMSD to create a Systems Redesign Advisory Council. Directs the Council to make recommendations to the Chief Systems Redesign Officer regarding implementation of the system redesign of the organizational units; implementation of the recommendations of the curriculum audit, business and operational management study, and the Human Ware Audit; and any other matters requested by the Chief

No provision.

Executive

In House Finance and Appropriations

Systems Redesign Officer.

Requires CMSD to create a Transformational Leadership Team in each organizational unit to implement a systems redesign of the organizational unit and to define student success.

No provision.

Requires the CMSD CEO to issue a progress report at the end of each fiscal year to the Governor and Superintendent of Public Instruction. Requires that if the Superintendent determines there has been insufficient progress toward meeting the recommendations of the curriculum audit and business and operational management study in FY 2010, CMSD is not eligible in FY 2011 for funds provided for the Early Adopter Project in GRF appropriation item 200422, School Management Assistance, and transitional aid.

No provision.

**Fiscal effect: Unlike other school districts, no part of the adequacy amount will be phased in for CMSD. Additionally, \$1.0 million is earmarked in each fiscal year in GRF appropriation item 200422, School Management Assistance, to fund the studies directed and assist with training and implementation of the Early Adopter Project.**

32 EDU - 55 State School for the Blind and School for the Deaf

Section: 265.60.50

Requires the Superintendent of Public Instruction to study the viability of funding the Ohio State School for the Blind and Ohio School for the Deaf through the evidence-based funding model proposed by the bill and to issue, by June 30, 2010, a report describing the findings and recommendations for a transparent, sustainable funding mechanism for the schools.

No provision.

Executive

In House Finance and Appropriations

**Fiscal effect: Minimal increase in administrative costs for completion of the study.**

33      EDU - 20      Foundation and Transitional Aid Funding Reimbursement

**Section: 265.60.70**

Specifies that no school district for which a reduction was made in its reported formula ADM for FY 2005 based on community school enrollment reports and, accordingly, for which a reduction was made in its foundation or transitional aid funding for FY 2005, FY 2006, or FY 2007, has a legal right to reimbursement for that reduction in funding except as expressly provided in a final court judgment or settlement agreement.

**Section: 265.60.70**

Same as the Executive.

**Community Schools**

34      EDU - 50      Funding and Expenditure Accountability Reports

**R.C. 3302.031**

Requires ODE annually to prepare a funding and expenditure accountability report for each community school and STEM school as it currently does for all school districts.

**Fiscal effect: Minimal.**

**R.C. 3302.031**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

35      EDU - 91      Sale of School District Property

**R.C. 3313.41, 3314.051, 3318.08**

Repeals the following requirements:

**R.C. 3313.41, 3314.051, 3318.08**

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

(1) that a school district first offer property suitable for classroom space for sale to start-up community schools in the district before otherwise disposing of it;  
 (2) that a school district offer property suitable for classroom space for sale to start-up community schools in the district when the district has not used the property for educational purposes for one year and has not adopted a plan to so use that property within the next three years.

Same as the Executive.

Same as the Executive.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

**36      EDU - 5      Community School Report Cards**

**R.C.      3314.012**

Eliminates the requirement that a community school must be in operation for two full school years before ODE may issue a report card for that community school.

**Fiscal effect: Minimal increase in administrative costs for ODE.**

**R.C.      3314.012**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**37      EDU - 7      Community School Operators**

**R.C.      3314.014, 3314.024, 3314.028**

Requires operators of community schools to be nonprofit entities. Exempts community schools with current contracts with for-profit operators from this requirement until the contracts expire.

Requires that contracts between a community school and an operator be selected through a competitive bidding process established by ODE.

**R.C.      3314.014, 3314.02, 3314.028**

No provision.

Same as the Executive.

Executive

In House Finance and Appropriations

**Fiscal effect: Some community schools may need to contract with a different operator after the termination of their current contracts.**

**Fiscal effect: May reduce the schools flexibility in choosing an operator.**

38 EDU - 87 Community School Sponsor Oversight

R.C. 3314.015, 3314.021, 3314.027, 3314.191

Clarifies that ODE's authority to oversee and monitor community school sponsors applies to all sponsors, regardless of whether they must initially be approved by ODE for sponsorship.

Permits ODE to place a sponsor in probationary status or to suspend or restrict the sponsor's authority to sponsor community schools for failure to intervene to correct problems at a school.

Prescribes other, graduated sanctions that ODE must take if the sponsor fails to take certain oversight actions or if one or more of the sponsor's community schools fails to meet certain criteria. Requires that, in the first year, ODE provide technical assistance and the sponsor prepare a three-year improvement plan and notify parents. Requires that, if a failure occurs in a second consecutive year, ODE place the sponsor on probationary status and monitor the sponsor's implementation of remedies. Requires that, if a failure occurs in a third consecutive year, ODE revoke the sponsor's authority to sponsor community schools.

Requires a sponsor to provide annual assurances to ODE that each community school it sponsors is in compliance with criminal records check and supervision requirements for private contractor employees working in the school.

R.C. 3314.015, 3314.021, 3314.027, 3314.191

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

Requires ODE's annual report on community schools to include the performance of community school sponsors.

Same as the Executive.

**Fiscal effect: May increase administrative costs for ODE.**

**Fiscal effect: Same as the Executive.**

39      EDU - 160      Community School Sponsors

No provision.

R.C.      **3314.015**

Prohibits a sponsor from initially entering into a sponsorship contract with a community school if more than 33% of the sponsor's existing schools are in academic watch or academic emergency.

40      EDU - 12      New Start-Up Community Schools

R.C.      **3314.016**

Revises the exception to the cap on new start-up community schools by prohibiting contracts with operators that manage other schools in Ohio, unless at least one of those schools has a report card rating higher than academic watch.

R.C.      **3314.016**

Same as the Executive.

**Fiscal effect: May limit a start-up community school's choice of operator.**

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

41 EDU - 13 Appeal of Termination or Nonrenewal of Operator Contract

R.C. 3314.026, *Repealed*

Repeals current law that permits a community school operator whose contract will be terminated or not renewed by the school's governing authority to appeal the decision to the school's sponsor, or in some cases, to the State Board of Education, and that requires the operator to replace the school's governing authority if the operator prevails in the appeal.

**Fiscal effect: Any costs related to the appeal process would be eliminated and community schools would have more flexibility in terminating or not renewing contracts with operators.**

R.C. 3314.026, *Repealed*

Same as the Executive.

**Fiscal effect: Same as the Executive.**

42 EDU - 52 Community School Accountability

R.C. 3314.03, 3314.42-3314.44

Removes the opening date exception for community schools that serve dropouts and requires those schools to open not later than September 30 of each school year as required of other community schools.

Requires the governing authority of each community school to submit to the school's sponsor a copy of any corrective action plan for the school required by ODE.

Specifies that community schools are educational institutions to which student records may be released for a legitimate educational purpose without the consent of the student or the student's parent.

R.C. 3314.03, 3314.42-3314.44

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Specifies that if a community school closes, the chief administrative officer must transmit all educational records to ODE and that failure to do so is a third degree misdemeanor.

Same as the Executive.

**Fiscal effect: Minimal.**

**Fiscal effect: Same as the Executive.**

43      EDU - 158      Community School Consolidation

No provision.

R.C.      *3314.075, 3306.16*

Permits two or more brick-and-mortar community schools located in the same building that have at least one common member on their respective governing authorities and the same chief administrative officer to consolidate into one community school.

**Fiscal effect: Allows for the consolidation of the assets and liabilities of all of the consolidating schools into the single school.**

44      EDU - 4      Community School Teachers

R.C.      *3314.102, 3314.03, 3314.19, 3314.21*

Requires that teachers hired on or after the provision's effective date to teach core academic subjects in community schools that receive federal Title I funds meet the definition of highly qualified teacher as defined in section 3319.074 of the Revised Code.

**Fiscal effect: None.**

R.C.      *3314.102, 3314.03, 3314.19, 3314.21*

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

45	EDU - 165	Community Schools - Operator Reporting	R.C. 3314.192
No provision.			Requires community school sponsors annually to report to ODE information about operators hired by the schools they sponsor. <b>Fiscal effect: Minimal.</b>
46	EDU - 162	Closure of Community Schools	R.C. 3314.35
No provision.			Revises the current performance criteria that trigger automatic closure of a community school effective July 1, 2009, as follows:
No provision.			(1) For schools that do not offer a grade higher than 3, requires closure if the school has been in academic emergency for three of the four most recent years, instead of four consecutive years;
No provision.			(2) For schools that offer any of grades 4 to 8 but no grade higher than 9, requires closure if the school has been in academic emergency for two of the three most recent years, instead of three consecutive years, and has shown less than one year of academic growth in reading or math for at least two of the three most recent years;
No provision.			(3) For a school that offers any of grades 10 to 12, requires closure if the school has been in academic emergency for three of the four most recent years, instead of three consecutive years with two years not showing two years of academic growth in reading or math.

Executive

No provision.

In House Finance and Appropriations

Exempts from automatic closure community schools in which a majority of the enrolled students are children with disabilities receiving special education and related services.  
**Fiscal effect: Certain community schools may be closed.**

47 EDU - 83 Community School On-Site Evaluations

R.C. 3314.39

Requires ODE to conduct an on-site visit of each community school at least every five years to evaluate the school's operations. Requires ODE, during each visit, to do the following:

- (1) Determine if the school has complied with the terms of the contract with its sponsor;
- (2) Determine if the school has complied with all applicable laws and administrative rules, including laws regarding community school academic and fiscal accountability;
- (3) Corroborate the academic and fiscal performance of the school reported annually to ODE by the sponsor; and,
- (4) Review, if applicable, the school's progress in implementing a continuous improvement plan.

Specifies that each site-visit may include school tours, classroom observations, and interviews with administrators, teachers, or other school staff, parents, community members, or students.

Requires schools to provide any data, documents, or other materials ODE considers necessary to conduct a thorough on-site visit.

Requires ODE, upon completion of each visit, to issue a written report summarizing its findings and establishes procedures for review of the report by the sponsor and

R.C. 3314.39, 265.60.10

Same as the Executive, but suspends the requirement to conduct site visits of each community school once every five years and instead includes community schools in the bill's pilot program of school visits along with district-operated schools.

Same as the Executive, but requires, rather than permits, that these activities be included in the site visits.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

governing authority of the school. Requires ODE to post the final version of the report on its website.

Permits the sponsor of a community school to consider the findings contained in the report in deciding whether to place the school in probationary status, to suspend the operation of the school, or to terminate the school's contract. Specifies that ODE may revoke the sponsor's approval to sponsor community schools if the sponsor fails to take any of these actions ODE determines are warranted based on the report.

Requires the State Board of Education to adopt rules to implement this section.

**Fiscal effect: The bill permits these visits to be conducted in conjunction with visits required for schools in academic emergency, thus, limiting travel costs for these trips. However, visits conducted for schools not in academic emergency could result in increased administrative costs for ODE. Schools may also have increased administrative costs depending on what is required of them by ODE to conduct a thorough on-site visit.**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive, but there may be savings if visits of fewer community schools are required under the pilot program. Schools may also incur increased administrative costs for conducting the specific activities the bill now requires at each site visit.**

48 EDU - 107 Community School SBH Subsidy

Section: 265.50.60

Continues the payment in FY 2010 and FY 2011 of a subsidy for certain community schools with at least 50% of students enrolled receiving education and services for a severe behavior handicap (SBH). Specifies that the amount of the subsidy not be deducted from the students' resident school district.

Section: 265.50.60

Same as the Executive.

Executive

In House Finance and Appropriations

**Fiscal effect: Provides for higher state payments to the affected community school.**

**Fiscal effect: Same as the Executive.**

49      EDU - 108      Community School Operation from Residential Facilities

**Section: 265.50.80**

Continues to prohibit a community school that was not open for operation as of May 1, 2005, from operating from certain residential facilities that receive and care for children.

**Fiscal effect: None.**

**Section: 265.50.80**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

50      EDU - 109      Early College Start Up Community School

**Section: 265.50.90**

Continues to permit an early college high school that is currently run by a Big Eight school district in partnership with a private university to operate as a start-up community school if certain conditions are met.

**Fiscal effect: None.**

**Section: 265.50.90**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

Educator Provisions

51 EDU - 27 Educator Preparation Programs

R.C. 3301.12, 3333.048, 3333.049, Repealed: R.C. 3319.23

Transfers responsibility for approving teacher preparation programs from the State Board of Education to the Chancellor of the Board of Regents and expands the requirement to include approval of preparation programs for other school personnel. Directs the Chancellor, jointly with the Superintendent of Public Instruction, to:  
 (1) establish metrics and courses of study for the preparation of educators and other school personnel and the institutions of higher education with preparation programs; and (2) provide for inspection of the institutions.  
 Requires the Chancellor to issue an annual report on the quality of approved teacher preparation institutions.

**Fiscal effect: There will likely be some costs relating to the establishment of metrics and inspections of institutions. The provision specifies that if the adopted metrics and regulations require curricular changes in the institutions that money be allocated from its existing appropriations.**

R.C. 3301.12, 3333.048, 3333.049, Repealed: R.C. 3319.23

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

52 EDU - 35 Teacher Tenure

R.C. 3319.08

Adds to the qualifications for a continuing contract (tenure) for regular classroom teachers who become licensed for the first time on or after January 1, 2011, a requirement that the teacher has held an educator license for at least nine years.

R.C. 3319.08

Same as the Executive, but reduces the required number of years to five.

**Executive**

**In House Finance and Appropriations**

Stipulates that these tenure requirements override any conflicting collective bargaining agreement entered into on or after the provision's effective date.

Same as the Executive.

Clarifies that classroom teachers first licensed prior to January 1, 2011, are eligible for tenure if they have completed current continuing education requirements since the initial receipt of an educator license, unless that license was a substitute teaching license.

Same as the Executive.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

**53      EDU - 29      Termination of Teacher Employment Contracts**

**R.C.      3319.16**

Eliminates "gross inefficiency or immorality" and "willful and persistent violations of reasonable regulations of the board of education" as statutory grounds for termination of a school district teacher employment contract.

**R.C.      3319.16**

Same as the Executive.

Retains "good and just cause" as statutory grounds for termination of a school district teacher employment contract.

Same as the Executive.

Specifies that the bill's changes to the grounds for termination prevail over any conflicting collective bargaining agreement entered into after the changes' effective date.

Same as the Executive.

**Fiscal effect: None**

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

54 EDU - 18 School District Reductions in Force

R.C. 3319.17, 3319.172

Removes the phrase "for financial reasons" from the list of statutory reasons a school district or educational service center may make reductions in force in its teaching and nonteaching staff.

Repeals the current law specifying that statutory standards for reductions in force of teaching and nonteaching employees prevail over conflicting provisions of collective bargaining agreements entered into after September 29, 2005.

**Fiscal effect: May reduce some of the flexibility the districts and ESCs have in reducing staff.**

R.C. 3319.17, 3319.172

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## Executive

## In House Finance and Appropriations

## 55      EDU - 26      Educator Licensure

R.C.      *3319.22, 3319.222, 3319.26, 3319.28,*  
*Repealed: R.C. 3319.222, 3319.302, 3319.304*

Requires the State Board of Education to establish qualifications for the following types of educator licenses and to begin issuing them January 1, 2011:

- (1) A four-year, nonrenewable resident educator license for which the minimum qualifications must be a bachelor's degree from a teacher preparation program;
- (2) A five-year, renewable professional educator license for which the minimum qualifications must be a bachelor's degree, successful completion of the Ohio Teacher Residency Program for applicants whose prior license was a resident educator license or an alternative resident educator license, and demonstration that students in the applicant's classroom have achieved a value-added measure designated by the Superintendent of Public Instruction;
- (3) A five-year, renewable senior professional educator license for which the minimum qualifications must be a master's degree, previous receipt of a professional educator license, meeting the criteria for the accomplished or distinguished level of performance described in the Educator Standards Board's teacher standards, and demonstration that students in the applicant's classroom have achieved a value-added measure designated by the Superintendent; and
- (4) A five-year, renewable lead professional educator license for which the minimum qualifications must be a master's degree, previous receipt of a professional or

R.C.      *3319.22, 3319.222, 3319.26, 3319.28,*  
*Repealed: R.C. 3319.222, 3319.302, 3319.304*

Same as the Executive, but eliminates the requirement that an applicant for a professional, senior, or lead educator license must demonstrate that students in the applicant's classroom have achieved a value-added measure designated by the Superintendent.

**Executive**

**In House Finance and Appropriations**

senior professional educator license, meeting the criteria for the distinguished level of performance described in the Educator Standards Board's teacher standards, either certification from the National Board for Professional Teaching Standards or meeting the Educator Standards Board's criteria for a lead teacher, and demonstration that students in the applicant's classroom have achieved a value-added measure designated by the Superintendent. Permits the State Board to issue additional educator licenses of categories and types it elects to provide.

Specifies that the State Board's qualifications for obtaining a principal license (1) must be aligned with the Educator Standards Board's principal standards, and (2) require an applicant to demonstrate that students in the applicant's classroom or building have achieved a value-added measure designated by the Superintendent.

Repeals the prohibition on the State Board requiring an educator license for teaching children two years old or younger.

Renames the alternative educator license as the "alternative resident educator license" and makes it a four-year license for teaching in grades 4-12, instead of a two-year license limited to grades 7-12. Requires applicants for the license to complete an intensive pedagogical training institute to be developed by the Superintendent and the Chancellor of the Board of Regents. Requires a holder of the license to participate in the Ohio Teacher Residency Program.

Eliminates the one-year conditional teaching permit for teaching in grades 7-12 and the one-year conditional

Same as the Executive.

Same as the Executive, but eliminates the requirement that an applicant for a principal license must demonstrate that students in the applicant's classroom or building have achieved a value-added measure designated by the Superintendent.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance and Appropriations

teaching permit in the area of intervention specialist, which are optional precursors to the current alternative educator license.

Requires the holder of a provisional educator license for teaching in a STEM school who seeks a professional educator license to meet all of the State Board's requirements for the professional license in addition to current requirements.

Requires the State Board to accept applications for the current types of educator licenses through December 31, 2010, and to issue the licenses in accordance with existing requirements. Specifies these licenses remain valid until they expire, at which point the applicants must meet the State Board's new licensure qualifications.

**Fiscal effect: There are likely administrative costs associated with implementing the new licensing standards and particularly relating to the creation of tools to measure the academic achievement of a teacher's students as a determinant for whether the teacher is eligible for a teaching license of a particular level and relating to the creation of the Pedagogical Training Institute required for alternative resident educators. The bill earmarks \$5.1 million annually in FY 2010 and FY 2011 for alternative licensure programs.**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## Executive

## In House Finance and Appropriations

56      EDU - 25      Ohio Teacher Residency Program

R.C.      3319.223

Requires the Superintendent of Public Instruction and the Chancellor of the Board of Regents, by January 1, 2011, to establish the Ohio Teacher Residency Program, which is a four-year, entry-level program for classroom teachers.

Requires that the program include (1) mentoring by lead teachers, (2) counseling regarding needed professional development, (3) use of measures of student academic gain to evaluate teacher effectiveness, and (4) measures of appropriate progression through the program.

**Fiscal effect: District costs for supplying mentors to entry-level teachers will likely increase as the current entry-year program authorized in State Board rules, which also requires mentoring, only lasts one year. Districts may use lead teachers to mentor entry-level teachers. Lead teachers are funded in the proposed school funding model as a factor in the instructional services component of the adequacy amount.**

R.C.      3319.223

Same as the Executive, but eliminates the requirement of the use of measures of student academic gain to evaluate teacher effectiveness.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

57 EDU - 24 Educator Standards Board

R.C. 3319.60, 3319.61, 3319.611, 3319.612,  
Section 265.60.60

Adds a school district treasurer or business manager member and a parent member to the Educator Standards Board, to be appointed by the State Board of Education. Adds the ranking minority members from the education committees of the Senate and House of Representatives as nonvoting, ex officio members. Requires that the Educator Standards Board's membership reflect the diversity of the state in terms of gender, race, ethnic background, and geographic distribution.

Changes the appointing authority of the three members employed by institutions of higher education from the State Board of Education to the Chancellor of the Board of Regents.

Requires that the standards developed for teachers and principals align with the operational standards adopted by the State Board. Requires that the standards developed for teachers align with certain aspects of the academic standards and reflect the Ohio leadership framework.

Directs the Educator Standards Board to develop and recommend to the State Board of Education standards for school district superintendents and standards for school district treasurers and business managers. Creates the Subcommittee on Superintendent Standards and the Subcommittee on School Treasurer and Business Manager Standards.

R.C. 3319.60, 3319.61, 3319.611, 3319.612,  
Section 265.60.60

Same as the Executive, but also adds two additional teachers, one high school teacher and one elementary teacher, to the Board.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Directs the Educator Standards Board to investigate and make recommendations for the creation, expansion, and implementation of school building and district leadership academies.

Same as the Executive.

Repeals the requirement that the Educator Standards Board collaborate with teachers colleges to align their courses with the standards developed by the Board.

Same as the Executive.

Repeals the requirement that the Educator Standards Board study the model for agricultural education developed by the College of Food, Agricultural, and Environmental Sciences and the College of Education at The Ohio State University.

Same as the Executive.

Directs the Educator Standards Board to develop model teacher and principal evaluation instruments based on the standards and student performance as determined by value-added data and other demonstrations of students' skills.

Same as the Executive, but eliminates the requirement that the evaluation instruments be based on student performance, as determined by value-added data and other demonstrations of students' skills.

Requires the Educator Standards Board to propose new standards to the State Board of Education by September 1, 2010.

Same as the Executive.

**Fiscal effect: There are likely ODE administrative costs associated with the development of new standards, model evaluation instruments for principals and teachers, criteria for lead teachers, and recommendations for leadership academies. The bill appropriates \$1.7 million in each fiscal year to support the Educator Standards Board.**

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

58 EDU - 16 Lead Teachers

R.C. 3319.61, 3301.0714, 3302.03, 3319.56

Renames "master teacher" to "lead teacher."

Directs the Educator Standards Board to adopt criteria that certain applicants for a lead professional educator license must meet to be considered a lead teacher.

**Fiscal effect: None.**

R.C. 3319.61, 3301.0714, 3302.03, 3319.56

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

59 EDU - 33 Teach Ohio Program

R.C. 3333.39

Directs the Chancellor of the Board of Regents and the Superintendent of Public Instruction to establish and administer the Teach Ohio Program which includes:  
 (1) a statewide program administered by a nonprofit corporation that encourages high school students from economically disadvantaged groups to become teachers;  
 (2) the Ohio Teaching Fellows Program;  
 (3) the Ohio Teacher Residency Program;  
 (4) alternative licensure programs;  
 (5) any other program as identified by the Chancellor and Superintendent.

**Fiscal effect: The bill earmarks \$1.0 million in each fiscal year for the nonprofit-administered program, \$5.1 million in each fiscal year for alternative licensure programs, and \$2.5 million in FY 2011 for the Ohio Teaching Fellows Program.**

R.C. 3333.39

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

60 EDU - 34 Ohio Teaching Fellows Program

R.C. 3333.391, 3333.392

Creates the Ohio Teaching Fellows Program to provide undergraduate scholarships for qualified students going into the teaching profession upon graduation from a state institution of higher education who commit to teaching in a hard-to-staff or academic watch or emergency public school for at least four years. Provides additional consideration in the scholarship application process to students participating in the Teach Ohio program that encourages economically disadvantaged high school students to become teachers, and to those planning to teach students with special needs or within the STEM disciplines.

Stipulates that failure to fulfill the four year teaching commitment will result in the conversion of the scholarship into a loan that accrues interest at 10% annually.

**Fiscal effect: The bill appropriates \$2.5 million in FY 2011 for the Ohio Teaching Fellows Program.**

R.C. 3333.391, 3333.392

Same as the Executive, but also qualifies for scholarships students going into the teaching profession upon graduation from a private college or university in Ohio.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

61 EDU - 145 Task Force on Teacher Compensation and Performance

Section: 265.60.20

Creates the 19-member Task Force on Teacher Compensation and Performance to make recommendations by December 1, 2010, for improving connections between teacher compensation, teaching excellence, and higher levels of student learning.

Section: 265.60.20

Same as the Executive.

Executive

In House Finance and Appropriations

Early Childhood

62      EDU - 116      Early Childhood Advisory Council and Early Childhood Financing Workgroup

R.C.      *3301.90, Section 265.70.20*

Creates the Early Childhood Advisory Council to serve as the federally mandated state advisory council on early childhood education and care, and advise the state regarding the creation and duties of the Center for Early Childhood Development in ODE.

Directs the Early Childhood Advisory Council to establish an Early Childhood Financing Workgroup, to be chaired by the chairperson of the Early Childhood Advisory Council, to develop recommendations for a single financing system for early care and education programs. Requires the Council to submit its recommendations to the Governor by December 31, 2009.

**Fiscal effect: There are likely minimal administrative costs associated with the implementation and duties of both the Early Childhood Advisory Council and the Early Childhood Financing Workgroup.**

R.C.      *3301.90, Section 265.70.20*

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

63      EDU - 38      Early Childhood Education

**Section: 265.10.20**

Continues the GRF-funded early childhood education program at school districts, joint vocational school districts, or educational service centers for children at least three years old as of the district entry date for kindergarten (except that children with an IEP where the early childhood education program is the least restrictive environment may be enrolled on their third birthday), not eligible for kindergarten, and whose families earn not more than 200% of the federal poverty guidelines.

Makes the following requirements for participating programs: (1) development and administration costs may not exceed 15% of the cost of each program, (2) fiscal records must be maintained, (3) a corrective action plan, approved by ODE, must be implemented if the program is found to not be meeting standards (ODE may deny funding if a program fails to successfully complete its plan), (4) teacher qualification requirements prescribed by law must be met, including a requirement that teachers attend a minimum of 20 hours every two years of professional development regarding implementation of content standards and assessments, (5) curriculum must be aligned to the early learning content standards, (6) child progress must be documented and reported, (7) early learning program guidelines must be met, (8) child or program assessment requirements must be met, (9) families who earn more than the 200% of the federal poverty guidelines must be charged a fee based on a sliding scale.

**Section: 265.10.20**

Same as the Executive.

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Specifies that per-pupil funding must be sufficient to provide eligible children with services for a standard early childhood schedule, defined as one-half of the statewide average length of the school day, as determined by ODE, for the minimum school year as prescribed by law.

Same as the Executive.

Directs that funds first be distributed to those who received funds for early childhood programs in the previous fiscal year, and the balance be distributed to new providers of early childhood education programs, existing providers to serve more eligible children, or for purposes of program expansion, improvement, or projects to promote quality and innovation.

Same as the Executive.

Requires ODE to provide an annual report regarding early childhood education programs and the early learning program guidelines.

Same as the Executive.

**Fiscal effect: The bill appropriates \$34.8 million in each fiscal year for the program, including an earmark of 2% for ODE's administrative costs.**

**Fiscal effect: The bill appropriates \$23.3 million in each fiscal year for the program, including an earmark of 2% for ODE's administrative costs.**

64      EDU - 57      Center for Early Childhood Development

**Section: 265.70.10**

Creates the Center for Early Childhood Development, comprised of staff from ODE, and the departments of Job and Family Services and Health, to research and make recommendations regarding the transfer from various state agencies to ODE of the authority and responsibility to implement and coordinate early childhood programs and services for children, beginning with prenatal care until entry into kindergarten.

**Section: 265.70.10**

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Directs the Superintendent of Public Instruction to hire a Director for the Center.

Same as the Executive.

Requires the Director of the Center to submit an implementation plan regarding coordination and implementation of early childhood education plans to the Superintendent and Governor not later than August 31, 2009.

Same as the Executive.

Permits the Director of Budget and Management to seek Controlling Board approval to create new funds and non-GRF appropriation items, transfer cash between funds, and transfer appropriation within the same fund used by the same state agency to support the preparation of the implementation plan.

Same as the Executive.

**Fiscal effect: Increase in personnel cost for the Director of the Center for Early Childhood Development.**

**Fiscal effect: Same as the Executive.**

65      EDU - 144      Early Learning Initiative

**Section: 309.40.60**

Provides that an eligible child is a child (1) who is at least three years of age but not of compulsory school age or enrolled in kindergarten, (2) who is eligible for Title IV-A services, and (3) whose family income at the time of application does not exceed 200% of the federal poverty guidelines (FPG).

Requires that ODJFS and ODE enter into an interagency agreement to claim expenditures for ELI to the state's TANF maintenance of effort requirement and develop reporting guidelines for these expenditures.

**Section: 309.40.60**

Same as the Executive.

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Outlines the terms of the contract between ODJFS, ODE, and the early learning agency, as well as the duties of each early learning agency. Specifies both separate duties for ODJFS and ODE to fulfill for ELI, and joint duties.

Same as the Executive.

Specifies that once ODE selects an entity to be an early learning agency, ODJFS and ODE must enter into a contract with that entity, and ODE must designate the number of eligible children that the entity may enroll and must notify ODJFS of the number.

Same as the Executive.

Requires each county department of job and family services (CDJFS) to determine eligibility for Title IV-A services for children seeking to enroll in an early learning program within 15 days after the CDJFS receives a completed application.

Same as the Executive.

Reauthorizes the Early Learning Initiative (ELI), jointly administered by ODE and the Department of Job and Family Services (ODJFS) to provide early learning services on a full-day and part-day basis to TANF-eligible children.

Same as the Executive.

Requires families of eligible children whose income is more than 100% of the federal poverty guidelines (FPG) and equal to or less than 200% FPG to pay copayments for ELI services and exempts families whose income is equal to or less than 100% FPG from co-payment requirements.

Same as the Executive.

Requires ODJFS and ODE to contract for up to 12,000 enrollment slots for eligible children each fiscal year.

Same as the Executive.

Executive

In House Finance and Appropriations

**Fiscal effect: Potential decrease in expenditures due to increase in copayments received from participating families. In FY 2008 and FY 2009 copayments were required only of families whose incomes were 165% FPG to 200% FPG.**

**Fiscal effect: Same as the Executive.**

**The executive proposal recommends funding ELI services through GRF appropriation item 600535, Early Care and Education, in the ODJFS budget. Expenditures from this appropriation item will be used to help meet the state's TANF maintenance of effort. In FY 2008 and FY 2009 ELI was funded through an earmark from the TANF Block Grant.**

Other Education Provisions

66 EDU - 137 School Operating Standards

R.C. 3301.07

Requires the State Board to adopt additional standards for school districts including (1) standards for the effective and efficient organization, administration, and supervision of each district; (2) standards for the establishment of a business advisory committee and a family and community engagement team; (3) standards for the expenditure of the amounts received under each component of the school funding formula; and (4) standards for district organizational units. Requires among other things that the standards described in (1) and (4) above include a commitment to peer evaluation.

Specifies that the standards for organizational units require (1) effective and efficient organization, administration, and supervision of the unit; (2) a school organizational unit leadership team; and (3) compliance with standards for

R.C. 3301.07, 3301.0722, 3301.83, 3302.05, 3302.07, 3306.30, 3306.33, 3306.40, 3319.61

Same as the Executive, but specifies that these additional standards are "minimal standards"; replaces the standards in (3) with standards that categorize the components of the adequacy amount into "core academic strategy components" and "academic improvement components"; eliminates the requirement for a commitment to peer evaluation; and prescribes a commitment to closing the achievement gap in the standards described in (1) and (4).

Same as the Executive, but eliminates the requirement to include compliance with standards for expenditures of the amounts received under each component of the school funding formula.

**Executive**

**In House Finance and Appropriations**

expenditures of the amounts received under each component of the school funding formula.

Specifies that these additional standards prevail over collective bargaining agreements entered into after the provision becomes effective.

Permits the Superintendent of Public Instruction to waive these additional standards as they relate to school district schools.

Requires that in the minimum operating standards for schools adopted by the State Board of Education, the Board require that instructional materials and equipment be aligned with the academic standards.

**Fiscal effect: ODE's administrative costs may increase as a result of developing and adopting these additional standards.**

Replaces the Executive provision with a provision that redesignates the minimum operating standards as part of the State Board's authority to prescribe minimum standards for schools under R.C. 3301.07 (D), which, under current law, prevail over collective bargaining agreements per R.C. 4117.10 (A).

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

67      EDU - 67      School Financial Reporting

R.C.      *3301.07, 3314.03, 3326.21*

Modifies a current requirement for the State Board to develop a standard of financial reporting by (1) specifying that it must apply to community schools and STEM schools, as well as school districts and educational service centers as under current law; (2) requiring the inclusion of annual budgets for each school building; (3) eliminating a requirement for year-to-year comparisons over a five-year period.

R.C.      *3301.07, 3314.03, 3326.21*

Same as the Executive, but permits the reporting of either district/ESC level data or building level data, as determined appropriate by ODE.

Executive

In House Finance and Appropriations

**Fiscal effect: Possible increase in costs for districts, community schools, and STEM schools for increased reporting requirements.**

**Fiscal effect: Same as the Executive.**

68 EDU - 117 Academic Standards

R.C. 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.16, 3301.42, 3302.01, 3302.02, 3313.603, 3313.608, 3313.61, 3313.611, 3313.612, 3313.614, 3314.36, 3325.08, Section 265.60.80, Repealed: R.C. 3301.43, 3302.032

R.C. 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.16, 3301.42, 3302.01, 3302.02, 3313.603, 3313.608, 3313.61, 3313.611, 3313.612, 3313.614, 3314.36, 3325.08, Section 265.60.80, Repealed: R.C. 3301.43, 3302.032

Requires the State Board of Education, by June 30, 2010, and at least once every five years thereafter, to adopt new statewide academic standards for all grades in English language arts, math, science, and social studies to replace the current content standards in reading, writing, math, science, and social studies. Requires the State Board to adopt model curricula reflecting these standards by December 31, 2010.

Same as the Executive, but extends the deadline for adoption of model curricula to March 31, 2011.

Requires the State Board to convene a committee of national and state experts and local practitioners by July 15, 2009, to provide guidance in the design of the updated standards and model curricula.

Same as the Executive.

Requires the State Board, after completing the standards listed above, (1) to revise the academic standards and model curricula for grades K-12 in fine arts and foreign language, (2) to revise the standards and curricula in computer literacy and to expand them to cover grades K-12 (instead of 3-12 as in current law), and (3) to adopt standards and curricula for K-12 in the new areas of financial literacy and entrepreneurship and wellness

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

literacy.

Requires that the standards emphasize coherence, focus, and rigor, and specify (1) skills related to creativity and innovation, critical thinking and problem solving, and communication and collaboration; (2) skills that promote information, media, and technological literacy; (3) skills that promote flexibility and adaptability, initiative and self-direction, social and cross-cultural skills, productivity and accountability, and leadership and responsibility; (4) interdisciplinary, project-based real world learning opportunities; (5) opportunities for community service learning.

Requires the State Board to periodically revise and update the physical education standards.

Requires ODE to inform all school districts and community schools of: (1) the content of the new academic standards; (2) the completion of the development of an achievement assessment; (3) the content of the adopted model curricula. Requires ODE to provide technical assistance to school districts and community schools in the implementation of the model curricula or the physical education standards.

Repeals the current law prohibition on adopting or revising health standards and curriculum without approval by concurrent resolution of the General Assembly.

**Fiscal effect: The bill appropriates \$5.8 million in each fiscal year for development, revision, and communication to school districts of the academic standards and curriculum models.**

Same as the Executive.

Same as the Executive.

Same as the Executive, but adds STEM schools and nonpublic schools that are required to administer state achievement tests to the notification requirement for (1) and (2) and adds STEM schools to the notification requirement for (3) and the technical assistance requirement.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

69 EDU - 118 Student Assessments

R.C. 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.16, 3301.42, 3302.01, 3302.02, 3313.603, 3313.608, 3313.61, 3313.611, 3313.612, 3313.614, 3314.36, 3325.08, *Repealed: 3301.43, 3302.032*

Requires the State Board of Education to develop achievement assessments that reflect the new academic standards. Replaces each of the current achievement tests in grades 3-8 with a new assessment, except reduces the number of assessments by two by combining the current reading and writing assessment into an English language arts assessment. (Under current law a separate writing assessment is given in grades 4 and 7.)

Reduces the reported levels of achievement on the assessments from 5 to 3 by eliminating the accelerated and basic levels. Retains the advanced, proficient, and limited skill levels.

Repeals the current law restrictions on the dates and times for administering each assessment and instead requires the Superintendent of Public Instruction to designate these dates and times.

Requires the State Board, the Superintendent, and the Chancellor of the Board of Regents to develop a new high school assessment system to replace the Ohio Graduation Tests (OGT) as a requirement for a high school diploma. Specifies that the new assessment system consist of: (1) a nationally standardized assessment in science, math, and English language arts; (2) a series of end-of-course examinations in science, math, English language arts, and

R.C. 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.16, 3301.42, 3302.01, 3302.02, 3313.603, 3313.608, 3313.61, 3313.611, 3313.612, 3313.614, 3314.36, 3325.08, *Repealed: 3301.43, 3302.032*

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive, but emphasizes the current law that the OGT under current law and the new assessment system both continue to apply to chartered nonpublic high schools.

**Executive**

**In House Finance and Appropriations**

social studies; (3) a community service learning project; (4) a senior project completed individually or by a group of students.

Requires the State Board to adopt rules for implementation of the new high school assessment system, including timelines, high school diploma requirements, and application to dropout programs.

Prohibits the release of the OGT as a public record.

No provision.

Same as the Executive.

Same as the Executive.

Requires the State Board to adopt a diagnostic assessment for each of grades K to 3 in English language arts rather than reading and writing diagnostics for grades K to 2 and a writing diagnostic assessment for grade 3, as in current law.

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In House Finance and Appropriations

**Fiscal effect:** According to ODE, development of the new assessments in grades 3-8 may cost approximately \$70,000 per assessment. Costs for the English language arts assessments may be somewhat higher as they incorporate two of the subjects currently being assessed. Costs for administering these assessments may decrease as the number of assessments decreases by two. ODE estimates the cost for developing end-of-course exams at about \$2.1 million per exam and currently foresees developing eight exams. Cost of federal peer review of these exams to meet NCLB requirements is approximately \$400,000. Additional costs may be incurred for developing alternate exams for students with disabilities. Administering and scoring these tests is estimated to cost about \$27 per student. The estimated cost for administering the ACT (a nationally standardized test) is approximately \$35-40 per student. Approximately 120,000 to 150,000 students would be tested each year. Schools may incur additional costs in scoring the senior project.

**Fiscal effect:** Same as the Executive, but with additional costs for developing the diagnostic assessments.

70      EDU - 159      Education Strategic Plan

No provision.

**R.C.      3301.122**

Requires the Superintendent of Public Instruction, by December 1, 2009, to develop a ten-year strategic plan. Requires that the plan be developed in consultation with the Chancellor of the Board of Regents and be aligned with the strategic plan already developed by the Chancellor.

**Fiscal effect: Minimal.**

## Executive

## In House Finance and Appropriations

71      EDU - 8      Office of School Resource Management

R.C.      3301.80

Establishes the Office of School Resource Management within ODE. Requires the office to (1) determine fiscal data to be included on the funding and expenditure accountability reports using data collected from ODE's resource allocation study; (2) collaborate with the Auditor of State in establishing metrics for performance audits of schools and in publishing best practices identified in the audits; (3) ensure that districts and schools act timely to develop plans for implementation of recommendations contained in the performance audits; (4) provide staff assistance to the Ohio Research-Based Funding Model Advisory Council; and (5) conduct assessments and evaluations as directed by the Superintendent of Public Instruction.

**Fiscal effect: The bill earmarks \$600,000 in each fiscal year to support this office.**

R.C.      3301.80

Same as the Executive, but permits the Office to consult with fiscal officers of school districts as well as to use data collected from ODE's resource allocation study in determining the fiscal data to be included on the annual funding and expenditure accountability reports.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

72      EDU - 63      Office of Urban and Rural Student Success

R.C.      3301.81

Creates the Office of Urban and Rural Student Success in ODE to (1) develop systems redesign and improvement strategies for urban and rural school districts; (2) provide school districts with recommendations and strategies to improve the academic success of students from economically disadvantaged areas and to address nonacademic barriers; (3) work with the University System of Ohio's institutions, private institutions of higher education, and national and international experts to implement its duties; and (4) provide other assistance and support as directed by the Superintendent of Public Instruction.

**Fiscal effect: The bill earmarks \$200,000 in each fiscal year to support this Office.**

R.C.      3301.81

Same as the Executive.

**Fiscal effect: Same as the Executive.**

73      EDU - 10      Center for Creativity and Innovation

R.C.      3301.82

Creates the Center for Creativity and Innovation within ODE to monitor, develop, and disseminate information about creative and innovative education practices for assistance to school districts and JVSs.

No provision.

R.C.      3301.82

Same as the Executive, but includes practices in arts education and creativity as areas for the Center to research in identifying promising programs and practices and includes ESCs, community schools, and STEM schools in the list of those to be served by the Center.

Requires the Center to study best practices and innovative programming developed by community schools and promote collaboration between school districts and community schools.

**Executive**

No provision.

**Fiscal effect: The bill earmarks up to \$200,000 in each fiscal year to support the activities of this center.**

**In House Finance and Appropriations**

Requires the Center to provide staff assistance to the Ohio School Funding Research Advisory Council.

**Fiscal effect: Increases the earmark to up to \$700,000 in each fiscal year to support the activities of this center.**

74      EDU - 68      On-Site Visits to Schools

R.C.      3301.83, 265.60.10

Requires ODE to establish a pilot program of school on-site visits. Requires the on-site visits to be conducted in cooperation with one or more institutions of higher education. Requires ODE, during each visit, to do the following: (1) determine if the school has complied with the operating standards prescribed by the State Board of Education; (2) determine if the school has complied with all applicable laws and administrative rules, including laws regarding academic and fiscal accountability; and (3) review the school's progress in implementing a continuous improvement plan.

Specifies that each site-visit may include school tours, classroom observations, and interviews with administrators, teachers, or other school staff, parents, community members, or students.

Requires schools to provide any data, documents, or other materials ODE considers necessary to conduct a thorough on-site visit.

Requires ODE, upon completion of each visit, to issue a written report summarizing its findings. Establishes procedures for review of the report by the district board of education. Requires ODE and each school district board, if applicable, to post the final version of the report on their

R.C.      3301.83, 265.60.10

Same as Executive, but removes the requirement that ODE cooperate with one or more institutions of higher education when conducting site visits and includes community schools in the pilot program.

Same as the Executive, but requires, rather than permits, that these activities be included in the site visits.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

respective web sites.

Directs the ODE to report to the Governor and the General Assembly no later than December 31, 2010 on the progress of the pilot program and recommendations for full implementation to include an on-site visit of each school district school at least every five years.

**Fiscal effect: The bill permits these visits to be conducted in conjunction with visits required for schools or districts in academic emergency, thus, limiting travel costs for these trips. However, these visits will likely result in increased administrative costs for ODE. Schools may also have increased administrative costs depending on what is required of them by ODE to conduct a thorough on-site visit.**

Same as the Executive, but includes community schools in the report.

**Fiscal effect: Same as the Executive.**

75 EDU - 119 Report Card Performance Indicators

R.C. 3302.02, 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.16, 3301.42, 3302.01, 3313.603, 3313.608, 3313.61, 3313.611, 3313.612, 3313.614, 3314.36, 3325.08, *Repealed: 3301.43, 3302.032*

Requires the State Board of Education, by December 31, 2009, and once every six years thereafter, to establish new performance indicators for the school district and building report cards, based on recommendations of the Superintendent of Public Instruction.

Eliminates the requirement that there be a minimum of 17 performance indicators.

Repeals a requirement that the State Board include measures of high school graduates' preparedness for higher education and the workforce on the report cards,

R.C. 3302.02, 3301.079, 3301.0710, 3301.0711, 3301.0712, 3301.16, 3301.42, 3302.01, 3313.603, 3313.608, 3313.61, 3313.611, 3313.612, 3313.614, 3314.36, 3325.08, *Repealed: 3301.43, 3302.032*

Same as the Executive, but changes the deadline to one year after adoption of rules for implementation of the bill's new assessment system for high school graduation, and at least every six years thereafter.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

beginning with report cards issued for 2012-2013.

**Fiscal effect: Increased administrative costs for ODE to develop new indicators.**

**Fiscal effect: Same as the Executive.**

76      EDU - 17      Value-Added Data

R.C.      3302.021

Requires ODE to share aggregate student value-added data and calculations, analyses, and reports using aggregate student value-added data with the Chancellor of the Board of Regents.

**Fiscal effect: None.**

R.C.      3302.021

Same as the Executive.

**Fiscal effect: Same as the Executive.**

77      EDU - 120      Educational Choice Scholarships

R.C.      3310.08, 3310.09, 3310.03

Disqualifies from eligibility for the scholarship pilot program any student enrolled in a nonpublic school for any portion of the school year in which an application for a scholarship is submitted.

Continues the practice of counting Educational Choice Scholarship recipients in the formula ADM of their resident school districts and then deducting amounts from the district.

Increases the deduction for kindergarten students from \$2,700 to \$5,200 per pupil to account for the new school funding model's counting each kindergarten student as one instead of one-half student.

Establishes a maximum scholarship amount of \$4,500 for grades K-8 and \$5,300 for grades 9-12. (Under current law the maximum scholarship increases each year by the

R.C.      3310.08, 3310.09, 3310.03

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

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same percentage as the base cost formula amount.)

**Fiscal effect: Prohibiting eligibility for students who have been enrolled in a nonpublic school may reduce the total number of scholarships awarded.**

**Fiscal effect: Same as the Executive.**

78 EDU - 3 Assessments at Nonpublic Schools with Scholarship Students

R.C. 3310.14, 3313.976

Requires all nonpublic schools that participate in the Educational Choice scholarship program or the Cleveland Scholarship Program to administer state assessments to all enrolled students, instead of just to scholarship students as under current law, and report student scores to ODE.

No provision.

No provision.

**Fiscal effect: ODE would bear the cost of furnishing the tests to participating nonpublic schools.**

R.C. 3310.14, 3310.15, 3313.976, 3313.978

Replaces the Executive provision with a provision that requires testing of scholarship students enrolled in nonpublic schools under the Cleveland Scholarship Program (testing of scholarship students in the Ed Choice Program is already required under current law).

Requires ODE to post disaggregated assessment data for voucher students on its web site and to provide parents of students eligible for vouchers with that information.

Requires ODE to provide the parent of each voucher student with information comparing the student's performance on the assessments with the performance of similar students enrolled in the school district building the student would otherwise attend.

**Fiscal effect: May increase administrative costs for ODE.**

Executive

In House Finance and Appropriations

79      EDU - 153      Educational Service Centers

No provision.

**R.C.      3311.0510, 3313.843, Section 265.70.40**

Provides that, if all of the "local" school districts that make up the territory of an educational service center (ESC) sever from that ESC and annex to a different ESC, all of the following apply: (1) the ESC governing board is abolished and the service center is dissolved, (2) the Superintendent of Public Instruction must order an equitable distribution of the assets and liabilities of the ESC among the "local" school districts that made up the ESC and appoint a qualified individual to implement the order, (3) the costs incurred by ODE in dissolving the ESC may be charged against the assets of the ESC and any amount of those costs in excess of the ESC's assets may be charged equitably against each of the local school districts that made up the ESC, (4) a final audit of the ESC must be performed, and (5) the public records of the ESC must be transferred to the school districts that received services from the ESC or to the Ohio Historical Society, for those records that do not relate to services to a particular school district.

No provision.

Specifically permits a "city" or "exempted village" school district that entered into an agreement for services from an ESC that is dissolved to enter into a new agreement with another ESC, for which services the new ESC may receive per pupil state funds in the same manner as the former ESC.

No provision.

Places a two-year moratorium on the consideration and effect of resolutions for local school districts to relocate from their current ESCs to adjacent ESCs and voids

Executive

In House Finance and Appropriations

recently approved, as well as pending, resolutions for such relocations.

**Fiscal effect: May lead to the redistribution of the assets of an ESC to multiple school districts.**

80      EDU - 22      Minimum School Year

R.C.      3313.48, 3313.481, 3313.482, 3313.485,  
3313.62, 3314.031, 3306.01, 3317.01

Extends the number of days in a learning year for school district and STEM schools from 182 days, the number of hours for a community school from 920 hours, and the number of hours for districts operating under an ODE approved alternative schedule from 910 hours as follows:

- (1) 186 days and 930 hours in FY 2010 and FY 2011;
- (2) 190 days and 950 hours in FY 2012 and FY 2013;
- (3) 194 days and 970 hours in FY 2014 and FY 2015;
- (4) 198 days and 990 hours in FY 2016 and FY 2017;
- (5) 202 days and 1,010 hours in FY 2018 and thereafter.

Uses the terms "learning day" and "learning year" in place of the current terms "school day" and "school year" in defining the minimum days and hours a school must be open for instruction.

Specifies that new minimum learning year provisions do not prevail over conflicting provisions of a collective bargaining agreement entered into prior to the bill's effective date, but requires that all collective bargaining agreements entered into, renewed, or amended on or after the bill's effective date comply with the applicable minimum number of days or hours specified in the new "learning year" provisions.

R.C.      3313.48, 3306.01, 3313.481, 3313.482,  
3313.485, 3313.62, 3314.031, 3317.01,  
*Section 265.70.30*

Same as the Executive, but postpones the incremental lengthening of the school year by two years and reduces the total number of added days by four.

Same as the Executive.

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Retains the current requirement regarding "calamity days" that permits up to five learning days to be waived if necessary for school closings for specified purposes. Directs the State Board of Education to adopt standards to apply in the determination of waivers for districts operating state-approved alternative schedules.

Allows school districts to amend their contingency plans for make-up days, after the initial adoption of such plan by September 1st, if it is determined the plan cannot be implemented as originally adopted.

No provision.

Same as the Executive, but reduces the number of calamity days to three for the 2009-2010 school year and one for the 2010-2011 school year and thereafter.

Same as the Executive.

Directs ODE to study the best use of school hours, in consultation with teachers, superintendents, school district boards, and gifted associations. Requires ODE to submit a report of its findings to the General Assembly and the Governor not later than one year from the effective date.

**Fiscal effect: Schools will likely see increased costs for school operations as the school year is extended.**

**Fiscal effect: Same as the Executive, but the number of additional days is reduced from four to two in FY 2010.**

81      EDU - 174      Solvency Assistance Loan Repayments

No provision.

R.C.      3313.483, 3316.041, 3316.06, 3316.20

Specifies that a school district's solvency assistance loan repayments be deducted from its aggregate operating payments calculated under Chapter 3306 of the Revised Code only, rather than also from its payments under Chapter 3317 of the Revised Code.

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**Fiscal effect: None - under current law payments of state formula aid to school districts are made under Chapter 3317 but under the bill only specified adjustments and corrections due to special circumstances will be paid under Chapter 3317 and state formula aid payments will be made under Chapter 3306.**

82      EDU - 73      School Emergency Procedures

R.C.      3313.536

Requires school districts, community schools, STEM schools, and chartered nonpublic schools to inform, prior to opening day each school year, each enrolled student and the student's parent of the parental notification procedures in the school's protocol for responding to threats and emergency events, which are established under existing law.

**Fiscal effect: Minimal.**

R.C.      3313.536

Same as the Executive.

**Fiscal effect: Same as the Executive.**

83      EDU - 2      Eighth Grade American History

R.C.      3313.60

Allows school district boards to waive the requirement to take an American History course for promotion from eighth grade to ninth grade for academically accelerated students who show a mastery of the subject. (Retains current law requiring one unit of American history and government in high school for a diploma.)

**Fiscal effect: Districts may have more flexibility in choosing their course offerings.**

R.C.      3313.60

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

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84 EDU - 79 Life and Career Ready Skills in Curriculum

R.C. 3313.60, 3313.607, 3314.03, 3326.11

Requires school districts, community schools, and STEM schools to add "life and career-ready skills" to the schools' curriculum, to be offered in the seventh or eighth grade. Requires the Superintendent of Public Instruction to issue program guidance and guidelines to assist in implementing this requirement.

Requires students of all school districts, community schools, and STEM schools to develop a career and college plan by the end of the eighth grade as part of their coursework on life and career-ready skills. Permits the schools to provide individual career passports to students (school districts are already permitted to do so under current law).

**Fiscal effect: May increase administrative costs of ODE for development and distribution of program guidelines and guidance. May also increase administrative costs for school districts, community schools, and STEM schools for development and implementation of a life and career-ready skills curriculum.**

R.C. 3313.60, 3313.607, 3314.03, 3326.11

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

85 EDU - 49 High School Graduation Requirements

R.C. 3313.603

Clarifies that a high school that permits students below the ninth grade to take advanced work for high school credit must award high school credit for successful completion of that work.

**Fiscal effect: None.**

R.C. 3313.603

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

86      EDU - 9      Community Service Education

R.C.      3313.605

Requires all school districts, community schools, and STEM schools to include community service education in their educational programs, to create community service advisory committees, and to develop and implement community service plans.

**Fiscal effect: School districts, community schools, and STEM schools may incur costs in the development and implementation of a community service plan.**

R.C.      3313.605

Same as the Executive.

**Fiscal effect: Same as the Executive.**

87      EDU - 121      School Fees for Low-Income Students

R.C.      3313.642

Revises the law prohibiting school districts that receive state poverty-based assistance from charging instructional or materials fees to certain low-income students by applying the prohibition to districts that received the subsidy in FY 2009.

**Fiscal effect: None.**

R.C.      3313.642

Same as the Executive.

**Fiscal effect: Same as the Executive.**

88      EDU - 60      Student Health Screenings

R.C.      3313.673, 3301.0714

Requires school districts and community schools to report to ODE, through the Education Management Information System (EMIS), the aggregate results of hearing, vision, speech and communications, health and medical, and developmental screenings for entering kindergarteners and first graders.

R.C.      3313.673, 3301.0714

Same as the Executive.

Executive

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**Fiscal effect: Currently, schools are required to screen students enrolling in school for the first time. Administrative costs for schools may increase as a result of entering the data in EMIS.**

**Fiscal effect: Same as the Executive.**

89      EDU - 80      Administration of Prescription Drugs to Students

R.C.      3313.713

Limits, beginning July 1, 2011, the authority to administer prescription drugs to students in school districts to registered nurses and licensed practical nurses employed by the school district.

**Fiscal effect: Districts may need to hire more nurses.**

R.C.      3313.713

Same as the Executive, but limits the authority to administer prescription drugs to school district employees holding a school nurse license or school nurse wellness coordinator license, or who have completed a drug administration training program conducted by a registered nurse.

**Fiscal effect: Same as the Executive, but schools may be able to provide training to other employees instead of hiring nurses.**

90      EDU - 66      School Business Advisory Councils

R.C.      3313.82, 3314.03, 3315.17, 3326.11

Requires all school districts, educational service centers, community schools, and STEM schools to appoint a business advisory council. (Under current law, only city and exempted village school districts and educational service centers are required to appoint a council.)

Expands the matters on which business advisory councils must provide advice and recommendations to include coordination with the Ohio Skills Bank and University System of Ohio institutions and development of responses to and implementation of recommendations from a performance audit of a school.

R.C.      3313.82, 3314.03, 3315.17, 3326.11

Same as the Executive.

Same as the Executive.

**Executive**

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Requires each school board, governing authority, or governing body to annually report to ODE the names of council members.

Same as the Executive.

**Fiscal effect: Minimal.**

**Fiscal effect: Same as the Executive.**

**91 EDU - 82 Family and Community Engagement Teams**

**R.C. 3313.821, 3314.03, 3326.11**

**R.C. 3313.821, 3314.03, 3326.11**

Requires each school district, community school, and STEM school to appoint a family and community engagement team, to include parents, community representatives, health and human service representatives, business representatives, and other representatives identified by the board, governing authority, or governing body, to do the following:

Same as the Executive.

(1) Work with local county family and children first councils to recommend qualifications and responsibilities for school family and community engagement coordinators.

Same as the Executive.

(2) Develop five-year family and community engagement plans.

Same as the Executive.

(3) Provide annual progress reports on the development and implementation of the plans that are to be submitted along with the plan to the county family and children first council.

Same as the Executive.

(4) Advise and provide recommendations to the board, governing authority, or governing body on matters specified by those entities.

Same as the Executive.

**Fiscal effect: Potential administrative cost for schools.**

**Fiscal effect: Same as the Executive.**

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92      EDU - 6      Unauditable Community Schools

R.C.      3314.38, 269.60.60

Codifies and makes permanent Section 269.60.60 of Am. Sub. H.B. 119 of the 127th General Assembly, which prescribes procedures for the Auditor of State, community school sponsors, and ODE, with regard to community schools that are declared unauditable.

**Fiscal effect: None.**

R.C.      3314.38, 269.60.60

Same as the Executive.

**Fiscal effect: Same as the Executive.**

93      EDU - 170      Administrative Cost Reimbursement

No provision.

R.C.      3317.063

Increases from \$300 to \$325 the maximum amount per pupil for reimbursement of chartered nonpublic school administrative costs.

**Fiscal effect: The bill appropriates \$59.8 million in each fiscal year for these reimbursements. Increasing the per pupil amount may allow more of this appropriation to be disbursed.**

94      EDU - 19      Termination of School District Transportation Staff

R.C.      3319.0810, *(Repealed)*

Repeals a statutory procedure for a school district not covered by the State Civil Service Law (exempted village and local school districts and some city school districts) to terminate some or all of its pupil transportation staff and to instead engage an independent contractor to provide pupil transportation.

R.C.      3319.0810, *(Repealed)*

Same as the Executive.

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**Fiscal effect: May reduce the flexibility these districts have in terminating transportation staff.**

**Fiscal effect: Same as the Executive.**

95 EDU - 30 School Safety and Violence In-Service Training

R.C. 3319.073

Extends to public middle and high schools a requirement that under existing law applies to public elementary schools, under which specified employees must complete four hours of in-service training in the prevention of child abuse, violence, and substance abuse, and the promotion of positive youth development.

R.C. 3319.073

Same as the Executive.

Establishes a deadline of two years after the effective date of the amendment for the specified middle and high school employees to take the required four hours of in-service training.

Same as the Executive.

Allows districts and schools to adapt or adopt the curriculum developed by ODE for that in-service training, as an alternative to the existing law requirement that each district or school develop its own curriculum.

Same as the Executive.

Directs districts and schools to incorporate training in school safety and violence prevention into their in-service training in the prevention of child abuse, violence, and substance abuse, and the promotion of positive youth development.

Same as the Executive.

**Fiscal effect: Additional costs will be associated with providing in-service training for the middle and high school employees covered by the amendment. The bill appropriates \$1.2 million in each fiscal year for violence prevention and school safety subsidies.**

**Fiscal effect: Same as the Executive.**

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96      EDU - 31      Licensure of School Nurses

R.C.      3319.221

Requires the State Board of Education to adopt rules establishing standards and requirements for obtaining a school nurse or school nurse wellness coordinator license. Requires that at a minimum, the rules require an applicant for the school nurse license to be a registered nurse and an applicant for a school nurse wellness coordinator to be a licensed practical nurse.

Directs that if any examinations are required for licensure the results be provided by ODE to the Chancellor of the Board of Regents, to the extent permitted by law.

**Fiscal effect: There are potential administrative costs associated with the creation of the standards for the school nurse and school nurse wellness coordinator licenses.**

R.C.      3319.221

Same as the Executive, but eliminates the requirement that the holder of a school nurse wellness coordinator license be a licensed practical nurse.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

97      EDU - 81      Corporal Punishment

R.C.      3319.41

Prohibits corporal punishment in school districts, educational service centers, community schools, STEM schools, and chartered nonpublic schools.

No provision.

**Fiscal effect: None.**

R.C.      3319.41, 3301.0714, 3301.0715, 3313.673

Same as the Executive.

Eliminates the requirement that ODE collect data on the percentage of students receiving corporal punishment.

**Fiscal effect: Same as the Executive.**

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98 EDU - 32 School Health Services Advisory Council

R.C. 3319.70, 3319.71

Establishes the nine-member School Health Services Advisory Council to make recommendations on:  
 (1) the content of courses of instruction required to obtain a school nurse license or a school nurse wellness coordinator license; and  
 (2) best practices for the use of school nurses and school nurse wellness coordinators in providing health and wellness programs for students and employees of public schools.

**Fiscal effect: There are potential administrative costs related to creation and proceedings associated with the School Health Services Advisory Council.**

R.C. 3319.70, 3319.71

Same as the Executive, but removes the licensed practical nurse employed by a school district or community school from the Council and adds a member of the public to be appointed by the Governor.

**Fiscal effect: Same as the Executive.**

99 EDU - 148 Student Absences for Extracurricular Activities

No provision.

No provision.

No provision.

R.C. 3321.041, 3314.03, 3326.11

Requires school districts, community schools, and STEM schools to count as excused absences, up to four days per school year, time that a student is absent from school for the sole purpose of traveling out of state to participate in an enrichment activity approved by the district or school governing body or in an extracurricular activity.

Requires the student to make up all missed classroom assignments.

Specifies that if the student will be out of state for four or more consecutive school days for a school-approved enrichment activity, a classroom teacher employed by the

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district or school must accompany the student to provide instructional assistance.

**Fiscal effect: Minimal costs to school districts related to teacher travel costs if a district chooses to provide out of state opportunities to its students.**

100 EDU - 77 Special Education Procedure

R.C. 3323.05

Modifies existing procedural guidelines established for ODE to protect the rights of a child whenever the parents of a child are not known, specifying that the surrogate parent be assigned by the school district or other educational agency responsible for educating the child or by the court with jurisdiction over the child's custody.

**Fiscal effect: None.**

R.C. 3323.05

Same as the Executive.

**Fiscal effect: Same as the Executive.**

101 EDU - 104 Waiver of Required Pupil Teacher Ratio

Section: 265.50.20

Permits the Superintendent of Public Instruction to waive the pupil to teacher ratio in grades K-4 in rule 3301-35-05 of the Administrative Code if the following apply: (a) the board of education of the district requests the waiver; (b) ODE determines that meeting the required ratio would impose an extreme hardship on the district; and (c) the board of education provides assurances that it will act in good faith to meet the required ratio as soon as possible.

**Fiscal effect: Allows certain districts to continue to receive state funding even if the required pupil to teacher ratio is not met.**

Section: 265.50.20

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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102 EDU - 105 Private Treatment Facility Project

**Section: 265.50.30**

Establishes procedures by which Ohio youth who have been assigned to a participating residential treatment facility are enrolled in an approved educational program in or near the facility. Requires that the school district responsible for tuition for a residential child pay the tuition to the provider for the educational programs. Prohibits a district from including the youth in the district's average daily membership (ADM). Requires that ODE track the utilization of funds and monitor the program for educational accountability.

**Fiscal effect: In addition to the tuition payment, the bill earmarks \$1.0 million in each fiscal year for the Private Treatment Facility Project.**

**Section: 265.50.30**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

103 EDU - 106 National Assessment of Education Progress

**Section: 265.50.40**

Expresses the General Assembly's intention that Ohio school districts participate in the administration of the National Assessment of Education Progress (NAEP). Requires each school and school district selected to participate.

**Fiscal effect: Small cost for districts chosen to participate. Federal funding is provided for coordination of the state's participation in NAEP.**

**Section: 265.50.40**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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104      EDU - 113      Use of Volunteers

**Section: 265.60.30**

Authorizes ODE to use the services of volunteers to accomplish any of the purposes of ODE.

Authorizes the Superintendent of Public Instruction to reimburse volunteers for necessary expenses in accordance with state guidelines and to designate volunteers as state employees for the purposes of motor vehicle accident liability insurance and for indemnification from liability incurred in the performance of their duties.

**Fiscal effect: May reduce costs for ODE if they are able to use volunteers to fulfill purposes for which they would otherwise need to hire.**

**Section: 265.60.30**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

105      EDU - 75      State School for the Blind and School for the Deaf

**Sections: 265.60.40, R.C. 3325.01-3325.16, 3301.13**

Merges the State School for the Blind and the School for the Deaf into ODE effective July 1, 2009.

Authorizes the Superintendent of Public Instruction to appoint, fix the salaries of, and terminate employment of employees who work at the state schools. Permits the Superintendent to reassign and reclassify employee positions for efficient administration.

Transfers control over expenditures from the State School for the Blind Student Activity and Work-Study Fund and the State School for the Deaf Educational Program Expenses Fund to ODE, but retains current law requiring money in the funds be used for specified school programs. Permits

No provision.

No provision.

No provision.

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the Director of Budget and Management to make budget and accounting changes necessary for the transfer.

**Fiscal effect: All appropriations for the schools are made to ODE.**

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106      EDU - 95      School Employees Health Care Board

**Section: 265.60.90**

Transfers the School Employees Health Care Board and any unexpended and unencumbered appropriations or reappropriations for the Board from DAS to ODE.

Requires the transfer to take effect on July 1, 2009, or as soon as possible thereafter. Requires the Director of Budget and Management to make budget changes made necessary by the transfer.

**Fiscal effect: Increased expenditures of ODE presumably offset by transfer of appropriations from DAS.**

No provision.

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107      EDU - 166      Peer Assistance and Review Programs

No provision.

**Section: 265.70.50**

Requires ODE, in consultation with the Educator Standards Board and by December 31, 2010, to develop a model peer assistance and review program and to make recommendations to expand the use of peer assistance and review programs in school districts. The model program must include the following elements: (1) releasing experienced teachers from instructional duties for up to three years to mentor and evaluate new and underperforming teachers, (2) targeted professional development, and (3) a committee containing representatives of teachers and the employer to review evaluations and make recommendations regarding teachers' continued employment.

Appropriation Language

108      EDU - 36      Personal Services

**Section: 265.10.10**

Permits ODE to use GRF appropriation item 200100, Personal Services, to pay fees for ODE's membership in the Education Commission of the States and makes the following earmarks:

- (1) Up to \$25,000 in each fiscal year for travel expenses for the members of the State Board of Education.
- (2) Up to \$150,000 in each fiscal year to support Ohio's Partnership for Continued Learning.

**Section: 265.10.10**

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.

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(3) Up to \$500,000 in each fiscal year for expenses associated with the Governor's Closing the Achievement Gap Initiative.

(3) Increases earmark to up to \$950,000 in each fiscal year.

(4) Up to \$200,000 in each fiscal year to support ODE's Office of Urban and Rural Student Success.

(4) Same as the Executive.

(5) Up to \$200,000 in each fiscal year to support ODE's Center for Creativity and Innovation.

(5) Increases earmark to up to \$700,000 in each fiscal year.

**109 EDU - 37 Early Childhood Education**

**Section: 265.10.20**

Earmarks up to 2% of GRF appropriation item 200408, Early Childhood Education, in each fiscal year to be used by ODE for support and technical assistance of early childhood education programs.

**Section: 265.10.20**

Same as the Executive.

**110 EDU - 156 Educator Training**

No provision.

**Section: 265.10.25**

Specifies that GRF appropriation item 200410, Educator Training, be used to pay \$2,225 of the application fee for up to 400 public and chartered nonpublic school teachers in each fiscal year applying for certification from the National Board of Professional Teaching Standards and to provide stipends for National Board certified teachers. Provides that up to \$300,000 may be used by ODE for administrative costs and up to \$39,500 may be used to support the application fee for the National Board's Take One program.

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111 EDU - 39 Career-Technical Education Match

Section: 265.10.30

Specifies that GRF appropriation item 200416, Career-Technical Education Match, be used to provide vocational administration matching funds.

Section: 265.10.30

Same as the Executive.

112 EDU - 40 Computer/Application/Network Development

Section: 265.10.30

Specifies that GRF appropriation item 200420, Computer/Application/Network Development, be used to support the development and implementation of information technology solutions designed to improve the performance and services provided by ODE. Permits this appropriation to also be used to support data-driven decision-making and differentiated instruction and to communicate academic content standards and curriculum models through the Internet.

Section: 265.10.30

Same as the Executive.

113 EDU - 41 Alternative Education Programs

Section: 265.10.40

Provides for the following for GRF appropriation item 200421, Alternative Education Programs:

- (1) No provision.
- (2) No provision.

Section: 265.10.40

Same as the Executive, but makes the following earmarks:

- (1) \$250,000 in each fiscal year for Kids Unlimited to support its after-school program.
- (2) \$100,000 in each fiscal year for the Cincinnati Arts and Technology Center.

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(3) No provision.

(3) \$100,000 in each fiscal year to support the Toledo Tech Academy.

(4) No provision.

(4) \$25,000 in each fiscal year for the Beaver Creek Wildlife Education Center.

(5) No provision.

(5) \$100,000 in FY 2011 to be used by the Green Local School District in Summit County, in partnership with The University of Akron, to create a distance learning pilot program.

(6) No provision.

(6) \$50,000 in each fiscal year for the after-school programs of the Monroe Community Center in Stark County.

Specifies that GRF appropriation item 200421, Alternative Education Programs, be used for the renewal of successful implementation grants and competitive matching grants to urban, rural, and suburban districts.

Same as the Executive.

Permits ODE to waive minimum education standards for the alternative schools funded by the grants.

Same as the Executive.

Specifies that a portion of the appropriation may be used for program administration, monitoring, technical assistance, support, research, and evaluation.

Same as the Executive.

**114 EDU - 42 School Management Assistance**

**Section: 265.10.50**

Makes the following earmarks of GRF appropriation item 200422, School Management Assistance:

(1) Up to \$1,000,000 in each fiscal year for expenses incurred by the Auditor of State for the Auditor's role in performing audits of districts in fiscal distress.

**Section: 265.10.50**

Same as the Executive, but makes the following changes to the earmarks:

(1) Same as the Executive.

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(2) Up to \$350,000 in each fiscal year for ODE to work with school districts and entities that serve school districts to develop and deploy analytical tools that allow districts to analyze more thoroughly district spending patterns in order to promote more effective and efficient use of resources.

(2) Same as the Executive.

(3) Up to \$1,000,000 in each fiscal year to fund studies associated with the Cleveland Municipal School District Early Adopter Project and for ODE to assist with training and implementation of the project.

(3) No provision.

(4) Up to \$16,394,000 in FY 2010 and up to \$17,980,000 in FY 2011 to contract with an entity to conduct performance audits of school districts and community schools on a five year cycle. Requires that a portion of this amount in each fiscal year be used to conduct performance audits of ESCs and JVSs to inform the recommendations of new funding models for ESCs and JVSs to be implemented in the FY 2012-FY 2013 biennium.

(4) Same as the Executive, but decreases earmark in FY 2010 to \$4,994,000 .

Specifies that the remainder be used to provide fiscal technical assistance and in-service education for school district management personnel and to administer, monitor, and implement the fiscal watch and fiscal emergency provisions of the Revised Code.

Same as the Executive, but adds that funding may be used for fiscal caution provisions, as well as fiscal watch and fiscal emergency.

115      EDU - 43      Policy Analysis

**Section: 265.10.60**

Specifies that GRF appropriation item 200424, Policy Analysis, be used to support a system of administrative, statistical, and legislative education information to be used for policy analysis and makes the following earmark:

**Section: 265.10.60**

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Up to \$600,000 in each fiscal year to support the ODE's Office of School Resource Management. Specifies that a portion of this amount be used in conjunction with GRF appropriation item 200439, Accountability/Report Cards, to develop a fiscal reporting dimension to the school report card beginning in FY 2011.

Same as the Executive, but specifies that the fiscal reporting dimension be based on prior year fiscal data.

**116 EDU - 44 Tech Prep Consortia Support**

**Section: 265.10.60**

Specifies that GRF appropriation item 200425, Tech Prep Consortia Support, be used to support state-level activities in support of tech prep programs.

**Section: 265.10.60**

Same as the Executive.

**117 EDU - 45 Ohio Educational Computer Network**

**Section: 265.10.70**

Specifies that GRF appropriation item 200426, Ohio Educational Computer Network, be used to maintain a system of information technology throughout Ohio and to provide technical assistance in support of the P-16 State Education Technology Plan. Makes the following earmarks:

(1) Up to \$15,874,498 in each fiscal year to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet.

(2) Up to \$2,163,657 in each fiscal year for the Union Catalog and InfOhio Network.

(3) Up to \$7,942,391 in each fiscal year to subsidize the activities of designated information technology centers.

**Section: 265.10.70**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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Specifies that the remainder of the appropriation be used to support a network of uniform and compatible computer-based information and instructional systems.			Same as the Executive.
118	EDU - 46	<b>Academic Standards</b>	
<p><b>Section: 265.10.80</b></p> <p>Specifies that GRF appropriation item 200427, Academic Standards, be used by ODE for the development and dissemination of academic content standards and curriculum models.</p>			<p><b>Section: 265.10.80</b></p> <p>Same as the Executive, but adds an earmark of \$1,500,000 in each fiscal year for Project Lead the Way.</p>
119	EDU - 47	<b>School Improvement Initiatives</b>	
<p><b>Section: 265.10.90</b></p> <p>Makes the following earmarks of GRF appropriation item 200431, School Improvement Initiatives:</p> <ul style="list-style-type: none"> <li>(1) Up to \$510,990 in each fiscal year to support educational media centers to provide Ohio public schools with instructional resources and services.</li> <li>(2) Up to \$9,349,007 in each fiscal year to support districts in the development and implementation of continuous improvement plans.</li> <li>(3) No provision.</li> <li>(4) No provision.</li> </ul>			<p><b>Section: 265.10.90</b></p> <p>Same as the Executive, but makes the following changes to the earmarks:</p> <ul style="list-style-type: none"> <li>(1) Same as the Executive.</li> <li>(2) Same as the Executive.</li> <li>(3) Up to \$2,000,000 in FY 2011 fund grants for a pilot subsidy program for creative and innovative classrooms.</li> <li>(4) Up to \$3,500,000 in each fiscal year to create early college high schools, to be distributed according to guidelines established by ODE and BOR.</li> </ul>

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120      EDU - 150      Literacy Improvement - Professional Development

No provision.

**Section: 265.10.95**

Specifies that GRF appropriation item 200433, Literacy Improvement - Professional Development, be used to fund the Reading Recovery Training Network.

No provision.

Earmarks up to \$100,000 in each fiscal year to establish a teacher leader training site at Marietta College in FY 2010 and to provide training for reading recovery teachers by a teacher leader in FY 2011.

121      EDU - 48      Student Assessments

**Sections: 265.20.10, 265.50.50**

Makes the following earmarks of GRF appropriation item 200437, Student Assessments:

Up to \$212,486 in each fiscal year for costs associated with the state's required diagnostic assessments.

Directs the Superintendent of Public Instruction and the Chancellor of the Board of Regents to determine a percentage of the appropriation in each fiscal year to support: (1) a college readiness exam for high school juniors; (2) preparation, practice examinations, and diagnostics related to a college readiness exam. Specifies that for examinations paid for by these funds where scores may be submitted to institutions of higher education, all students must submit their scores to the University System of Ohio.

**Sections: 265.20.10, 265.50.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

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Directs that a portion of the appropriation may be used to reimburse public school districts for: (1) costs associated with Advanced Placement testing and programming, (2) costs associated with taking the International Baccalaureate Examination.

Same as the Executive.

Authorizes the Director of Budget and Management to transfer unspent and unencumbered funds within ODE, as necessary, to GRF appropriation item 200437, Student Assessments, to fully fund the student assessment requirements of state law. If these transferred funds not sufficient, permits the Superintendent of Public Instruction to seek Controlling Board approval to transfer up to \$9.0 million from the Lottery Profits Education Reserve Fund to the GRF to be appropriated to this item.

Same as the Executive.

Specifies that the remainder of the appropriation be used to develop, field test, print, distribute, score, and report results of tests, including the English language arts, mathematics, science, and social studies assessments and the Ohio Graduation Test. If funds remain in this appropriation after all other purposes have been fulfilled, permits ODE to use the remainder to develop end-of-course exams.

Same as the Executive, but adds the system of assessments developed for high school students contained in the bill to the other tests for which the remainder of the appropriation is to be used.

**122      EDU - 53      Accountability/Report Cards**

**Section: 265.20.20**

Earmarks up to \$2,378,976 in each fiscal year of GRF appropriation item 200439, Accountability/Report Cards, to train district and regional specialists and district educators in the use of value-added progress dimension.

**Section: 265.20.20**

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Specifies that the remainder of the appropriation be used to incorporate a statewide pilot value-added progress dimension into performance ratings for school districts and for the development of an accountability system that includes the preparation and distribution of school report cards.

Same as the Executive, but adds funding and expenditure accountability reports as part of the accountability system.

**123      EDU - 54      Child Care Licensing**

**Section: 265.20.20**

Specifies that GRF appropriation item 200442, Child Care Licensing, be used by ODE to license and to inspect preschool and school-age child care programs.

**Section: 265.20.20**

Same as the Executive.

**124      EDU - 56      Education Management Information System**

**Section: 265.20.30**

Specifies that GRF appropriation item 200446, Education Management Information System, be used to improve the education management information system (EMIS) and makes the following earmarks:

(1) Up to \$1,276,761 in each fiscal year to be distributed to information technology centers for costs related to processing, storing, and transferring data for the effective operation of EMIS.

(2) Up to \$7,874,541 in each fiscal year to be distributed on a per-pupil basis to school districts, community schools, educational service centers (ESCs), joint vocational school districts (JVSDs), and other educational entities that report data through EMIS. Specifies that each school district or community school with more than 100 students and each

**Section: 265.20.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

JVSD receive a minimum of \$5,000 in each fiscal year. Specifies that each school district and community school with between 1 and 100 students and each ESC and each county board of MRDD that submits data receive \$3,000 in each fiscal year.

Specifies that the remainder of the appropriation be used to develop and support a common core of data definitions and standards as adopted by the Education Data Advisory Board. Specifies that any provider of software meeting the standards approved by the Education Data Advisory Board be designated as an approved vendor and may enter into contracts with educational entities for the purpose of collecting and managing data required under Ohio's EMIS law. Prohibits school districts and community schools that are not implementing a common and uniform set of data definitions and data format standards from receiving funding until they are in compliance.

Same as the Executive.

**125      EDU - 58      GED Testing**

**Section: 265.20.40**

Specifies that GRF appropriation item 200447, GED Testing, be used to provide General Educational Development (GED) testing at no cost to applicants and to reimburse school districts and community schools for a portion of the costs incurred in providing services to students who have not graduated because of their inability to pass a state achievement test.

**Section: 265.20.40**

Same as the Executive.

Executive

In House Finance and Appropriations

126      EDU - 59      Educator Preparation

**Section: 265.20.50**

Earmarks up to \$350,000 in each fiscal year of GRF appropriation item 200448, Educator Preparation, to be used for training and professional development of school administrators, treasurers, and business officials.

No provision.

Permits the remainder of the appropriation to be used by ODE to support the Educator Standards Board, to develop alternative preparation programs for school leaders, and for the coordination of a career ladder for teachers.

**Section: 265.20.50**

Same as the Executive.

Earmarks \$50,000 in each fiscal year for the Ohio University Leadership Project.

Same as the Executive.

127      EDU - 151      National Underground Railroad Freedom Center

No provision.

**Section: 265.20.60**

Specifies that GRF appropriation item 200587, National Underground Railroad Freedom Center, be used by the Center for education programs.

128      EDU - 61      Community Schools

**Section: 265.20.60**

Makes the following earmarks of GRF appropriation item 200455, Community Schools:

(1) Up to \$1,308,661 in each fiscal year to support the State Office of Community Schools in ODE.

**Section: 265.20.60**

Same as the Executive, but makes the following changes to the earmarks:

(1) Same as the Executive.

**Executive**

**In House Finance and Appropriations**

(2) Up to \$225,000 in each fiscal year for the development and conduction of training sessions for sponsors and prospective sponsors of community schools.

(2) Same as the Executive, but adds community schools to sponsors and prospective sponsors of community schools as entities that may receive training funded through the earmark.

**129 EDU - 62 STEM Initiatives**

**Section: 265.20.60**

Specifies that GRF appropriation item 200457, STEM Initiatives, be used for initiatives that support innovative mathematics and science education and mathematics and science professional development for teachers, including on-site laboratories, job-embedded professional development, and mentoring and coaching.

**Section: 265.20.60**

Same as the Executive, but instead of on-site laboratories, job-embedded professional development, and mentoring and coaching, requires that the initiatives be connected to and leveraged against Ohio's portfolio of STEM education initiatives including STEM schools, STEM Programs of Excellence, and STEM Centers positioned to enhance through professional practice on-site laboratories, teacher-in-residence programs, master teacher and apprentice models, and STEM teaching fellowships.

**130 EDU - 64 Public School Employees Health Care Board**

**Section: 265.20.60**

Specifies that GRF appropriation item 200458, Public School Employees Health Care Board, be used by the School Employees Health Care Board to hire staff to provide administrative support to the Board.

No provision.

**131 EDU - 65 Pupil Transportation**

**Section: 265.20.70**

Makes the following earmarks to GRF appropriation item 200502, Pupil Transportation:

**Section: 265.20.70**

Same as the Executive, but makes the following changes to the earmarks:

**Executive**

**In House Finance and Appropriations**

- (1) Up to \$838,930 in each fiscal year for training school bus drivers.
- (2) Up to \$60,469,220 in each fiscal year for special education transportation reimbursements to school districts and county MR/DD boards.
- (3) Specifies that the remainder of the appropriation be used for state reimbursement of public school districts' costs in transporting pupils to and from school as computed under the school funding formula.
- (4) No provision.
- (5) No provision.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Earmarks \$376,914,469 in each fiscal year for the prorated portion of transportation aid.
- (5) Specifies that the remainder of the appropriation be used for additional transportation aid for district's below both the state median parity aid wealth measure and state median bus ridership density.

132      EDU - 69      Bus Purchase Allowance

**Section: 265.20.80**

Specifies that GRF appropriation item 200530, Bus Purchase Allowance, be distributed to school districts, educational service centers, and county MRDD boards for the purchase of school buses. Earmarks up to 28% of the amount appropriated for the purchase of buses to transport handicapped and nonpublic school students.

**Section: 265.20.80**

Same as the Executive.

Executive

In House Finance and Appropriations

133      EDU - 70      School Lunch Match

**Section: 265.20.80**

Specifies that GRF appropriation item 200505, School Lunch Match, be used to provide matching funds to obtain federal funds for the school lunch program.  
 Specifies any remaining appropriation be used to reimburse school buildings required to have a school breakfast program.

**Section: 265.20.80**

Same as the Executive.  
 Same as the Executive.

134      EDU - 71      Auxiliary Services

**Section: 265.20.90**

Specifies that GRF appropriation item 200511, Auxiliary Services, be used for providing services and materials to students enrolled in nonpublic schools.  
 Earmarks up to \$2,121,800 in each fiscal year for nonpublic school student participation in the Post-Secondary Enrollment Options Program and requires ODE to adopt rules governing the distribution of these funds.

**Section: 265.20.90**

Same as the Executive.  
 Same as the Executive.

135      EDU - 147      Gifted Pupil Program

No provision.

**Section: 265.20.95**

Specifies that GRF appropriation item 200521, Gifted Pupil Program, be used for the Summer Honors Institute, including funding for the Martin Essex Program. Specifies that this funding be awarded through a request for proposals process.

Executive

In House Finance and Appropriations

136 EDU - 72 Nonpublic Administrative Cost Reimbursement

Section: 265.30.10

Specifies that GRF appropriation 200532, Nonpublic Administrative Cost Reimbursement, be used to reimburse chartered nonpublic schools for their administrative costs associated with maintaining their state charter.

Section: 265.30.10

Same as the Executive.

137 EDU - 74 Special Education Enhancements

Section: 265.30.20

Makes the following earmarks to GRF appropriation item 200540, Special Education Enhancements:

- (1) Up to \$2,906,875 in each fiscal year for home instruction for children with disabilities.
- (2) Up to \$47,518,582 in FY 2010 and up to \$48,421,435 in FY 2011 to fund special education and related services at county MRDD boards and institutions. Notwithstanding the distribution formulas for those students and inflates the per pupil amount received by each MRDD board and institution in the prior fiscal year by 1.9% and provides that inflated per pupil amount for each student served in the current fiscal year.
- (3) No provision.
- (4) No provision.

Section: 265.30.20

Same as the Executive, but makes the following changes to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) \$75,000 in each fiscal year for Leaf Lake/Geauga Educational Assistance Funding.
- (4) \$500,000 in each fiscal year to support the Bellefaire Jewish Children's Bureau.

**Executive**

**In House Finance and Appropriations**

(5) No provision.

(5) \$650,000 in each fiscal year to support Project More for one-to-one reading mentoring.

(6) No provision.

(6) Up to \$1,500,000 in each fiscal year for parent mentoring programs.

(7) No provision.

(7) Up to \$2,783,396 in each fiscal year for school psychology interns.

Specifies that the remainder of the appropriation be used to fund preschool special education and preschool supervisory units at county MRDD boards, educational service centers, and school districts.

Same as the Executive.

**138 EDU - 76 Career-Technical Education Enhancements**

**Section: 265.30.30**

Makes the following earmarks to GRF appropriation item 200545, Career-Technical Education Enhancements:

(1) Up to \$2,633,531 in FY 2010 and up to \$2,683,568 in FY 2011 to fund career-technical education at institutions. Directs ODE to distribute funds on a grant basis rather than through the current method of unit funding.

(2) Up to \$2,228,281 in each fiscal year to fund competitive grants to tech prep consortia.

(3) Up to \$2,890,850 in each fiscal year to support existing High Schools That Work (HSTW) sites, develop and support new sites, fund technical assistance, and support regional centers and middle school programs.

**Section: 265.30.30**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

In House Finance and Appropriations

139 EDU - 84 Foundation Funding

Section: 265.30.40

Provides the following concerning GRF appropriation item 200550, Foundation Funding:

- (1) Specifies that the appropriation includes \$75,000,000 in each fiscal year for the state education aid offset due to the change in public utility valuation as a result of Am. Sub. S.B. 3 and Am. Sub. S.B. 287, both of the 123rd G.A. Permits the Director of Budget and Management to increase or decrease the cash transfer from Fund 053, School District Property Tax Replacement-Utility, upon certification by ODE of the actual state aid offset.
- (2) Specifies that the appropriation in FY 2010 includes \$106,768,866 and in FY 2011 includes \$238,511,467 for the state education aid offset due to the changes in tangible personal property valuation as a result of Am. Sub. H.B. 66 of the 126th G.A. Permits the Director of Budget and Management to increase or decrease the cash transfer from Fund 047, School District Property Tax Replacement - Business, upon certification by ODE of the actual state aid offset.
- (3) Earmarks up to \$425,000 in each fiscal year to help defray the cost of educating children who are placed in a private institution, school, or residential treatment center by the order of an Ohio court.
- (4) Earmarks up to \$15,000,000 in each fiscal year to be reserved for payments to certain school districts with large changes in valuation. Permits the Controlling Board to increase the amount if requested.

Section: 265.30.40

Same as the Executive, but makes the following changes:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

**Executive**

**In House Finance and Appropriations**

- (5) Earmarks up to \$10,000,000 in each fiscal year to provide additional state aid to school districts for the special education catastrophic cost supplement. Permits the Controlling Board to increase the amount if requested.
- (6) Earmarks up to \$2,000,000 in each fiscal year for Youth Services tuition payments.
- (7) No provision.
- (8) Earmarks up to \$42,300,000 in each fiscal year to fund the state reimbursement of educational service centers (ESCs).
- (9) Requires that an amount be available in each fiscal year for transitional aid for school districts.
- (10) Earmarks up to \$1,000,000 in each fiscal year for a program to pay for educational services for youth who have been assigned by a juvenile court or other authorized agency to a facility participating in the private treatment facility project.
- (11) Earmarks up to \$8,686,000 in FY 2010 and \$8,722,860 in FY 2011 to operate the school choice program.
- (12) Specifies that up to \$11,901,887 in each fiscal year of the foundation program funds credited to the Cleveland Municipal School District be used to operate the school choice program in that district. Further specifies that of that amount, up to \$1,000,000 in each fiscal year be used by the district to provide tutorial assistance. Requires that the use of funds for tutorial assistance be reported in the district's three-year continuous improvement plan.

- (5) Same as the Executive, but increases the earmark to \$18,000,000 in FY 2010 and \$15,000,000 in FY 2011.
- (6) Same as the Executive.
- (7) Earmarks up to \$8,100,000 in each fiscal year to fund gifted education units at educational service centers (ESCs).
- (8) Increases the earmark to \$47,000,000 in each fiscal year.
- (9) Same as the Executive.
- (10) Same as the Executive.
- (11) Same as the Executive.
- (12) Same as the Executive.

**Executive**

**In House Finance and Appropriations**

(13) Earmarks \$263,184,858 in FY 2010 and \$268,185,371 in FY 2011 to fund joint vocational school districts (JVSDs).

(13) Same as the Executive, but does not specify an amount.

(14) No provision.

(14) Earmarks \$100,000 in each fiscal year to be used by the American Academy of Pediatrics for the Reach Out and Read Program.

(15) No provision.

(15) Earmarks up to \$500,000 in each fiscal year for ODE to contract with the Children's Hunger Alliance to expand access to child nutrition programs.

(16) Specifies that GRF appropriation items 200455, Community Schools; 200502, Pupil Transportation; 200540, Special Education Enhancements; 200541, Special Education - Federal Stimulus; 200550, Foundation Funding; 200551, Foundation Funding - Federal Stimulus; and 200609, Poverty Funding - Federal Stimulus, other than specific set-asides, are to fund state formula aid obligations. Provides that ODE seek Controlling Board approval to transfer funds among these items, or other GRF appropriation items in which there are excess appropriation, in order to meet these obligations.

(16) Same as the Executive, but removes GRF appropriation items 200541, Special Education - Federal Stimulus, and 200609, Poverty Funding - Federal Stimulus from the list of items that collectively fund state formula aid obligations.

140 EDU - 85 Teach Ohio

**Section: 265.30.60**

Earmarks \$1,000,000 in each fiscal year of GRF appropriation item 200555, Teach Ohio, to support the Teach Ohio program to encourage high school students interested in entering the teaching profession.

Specifies that the remainder of the be used to support alternative teach licensure programs.

**Section: 265.30.60**

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

141 EDU - 86 Violence Prevention and School Safety

**Section: 265.30.70**

Earmarks up to \$224,250 in each fiscal year of GRF appropriation item 200578, Violence Prevention and School Safety, to fund a safe school center to provide resources for parents and for school and law enforcement personnel.

Specifies that the remainder of the appropriation be distributed based on guidelines developed by ODE to enhance school safety.

**Section: 265.30.70**

Same as the Executive.

Same as the Executive.

142 EDU - 88 Property Tax Allocation - Education

**Section: 265.30.80**

Prohibits the Superintendent of Public Instruction from requesting, and the Controlling Board from approving, the transfer of funds from GRF appropriation item 200901, Property Tax Allocation - Education, to any other appropriation item.

Specifies that GRF appropriation item 200901, Property Tax Allocation - Education, be used to pay for the state's costs incurred because of the homestead exemption, the property tax rollback, and reimbursements associated with conversion levies.

**Section: 265.30.80**

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

143      EDU - 89      Teacher Certification and Licensure

**Section: 265.30.90**

Specifies that GSF Fund 4L20 appropriation item 200681, Teacher Certification and Licensure, be used in each fiscal year to administer and support teacher certification and licensure activities.

**Section: 265.30.90**

Same as the Executive.

144      EDU - 90      School District Solvency Assistance

**Section: 265.30.90**

Specifies that funds in GSF Fund 5H30 appropriation item 200687, School District Solvency Assistance, be used to provide assistance and grants to school districts to enable them to remain solvent. Requires that assistance and grants be subject to the approval of the Controlling Board.

Earmarks \$9,000,000 in each fiscal year for the School District Shared Resource Account to make advances to districts that must be repaid.

Earmarks \$9,000,000 in each fiscal year for the Catastrophic Expenditures Account to make grants to school districts that need be repaid only if the district receives third party reimbursement funding.

Permits the Director of Budget and Management to make transfers into Fund 5H30 in each fiscal year to maintain sufficient cash balances in the fund. Appropriates any funds so transferred.

**Section: 265.30.90**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

145      EDU - 92      Schools Medicaid Administrative Claims

**Section: 265.40.10**

Allows the Director of Budget and Management, at the request of the Superintendent of Public Instruction, to transfer up to \$639,000 in each fiscal year from the GRF to FED Fund 3AF0, Schools Medicaid Administrative Claims, to pay expenses incurred in administering the Medicaid School Component of the Medicaid program.

Requires the Director of Budget and Management on June 1 of each fiscal year, or as soon as possible thereafter, to transfer cash from FED Fund 3AF0, Schools Medicaid Administrative Claims, back to the GRF in an amount equal to that transferred to Fund 3AF0 in that fiscal year.

**Section: 265.40.10**

Same as the Executive.

Same as the Executive.

146      EDU - 93      Reading First

**Section: 265.40.20**

Specifies that FED Fund 3Y40 appropriation item 200632, Reading First, be used by school districts to administer federal diagnostic tests as well as other functions permitted by federal statute. Specifies that federal diagnostic tests may be recognized as meeting the state diagnostic testing requirements.

**Section: 265.40.20**

Same as the Executive.

Executive

In House Finance and Appropriations

147      EDU - 94      Half-Mill Maintenance Equalization

**Section: 265.40.20**

Specifies that SSR Fund 5BJ0 appropriation item 200626, Half-Mill Maintenance Equalization, be used to make payments to eligible school districts to equalize districts' half-mill maintenance levies required under the Classroom Facilities Assistance program of the School Facilities Commission to the statewide average wealth level.

**Section: 265.40.20**

Same as the Executive.

148      EDU - 96      Start-Up Funds

**Section: 265.40.30**

Specifies that funds appropriated for the purpose of providing start-up grants to Title IV-A Head Start and Title IV-A Head Start Plus agencies in FY 2004 and FY 2005 for services to children eligible for Title IV-A services be reimbursed to the GRF as follows:

(1) Requires an entity that was a Title IV-A Head Start or Title IV-A Head Start Plus agency but will not be an early learning agency or provider in FY 2010 or FY 2011 to repay the entire amount of the start-up grant it received in FY 2004 and FY 2005 no later than June 30, 2019.

(2) Permits an entity that was a Title IV-A Head Start or Title IV-A Head Start Plus agency and will be an early learning agency or provider in FY 2010 and FY 2011 to retain any amount of the start-up grant it received.

(3) Requires that any start-up grants that are retained by early learning agencies or providers be reimbursed to the GRF when the early learning program ceases or is no longer funded from Title IV-A or if the provider's

**Section: 265.40.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance and Appropriations

participation in the early learning program ceases or is terminated.

**149      EDU - 97      Auxiliary Services Reimbursement**

**Section: 265.40.40**

Requires that the Treasurer of State transfer, if the unobligated cash balance is sufficient, \$1,500,000 in each fiscal year from the Auxiliary Services Personnel Unemployment Compensation Fund to SSR Fund 5980, Auxiliary Services Reimbursement Fund.

**Section: 265.40.40**

Same as the Executive.

**150      EDU - 98      Lottery Profits Education Fund**

**Section: 265.40.50**

Specifies that LPE Fund 7017 appropriation item 200612, Foundation Funding, be used in conjunction with GRF appropriation item 200550, Foundation Funding, to provide formula aid payments to school districts.

**Section: 265.40.50**

Same as the Executive.

**151      EDU - 99      Lottery Profits Education Reserve Fund**

**Section: 265.40.60**

Creates the Lottery Profits Education Reserve Fund (Fund 7018) in the State Treasury. Stipulates that at no time shall the amount to the credit of the fund exceed \$75,000,000 and that investment earnings of the fund be credited to the fund. Appropriates in each fiscal year an amount necessary to make adjustments in state aid to school districts with certain amounts of uncollected local taxes. Requires these adjustments to be paid back to ODE if the taxes are eventually collected.

**Section: 265.40.60**

Same as the Executive.

**Executive**

**In House Finance and Appropriations**

Requires that the Director of Budget and Management, on or before July 15 following the respective fiscal year, determine the amount by which the lottery profit transfers received by the Lottery Profits Education Fund for FY 2009 exceed \$667,900,000 and for FY 2010 exceed \$705,000,000.

Same as the Executive.

**152      EDU - 100      School District Property Tax Replacement - Business**

**Sections: 265.40.70, 265.40.80**

Specifies that RDF Fund 7047 appropriation item 200909, School District Property Tax Replacement - Business, be used to make direct reimbursement payments to school districts and joint vocational school districts for losses due to the phase-out of tangible personal property taxes. Appropriates any additional appropriations determined to be necessary by the Director of Budget and Management. Permits the Director of Budget and Management to make temporary transfers between the GRF and the School District Property Tax Replacement - Business Fund (Fund 7047) used by ODE to ensure sufficient balances in Fund 7047 and to replenish the GRF for such transfers.

**Sections: 265.40.70, 265.40.80**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance and Appropriations

## 153      EDU - 101      School District Property Tax Replacement - Utility

**Section: 265.40.80**

Specifies that RDF Fund 7053 appropriation item 200900, School District Property Tax Replacement - Utility, be used to make direct reimbursements to school districts and joint vocational school districts for losses incurred due to the reduction of assessment rates on public utility tangible personal property. Appropriates any additional appropriations determined to be necessary by the Director of Budget and Management.

**Section: 265.40.80**

Same as the Executive.

## 154      EDU - 102      Distribution Formulas

**Section: 265.40.80**

Requires that ODE report to the Director of Budget and Management and the Legislative Service Commission the following changes: (a) changes in formulas for distributing state appropriations; (b) discretionary changes in formulas for distributing federal appropriations; and (c) federally mandated changes in formulas for distributing federal appropriations. Requires these changes be reported two weeks prior to their effective date.

**Section: 265.40.80**

Same as the Executive.

## 155      EDU - 103      Earmark Accountability

**Section: 265.50.70**

Authorizes the Superintendent of Public Instruction to request accountability reports from any entity that receives a budget earmark under ODE's budget.

**Fiscal effect: None.**

**Section: 265.50.70**

Same as the Executive.

Executive

In House Finance and Appropriations

156      DAS - 51      School Employees Health Care Board

No provision.

**Sections:** *207.10.05, 207.10*

Requires that GRF appropriation item 100403, School Employees Health Care Board, be used to provide administrative support to the School Employees Health Care Board as it carries out its duties under section 9.901 of the Revised Code.

**Fiscal effect: None, as the bill maintains the current status of the SEHCB, rather than transferring it to the Department of Education as proposed by the Executive.**

Executive

In House Finance and Appropriations

157      CEB - 2      Mandate Assistance

**Section: 245.10**

(1) Requires that the amounts appropriated to GRF appropriation item 911404, Mandate Assistance, be used to provide financial assistance to local units of government and school districts for the cost of two state mandates as follows: (a) the cost to county prosecutors for prosecuting certain felonies that occur on the grounds of state institutions operated by the Department of Rehabilitation and Correction and the Department of Youth Services, and (b) the costs to school districts of in-service training for child abuse detection.

(2) Permits the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education to submit to the Controlling Board requests to transfer appropriations from GRF appropriation tem 911404 for the two aforementioned purposes.

(3) Permits the Controlling Board to transfer appropriations received by a state agency under this provision back to GRF appropriation item 911404, or to the other program of state financial assistance identified under this provision.

(4) Stipulates it is expected that not all costs incurred by local units of governments and school districts under each of these two aforementioned programs of state financial assistance will be fully reimbursed by the state.

(5) Prescribes how each of these programs of state financial assistance are to be carried out.

**Section: 245.10**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**Executive**

(6) Permits any moneys allocated to GRF appropriation item 911404 not fully utilized, upon application of the Ohio Public Defender Commission, and with the approval of the Controlling Board, to be disbursed to boards of county commissioners to provide additional reimbursement for the costs incurred by counties in providing indigent defense legal services.

**In House Finance and Appropriations**

(6) Same as the Executive.

Executive

In House Finance and Appropriations

158 ETC - 14 State PK-16 Education Technology Plan

R.C. 3301.07, 3353.09, Sections 265.10.70, 265.20.30

No provision.

Requires the eTech Ohio Commission, instead of the State Board of Education as specified under current law, to develop and implement a state education technology plan. Changes the purpose of the plan from "promoting the use of technological advancements in educational settings" to "creating an aligned preschool to postsecondary educational technology system that complies with federal mandates." Requires eTech to periodically modify the plan as it deems necessary.

No provision.

Requires the State Board of Education, upon eTech's request, to assist eTech in the development and modification of the state education technology plan.

No provision.

Makes conforming changes to budget language related to GRF appropriation items 200426, Ohio Educational Computer Network, and 200446, Education Management Information System in the ODE budget. (These two items are parts of the funding sources for the state education technology plan.)

**Fiscal effect: eTech may incur increased administrative costs for developing and implementing the education technology plan while ODE may experience decreased administrative costs related to the plan.**

Executive

In House Finance and Appropriations

159 ETC - 10 Interactive Distance Learning Pilot Project

No provision.

R.C. 3353.20

Requires eTech to develop and implement an interactive distance learning pilot project to provide, beginning with the 2009-2010 school year, access to at least three free interactive distance learning courses for all high schools operated by school districts, including two advanced placement courses and one foreign language course.

No provision.

Requires eTech to: (1) contract with and pay the compensation for teachers to develop and teach the courses offered by the pilot project; (2) produce and broadcast the courses offered by the pilot project; (3) provide funds for schools to purchase video conferencing telecommunications equipment and connectivity devices, if necessary, for participation; (4) assist schools in arranging for the purchase and installation of telecommunications equipment and connectivity devices; (5) pay, for up to one school year, the cost of upgrading internet service for certain schools; and (6) offer training in the use of the telecommunications equipment.

No provision.

Requires ODE, in consultation with the Chancellor of the Board of Regents, to select courses to be offered by the pilot project and to develop standards for the curriculum of each course selected.

No provision.

Requires eTech and ODE, in consultation with the Chancellor, to select teachers to develop and teach the courses offered by the pilot project.

No provision.

Specifies that each high school determine the manner in which and facilities at which students may participate in

Executive

In House Finance and Appropriations

No provision.

courses consistent with specifications for technology and connectivity required by eTech.

Specifies that the grade for a student enrolled in the course offered through the pilot project be assigned by the course teacher and transmitted to the student's high school.

No provision.

Requires eTech, the Superintendent of Public Instruction, and the Chancellor to submit, by December 31, 2010, an evaluation of the pilot project and legislative recommendations for changes to the pilot project to the Governor and the General Assembly.

**Fiscal effect: The bill appropriates \$2 million in FY 2010 to GRF appropriation item 935427, Distance Learning Pilot Project, and \$4.5 million in each fiscal year to SSR Fund 5GP0 appropriation item 935609, Interactive Distance Learning Program, for the pilot project.**

## Executive

## In House Finance and Appropriations

160      GOV - 1      Service Coordination Workgroup

**Section: 751.20**

(1) Creates the Service Coordination Workgroup to develop procedures for coordinating services that any of the following provide to individuals under age 21 and their families: the Office of the Governor, the Departments of Alcohol and Drug Addiction Services, Education, Health, Job and Family Services, Mental Health, Mental Retardation and Developmental Disabilities, and Youth Services; the Office of Budget and Management; and the Family and Children First Cabinet Council.

(2) Requires the Workgroup, not later than July 31, 2009, to submit a report to the Governor with recommendations for implementing the procedures.

(3) Permits the Director of Budget and Management to seek Controlling Board approval to transfer cash and appropriations as necessary to implement the Workgroup's recommendations.

**Fiscal effect: Since the representative of the Governor's Office is to serve as the chairperson of the Council, this provision may cause a minimal increase in the Governor's Office's costs to produce the workgroup's report.**

**Section: 751.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

In House Finance and Appropriations

Child Care

161 JFS - 47 Help Me Grow Advisory Council

R.C. 3701.611

Codifies the existing Help Me Grow Advisory Council mirroring the requirements set forth in federal law. The provision also specifies the duties of the Council. Members can be reimbursed for actual and necessary expenses.

**Fiscal effect: If the Council currently exists and receives reimbursements for actual and necessary expenses, there should be no fiscal effect.**

R.C. 3701.611

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Social Services

162 JFS - 86 Early Care and Education

No provision.

**Sections: 309.45.20, 309.45.40, 309.45.50, 309.10**

Makes the following earmarks of GRF line item 600535, Early Care and Education:

- (1) \$1 million in each fiscal year for Big Brothers Big Sisters of Central Ohio for child mentoring programs.
- (2) \$1.5 million in each fiscal year for the Children's Hunger Alliance.
- (3) \$10 million in each fiscal year for the Ohio Child Care Resource and Referral Association to distribute funds to organizations that provide summer and after-school programs to TANF-eligible youth.

## Executive

## In House Finance and Appropriations

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163      OSB - 1      Capital Reappropriations

**Section: 610.10**

Increases the reappropriation amount for the FY 2009 - FY 2010 biennium in appropriation item C22612, Residential Renovations, by \$34,606.

**Section: 610.10**

Same as the Executive.

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## Executive

## In House Finance and Appropriations

164      OSD - 1      Capital Reappropriations

**Section: 610.10**

Increases the reappropriation amount for the FY 2009-FY 2010 biennium in capital appropriation item C22106, Storage Barn, by \$53,429.

**Section: 610.10**

Same as the Executive.

Executive

In House Finance and Appropriations

165 SFC - 13 Design Specifications for Community Schools

No provision.

R.C. 3314.052

Requires all community schools except e-schools to meet the classroom facility design guidelines adopted by SFC unless a waiver is granted by the Superintendent of Public Instruction.

No provision.

Specifies that, upon joint application of the governing authority and sponsor of a community school, the Superintendent of Public Instruction may waive compliance with any specific SFC design guideline if the Superintendent determines that noncompliance with that guideline will not substantially impair the school's mission or academic performance.

No provision.

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 and waiver, community schools could incur additional facility costs.**

166 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.

Executive

In House Finance and Appropriations

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

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Executive

In House Finance and Appropriations

Property Taxes and Transfer Fees

167 TAX - 19 School District Conversion Levy for 20-mill Growth

R.C. 5705.219, 5705.214, 5705.2110, 5705.29, 5751.20, 5751.21, Section 265.30.80

Authorizes school districts levying current expense taxes with an aggregate effective tax rate exceeding 20 mills on residential/agricultural real property to convert that excess millage, with voter approval, to a single levy for a specified amount of money and for a term of up to 10 years or continuously. (The levy conversion would have the effect of suspending future application of the "H.B. 920" tax reduction on the remaining 20 mills for so long as the district does not impose additional current expense millage for other than a fixed amount of money -- i.e., new millage other than an "emergency" levy or a renewal of the conversion levy.)

Requires the state to reimburse a school district levying a conversion tax for the amount of tax revenue lost from nonresidential/agricultural real property and public utility personal property due to the conversion. Phases out the reimbursement over 13 years in increments equal to 50% of the annual inflationary revenue growth from residential/agricultural property resulting from the suspension of the H.B. 920 reduction.

Specifies that reimbursement ends when the computation results in a reimbursement of zero or after 2026, whichever occurs first; for purposes of tangible personal property tax reimbursement, specifies that the converted millage be reimbursed until it expires (instead of reimbursement being phased out by 2018) and that

R.C. 5705.219, 5705.214, 5705.2110, 5705.29, 5751.20, 5751.21, Section 265.30.80

Same as the Executive, but specifies that a school district conversion levy applies to the tax year in which voters approve it and authorizes voters to repeal a conversion levy that originally was imposed for a continuing period of time. Specifies that, if a conversion levy is repealed, reimbursement based on passage of the levy is terminated.

Same as the Executive.

Same as the Executive, but changes the latest year for which conversion levy reimbursement is authorized from 2025 to the thirteenth year after the year in which voters approved the conversion levy. Corrects a technical error in a provision providing for continued tangible personal property tax reimbursement for a qualifying school district

**Executive**

reimbursement be paid from GRF appropriation item 200901, Property Tax Allocation - Education.  
 Authorizes school boards to propose conversion levies conversion levies for four years (2010 through 2013). Specifies that the conversion levy shall raise the same amount of revenue (from Class I property) as was raised from the levies being replaced.

**Fiscal effect: Reimbursement cost for converted millage cannot be determined because it is subject to voter behavior.**

**In House Finance and Appropriations**

fixed-sum levy if the levy is replaced with a "substitute" levy defined in section 5705.199 of the Revised Code.  
 Same as the Executive, but extends the period during which school boards may propose conversion levies to five years (2010 through 2014). Authorizes a school board eligible to impose a conversion levy under the bill to propose that the levy raise a smaller amount (from Class I property) than the levies that the conversion levy would replace.

**Fiscal effect: Same as the Executive.**

**Other Taxation Provisions**

168      TAX - 21      School District Income Tax

R.C.      *5748.02, 3317.021, 3317.0216, 3317.08, 5748.03*

Specifically excludes, from the determination of a school district's tuition rate or whether the district has met its obligation to levy at least the equivalent of 20 mills for operation of the district, income tax revenues allocated for the project cost, debt service, or maintenance set-aside associated with a state-assisted school facilities project. Authorizes a school district to combine two or more simultaneously expiring income tax levies into a single renewal levy.

**Fiscal effect: Minimal.**

R.C.      *5748.02, 3317.021, 3317.0216, 3317.08, 5748.03*

Same as the Executive.

**Fiscal effect: Same as the Executive.**