

## Executive

**School Funding****EDUCD77 Payment for school district with nuclear plant in its territory****R.C. 3317.029, (Repealed)**

Repeals the law that requires ODE, for each of FYs 2019, 2020, and 2021, to make an additional payment to a school district with (1) a nuclear power plant in its territory and (2) a total taxable value of public utility personal property for tax year 2017 that is at least 50% less than that value for tax year 2016.

**Fiscal effect: None. The provision applies only through FY 2021.**

**EDUCD83 Student wellness and success funding****R.C. 3317.029, 3314.088, 3317.163, 3317.26, 3326.42, Sections 265.323 and 265.234**

Modifies the formula for calculating student wellness and success funds and enhancement funds for city, local, exempted village, and joint vocational school districts, community schools, and STEM schools as follows:

Requires ODE to use the five-year estimates published by the Census Bureau in the 2015-2019 American Community Survey, rather than the most recent American Community Survey, when computing each city, local, and exempted village school district's percentage of resident children with family incomes below 185% of the federal poverty guidelines (for purposes of grouping them into quintiles that determine per-pupil funding amounts).

Requires ODE to use the number of students enrolled in the district or school for FY 2022, instead of the preceding year's count, to calculate student wellness and success funds and enhancement funds for FY 2022.

Increases the per-pupil amounts used to calculate student wellness and success funds for city, local, and exempted village school districts as follows:

- (1) For a district in the highest poverty quintile, \$457 for FY 2022 and \$562 for FY 2023 (from \$250 for FY 2020 and \$360 for FY 2021);
  - (2) For a district in the second highest poverty quintile, \$368 for FY 2022 and \$452 for FY 2023 (from \$200 for FY 2020 and \$290 for FY 2021);
  - (3) For a district in the third highest poverty quintile, \$197 for FY 2022 and \$242 for FY 2023 (from \$110 for FY 2020 and \$155 for FY 2021);
  - (4) For a district in the fourth highest poverty quintile, \$89 for FY 2022 and \$109 for FY 2023 (from \$50 for FY 2020 and \$70 for FY 2021);
- and

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(5) For a district in the lowest poverty quintile, \$38 for FY 2022 and \$47 for FY 2023 (from \$20 for FY 2020 and \$30 for FY 2021).

Increases the minimum amount of student wellness and success funds each school district, site-based community school, and STEM school will receive to \$45,720 for FY 2022 and \$56,160 for FY 2023 (from \$25,000 for FY 2020 and \$36,000 for FY 2021).

Maintains the base per-pupil amount of \$75 used to calculate student wellness and success enhancement funds for FY 2022 and FY 2023 (these funds are paid to city, local, and exempted village school districts that received supplemental targeted assistance funding for FY 2019).

Increases the payment of student wellness and success funds for e-schools to \$45,720 for FY 2022 and \$56,160 for FY 2023 (from \$25,000 for FY 2020 and \$36,000 for FY 2021).

Guarantees that each district and school receives at least the same amount of student wellness and success funds and enhancement funds in FY 2022 and FY 2023 as it received in the previous fiscal year. Requires that these guarantee funds be spent in the same manner as other student wellness and success funds and that ODE make the guarantee payment not later than February 28 of the respective fiscal year.

Requires ODE to distribute any remaining funds from DPF line item 200604, Student Wellness and Success, in each fiscal year through a methodology determined by ODE in consultation with OBM not later than February 28 of that fiscal year.

Changes the list of initiatives for which student wellness and success funds and enhancement funds may be spent, as follows:

- (1) Specifies that mental health services and physical health services may include telehealth services;
- (2) Adds culturally appropriate, evidence-based or evidence-informed prevention education, including youth-led programming and social and emotional learning curricula to promote mental health and prevent substance use and suicide;
- (3) Adds programs that connect students to community resources, including City Connects (permitted under current law), Communities in Schools, or other similar programs;
- (4) Removes professional development regarding the provision of trauma-informed care and professional development regarding cultural competencies.

Increases the number of community partners with which districts and schools must coordinate the spending of student wellness and success funds and enhancement funds from one to two, one of which must be either an alcohol, drug, and mental health services board or a community-based mental health treatment or prevention provider.

**Fiscal effect: The bill appropriates \$500 million in FY 2022 and \$600 million in FY 2023 from DPF Fund 5VS0 line item 200604, Student Wellness and Success (which is supported by cash transfers from the GRF), to support the payments (See EDUCD84).**

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**EDUCD30 Student transportation funding - qualifying ridership****R.C. 3317.0212**

Revises the computation of a city, local, or exempted village school district's "qualifying ridership," which is used to calculate its state transportation funding, to equal the greater of the average number of qualifying riders counted in the morning or counted in the afternoon during the first full week of October that the district is in session with students in attendance, instead of the average number of qualifying riders who are provided school bus service during the first full week of October.

Extends the deadline for each district's annual report to ODE of its qualifying ridership and any other information requested by the Department, from October 15 to November 1.

**Fiscal effect: Increases school district administrative workload to conduct a second daily count during the designated count week and report it to ODE (under current law, qualifying riders are counted once daily during the designated count week and the five-day average is reported to ODE). State transportation funding to school districts may increase beginning in FY 2024 if the second count results in a higher number of qualifying riders. There is no fiscal effect on state transportation aid for the FY 2022-FY 2023 biennium, as the budget suspends the formula for these years and instead provides for districts with the same amount of transportation funding as they received for FY 2019 (see EDUCD81).**

**EDUCD78 Recommendations for compensating districts with certain valuation losses****R.C. 3317.27, (Repealed)**

Repeals the law that requires ODE to annually recommend to the General Assembly a structure to compensate each city, local, exempted village, and joint vocational school district that experiences at least a 50% decrease in public utility personal property valuation from one year to the next for a percentage of the effect that decrease has on the district's state funding.

**Fiscal effect: Minimal decrease in ODE's administrative workload.**

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**EDUCD80 Operating funding for FY 2022 and FY 2023****Section: 265.215**

Suspends most school funding payments under R.C. Chapter 3317., including foundation aid to school districts (see EDUCD81) and JVSDs (see EDUCD61), but requires ODE to continue to make some specified payments under that chapter, including (1) certain foundation aid adjustments; (2) special education transportation reimbursements, (3) auxiliary services, (4) nonpublic school administrative cost reimbursement; (5) preschool special education; (6) special education catastrophic cost reimbursements; (7) special education for school-age children at county developmental disabilities boards and institutions, and (8) student wellness and success funds (see EDUCD83).

Requires ODE to use the state share index or state share percentage computed for a district for FY 2019 for purposes of computing FY 2022 and FY 2023 amounts for payments, other than foundation aid, for which the state share index or state share percentage is a factor.

Specifies that, for purposes of open enrollment, College Credit Plus, and any other payments for which the “formula amount” is used, the formula amount for FY 2022 and FY 2023 is \$6,020 (the formula amount for FY 2019).

Specifies that the special education catastrophic cost threshold for FY 2022 and FY 2023 is \$27,375 for students in categories two through five special education ADM and \$32,850 for students in category six special education ADM.

Requires, for the purpose of making school funding payments (1) school districts and ESCs to continue reporting student enrollment data and (2) the Tax Commissioner to continue to reporting property valuation and receipts for school districts, as prescribed by current law.

**EDUCD81 Traditional school district funding****Section: 265.220, 265.215**

Suspends the use of the current law foundation aid formula for city, local, and exempted village school districts for FY 2022 and FY 2023 and, instead, provides every school district with the same amount of foundation aid as the district received for FY 2019.

Requires ODE, in FY 2022 and FY 2023, to make an additional payment to each school district with at least 50 students that experienced a positive average annual percentage change in its enrollment between FY 2016 and FY 2019, calculated as follows: (that percentage change for the district X 100) X (\$30 X the number of students enrolled in the district in FY 2019).

**Fiscal effect: Allocates \$8.07 billion in each of FY 2022 and FY 2023 for foundation aid for traditional school districts (prior to any deductions and transfers) and an additional \$23 million in each fiscal year for the enrollment growth supplement from SLF Fund 7017 line item 200636, Enrollment Growth Supplement (see EDUCD98).**

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**EDUCD61 Joint vocational school district funding****Section: 265.225, 265.215**

Suspends the use of the current law foundation aid formula for JVSDs for FY 2022 and FY 2023 and, instead, provides every JVSD with the same amount of foundation aid as the district received for FY 2019.

**Fiscal effect: Allocates \$307.9 million in each of FY 2022 and FY 2023 for foundation aid to JVSDs.**

**EDUCD82 Funding adjustment for career-technical education students****Section: 265.227**

Requires ODE, in the case of a city, local, or exempted village school district (traditional school district) that provided a career-technical education (CTE) program in FY 2019 but entered into an agreement to become a member of a JVSD that provides that CTE program beginning in FY 2020, to adjust the amounts paid to those districts for FY 2022 and FY 2023 to account for the decrease in students served by the traditional school district and the increase in students served by the JVSD. Specifies that the adjustment equals the amount of CTE funds paid to the traditional school district for FY 2019, minus the CTE funds deducted from the district for community and STEM school students for FY 2019.

Prohibits ODE from increasing the aggregate amount of foundation aid paid to traditional school districts and JVSDs when making this adjustment.

**Fiscal effect: The provision only applies to Hamilton City School District and Butler Tech JVSD. The amount of the adjustment is about \$750,000 in each fiscal year, the same amount as in FY 2020 and FY 2021.**

**EDUCD62 Community school funding****Section: 265.230**

Maintains the FY 2019 dollar amounts used to calculate per-pupil deductions from school districts and transfers to community schools for FY 2022 and FY 2023.

Specifies that the per-pupil amounts deducted and paid to community schools for targeted assistance and economically disadvantaged funds, which are computed based on an amount calculated for the student's resident district, must be the same amounts deducted and paid for FY 2019.

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Specifies that the per-pupil amounts deducted and paid to a community school that accepts responsibility to transport its students must be the same amount deducted and paid for FY 2019.

Requires ODE to pay each community school graduation and third-grade reading bonuses using a formula amount of \$6,020.

**Fiscal effect: In FY 2021, transfers of state aid to community schools are estimated to be about \$921.1 million. The graduation bonus, which is directly paid (not deducted from the resident district) amounts to an additional \$1.2 million for FY 2021 (the third grade reading bonus is not paid in FY 2021 due to the suspension of the spring 2020 state tests).**

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**EDUCD63 STEM school funding****Section: 265.235**

Maintains the FY 2019 dollar amounts used to calculate per-pupil deductions from school districts and transfers to STEM schools for FY 2022 and FY 2023.

Specifies that the per-pupil amounts deducted and paid to community schools for targeted assistance and economically disadvantaged funds, which are computed based on an amount calculated for the student's resident district, must be the same amounts deducted and paid for FY 2019.

Requires ODE to pay each community school graduation and third-grade reading bonuses using a formula amount of \$6,020.

**Fiscal effect: In FY 2021, transfers of state aid to STEM schools are estimated to be about \$28.4 million. The graduation bonus, which is directly paid (not deducted from the resident district), amounts to an additional \$172,000 for FY 2021 (no STEM school qualified for a third grade reading bonus for FY 2021).**

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**EDUCD32 Power plant valuation adjustment****Section: 265.237**

Requires ODE to make an additional payment to school districts that have at least one power plant in their territory and that experience at least a 10% decrease in public utility tangible personal property (PUTPP) value between tax year (TY) 2017 and the preceding tax year (e.g., TY 2021, for purposes of the FY 2022 payment) or between the preceding tax year and the second preceding tax year (e.g., between TY 2020 and TY 2021, for purposes of the FY 2022 payment).

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Calculates the payment for an eligible district generally based on a recomputation of the district's FY 2019 foundation aid using the preceding year's total taxable valuation (instead of the three-year average valuation used to determine funding for FY 2019) and the change in local property taxes between TY 2017 and the preceding tax year.

Requires ODE to make payments for FY 2022 in June 2022, and payments for FY 2023 in June 2023.

**Fiscal effect: The bill earmarks \$7 million in each of FY 2022 and FY 2023 from GRF line item 200550, Foundation Funding, to make the payments (see EDUCD60).**

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**EDUCD55 Educational service centers funding****Section: 265.360**

Sets the per-pupil state payment amount in each fiscal year to \$26 for high-performing ESCs and \$24 for all other ESCs and, if necessary, requires ODE to prorate the payment amounts to fit the earmark for state payment of ESCs.

Establishes a moratorium on additional school districts joining ESCs during FY 2022 and FY 2023.

**Fiscal effect: The bill earmarks \$40 million in each fiscal year for state funding of ESCs (see EDUCD60).**

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**EDUCD68 Foundation and transitional aid funding reimbursement****Section: 265.430**

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 a settlement agreement executed on or before June 1, 2009.

**Fiscal effect: None.**

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**EDUCD58 Flexible funding for families and children****Section: 265.440**

Permits school districts, community schools, STEM schools, JVSDs, ESCs, and county DD boards that receive state aid to transfer portions of their allocations to a flexible funding pool created by a county family and children first council to support the provision of services to families and children.

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**Fiscal effect: None.**

Community Schools

EDUCD6 Community school sponsor evaluations

R.C. 3314.016

Specifies that a sponsor rated "exemplary" for the two most recent years the sponsor was evaluated, instead of for at least two consecutive years, may take advantage of certain sponsor incentives.

Specifies that a sponsor rated "exemplary" or "effective" for the three most recent years in which the entity was evaluated, instead of for at least three consecutive years, need to be evaluated by ODE once every three years.

**Fiscal effect: None apparent. The provisions clarify that the various incentives are based on the most recent years in which an entity was evaluated given that an exception to annual evaluations exists for certain higher performing sponsors.**

EDUCD3 Community school funds elimination

R.C. 3314.30, (Repealed), 3314.31 (Repealed)

Eliminates the Community School Revolving Loan Fund and the Community School Security Fund, the latter of which was created to accept payment of funds borrowed from the Revolving Loan Fund.

**Fiscal effect: None. Both funds, created in FY 2003, were never used and have no cash balance.**

EDUCD57 Community school operation from residential facilities

Section: 265.410

Permits a community school that was open for operation as of May 1, 2005, to operate from certain institutions, foster homes, group homes, or other residential facilities.

**Fiscal effect: None.**

Educator Provisions



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**EDUCD91 Disciplinary actions for educator licenses****R.C. 2953.25, 3314.101, 3319.151, 3319.31, 3319.311, 3319.221, 3319.40, 3319.99, 3326.081, 3328.18; Section 803.10**

Eliminates a provision prohibiting the State Board of Education from refusing to issue a license because of a criminal record unless the refusal is in accord with the limits and requirements that were recently enacted by H.B. 263 of the 133rd General Assembly.

Expands the grounds for automatic denial or revocation of a license to include (1) judicial finding of eligibility for intervention in lieu of conviction for certain offenses and (2) conspiracy to commit, attempt to commit, or complicity in committing certain offenses.

Specifies that a judicial finding of eligibility for intervention in lieu of conviction for those criminal offenses that are not grounds for automatic revocation or denial of licenses may still be used as a reason for the State Board to deny, suspend, revoke, or limit a license.

Prohibits a court, when issuing a certificate of qualification for employment, from granting an individual relief from collateral sanctions for licensure action taken by the State Board for specified criminal offenses.

Permits the State Board to deny, suspend, revoke, or limit a license if the applicant engages in an immoral act, incompetence, negligence, or conduct that is unbecoming of the teaching profession, rather than unbecoming to the applicant's "position."

Requires the Superintendent of Public Instruction to inactivate the license of a school employee under investigation for an alleged violation of specified offenses who is suspended from all duties that require the care, custody, or control of a child.

Permits the State Board to conduct disciplinary investigations without the Attorney General and removes a requirement that information received during the investigation be expunged within two years if no disciplinary action was taken.

Permits a school district or school in Ohio or another state to request any report of misconduct that ODE has received regarding an individual under consideration for employment by the district or school and establishes a protocol for that release of information.

Specifies that, for the purposes of mandatory denial or revocation, the definition of "license" include registrations issued to unlicensed individuals to teach in a high performing school district and those licensed through other boards to provide pupil services.

Adds trafficking in persons to the list of offenses to revoke or deny teacher licensure, including collateral sanctions employment certificates.

Specifies that the amendments to teacher licensure disciplinary actions are remedial in nature and apply to any proceeding, investigation, or citation involving an applicant for an initial license, that, as of the act's effective date, has not reached final disposition, including all available appeals.

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**Fiscal effect: May, on balance, decrease the administrative costs of ODE's Office of Professional Conduct, as most provisions are expected to increase the efficiency with which alleged educator misconduct is investigated and disciplinary actions are processed and adjudicated. In addition, some future cases may be resolved administratively, instead of through litigation. However, the provision requiring ODE to provide the contents of any report of misconduct it has received may increase administrative costs since it will be a new service.**

## EDUCD96 Review of personnel files

**R.C. 3313.294, 3314.03, 3326.11, 3328.24**

Requires each public and chartered nonpublic school to review the personnel file of an employee against whom a complaint of misconduct is filed to determine if related instances are contained in the file.

Establishes a protocol for reviewing and sending personnel files of a current or former employee to a different public or chartered nonpublic school regarding that employee's application, whereby the school that receives the request must either (1) send that file to the requestor within 20 business days of receiving the request or (2) if the school determines it is not possible to send the file within 20 business days, promptly notify the requestor and indicate the reason the information cannot be sent within that time.

**Fiscal effect: May increase the administrative workload of school districts and other public schools if they do not already have such procedures in place.**

## EDUCD94 Employment of contractors

**R.C. 3319.0812, 3314.03, 3326.11, 3328.24**

Requires that any contractor that is providing services to a public school, chartered nonpublic school, or county board of developmental disabilities must hold a license that the individual would be required to hold if employed directly. Requires the district or school to obtain licensure verification from the contractor's employer prior to commencing services.

**Fiscal effect: May increase license fee revenue to the Teacher Certification and Licensure Fund (Fund 4L20), used by ODE to process license applications and administer the teacher disciplinary process. May increase the administrative workload of school districts and other public schools to obtain licensure verification.**

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**EDUCD93 Teach for America licenses****R.C. 3319.227**

Requires the Superintendent of Public Instruction to inactivate a resident educator license issued to a Teach for American participant if the participant resigns or is dismissed from the program prior to its completion. Specifies that this inactivation does not constitute suspension or revocation and that an opportunity for a hearing is not required.

**Fiscal effect: Minimal.**

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**EDUCD4 Career-technical educator license requirements****R.C. 3319.229**

Qualifies an individual holding a certificate of high school equivalence, in addition to an individual holding a high school diploma as under current law, for a two-year initial career-technical workforce development educator license or a five-year advanced career-technical workforce development educator license.

**Fiscal effect: May provide school districts with a greater pool of individuals to teach career-technical education courses.**

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**EDUCD92 Assisting individuals in obtaining school employment****R.C. 3319.318, 3314.03, 3326.11, 3328.24**

Prohibits a "school representative" from knowingly assisting another individual in obtaining school or county board of developmental disabilities employment if the individual knows or has reasonable cause to believe that the individual has committed a sex offense involving a student.

**Fiscal effect: Minimal.**

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**EDUCD95 Pre-employment applications and screening****R.C. 3319.393**

Requires each public and chartered nonpublic school to include a written notice on all employment applications explaining that any person knowingly making a false statement on the application is guilty of falsification, which is a first degree misdemeanor.

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Requires each public and chartered nonpublic school to consult ODE's "educator profile" database before making hiring decisions and permits the district or school to consult with the Office of Professional Conduct to determine whether an applicant has been subject to a disciplinary report.

Permits a district or school to offer conditional employment to an individual pending the completion of the screening process and permits termination of employment if the process uncovers an absolute bar offense.

Permits each public or nonpublic school to require an applicant or volunteer to undergo additional background checks in addition to the criminal records checks already required under continuing law.

**Fiscal effect: May increase the administrative workload of school districts and other public schools if they do not already have such procedures in place. Many school districts and other public schools may already comply with some portion of the bill's pre-employment screening requirements or carry out the bill's optional activities. The cost for optional procedures will depend on district or school implementation decisions.**

**EDUCD97 Victim counseling****R.C. 3319.47**

Permits public and chartered nonpublic schools to provide counseling to victims of sexual harassment or sexually-related conduct.

**Fiscal effect: Permissive.**

**EDUCD21 School counselor standards****R.C. 3319.61**

Requires the Educator Standards Board to include knowledge of the career-technical credit transfer program (Career-Technical Assurance Guide, or CTAG) into the Board's standards for school counselors (CTAG is a result of criteria, policies, and procedures established by the Chancellor of Higher Education under current law to ensure transfer of credit for career-technical courses "without unnecessary duplication or institutional barriers").

**Fiscal effect: Minimal.**

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**EDUCD109 Computer science education licensure**

**Section: 610.10, 610.11 (amending Section 733.61 of H.B. 166 of the 133rd General Assembly), R.C. 3319.236**

Extends through the 2022-2023 school year a current law exemption for the 2019-2020 and 2020-2021 school years that generally permits school districts, community schools, and STEM schools to have an individual who does not hold a license or endorsement to teach computer science to nevertheless teach computer science courses, provided that individual meets other prescribed licensure and professional development requirements.

Specifies that, for the purposes of computer science licensure or endorsements, a "computer science course" is any course reported in EMIS as a computer science course.

**Fiscal effect: May provide school districts and community and STEM schools with a greater pool of individuals to teach computer science courses in the 2021-2022 and 2022-2023 school years.**

**Early Childhood****EDUCD22 Montessori preschool payments**

**R.C. 3314.06**

Eliminates the requirement that ODE pay the formula amount (currently \$6,020) for each student under age four admitted to a Montessori preschool operated by a community school and, instead, prohibits such a school from receiving state community school funds for students under age five. Continues to permit community schools to operate Montessori preschools.

**Fiscal effect: None. The only school that previously took advantage of this provision is now closed. H.B. 166 of the 133rd General Assembly earmarked \$100,000 in each of FY 2020 and FY 2021 from GRF line item 200550, Foundation Funding, to make the payments.**

**EDUCD47 Early Childhood Education**

**Section: 265.20**

Continues the GRF-funded early childhood education program at school districts, JVSDs, ESCs, community schools sponsored by an exemplary sponsor, chartered nonpublic schools, and licensed childcare providers that meet at least the third highest tier of the "Step Up to Quality Program" established in R.C. 5104.29 for children who are at least four years old but not yet eligible for kindergarten, and whose families earn not more than 200% of the federal poverty guidelines. Permits providers that have remaining funding after awards are made for eligible four year-olds to seek approval from ODE to consider qualified three-year-olds eligible for funding.

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Earmarks up to 2% of GRF appropriation item 200408, Early Childhood Education, to be used by ODE for program support and technical assistance. Requires ODE to distribute the remainder to pay the costs of early childhood programs that serve eligible children, first to existing providers that received early childhood education funds in the previous fiscal year and the balance to new eligible providers or to existing providers to serve more eligible children or for purposes of program expansion, improvement, or special projects to promote quality and innovation.

Requires ODE to distribute new or remaining funds to serve more eligible children where there is a need, as determined by ODE, and specifies that such funds be distributed based on community economic disadvantage, limited access to high quality preschool or childcare services, and demonstration of high quality preschool services as determined by ODE using new metrics developed pursuant to Ohio's Race to the Top-Early Learning Challenge Grant.

Requires awards to providers be distributed on a per-pupil basis and that per-pupil funding be sufficient to provide eligible children with services for a standard early childhood schedule, defined as a minimum of 12.5 hours per week, for the minimum school year.

Requires ODE to conduct an annual survey of each provider to determine whether the provider charges families tuition or fees, the amount the families are charged relative to family income levels, and the number of families and students charged.

Requires ODE and the Department of Job and Family Services to continue to align the application process, program eligibility, funding, attendance policies, and attendance tracking for early childhood programs in both agencies.

Requires eligible expenditures to be claimed each fiscal year to help meet the state's TANF maintenance of effort requirement and requires the Superintendent of Public Instruction and the Director of Job and Family Services to enter into an interagency agreement to fulfill this requirement including developing reporting guidelines for these expenditures.

Specifies the following for participating programs: (1) prohibits development and administration costs from exceeding 15% of the cost of each program, (2) requires maintenance of fiscal records, (3) requires implementation of a corrective action plan, when needed, (4) requires certain qualifications for teachers, (5) requires alignment of curriculum to the early learning content standards, (6) requires documentation and reporting of child progress, (7) requires adherence to early learning program standards, (8) requires certain child or program assessments, (9) requires charging a fee, based on a sliding scale, to families who earn more than the 200% of the federal poverty guidelines, (10) requires participation in the Step Up to Quality program, (11) requires providers who are highly rated to comply with the requirements under the Step Up to Quality system, and (12) requires providers who are not highly rated to meet certain qualifications.

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

**Fiscal effect: The bill appropriates \$68.1 million in both FY 2022 and 2023 to GRF appropriation item 200408 for early childhood education programs, including an earmark of 2% for ODE's administrative costs.**

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Other Education Provisions**EDUCD73 Dyslexia diagnostic assessments****R.C. 3301.079, 3313.608**

Requires that diagnostic assessments for grades K-3 in reading, except for the kindergarten readiness assessment (KRA), and any comparable reading skill assessment tool approved by ODE for grades K-3 for the Third Grade Reading Guarantee include a sufficient number of certain items to identify students who may need further measures to determine if the student has dyslexia.

Requires the vendor of such assessments to share information with schools regarding performance on identification items related to dyslexia and provide a summary of such information to ODE.

Permits any K-3 diagnostic assessment adopted by the State Board of Education, except for the KRA, to be used to meet the current law requirement to administer a "tier one" dyslexia screening beginning in the 2022-2023 school year.

**Fiscal effect: May increase ODE's assessment system costs. GRF funds in line item 200437, Student Assessment, may be used to update and develop diagnostic assessments (see EDUCD26).**

**EDUCD105 Computer science standards and curriculum****R.C. 3301.079**

Requires ODE to update the standards and model curriculum for computer science in grades K-12 within one year of the bill's effective date.

**Fiscal effect: May increase ODE's administrative costs. The executive budget appropriates \$3.9 million in each fiscal year in GRF line item 200427, Academic Standards, to develop and disseminate academic content standards and model curriculum (see EDUCD25).**

**EDUCD79 Kindergarten assessment administration windows****R.C. 3301.0715, 3313.608**

Adjusts the period of time in which a school must administer the kindergarten readiness assessment (KRA) and the kindergarten reading skills assessment (for the Third Grade Reading Guarantee) to July 1 through the 20th day of instruction of the school year (from July 1 through November 1 under current law).

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**Fiscal effect: None apparent, but may provide less flexibility for school districts in administering the assessments (the intent is to ensure that the assessments more accurately reflect children’s preparedness for kindergarten).**

**EDUCD23 Obsolete reports, plans, or recommendations**

**R.C. 3301.0724, (Repealed), 3311.741, 3313.488, 3313.603, 3314.013, 3314.017, Also Repealed: 3301.122, 3301.46, 3301.922, 3313.901, 3314.033, 3314.30, 3314.37**

Repeals the following reports, plans, and recommendations that are out of date, expired, no longer have data available, or for which other reporting mechanisms exist:

- (1) An annual report regarding aggregate spending on specified compensation components for the previous school year for teachers and other school employees employed by each school district.
- (2) A ten-year strategic plan developed by the Superintendent of Public Instruction that is aligned with the strategic plan developed for higher education (due December 1, 2009).
- (3) A plan proposing a standard method and form for documenting high school transcripts, credit transfer and articulation, and any electronic clearing house for student transcript transfer developed jointly by ODE and the Chancellor of Higher Education (due April 30, 2009).
- (4) An annual report regarding participation by public and chartered nonpublic schools screening students for body mass index and weight status.
- (5) A report evaluating the Cleveland Municipal School District’s performance (due November 15, 2017).
- (6) A monthly report for each month that a school district is unable to meet its expenses.
- (7) A report that analyzes student performance data to determine if there are mitigating factors that warrant extending graduation qualification exemptions for students who entered 9th grade between July 1, 2010 and July 1, 2016 (due December 1, 2015).
- (8) A plan for accelerating the modernization of the career-technical education curriculum (to be presented July 1, 1990, with annual progress reports issued through FY 2000).
- (9) Standards for operation of internet- or computer-based community schools, also known as e-schools (due July 1, 2012).
- (10) Study committee recommendations regarding community schools that primarily serve students enrolled in dropout prevention and recovery programs that offer blended learning, portfolio learning, and credit flexibility (due April 17, 2020).



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(11) Recommendations regarding the standards governing the operation of e-schools and other educational courses delivered by electronic media (due September 30, 2003).

(12) An annual report regarding the adequacy of moneys on hand in the Community School Revolving Loan Fund (see EDUCD3).

(13) A five-year research and development initiative to collect and analyze data with which to improve community school dropout prevention and recovery programs, known as the ISUS Institutes (initiative ended on June 30, 2013).

**Fiscal effect: None.**

**EDUCD104 Computer science education - state plan**

**R.C. 3301.23**

Requires ODE, in consultation with the Chancellor of Higher Education to establish a committee to develop a state plan for primary and secondary computer science education.

Requires the committee to consider various information related to computer science education, including best practices, challenges, demographic data of computer science students, benchmarks to create a sustainable supply of computer science teachers, a requirement to complete a computer science course in order to graduate, and establishment of a work-based learning pilot program.

Requires the committee to include the following in the state's plan (1) an examination of the challenges that prevent school districts from offering computer science courses, (2) a requirement that ODE collect data on existing computer science courses offered in the state, and to post it on ODE's website, and (3) any findings the committee deems appropriate.

Requires the committee to complete the plan not later than one year after the bill's effective date and to post it on its website.

**Fiscal effect: May increase the administrative expenses of ODE and the Department of Higher Education to support the committee and the development of the state plan.**

**EDUCD107 Computer science education - online course offered by education provider**

**R.C. 3301.231**

Requires ODE, in consultation with computer science stakeholders, to establish a program to provide high school students with access to online computer science courses and to solicit and review proposals from educational providers to offer those courses.

Executive

Requires ODE to approve a proposal only if (1) each course included in it is high-quality, rigorous, and aligned with the State Board of Education's computer science standards and model curriculum (see EDUCD105) and (2) a student may earn high school credits toward the state's minimum curriculum requirements under continuing law in each course included in the proposal.

Requires ODE to determine a method to calculate and make payments to educational providers for the courses using deductions from a district's or school's foundation payments. Specifies that the method must be similar to the College Credit Plus (CCP) Program under continuing law.

**Fiscal effect: Potentially increases deductions of school district and other public school state foundation aid. As a point of reference, the formula for CCP payments calculates per-credit hour amounts that correspond to certain methods of course delivery and instruction, based on the per-pupil formula amount (currently, \$6,020) used in the state foundation aid formula. The current default rate for CCP courses delivered online is \$167 per credit hour ( $(\$6,020 \times 0.83) / 30$ ). May increase ODE's administrative costs to implement the program.**

EDUCD106 Computer science education - requirement to offer computer science courses

R.C. 3301.232, 3314.03, 3326.11

Requires that students enrolled in a school district, community school, or STEM school generally have the option to enroll in computer science courses approved by ODE, either through a course offered by the student's district or school or a course approved by ODE that is offered by an education provider (see EDUCD107). Phases-in the requirement starting with students in grades 11 or 12 for the 2022-2023 school year; extending to students enrolled in grades 9 or 10 beginning with the 2023-2024 school year, and extending to students enrolled in grades K-8 beginning with the 2024-2025 school year (students in grades K-8 must be offered an age-appropriate general education course that incorporates CS principles offered by the district or school).

Requires a district or school to offer computer science or integrated courses as described above, but permits a district or school to submit to the Superintendent of Public Instruction a request for a waiver for up to five years from that requirement with respect to students enrolled in a particular school building.

Requires each district or school to annually submit to ODE data reporting the number of students enrolled in computer science courses, the types of such courses, and to disaggregate the types by course code and whether the courses are offered by the district or a provider.

**Fiscal effect: Increases costs for school districts and other public schools to incorporate computer science courses into the curriculum, the amount of which will depend on local implementation decisions and the extent that such courses are not offered currently (the course waiver, if granted, may provide some flexibility in how quickly a district or school must meet the requirement). May also increase district and school administrative costs to report additional data.**

Executive

**EDUCD108 Computer science education - annual report**

**R.C. 3301.233**

Requires ODE, in consultation with the Chancellor of Higher Education, to issue an annual report on computer science education that contains specified information on computer science courses and teachers in public schools and undergraduate students studying computer science in college.

**Fiscal effect: May increase ODE and the Department of Higher Education's administrative costs to produce the report.**

**EDUCD76 School district health curriculum - effects of vaping**

**R.C. 3313.60**

Requires school districts to include instruction on the harmful effects and legal restrictions against the use of electronic smoking devices (vaping) in its health education curriculum, in addition to the instruction on the harmful effects and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco required under current law.

**Fiscal effect: A school district may incur minimal costs to update health curriculum if it does not already provide this instruction. However, various learning modules and curriculum resources can generally be found online at no cost.**

**EDUCD101 Graduation requirements - alternative demonstrations of competency**

**R.C. 3313.61, 3313.618; conforming change in 3301.0714**

Makes the following changes to the alternative demonstrations of competency that a student may use to demonstrate math and English language arts competency in order to qualify for a high school diploma, if the student is unable to attain a competency score on the Algebra I and English Language Arts II end-of-course exams:

- (1) Specifies that a student may use a remediation-free score on the ACT or SAT as an alternative demonstration of competency in a subject area in which a student did not attain a competency score. Specifies that, for alternative demonstrations of competency in English Language Arts II, a student must be remediation-free in the subjects of English and reading on the ACT or SAT.
- (2) Requires a student to earn a cumulative score of proficient or higher on three or more state technical assessments in order to use those assessments as a "foundational" option when using alternative demonstrations of competency, instead of earning a score of proficient or higher on three state technical assessments.

Executive

- (3) Clarifies that an apprenticeship used as a "foundational" option must be registered with the Ohio State Pre-Apprenticeship Council and that a pre-apprenticeship used as a "foundational" option must align with standards established under continuing law.
- (4) Qualifies a student with an individualized education program (IEP) for a high school diploma without demonstrating math and English language arts competency, provided that:
  - (a) The student's IEP specifically exempts the student from that requirement;
  - (b) The student takes the required Algebra I and English Language Arts II end-of-course exams or alternate math or English language arts assessments and fails to attain the required scores on them;
  - (c) The student's district or school offered, and the student received, remedial support in each area the student didn't attain the established score;
  - (d) The student retook each exam or assessment for which the student did not attain a required score and still did not attain that score.
- (5) Specifies obtaining a state-issued license for practice in a vocation that requires an examination is one of the "foundational" options that a student might use to help qualify for a high school diploma after failing to obtain a competency score on a retake of an end-of-course examination.

**Fiscal effect: May result in more students graduating on time. According to ODE, these changes mainly clarify issues that were not addressed when the graduation requirements were modified in H.B. 166 of the 133rd General Assembly.**

**EDUCD74 Graduation requirements - FAFSA requirement**

**R.C. 3313.618, 3313.619**

Requires public and chartered nonpublic school students to complete the Free Application for Federal Student Aid (FAFSA) to qualify for a high school diploma, unless either:

- (1) The student's parent or guardian has submitted a written letter, in a manner prescribed by ODE, to the student's district or school stating that the student will not complete and submit the FAFSA; or
- (2) The district or school makes a record, in a manner prescribed by ODE, describing the circumstances that make it impossible or impracticable for the student to complete the FAFSA.

**Fiscal effect: Minimal.**

Executive

**EDUCD99 Graduation requirements - chartered nonpublic schools**

**R.C. 3313.618, 3313.619**

Specifies that students enrolled in chartered nonpublic schools that use a nationally standardized assessment (ACT or SAT) to meet state testing requirements under continuing law may demonstrate math and English language arts competency for the purposes of qualifying for a high school diploma by attaining a remediation-free score in English, math, and reading on that assessment. Clarifies that such students are not required to take the Algebra I or English language arts II end-of-course exams.

Clarifies that chartered nonpublic school students do not have to meet the requirements to demonstrate math and English language arts competency and earn state diploma seals to qualify for a high school diploma, if they are enrolled in a school that administers an alternative assessment approved by ODE, in lieu of the end-of-course exams or the nationally standardized assessment (ACT or SAT). Expressly states that those students must complete the new FAFSA requirement, unless they meet one of the exemptions prescribed for that requirement (see EDUCD74).

Requires chartered nonpublic schools offer remedial support to any student that fails to attain a competency score in any of Algebra I or English language arts II end-of-course exams (public schools already have to offer such support).

**Fiscal effect: None.**

**EDUCD100 Graduation requirements - students transferring into public and chartered nonpublic schools**

**R.C. 3313.618, 3313.6114**

Requires, generally, transfer students who, in the prior school year, were homeschooled or attended an out-of-state or non-chartered, nonpublic school, to comply with continuing law's requirements to demonstrate competency and earn state diploma seals.

Exempts, for the purposes of demonstrating competency in math and English language arts, such students who transfer in 12th grade and fail to attain a competency score on the Algebra I or English Language Arts II end-of-course exams from having to retake that exam prior to using alternative demonstrations of competency.

Permits such students who attained the equivalent of a "B" or higher in American history and American government courses, a specified science course, or an "appropriate" technology course, as determined by the student's district or school, prior to enrolling in an Ohio public or chartered nonpublic high school to use those grades to satisfy the requirements of the Citizenship state diploma seal, the Science state diploma seal, or the Technology state diploma seal.

## Executive

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**Fiscal effect: May result in more students graduating on time. According to ODE, these changes mainly clarify issues that were not addressed when the graduation requirements were modified in H.B. 166 of the 133rd General Assembly.**

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**EDUCD20 Graduation requirements - industry-recognized credentials****R.C. 3313.6113**

Requires the Superintendent of Public Instruction's committee regarding industry-recognized credentials and licenses to assign a point value for each credential and to establish the total number of points necessary to earn a high school diploma under continuing law.

**Fiscal effect: None. Appears to codify current practice.**

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**EDUCD102 Graduation requirements - diploma seals****R.C. 3313.6114**

Makes the following changes to the system of diploma seals a student may use to qualify for a high school diploma:

- (1) Permits a student to use a final course grade equivalent to a "B" or higher in an American history course or an American government course to qualify for the Citizenship state diploma seal, in addition to scores on the relevant end-of-course exams, scores on relevant AP or IB exams, or final course grades equivalent to a "B" or higher in relevant College Credit Plus (CCP) courses as under continuing law.
- (2) Permits a student to use a final course grade equivalent to a "B" or higher in specified science courses to qualify for the Science state diploma seal, in addition to scores on the relevant end-of-course exams, scores on relevant AP or IB exams, or final course grades equivalent to a "B" or higher in relevant CCP courses as under continuing law.
- (3) Permits a student with an IEP and significant cognitive disabilities who is administered alternative assessments in accordance with continuing law to qualify for the Citizenship state diploma seal or the Science state diploma seal by attaining scores established by the State Board of Education on the alternate assessments in social studies or science.
- (4) Qualifies for an industry-recognized credential diploma seal a student who obtains a state-issued license for practice in a vocation that requires an examination, in addition to a student who earns an industry-recognized credential as under continuing law. Specifies that the industry-recognized credential must be at least equal to the total number of points established by the Superintendent of Public Instruction's committee.

Executive

(5) Requires guidelines for a locally-defined state diploma seal developed by a district or school to include a method to give a transfer student a proportional amount of credit for any progress made toward completing that state seal at the district or school from which the student transfers.

**Fiscal effect: May result in more students graduating on time. According to ODE, these changes mainly clarify issues that were not addressed when the graduation requirements were modified in H.B. 166 of the 133rd General Assembly.**

**EDUCD5 Auxiliary services funds**

**R.C. 3317.024, Section 265.170**

Permits all chartered nonpublic schools, instead of only nonreligious affiliated schools, to elect to receive auxiliary service funds directly from ODE instead of through the local public school district.

Requires a chartered nonpublic school choosing direct payment for the 2021-2022 and 2022-2023 school years to notify ODE and the school district in which it is located by July 31, 2021, instead of the normal date by which such elections such occur - April 1 of each odd-numbered year.

Requires religiously affiliated chartered nonpublic schools that elect to receive payments directly from ODE to submit an affidavit certifying the funds will be used for a permissible purpose under continuing law.

**Fiscal effect: Minimal.**

**EDUCD114 Cheating on assessments**

**R.C. 3319.151, 3319.99**

Prohibits a person from taking a number of specified actions that assist a student in cheating on an assessment, including obtaining prior knowledge of the assessment's contents.

Permits the State Board of Education to take appropriate action (license suspension, revocation, or limitation) against a school employee who assists a student in cheating on an assessment after conducting an investigation, instead of a one-year suspension for specifically revealing test content as under current law.

**Fiscal effect: Some disciplinary cases handled by ODE's Office of Professional Conduct may be disposed of more quickly with the greater disciplinary flexibility provided while some future cases may be avoided with the additional clarity regarding prohibited behavior.**

## Executive

**EDUCD87 STEM schools - STEM Committee membership, grants, and recommendations****R.C. 3326.02, 3326.03, 3326.05 (Repealed)**

Permits the Superintendent of Public Instruction, the Chancellor of Higher Education, and the Director of Development to appoint designees to participate in STEM Committee business on their behalf.

Repeals the requirement that the STEM Committee award grants to STEM schools.

Repeals the authority for the STEM Committee to make recommendations to the General Assembly and the Governor for the training of STEM educators.

**Fiscal effect: None.**

**EDUCD85 STEM schools - designation, renewal, and revocation****R.C. 3326.03, 3326.032, 3326.04, 3326.07, 3326.08, 3326.51**

Eliminates the authority for a JVSD or an ESC to apply for designation as a STEM or STEAM school.

Eliminates the authority for a career center to receive a STEM or STEAM school equivalent designation.

Eliminates the authority for city, local, and exempted village school districts, community schools, and chartered nonpublic schools to apply for grants to support the operation of STEM programs of excellence.

Permits JVSDs and ESCs to apply for distinction as a STEM program of excellence, provided they satisfy requirements similar to the requirements for proposals for STEM schools.

Specifies that STEM school designations, STEM school equivalent designations, and distinctions as STEM programs of excellence are effective for five years unless revoked.

Specifies that, if the STEM committee finds that a school is not in compliance as part of the reapplication process or as part of a review during the five-year effective period, it must require the school to develop and implement a one-year corrective action plan. Permits the STEM Committee to review schools and programs before the end of the five years and revoke a designation or distinction if it determines a school or program is not in compliance.

Requires the STEM Committee to revoke a school's designation or distinction if the school fails to implement the corrective action plan within one year and to order an independent STEM school to cease operations if its designation is revoked.



## Executive

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**Fiscal effect: Minimal.****EDUCD88 STEM schools - grade offerings****R.C. 3326.03**

Permits a STEM school to submit amended proposals to the STEM Committee in order to offer additional grade levels.

**Fiscal effect: Permissive.**

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**EDUCD103 STEM schools - proposal requirements****R.C. 3326.03**

Requires the proposal for a STEM school or STEM school equivalent to include evidence:

- (1) That the school will exhibit school-wide cultural strategies reflecting innovation, an entrepreneurial spirit, inquiry, and collaboration with individual accountability;
- (2) That the school will offer a rigorous, diverse, integrated, and problem-based or project-based, rather than only project-based, curriculum with the goal to prepare students for post-secondary learning experiences, rather than to prepare students for college;
- (3) That the school's curriculum emphasizes the use of design-thinking as a school-wide approach;
- (4) That the school's curriculum provides opportunities for students to engage in personalized learning, rather than emphasizes personalized learning and teamwork skills;
- (5) That the school will participate in regular STEM focused professional development and share knowledge of best practices, rather than utilize an established capacity to capture and share knowledge for best practices and innovative professional development with the Ohio STEM Learning Network or its successor; and
- (6) In the case of a STEM school equivalent, that the community school or chartered nonpublic school has established partnerships with institutions of higher education and businesses, as well as arts organizations if the proposal is for a STEAM school equivalent (existing law already requires this for STEM and STEAM schools).

Eliminates the requirement for a proposal to include evidence that the school's curriculum incorporates scientific inquiry and technological design.

**Fiscal effect: None.**

Executive

**EDUCD89 STEM schools - performance-based pay for teachers**

**R.C. 3326.111, (Repealed)**

Repeals the requirement that STEM schools receiving a grant under the federal Race to the Top Program must pay teachers based on performance.

**Fiscal effect: None. The Race to the Top Program last awarded grants in 2013.**

**EDUCD86 STEM schools - state achievement assessments**

**R.C. 3326.14**

Repeals a provision that permits a student enrolled in the 9th grade or below in a STEM school to take any of the five Ohio Graduation Tests when those tests are administered.

**Fiscal effect: None. The Ohio Graduation Tests were last required for those students who graduated in 2018.**

**EDUCD90 STEM schools - written assurances**

**R.C. 3326.23**

Exempts a STEM school that is governed and controlled by a city, local, or exempted village school district from the annual requirement of providing written assurances to ODE that it is in compliance with various requirements.

**Fiscal effect: Minimal decrease in administrative responsibilities for school districts that operate STEM schools.**

**EDUCD113 Transportation of community and nonpublic school students - transportation when schools are open**

**R.C. 3327.01**

Requires a school district to provide transportation services to students it is required to transport who are enrolled in a community or chartered nonpublic school if that school is open for instruction, even if the district's schools are not open for instruction (but maintains a general exception regarding transporting such students on the weekend).

**Fiscal effect: None. School districts currently transport such students on days the district is not in session pursuant to an Ohio Attorney General's opinion (OAG 83-096).**

## Executive

**EDUCD72 Transportation for community and chartered nonpublic school students - transportation plans****R.C. 3327.016, conforming change in R.C. 3313.48**

Requires a community school or chartered nonpublic school to establish start and end times for the school year by June 1 of the prior school year and provide them to each district expected to be responsible for transporting its students.

Requires each district to use the start and end times to develop a transportation plan, including transportation routes and schedules, by July 1 for community or nonpublic school students the district is required by law to transport. Requires each district to develop a transportation plan for any student who enrolls in a community or nonpublic school after June 1, within 14 calendar days of receiving a request for transportation services from the student's parent or guardian.

Prohibits a transportation plan from resulting in a student arriving more than one hour before the school's start time or being picked up from school more than one hour after the school's end time.

Requires, for a district with 20 or more community or chartered nonpublic schools located in the district's territory, the ESC that has a service agreement with that district or, in the absence of an agreement, the ESC with the most territory in the district's county, to convene a meeting of the district and the community or chartered nonpublic schools to coordinate transportation services. Requires the district and each community and chartered nonpublic school to provide the ESC with any information deemed necessary and requires the ESC to approve a transportation plan not later than July 15 of that school year.

**Fiscal effect: May increase the administrative costs of school districts and community schools to develop student transportation plans, though districts are currently required to provide transportation to community and nonpublic schools within their district. Greater coordination may create the potential for cost savings associated with more efficient bus routes. May also provide flexibility and potential cost savings for districts in providing transportation services if current practice is to drop off and pick up nonpublic and community school students closer to bell times. However, community school costs may increase if a school must provide supervision to students earlier or later than current practice.**

**EDUCD110 Transportation for community and nonpublic school students - limit on use of mass transit****R.C. 3327.017**

Prohibits a district from providing transportation services via a mass transit system to community or chartered nonpublic students in grades K-8 unless the district enters into an agreement with the school authorizing it.

Executive

Requires a district that elects to provide transportation services via a mass transit system to students in grades 9-12 to (1) enter into a contract with the mass transit system specifying each student is transported on a vehicle and route designed for fare-paying passengers and students and (2) ensure the student's route does not require more than one transfer.

**Fiscal effect: Potential increase in administrative costs to develop or amend contracts with mass transit systems to the extent such contracts are not already in place. Effects on district transportation costs appear limited. In FY 2020, five districts accounted for nearly all of the students transported by mass transit statewide: Akron City School District (CSD), Cincinnati CSD, Cleveland Municipal School District, Dayton CSD, and Toledo CSD. Of these districts, all but Cleveland limited public transit to high school students. Cleveland’s policy appears to provide students in grades 7-12 with the option of receiving public transit bus passes for travel to and from school.**

**EDUCD111 Payment in lieu of transportation**

**R.C. 3327.02**

Sets a deadline by which a school district, or a community school that has accepted responsibility to provide transportation, must make a determination whether to provide payment in lieu of transportation for a student: 30 calendar days prior to the district's or school's first day of instruction or, in the case of a student who enrolls later, within 14 days after the student's enrollment.

Authorizes a superintendent to make a determination regarding payment in lieu, but requires that the determination be formalized at the next meeting of the school district board of education or community school governing authority.

Requires a board or governing authority to issue a letter to a student's parent, guardian, or other person in charge of the student and to the State Board of Education with a detailed description of the reasons for which the payment in lieu determination was made.

**Fiscal effect: Minimal.**

**EDUCD112 Monitoring of transportation services compliance**

**R.C. 3327.021**

Requires ODE to monitor a school district's compliance with its current and proposed new responsibilities to provide transportation services (see EDUCD72 and EDUCD110).

Requires ODE, if it determines that a school district has been noncompliant with providing transportation services for a consistent or prolonged period, to deduct from the district's payment for student transportation the total daily amount of that payment, as computed by ODE, for each day the district is not in compliance.

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**Executive**

Specifies that ODE's monitoring of transportation services compliance and deductions of payments for noncompliance does not affect a school district's authority to provide a parent payment in lieu of transportation in accordance with continuing law.

**Fiscal effect: May increase ODE's administrative costs.**

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**EDUCD59 P-Tech model of education pilot program****Section: 265.205**

Requires ODE and the Department of Higher Education (DHE) to jointly create a P-Tech model of education pilot program to be implemented in up to three public schools through a partnership between an eligible school, a state institution of higher education, or a nonprofit institution of higher education, and one or more businesses offering employment in skilled occupations.

Specifies that the model provides a STEM-focused curriculum for students beginning in the ninth grade for up to six years, during which students may dually enroll in high school and college courses at no cost to the student and earn a high school diploma and an associate degree, prioritizes enrolling student populations who have been historically underrepresented in college and skilled occupations, and gives students hiring priority for available jobs upon completion of the program, among other features.

Requires ODE and DHE to jointly issue a request for proposals from interested schools and select three eligible schools based on certain criteria. Requires ODE to award each selected school up to \$150,000 in FY 2022 to fund start-up and planning costs and up to an additional \$150,000 in FY 2023 to implement the model and deliver programming to students.

Specifies that an eligible school district or other public school must continue to receive state aid for each student participating in the pilot program who continues to be enrolled in high school courses after the student's twelfth grade year for up to two school years. Permits any state institution of higher education that enrolls a student participating in the pilot program to include the student in the calculations used to determine its state share of instruction funds.

Specifies that credit hour and duration limitations for students participating in College Credit Plus Program do not apply to students participating in the P-Tech model of education.

Requires ODE and DHE to evaluate the progress of grant recipients in planning, implementing, and sustaining the model and requires grant recipients to report to the Departments any data or information necessary for the evaluation. The Departments shall report their findings by December 31, 2022.

**Fiscal effect: The bill earmarks \$450,000 in each fiscal year from GRF line item 200545, Career-Technical Education Enhancements, to support the pilot program (see EDUCD52).**

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## Executive

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**EDUCD66 School district participation in National Assessment of Education Progress****Section: 265.380**

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

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**EDUCD67 Use of volunteers****Section: 265.420**

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: Potential cost savings for ODE if they can utilize volunteers for purposes which they would otherwise need to hire additional employees. This is a continuation of current law.**

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**EDUCD17 Private Treatment Facility Project****Section: 265.450**

Establishes procedures by which Ohio youth who have been assigned to a participating residential treatment center are enrolled in an approved educational program in or near the facility.

Lists the participating residential treatment centers as (1) private residential treatment facilities that have contracted with the Department of Youth Services to provide services and which are paid through appropriation item 470401, RECLAIM Ohio, (2) Abraxas, in Shelby, (3) Paint Creek, in Bainbridge, and (4) F.I.R.S.T., in Mansfield.

Requires that the school district responsible for tuition for a residential child pay the tuition to the provider of 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.

## Executive

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**Fiscal effect: In addition to the tuition payment, the bill earmarks \$700,000 in each fiscal year from GRF line item 200550, Foundation Funding, for the Private Treatment Facility Project (see EDUCD60).**

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**EDUCD69 Partnerships with business community****Section: 265.460**

Specifically permits the Superintendent of Public Instruction to form partnerships with Ohio's business community to implement initiatives that connect students with the business community to increase student engagement and job readiness. Requires that, if a partnership is formed, the initiatives do all of the following:

- (1) Support the career connection learning strategies included in model curriculum developed by the State Board of Education and workforce development entities.
- (2) Provide an opportunity for students to earn high school credit or to meet curriculum requirements in accordance with the State Board's plan on subject area competency.
- (3) Inform the development of student success plans for students who are at-risk of dropping out of school.

**Fiscal effect: Permissive increase in administrative responsibilities for ODE to form the partnerships and assist in the development of partnership initiatives. This is a continuation of current law.**

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**EDUCD71 Academic distress commissions****Section: 265.520**

Prohibits the Superintendent of Public Instruction from establishing new academic distress commissions (ADCs) for the 2021-2022 and 2022-2023 school years. Specifies this provision has no effect on existing ADCs.

**Fiscal effect: None apparent. No school district not currently subject to an ADC appears to be in danger of receiving three consecutive "F" overall report card grades (the trigger for creating a new ADC) during the prescribed period (i.e., the earliest a new ADC could be established under current law would be in the 2023-2024 school year based on report card grades in recent years).**

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Appropriation Language

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**Executive**

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**EDUCD7 Operating Expenses****Section: 265.20**

Specifies that a portion of GRF appropriation item 200321, Operating Expenses, be used by ODE to provide matching funds under 20 U.S.C. 2321, which pertains to federal career and technical education assistance to the states.

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**EDUCD8 Information Technology Development and Support****Section: 265.30**

Specifies that GRF appropriation item 200420, Information Technology Development and Support, 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.

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**EDUCD38 School Management Assistance****Section: 265.50**

Specifies that GRF appropriation item 200422, School Management Assistance, be used by ODE to provide fiscal technical assistance and in-service education for school district management personnel and to administer, monitor, and implement the fiscal caution, fiscal watch and fiscal emergency provisions of the Revised Code.

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**EDUCD24 Policy Analysis****Section: 265.60**

Specifies the following regarding GRF appropriation item 200424, Policy Analysis:

Requires it to be used to support a system of administrative and statistical education information to be used for policy analysis.

Permits a portion to be used to maintain a longitudinal database to assess the impact of policies and programs on Ohio's education and workforce development systems.

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**Executive**

Permits a portion to be used to develop and implement an evidence-based clearinghouse to support school improvement strategies as part of the Every Student Succeeds Act.

Permits it to be used to purchase or contract for the development of software systems or contract for policy studies that will assist in the provision and analysis of policy-related information.

**EDUCD44 Ohio Educational Computer Network**

**Section: 265.70**

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 for such system. Makes the following earmarks:

- (1) Up to \$9,686,658 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 \$4,843,329 in each fiscal year to support the activities of designated information technology centers and to monitor and support the quality of data submitted to ODE.

Specifies that the remainder of the appropriation be used to support a network of uniform and compatible computer-based information and instructional systems, the teacher student linkage/roster verification process, and the electronic sharing of student records and transcripts between entities.

**EDUCD25 Academic Standards**

**Section: 265.80**

Specifies that GRF appropriation item 200427, Academic Standards, be used to develop and communicate to school districts academic content standards and curriculum models and to develop professional development programs and other tools on the new content standards and model curriculum.

Requires ODE to utilize educational service centers in the development and delivery of professional development programs on content standards and model curriculum.

**Executive****EDUCD26 Student Assessment****Section: 265.90**

Earmarks up to \$2,760,000 of GRF appropriation item 200437, Student Assessment, in each fiscal year for costs associated with the state's early learning assessment work and diagnostic assessments.

Earmarks up to \$543,168 in each fiscal year to reimburse low-income students for a portion of the costs associated with Advanced Placement tests.

Specifies that the remainder of the appropriation be used to develop, field test, print, distribute, score, report results, and support other associated costs of required state assessments. Permits ODE to use the funds to update and develop certain diagnostic assessments for students in grades K-3.

Authorizes the transfer in each fiscal year of unexpended and unencumbered GRF appropriations within ODE to GRF appropriation item 200437, Student Assessment, if the Superintendent of Public Instruction and the OBM Director determine that additional funds are needed to fully fund the assessments.

**EDUCD27 Accountability/Report Cards****Section: 265.100**

Requires a portion of GRF appropriation item 200439, Accountability/Report Cards, in each fiscal year to be used to train district and regional specialists and district educators in the use of the value-added progress dimension and data as it relates to improving student achievement. Requires a portion of this funding to be provided to educational service centers to support training and professional development.

Specifies that the remainder of the appropriation be used to incorporate a statewide value-added progress dimension into performance ratings for school districts and develop an accountability system that includes the preparation and distribution of school report cards, funding and expenditure accountability reports, the development and maintenance of teacher value-added reports, the teacher student linkage/roster verification process, and the performance management section of ODE's website.

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**Executive**

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**EDUCD45 Child Care Licensing****Section: 265.100**

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

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**EDUCD28 Education Management Information System****Section: 265.110**

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 \$400,000 in each fiscal year to support grants to information technology centers to provide professional development opportunities to district and school personnel related to EMIS.

(2) Up to \$725,000 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.

Specifies that the remainder be used to develop and support data definitions and standards outlined in the EMIS guidelines, to implement recommendations of the EMIS Advisory Council and the Superintendent, to enhance data quality assurance practices, and to support responsibilities related to school report cards and value-added progress dimension calculations.

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**EDUCD9 Educator Preparation****Section: 265.120**

Makes the following earmarks of GRF appropriation item 200448, Educator Preparation:

(1) Up to \$339,783 in each fiscal year for ODE to monitor and support Ohio's State System of Support under federal law.

(2) Up to \$67,957 in each fiscal year to support the Educator Standards Board and various school reforms.

(3) \$2,000,000 in each fiscal year to support Teach for America.

(4) \$1,000,000 in each fiscal year for the Bright New Leaders for Ohio Schools Program.

(5) \$200,000 in each fiscal year to support FASTER Saves Lives training for selected school staff.

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(6) \$1,000,000 in each fiscal year to support professional development grants to educational service centers to train educators and related personnel in models of prevention of risky or harmful behaviors.

(7) Permits the remainder to be used for implementation of teacher and principal evaluation systems, including incorporation of student growth as a metric in those systems, and teacher value-added reports.

Permits the recipients of grants awarded from this line item under H.B. 166 of the 133rd General Assembly to support high school teachers receiving credentialing to teach College Credit Plus courses to use the awards for expenses incurred through June 30, 2023.

**EDUCD10 Community Schools and Choice Programs****Section: 265.130**

Permits GRF appropriation item 200455, Community Schools and Choice Programs, to be used to operate school choice programs.

Permits a portion of the appropriation in each fiscal year to be used by ODE for developing and conducting training sessions for sponsors and prospective sponsors of community schools and other schools participating in school choice programs.

**EDUCD48 Education Technology Resources****Section: 265.140**

Makes the following earmarks to GRF appropriation item 200465, Education Technology Resources:

(1) Up to \$2,500,000 in each fiscal year for the Union Catalog and InfOhio Network.

(2) Up to \$1,778,879 in each fiscal year to provide grants to educational television stations working with partner education technology centers to provide public schools with instructional resources and services. Specifies that priority be given to resources and services aligned with state academic content standards. Specifies that such resources and services be based upon the advice and approval of ODE, based on a formula developed in consultation with educational television stations and educational technology centers.

Specifies that the remainder be used to support the training, technical support, guidance, and assistance with compliance reporting to school districts and public libraries applying for federal E-Rate funds; for oversight and guidance of school district technology plans; for support to district technology personnel; and for support of the development, maintenance, and operation of a network of computer-based information and instructional systems.

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**EDUCD49 Industry-Recognized Credentials High School Students****Section: 265.145**

Makes the following earmarks to GRF appropriation item 200478, Industry-Recognized Credentials High School Students:

(1) Up to \$8,000,000 in each fiscal year to support payments to public schools whose students earn an industry-recognized credential or receive a journeyman certification. Requires the educating entity to inform students in career-technical education courses that lead to an industry-recognized credential about the opportunity to earn the credentials. Requires ODE, the Department of Higher Education, and the Governor's Office of Workforce Transformation (OWT) to develop a reimbursement schedule. Requires the educating entity to pay for the cost of the credential. Specifies that the educating entity may claim reimbursement up to six months after the student has graduated from high school. Requires ODE to prorate the payments if the amount appropriated is insufficient.

(2) Up to \$12,500,000 in each fiscal year to establish and operate the Innovative Workforce Incentive Program (IWIP), which will pay public schools \$1,250 for each qualifying credential earned by a student attending the school. Requires OWT to develop a list of credentials that qualify for the program. Requires ODE to prorate the payments if the amount appropriated is insufficient.

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**EDUCD29 Pupil Transportation****Section: 265.150**

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

(1) Up to \$838,930 in each fiscal year for training school bus drivers and enrolling them in the retained applicant fingerprint database.

(2) Up to \$60,469,220 in each fiscal year for special education transportation reimbursements to school districts and county DD boards.

Specifies that the remainder of the appropriation be used for pupil transportation formula payments (see EDUCD81).

Requires a school district, if a parent, guardian, or other person in charge of a pupil accepts the offer of payment in lieu of providing transportation, to pay that parent, guardian, or other person at least \$250 and not more than the amount determined by ODE as the average cost of pupil transportation for the previous school year. Permits the payment to be prorated if the time period involved is only a part of the school year.

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**EDUCD50 School Lunch Match****Section: 265.160**

Specifies that GRF appropriation item 200505, School Lunch Match, be used to provide matching funds to obtain federal funds for the school lunch program.

Permits any remaining appropriation to be used to partially reimburse school buildings required to have a school breakfast program.

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**EDUCD11 Auxiliary Services****Section: 265.170**

Earmarks up to \$2,600,000 in each fiscal year of GRF appropriation item 200511, Auxiliary Services, for nonpublic school student participation in the College Credit Plus Program.

Specifies that the remainder of the appropriation be used for auxiliary services for chartered nonpublic schools.

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**EDUCD12 Nonpublic Administrative Cost Reimbursement****Section: 265.180**

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

Permits the reimbursements to be up to \$446 per student, notwithstanding the statutory cap of \$360 per student

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**EDUCD51 Special Education Enhancements****Section: 265.190**

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

- (1) Up to \$33,000,000 in each fiscal year to fund special education and related services for school-age children at county DD boards and state institutions.
  - (2) Up to \$1,350,000 in each fiscal year for parent mentoring programs.
  - (3) Up to \$3,000,000 in each fiscal year for school psychology interns.
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(4) Up to \$3,500,000 in each fiscal year to be transferred to the Opportunities for Ohioans with Disabilities Agency via an intrastate transfer voucher. Requires the transferred funds to be used as state matching funds to draw down available federal funding for vocational rehabilitation services. Specifies that funding be used to hire vocational rehabilitation counselors to provide transition services for students with disabilities. Requires the agencies to enter into an interagency agreement to specify the responsibilities of each agency under the program.

(5) Up to \$2,000,000 in each fiscal year to be used to build capacity to deliver a regional system of training, support, coordination, and direct service for secondary transition services for students with disabilities beginning at age 14.

Specifies that the remainder of the appropriation be used to distribute preschool special education funding for school districts and state institutions. Requires funded entities to adhere to Ohio's early learning program standards, to participate in the Step Up to Quality program, to document child progress using research-based indicators, and to report results annually.

**EDUCD52 Career-Technical Education Enhancements****Section: 265.200**

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

(1) Up to \$2,563,568 in each fiscal year to fund secondary career-technical education at correctional institutions, the School for the Deaf, and the State School for the Blind. Notwithstanding the statutory unit funding formula and specifies that the funding be distributed using a grant-based methodology.

(2) Up to \$2,686,474 in each fiscal year to fund competitive expansion grants to tech prep consortia.

(3) Up to \$3,000,850 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.

(4) Up to \$600,000 in each fiscal year to fund the Agriculture 5th Quarter Project.

(5) Up to \$450,000 in each fiscal year to fund the P-Tech Model of Education Pilot Program (see EDUCD59).

(6) Up to \$550,000 in each fiscal year to support career planning and reporting through the OhioMeansJobs website.

(7) \$150,000 in each fiscal year for the Ohio ProStart school restaurant program.

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## EDUCD60 Foundation Funding

## Section: 265.210

Makes the following earmarks to GRF appropriation item 200550, Foundation Funding:

- (1) Up to \$40,000,000 in each fiscal year for additional state aid to school districts, JVSDs, and community and STEM schools for special education students exceeding specified catastrophic cost thresholds.
- (2) Up to \$3,800,000 in each fiscal year to fund gifted education units at ESCs. Specifies that the distribution of gifted education funds to ESCs is based on the unit methodology used prior to FY 2010.
- (3) Up to \$40,000,000 in each fiscal year to fund the state reimbursement of ESCs (see EDUCD55).
- (4) Up to \$3,500,000 in each fiscal year to be distributed to ESCs through a grant process for school improvement initiatives and for the provision of technical assistance to schools and districts as required by federal law.
- (5) Up to \$7,000,000 in each fiscal year for payments to guarantee funding for certain school districts experiencing loss due to decreases in public utility tangible personal property tax valuation (see EDUCD32).
- (6) Up to \$26,400,000 in each fiscal year to support school choice programs.
- (7) Up to \$23,501,887 in each fiscal year of the foundation program funds allocated to the Cleveland Municipal School District for the Cleveland school choice program. Earmarks, of that amount, up to \$1,000,000 in each fiscal year for the district to provide tutorial assistance.
- (8) Up to \$2,000,000 in each fiscal year for home-instructed students to participate in the College Credit Plus Program.
- (9) An amount to fund foundation aid payments for JVSDs (see EDUCD61).
- (10) Up to \$700,000 in each fiscal year for the private treatment facility project (see EDUCD17).
- (11) An amount to pay college-preparatory boarding schools the per pupil boarding amount.
- (12) A portion in each fiscal year to pay community schools and STEM schools the amount calculated for the graduation and third-grade reading bonuses (see EDUCD62 and EDUCD63).
- (13) Up to \$1,760,000 in each fiscal year for duties and activities related to the establishment of academic distress commissions. Permits a portion of the funds to be used by ODE to provide support and assistance to an academic distress commission and the districts subject to an academic distress commission.



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(14) Up to \$1,500,000 in each fiscal year to support the Ohio STEM Network to expand free STEM programming, to create regional STEM supports for underserved student populations, and to support the STEM school designation process.

Specifies that the remainder be used to distribute to city, local, and exempted village school districts the amounts calculated for foundation aid (see EDUCD81).

Specifies that GRF appropriation items 200502, Pupil Transportation, 200540, Special Education Enhancements, and 200550, Foundation Funding, other than specific set-asides, are to fund state formula aid obligations. Provides that ODE seek approval from the OBM Director to transfer funds among these items, or other GRF appropriation items in which there are excess appropriation, in order to meet these obligations.

Authorizes the payment of school operating funds in amounts substantially equal to those made in the prior year until the new school funding formulas take effect.

**EDUCD31 Literacy Improvement****Section: 265.240**

Specifies that GRF appropriation item 200566, Literacy Improvement, be used by ODE to support early literacy activities to align state, local, and federal efforts to order to bolster all students' reading success. Requires funds to be distributed to ESCs to establish and support regional literacy professional development teams.

Permits a portion of the funds to be used by ODE for program administration, monitoring, technical assistance, support, research, and evaluation related to early literacy activities.

**EDUCD33 Adult Education Programs****Section: 265.250**

Earmarks up to \$6,300,000 in each fiscal year of GRF appropriation item 200572, Adult Education Programs, be used to make payments under the 22+ Adult High School Program to participating school districts, community schools, community and technical colleges and university branches for students ages 22 and above who enroll to earn a high school diploma.

Specifies that a portion be used to make payments to institutions participating in the Adult Diploma Pilot Program and to reimburse career-technical planning districts (CTPDs) for the vouchers provided to students who take an approved high school equivalency exam for the first time.

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Requires CTPDs to reimburse individuals taking a nationally recognized high school equivalency examination approved by ODE for the first time for application or examination fees in excess of \$40, up to a maximum reimbursement of \$80. Requires each CTPD to designate a site or sites where individuals may register and take an approved examination and to offer career counseling services for each individual that registers for the examination. Permits any remaining funds in each fiscal year to be reimbursed to the Department of Youth Services and the Department of Rehabilitation and Correction for individuals in these facilities who have taken the approved examination for the first time. Prohibits the amounts reimbursed for these individuals from exceeding the per individual amounts reimbursed to other individuals for the approved examination.

Permits any unexpended funds in each fiscal year for the Adult Diploma and 22+ Adult High School programs to be encumbered by ODE and remain available for payment within two years of the fiscal year in which the funds were originally appropriated, in accordance with guidelines established by the Superintendent of Public Instruction.

Permits a portion of the appropriation to be used for program administration, technical assistance, support, research, and evaluation of adult education programs including high school equivalency examinations approved by ODE.

**EDUCD13 EdChoice Expansion****Section: 265.260**

Specifies that GRF appropriation item 200573, EdChoice Expansion, be used to pay for EdChoice scholarships for students from families with incomes below 250% of the federal poverty level regardless of the performance of the school the student would otherwise attend.

Limits the number of scholarships awarded under the income-based program from exceeding the number that can be funded with the appropriation.

**EDUCD34 Half-Mill Maintenance Equalization****Section: 265.260**

Specifies that GRF appropriation item 200574, Half-Mill Maintenance Equalization, be used to make payments under the Half-Mill Maintenance Equalization Program, which provides payments to equalize below average per-pupil tax revenues from the one-half mill levy required of districts to help pay for maintenance costs of new or renovated buildings financed through the Classroom Facilities Assistance Program.

## Executive

**EDUCD18 Quality Community Schools Support****Section: 265.270**

Specifies that GRF appropriation item 200589, Quality Community Schools Support, be used by ODE to make payments to community schools that are designated as Community Schools of Quality.

Specifies that a Community School of Quality receives per-pupil funding of \$1,750 for students who are identified as economically disadvantaged and \$1,000 for students not identified as economically disadvantaged, subject to the appropriation.

Requires, generally, that the payments be based on the number of students enrolled in the community school for the prior fiscal year.

Qualifies a community school as a Community School of Quality if the school satisfies at least one of the following conditions:

(1) The school's sponsor is rated "exemplary" or "effective" on sponsor's most recent evaluation, the school's two most recent performance index scores are higher than the school district in which school is located, the school's most recent overall grade for value added is "A" or "B" or the school is in its first or second year of operation and did not receive a value-added grade, and at least 50% of enrolled students are economically disadvantaged.

(2) The school's sponsor is rated "exemplary" or "effective" on sponsor's most recent evaluation, the school is in its first year of operation, the school is replicating the operational and instructional model used by a school of quality designated under condition (1), and if the school has an operator, the operator received at least a "C" on its most recent performance report.

(3) The school's sponsor is rated "exemplary" or "effective" on sponsor's most recent evaluation, the school contracts with an operator that operates schools in other states, either one of the operator's schools received funding through the Federal Charter School Program or the Charter School Growth Fund or one of the operator's out-of-state schools performed better than the school district in which the in-state school is located as determined by ODE, at least 50% of enrolled students are economically disadvantaged, the operator is in good standing in all states, and ODE has determined the operator does not have financial viability issues preventing it from effectively operating a community school in Ohio. The school must also be in its first year of operation.

Specifies that a school designated as a Community School of Quality maintains that designation for two fiscal years following the fiscal year it initially gains that designation. Permits a designated school to renew its designation each year that it satisfies the criteria in (1) above and requires the school to maintain that designation for the two fiscal years following each fiscal year in which the school satisfies the criteria in (1).

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**Executive**

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**EDUCD53 Medicaid in Schools Program****Section: 265.280**

Specifies that GRF appropriation item 657401, Medicaid in Schools Program, be used to support the Medicaid in Schools Program.

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**EDUCD14 Teacher Certification and Licensure****Section: 265.300**

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

Permits a portion to be used for implementation of teacher and principal evaluation systems.

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**EDUCD54 School District Solvency Assistance****Section: 265.320**

Specifies that funds in DPF 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.

Requires the Superintendent of Public Instruction to determine the allocations for (1) the School District Shared Resource Account to make advances to districts that must be repaid and (2) the Catastrophic Expenditures Account, used to make grants to school districts that need be repaid only if the district receives third party reimbursement funding.

Permits the OBM Director to make cash transfers into the School District Solvency Assistance Fund (Fund 5H30) in each fiscal year from the GRF or any funds used by ODE to maintain sufficient cash balances in the fund. Appropriates any funds so transferred. Requires the Director to notify the Controlling Board of any such transfers.

Permits, if the cash balance of Fund 5H30 is insufficient to pay solvency assistance, and with approval of the Controlling Board, the transfer of cash from the Lottery Profits Education Reserve Fund (Fund 7018) to Fund 5H30 to provide assistance and grants. Appropriates any funds so transferred to Fund 5H30 appropriation item 200670, School District Solvency Assistance - Lottery.

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**Executive**

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**EDUCD84 Student Wellness and Success****Section: 265.323**

Specifies that DPF Fund 5VS0 line item 200604, Student Wellness and Success (which is supported by cash transfers from the GRF), be used to support services that address nonacademic barriers to student success at school districts, JVSDs, community schools, and STEM schools. (See EDUCD83).

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**EDUCD64 Lottery Profits Education Fund****Section: 265.330**

Specifies that SLF 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.

Requires ODE, with the approval of the OBM Director, to determine the monthly distribution schedules of items 200550 and 200612.

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**EDUCD98 Enrollment Growth Supplement****Section: 265.337**

Requires SLF Fund 7017 appropriation item 200636, Enrollment Growth Supplement, to be used for providing an additional payment to certain school districts experiencing a growth in enrollment between FY 2016 and FY 2019 (see EDUCD81).

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**EDUCD16 Community School Facilities****Section: 265.340**

Specifies that SLF Fund 7017 appropriation item 200684, Community School Facilities, be used to pay brick-and-mortar community and STEM schools an amount equal to \$250 per pupil and internet- and computer-based community schools an amount equal to \$25 per pupil in each fiscal year for facilities-related costs.

Requires ODE to prorate payments if the amount appropriated is insufficient.

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## Executive

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**EDUCD65 Lottery Profits Education Reserve Fund****Section: 265.350**

Creates the Lottery Profits Education Reserve Fund (Fund 7018), a continuation of current law. Permits the OBM Director to transfer cash from Fund 7018 to the Lottery Profits Education Fund (Fund 7017) in both fiscal years. Requires the Lottery Commission Director to certify on July 15, 2021, the amount by which lottery profits exceeded \$1,177,000,000 in FY 2021 and on July 15, 2022, the amount by which lottery profits exceeded \$1,234,000,000 in FY 2022, to the OBM Director. Permits the OBM Director to transfer cash in excess of the amounts necessary to support appropriations in Fund 7017 to Fund 7018.

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**EDUCD56 Earmark accountability****Section: 265.400**

Authorizes the Superintendent of Public Instruction to request an annual accountability report from any entity that receives a budget earmark under ODE's budget.

Requires that the report be submitted to ODE and House and Senate committees primarily concerned with education funding to the list of recipients.

Prohibits the provision of funds to an earmarked entity for a fiscal year until its report for the prior fiscal year has been submitted, if the entity received an earmark.

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**EDUCD70 Prioritize unused federal funds****Section: 265.490**

Directs ODE to use any unused portion of the Title IV, Part A federal block grant funds to pay for the cost of Advanced Placement (AP) or International Baccalaureate (IB) exams for low-income students.

**Fiscal effect: Federal law permits ODE to set aside up to 5% of the block grant award for state activities, including reimbursement of AP and IB test fees for economically disadvantaged students. These funds are appropriated in Fund 3H10 appropriation item 200634, Student Support and Academic Enrichment.**

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**OBMCD45 GRF transfer to Student Wellness and Success Fund (Fund 5VS0)**

**Section: 512.70**

Authorizes the Director of OBM to transfer up to \$500,000,000 cash in FY 2022 and up to \$600,000,000 cash in FY 2023 from the GRF to the Student Wellness and Success Fund (Fund 5VS0).

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## Executive

**BORCD2 FAFSA data system****R.C. 3333.301, 3313.6026 (conforming changes in R.C. 3314.03, 3326.11, and 3328.24)**

Requires the Chancellor and the Management Council of the Ohio Education Computer Network (OECN) to establish a data system to track the Free Application for Federal Student Aid (FAFSA) completion rate of Ohio's public and chartered nonpublic school students.

Requires the Chancellor and Management Council to develop guidelines and procedures to operate the data system.

Permits the Chancellor to publish and share aggregate FAFSA data, including completion counts and rates for Ohio and each school district, community school, STEM school, and chartered nonpublic school.

Requires each school district and each community school, STEM school, and chartered nonpublic school that is a high school to: (1) enter into a data sharing agreement with the Chancellor for the purposes of operating the data system, and (2) provide principals and school counselors with access to the system to assist with efforts to support and encourage students to complete the FAFSA.

**Fiscal effect: DHE contracted with the Management Council in December 2019 to develop the data system, which is now operable. DHE reports that 541 (89%) school districts have already opted to share data in the system. DHE anticipates using a portion of the \$22.6 million in federal CARES Act funds appropriated in FED Fund 3HQ0 line item 235509, GEER-Higher Education Initiatives, to further support this initiative.**

**BORCD68 College Credit Plus Program - academic eligibility requirements****R.C. 3365.03**

Replaces the College Credit Plus (CCP) Program's academic eligibility requirements for students who are not "remediation-free" by (1) creating an alternative remediation-free eligibility option that the Chancellor, in consultation with the Superintendent of Public Instruction, must define and (2) removing the current law eligibility condition for a student within one standard error of measurement below the remediation-free threshold if the student also has at least a 3.0 cumulative high school GPA or receives a recommendation from a school counselor, principal, or career-technical program advisor. Grandfathers in students who qualified under the current law condition prior to the bill's effective date.

**Fiscal effect: May allow more students to participate in the CCP Program if the alternative remediation-free eligibility criteria creates additional flexibility in the admissions process. If so, may increase the amounts deducted from school district and other public school state foundation aid allocations to pay colleges for participating public school students. In FY 2020, \$48.8 million was paid to colleges through deductions from school district and community school state aid.**



Executive

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RDFCD5 Tangible personal property tax reimbursements

**Section: 387.20**

Specifies that in FY 2022 and FY 2023, any school district that has a nuclear power plant located within its territory is to receive the same payment amount under section 5709.92 of the Revised Code as in FY 2017, notwithstanding any provision of law to the contrary.

**Fiscal effect: Benton-Carroll-Salem Local School District in Ottawa County will receive an additional \$828,538 in the biennium as a result of this provision; Perry Local School District in Lake County will receive an additional \$796,542.**

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