

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

S. B. No. 226

Senator Williams

A BILL

To amend sections 3317.0212 and 3327.01 of the
Revised Code and to amend Sections 265.10,
265.150, 265.210, 265.215, and 265.220 of H.B.
166 of the 133rd General Assembly to require
school districts to provide transportation for
students in grades 9-12, to have the pupil
transportation formula operate for fiscal years
2020 and 2021, and to make an appropriation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3317.0212 and 3327.01 of the
Revised Code be amended to read as follows:

Sec. 3317.0212. (A) As used in this section:

(1) "Qualifying riders" means resident students enrolled
in regular education in grades kindergarten to twelve who are
provided school bus service by a school district and who live
more than one mile from the school they attend, including
students with dual enrollment in a joint vocational school
district or a cooperative education school district, and
students enrolled in a community school, STEM school, or
nonpublic school.

(2) "Qualifying ridership" means the average number of 20
qualifying riders who are provided school bus service by a 21
school district during the first full week of October. 22

(3) "Rider density" means the total ADM per square mile of 23
a school district. 24

(4) "School bus service" means a school district's 25
transportation of qualifying riders in any of the following 26
types of vehicles: 27

(a) School buses owned or leased by the district; 28

(b) School buses operated by a private contractor hired by 29
the district; 30

(c) School buses operated by another school district or 31
entity with which the district has contracted, either as part of 32
a consortium for the provision of transportation or otherwise. 33

(B) Not later than the fifteenth day of October each year, 34
each city, local, and exempted village school district shall 35
report to the department of education its qualifying ridership 36
and any other information requested by the department. 37
Subsequent adjustments to the reported numbers shall be made 38
only in accordance with rules adopted by the department. 39

(C) The department shall calculate the statewide 40
transportation cost per student as follows: 41

(1) Determine each city, local, and exempted village 42
school district's transportation cost per student by dividing 43
the district's total costs for school bus service in the 44
previous fiscal year by its qualifying ridership in the previous 45
fiscal year. 46

(2) After excluding districts that do not provide school 47

bus service and the ten districts with the highest 48
transportation costs per student and the ten districts with the 49
lowest transportation costs per student, divide the aggregate 50
cost for school bus service for the remaining districts in the 51
previous fiscal year by the aggregate qualifying ridership of 52
those districts in the previous fiscal year. 53

(D) The department shall calculate the statewide 54
transportation cost per mile as follows: 55

(1) Determine each city, local, and exempted village 56
school district's transportation cost per mile by dividing the 57
district's total costs for school bus service in the previous 58
fiscal year by its total number of miles driven for school bus 59
service in the previous fiscal year. 60

(2) After excluding districts that do not provide school 61
bus service and the ten districts with the highest 62
transportation costs per mile and the ten districts with the 63
lowest transportation costs per mile, divide the aggregate cost 64
for school bus service for the remaining districts in the 65
previous fiscal year by the aggregate miles driven for school 66
bus service in those districts in the previous fiscal year. 67

(E) The department shall calculate each city, local, and 68
exempted village school district's transportation payment as 69
follows: 70

(1) Multiply the statewide transportation cost per student 71
by the district's qualifying ridership for the current fiscal 72
year. 73

(2) Multiply the statewide transportation cost per mile by 74
the district's total number of miles driven for school bus 75
service in the current fiscal year. 76

(3) Multiply the greater of the amounts calculated under 77
divisions (E) (1) and (2) of this section by the following: 78

(a) For fiscal year 2018, the greater of thirty-seven and 79
one-half per cent or the district's state share index, as 80
defined in section 3317.02 of the Revised Code; 81

(b) For fiscal ~~year~~years 2019, 2020, and 2021, the 82
greater of twenty-five per cent or the district's state share 83
index. 84

(F) In addition to funds paid under division (E) of this 85
section, each city, local, and exempted village district shall 86
receive in accordance with rules adopted by the state board of 87
education a payment for students transported by means other than 88
school bus service and whose transportation is not funded under 89
division (C) of section 3317.024 of the Revised Code. The rules 90
shall include provisions for school district reporting of such 91
students. 92

(G) (1) For purposes of division (G) of this section, a 93
school district's "transportation supplement percentage" means 94
the following quotient: 95

$$(50 - \text{the district's rider density}) / 100$$
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If the result of the calculation for a district under 97
division (G) (1) of this section is less than zero, the 98
district's transportation supplement percentage shall be zero. 99

(2) The department shall pay each district a 100
transportation supplement calculated according to the following 101
formula: 102

The district's transportation supplement percentage X the amount 103
calculated for the district under division (E) (2) of this 104

section X 0.55 105

Sec. 3327.01. Notwithstanding division (D) of section 106
3311.19 and division (D) of section 3311.52 of the Revised Code, 107
this section and sections 3327.011, 3327.012, and 3327.02 of the 108
Revised Code do not apply to any joint vocational or cooperative 109
education school district. 110

In all city, local, and exempted village school districts 111
where resident school pupils in grades kindergarten through 112
~~eight~~ twelve live more than two miles from the school for which 113
the state board of education prescribes minimum standards 114
pursuant to division (D) of section 3301.07 of the Revised Code 115
and to which they are assigned by the board of education of the 116
district of residence or to and from the nonpublic or community 117
school which they attend, the board of education shall provide 118
transportation for such pupils to and from that school except as 119
provided in section 3327.02 of the Revised Code. 120

In all city, local, and exempted village school districts 121
where pupil transportation is required under a career-technical 122
plan approved by the state board of education under section 123
3313.90 of the Revised Code, for any student attending a career- 124
technical program operated by another school district, including 125
a joint vocational school district, as prescribed under that 126
section, the board of education of the student's district of 127
residence shall provide transportation from the public high 128
school operated by that district to which the student is 129
assigned to the career-technical program. 130

~~In all city, local, and exempted village school districts,~~ 131
~~the board may provide transportation for resident school pupils~~ 132
~~in grades nine through twelve to and from the high school to~~ 133
~~which they are assigned by the board of education of the~~ 134

~~district of residence or to and from the nonpublic or community- 135~~
~~high school which they attend for which the state board of- 136~~
~~education prescribes minimum standards pursuant to division (D)- 137~~
~~of section 3301.07 of the Revised Code. 138~~

A board of education shall not be required to transport 139
elementary or high school pupils to and from a nonpublic or 140
community school where such transportation would require more 141
than thirty minutes of direct travel time as measured by school 142
bus from the public school building to which the pupils would be 143
assigned if attending the public school designated by the 144
district of residence. 145

Where it is impractical to transport a pupil by school 146
conveyance, a board of education may offer payment, in lieu of 147
providing such transportation in accordance with section 3327.02 148
of the Revised Code. 149

A board of education shall not be required to transport 150
elementary or high school pupils to and from a nonpublic or 151
community school on Saturday or Sunday, unless a board of 152
education and a nonpublic or community school have an agreement 153
in place to do so before the first day of July of the school 154
year in which the agreement takes effect. 155

In all city, local, and exempted village school districts, 156
the board shall provide transportation for all children who are 157
so disabled that they are unable to walk to and from the school 158
for which the state board of education prescribes minimum 159
standards pursuant to division (D) of section 3301.07 of the 160
Revised Code and which they attend. In case of dispute whether 161
the child is able to walk to and from the school, the health 162
commissioner shall be the judge of such ability. In all city, 163
exempted village, and local school districts, the board shall 164

provide transportation to and from school or special education 165
classes for mentally disabled children in accordance with 166
standards adopted by the state board of education. 167

When transportation of pupils is provided the conveyance 168
shall be run on a time schedule that shall be adopted and put in 169
force by the board not later than ten days after the beginning 170
of the school term. 171

The cost of any transportation service authorized by this 172
section shall be paid first out of federal funds, if any, 173
available for the purpose of pupil transportation, and secondly 174
out of state appropriations, in accordance with regulations 175
adopted by the state board of education. 176

No transportation of any pupils shall be provided by any 177
board of education to or from any school which in the selection 178
of pupils, faculty members, or employees, practices 179
discrimination against any person on the grounds of race, color, 180
religion, or national origin. 181

Section 2. That existing sections 3317.0212 and 3327.01 of 182
the Revised Code are hereby repealed. 183

Section 3. That Sections 265.10, 265.150, 265.210, 184
265.215, and 265.220 of H.B. 166 of the 133rd General Assembly 185
be amended to read as follows: 186

Sec. 265.10. 187

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B General Revenue Fund

C	GRF	200321	Operating Expenses	\$	15,153,032	\$	16,565,951
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D	GRF	200408	Early Childhood Education	\$	68,116,789	\$	68,116,789
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E	GRF	200420	Information Technology Development and Support	\$	4,004,299	\$	4,026,960
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F	GRF	200422	School Management Assistance	\$	2,385,580	\$	2,408,711
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G	GRF	200424	Policy Analysis	\$	458,232	\$	457,676
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H	GRF	200426	Ohio Educational Computer Network	\$	15,457,000	\$	15,457,000
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I	GRF	200427	Academic Standards	\$	4,434,215	\$	4,483,525
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J	GRF	200437	Student Assessment	\$	56,906,893	\$	56,948,365
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K	GRF	200439	Accountability/ Report Cards	\$	7,517,406	\$	7,565,320
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L	GRF	200442	Child Care	\$	2,156,322	\$	2,227,153
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			Licensing			
M	GRF	200446	Education Management Information System	\$	8,112,987	\$ 8,174,415
N	GRF	200448	Educator Preparation	\$	11,785,384	\$ 7,285,384
O	GRF	200455	Community Schools and Choice Programs	\$	4,867,763	\$ 4,912,546
P	GRF	200465	Education Technology Resources	\$	5,179,664	\$ 5,179,664
Q	GRF	200478	Industry-Recognized Credentials High School Students	\$	25,000,000	\$ 25,000,000
R	GRF	200502	Pupil Transportation	\$	527,129,809 <u>588,129,809</u>	\$ 527,129,809 <u>608,129,809</u>
S	GRF	200505	School Lunch Match	\$	8,963,500	\$ 8,963,500
T	GRF	200511	Auxiliary Services	\$	154,939,134	\$ 154,939,134

U	GRF	200532	Nonpublic Administrative Cost Reimbursement	\$	69,997,735	\$	69,997,735
V	GRF	200540	Special Education Enhancements	\$	152,600,000	\$	152,850,000
W	GRF	200545	Career- Technical Education Enhancements	\$	9,750,892	\$	9,750,892
X	GRF	200550	Foundation Funding	\$	6,942,880,845	\$	6,774,618,845
Y	GRF	200566	Literacy Improvement	\$	1,452,876	\$	1,452,172
Z	GRF	200572	Adult Education Programs	\$	10,207,674	\$	10,207,674
AA	GRF	200573	EdChoice Expansion	\$	57,223,340	\$	121,017,418
AB	GRF	200574	Half-Mill Maintenance Equalization	\$	18,849,207	\$	18,128,526
AC	GRF	200576	Adaptive Sports Program	\$	250,000	\$	250,000

AD GRF	200597	Program and Project Support	\$	1,125,000	\$	625,000
AE GRF	657401	Medicaid in Schools	\$	297,978	\$	297,978
AF TOTAL GRF	General Revenue Fund		\$	8,187,203,556 <u>8,248,203,556</u>	\$	8,079,038,142 <u>8,160,038,142</u>
AG Dedicated Purpose Fund Group						
AH 4520	200638	Charges and Reimbursements	\$	1,000,000	\$	1,000,000
AI 4550	200608	Commodity Foods	\$	1,000,000	\$	1,000,000
AJ 4L20	200681	Teacher Certification and Licensure	\$	13,795,827	\$	14,000,000
AK 5980	200659	Auxiliary Services Reimbursement	\$	1,300,000	\$	1,300,000
AL 5H30	200687	School District Solvency Assistance	\$	2,000,000	\$	2,000,000
AM 5KX0	200691	Ohio School Sponsorship Program	\$	1,250,000	\$	1,250,000
AN 5MM0	200677	Child Nutrition	\$	550,000	\$	550,000

		Refunds				
AO 5U20	200685	National Education Statistics	\$	170,675	\$	175,000
AP 5VS0	200604	Student Wellness and Success	\$	275,000,000	\$	400,000,000
AQ 5VU0	200663	School Bus Purchase	\$	0	\$	20,000,000
AR 6200	200615	Educational Improvement Grants	\$	594,443	\$	600,000
AS TOTAL DPF Dedicated Purpose Fund Group			\$	296,660,945	\$	441,875,000
AT Internal Service Activity Fund Group						
AU 1380	200606	Information Technology Development and Support	\$	7,939,104	\$	8,047,645
AV 4R70	200695	Indirect Operational Support	\$	7,856,766	\$	7,856,766
AW 4V70	200633	Interagency Program Support	\$	5,497,938	\$	5,500,000

AX TOTAL ISA Internal Service	\$	21,293,808	\$	21,404,411
Activity Fund Group				
AY State Lottery Fund Group				
AZ 7017 200602 School Climate	\$	2,000,000	\$	2,000,000
Grants				
BA 7017 200612 Foundation	\$	1,081,400,000	\$	1,249,900,000
Funding				
BB 7017 200614 Accelerate	\$	1,500,000	\$	1,500,000
Great Schools				
BC 7017 200631 Quality	\$	30,000,000	\$	30,000,000
Community				
Schools Support				
BD 7017 200636 Enrollment	\$	15,500,000	\$	23,000,000
Growth				
Supplement				
BE 7017 200684 Community	\$	20,600,000	\$	20,600,000
School				
Facilities				
BF TOTAL SLF State Lottery Fund	\$	1,151,000,000	\$	1,327,000,000
Group				
BG Federal Fund Group				
BH 3670 200607 School Food	\$	11,469,730	\$	11,897,473
Services				

BI 3700	200624	Education of Exceptional Children	\$	2,000,000	\$	2,000,000
BJ 3AF0	657601	Schools Medicaid Administrative Claims	\$	295,500	\$	295,500
BK 3AN0	200671	School Improvement Grants	\$	17,000,000	\$	17,000,000
BL 3C50	200661	Early Childhood Education	\$	12,555,000	\$	12,555,000
BM 3EH0	200620	Migrant Education	\$	2,700,000	\$	2,700,000
BN 3EJ0	200622	Homeless Children Education	\$	3,295,203	\$	3,300,000
BO 3FE0	200669	Striving Readers	\$	12,507,905	\$	12,511,000
BP 3GE0	200674	Summer Food Service Program	\$	15,599,467	\$	16,342,299
BQ 3GG0	200676	Fresh Fruit and Vegetable Program	\$	4,911,207	\$	5,145,074

BR 3HF0	200649	Federal Education Grants	\$	7,049,677	\$	7,056,327
BS 3HI0	200634	Student Support and Academic Enrichment	\$	40,042,720	\$	40,042,720
BT 3L60	200617	Federal School Lunch	\$	418,643,500	\$	430,837,000
BU 3L70	200618	Federal School Breakfast	\$	158,726,966	\$	163,350,081
BV 3L80	200619	Child/Adult Food Programs	\$	110,121,168	\$	113,328,580
BW 3L90	200621	Career- Technical Education Basic Grant	\$	45,946,927	\$	46,000,000
BX 3M00	200623	ESEA Title 1A	\$	600,000,000	\$	600,000,000
BY 3M20	200680	Individuals with Disabilities Education Act	\$	454,770,591	\$	455,000,000
BZ 3T40	200613	Public Charter Schools	\$	7,000,000	\$	7,000,000
CA 3Y20	200688	21st Century	\$	47,500,000	\$	47,500,000

		Community Learning Centers				
CB 3Y60	200635	Improving Teacher Quality	\$	85,000,000	\$	85,000,000
CC 3Y70	200689	English Language Acquisition	\$	10,500,000	\$	10,500,000
CD 3Y80	200639	Rural and Low Income Technical Assistance	\$	3,600,000	\$	3,600,000
CE 3Z20	200690	State Assessments	\$	12,000,000	\$	12,000,000
CF 3Z30	200645	Consolidated Federal Grant Administration	\$	10,701,635	\$	10,900,000
CG TOTAL FED	Federal Fund Group		\$	2,093,937,196	\$	2,115,861,054
CH TOTAL ALL BUDGET FUND GROUPS			\$	11,750,095,505	\$	11,985,178,607
				<u>11,811,095,505</u>		<u>12,066,178,607</u>

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Sec. 265.150. PUPIL TRANSPORTATION

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Of the foregoing appropriation item 200502, Pupil

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Transportation, up to \$838,930 in each fiscal year may be used

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by the Department of Education for training prospective and 193
experienced school bus drivers in accordance with training 194
programs prescribed by the Department. A portion of these funds 195
may also be used to pay for costs associated with the enrollment 196
of bus drivers in the retained applicant fingerprint database. 197

Of the foregoing appropriation item 200502, Pupil 198
Transportation, up to \$60,469,220 in each fiscal year may be 199
used by the Department for special education transportation 200
reimbursements to school districts and county DD boards for 201
transportation operating costs as provided in divisions (C) and 202
(F) of section 3317.024 of the Revised Code, in accordance with 203
the section of ~~this act~~ H.B. 166 of the 133rd General Assembly 204
entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 and 2021." 205

The remainder of the foregoing appropriation item 200502, 206
Pupil Transportation, shall be used to ~~fund the transportation~~ 207
~~payments included in the state funding allocation under division~~ 208
~~(A) (2) of the section of this act entitled "FUNDING FOR CITY,~~ 209
~~LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS~~ distribute the 210
amounts calculated for transportation aid under divisions (E), 211
(F), and (G) of section 3317.0212 of the Revised Code and 212
division (D) (2) of section 3314.091 of the Revised Code." 213

PAYMENTS IN LIEU OF TRANSPORTATION 214

For purposes of division (D) of section 3327.02 of the 215
Revised Code, if a parent, guardian, or other person in charge 216
of a pupil accepts an offer from a school district of payment in 217
lieu of providing transportation for the pupil, the school 218
district shall pay that parent, guardian, or other person an 219
amount that shall be not less than \$250 and not more than the 220
amount determined by the Department as the average cost of pupil 221
transportation for the previous school year. Payment may be 222

prorated if the time period involved is only a part of the 223
school year. 224

Sec. 265.210. FOUNDATION FUNDING 225

Of the foregoing appropriation item 200550, Foundation 226
Funding, up to \$40,000,000 in each fiscal year shall be used to 227
provide additional state aid to school districts, joint 228
vocational school districts, community schools, and STEM schools 229
for special education students under division (C) (3) of section 230
3314.08, section 3317.0214 and division (B) of section 3317.16 231
in accordance with the section of ~~this act~~ H.B. 166 of the 133rd 232
General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 233
2020 and 2021," and section 3326.34 of the Revised Code, except 234
that the Controlling Board may increase these amounts if 235
presented with such a request from the Department of Education 236
at the final meeting of the fiscal year. 237

Of the foregoing appropriation item 200550, Foundation 238
Funding, up to \$3,800,000 in each fiscal year shall be used to 239
fund gifted education at educational service centers. The 240
Department shall distribute the funding through the unit-based 241
funding methodology in place under division (L) of section 242
3317.024, division (E) of section 3317.05, and divisions (A), 243
(B), and (C) of section 3317.053 of the Revised Code as they 244
existed prior to fiscal year 2010. 245

Of the foregoing appropriation item 200550, Foundation 246
Funding, up to \$40,000,000 in each fiscal year shall be reserved 247
to fund the state reimbursement of educational service centers 248
under the section of ~~this act~~ H.B. 166 of the 133rd General 249
Assembly entitled "EDUCATIONAL SERVICE CENTERS FUNDING." 250

Of the foregoing appropriation item 200550, Foundation 251

Funding, up to \$3,500,000 in each fiscal year shall be 252
distributed to educational service centers for School 253
Improvement Initiatives and for the provision of technical 254
assistance to schools and districts consistent with requirements 255
of section 3312.01 of the Revised Code. The Department may 256
distribute these funds through a competitive grant process. 257

Of the foregoing appropriation item 200550, Foundation 258
Funding, up to \$7,000,000 in each fiscal year shall be reserved 259
for payments under section 3317.029 of the Revised Code, in 260
accordance with the section of ~~this act~~ H.B. 166 of the 133rd 261
General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 262
2020 and 2021." If this amount is not sufficient, the 263
Superintendent of Public Instruction may reallocate excess funds 264
for other purposes supported by this appropriation item in order 265
to fully pay the amounts required by that section, provided that 266
the aggregate amount appropriated in appropriation item 200550, 267
Foundation Funding, is not exceeded. 268

Of the foregoing appropriation item 200550, Foundation 269
Funding, up to \$26,400,000 in each fiscal year shall be used to 270
support school choice programs. 271

Of the portion of the funds distributed to the Cleveland 272
Municipal School District under this section, up to \$23,501,887 273
in each fiscal year shall be used to operate the school choice 274
program in the Cleveland Municipal School District under 275
sections 3313.974 to 3313.979 of the Revised Code. 276
Notwithstanding divisions (B) and (C) of section 3313.978 and 277
division (C) of section 3313.979 of the Revised Code, up to 278
\$1,000,000 in each fiscal year of this amount shall be used by 279
the Cleveland Municipal School District to provide tutorial 280
assistance as provided in division (H) of section 3313.974 of 281

the Revised Code. The Cleveland Municipal School District shall 282
report the use of these funds in the district's three-year 283
continuous improvement plan as described in section 3302.04 of 284
the Revised Code in a manner approved by the Department. 285

Of the foregoing appropriation item 200550, Foundation 286
Funding, up to \$2,000,000 in each fiscal year may be used for 287
payment of the College Credit Plus Program for students 288
instructed at home pursuant to section 3321.04 of the Revised 289
Code. An amount equal to the unexpended, unencumbered balance of 290
this earmark at the end of fiscal year 2020 is hereby 291
reappropriated for the same purpose for fiscal year 2021. 292

Of the foregoing appropriation item 200550, Foundation 293
Funding, an amount shall be available in each fiscal year to be 294
paid to joint vocational school districts in accordance with the 295
section of ~~this act~~ H.B. 166 of the 133rd General Assembly 296
entitled "FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS." 297

Of the foregoing appropriation item 200550, Foundation 298
Funding, up to \$700,000 in each fiscal year shall be used by the 299
Department for a program to pay for educational services for 300
youth who have been assigned by a juvenile court or other 301
authorized agency to any of the facilities described in division 302
(A) of the section of ~~this act~~ H.B. 166 of the 133rd General 303
Assembly entitled "PRIVATE TREATMENT FACILITY PROJECT." 304

Of the foregoing appropriation item 200550, Foundation 305
Funding, a portion may be used to pay college-preparatory 306
boarding schools the per pupil boarding amount pursuant to 307
section 3328.34 of the Revised Code. 308

Of the foregoing appropriation item 200550, Foundation 309
Funding, a portion in each fiscal year shall be used to pay 310

community schools and STEM schools the amounts calculated for 311
the graduation and third-grade reading bonuses under sections 312
3314.085 and 3326.41 of the Revised Code, in accordance with the 313
sections of ~~this act~~ H.B. 166 of the 133rd General Assembly 314
entitled "FUNDING FOR COMMUNITY SCHOOLS" and "FUNDING FOR STEM 315
SCHOOLS." 316

Of the foregoing appropriation item 200550, Foundation 317
Funding, up to \$1,172,000 in fiscal year 2020 and up to 318
\$1,760,000 in fiscal year 2021 may be used by the Department for 319
duties and activities related to the establishment of academic 320
distress commissions under section 3302.10 of the Revised Code, 321
to provide support and assistance to academic distress 322
commissions to further their duties under Chapter 3302. of the 323
Revised Code, and to provide technical assistance and tools to 324
support districts subject to academic distress commissions. 325

Of the foregoing appropriation item 200550, Foundation 326
Funding, up to \$350,000 in fiscal year 2020 shall be used by the 327
Department of Education to conduct return on investment studies 328
for programming funded through student success and wellness 329
funds and to provide technical assistance to school districts on 330
implementing these strategies. 331

Of the foregoing appropriation item 200550, Foundation 332
Funding, up to \$100,000 in each fiscal year shall be used to 333
make payments under section 3314.06 of the Revised Code to each 334
community school that operates a program that uses the 335
Montessori method endorsed by the American Montessori society, 336
the Montessori Accreditation Council for Teacher Education, or 337
the Association Montessori Internationale as its primary method 338
of instruction for students younger than four years of age who 339
are enrolled in the school. 340

The remainder of the foregoing appropriation item 200550, 341
Foundation Funding, shall be used to fund the payments included 342
in the state funding allocation under division (A) ~~(1)~~ of the 343
section of ~~this act~~ H.B. 166 of the 133rd General Assembly 344
entitled "FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL 345
DISTRICTS." 346

Appropriation items 200502, Pupil Transportation, 200540, 347
Special Education Enhancements, and 200550, Foundation Funding, 348
other than specific set-asides, are collectively used in each 349
fiscal year to pay state formula aid obligations for school 350
districts, community schools, STEM schools, college preparatory 351
boarding schools, and joint vocational school districts under 352
~~this act~~ H.B. 166 of the 133rd General Assembly. The first 353
priority of these appropriation items, with the exception of 354
specific set-asides, is to fund state formula aid obligations. 355
It may be necessary to reallocate funds among these 356
appropriation items or use excess funds from other general 357
revenue fund appropriation items in the Department of 358
Education's budget, including appropriation item 200903, 359
Property Tax Reimbursement - Education, in each fiscal year in 360
order to meet state formula aid obligations. If it is determined 361
that it is necessary to transfer funds among these appropriation 362
items or to transfer funds from other General Revenue Fund 363
appropriations in the Department's budget to meet state formula 364
aid obligations, the Superintendent of Public Instruction shall 365
seek approval from the Director of Budget and Management to 366
transfer funds as needed. 367

The Superintendent of Public Instruction shall make 368
payments, transfers, and deductions, as authorized by Title 369
XXXIII of the Revised Code in amounts substantially equal to 370
those made in the prior year, or otherwise, at the discretion of 371

the Superintendent, until at least the effective date of the 372
amendments and enactments made to Title XXXIII by ~~this act~~ H.B. 373
166 of the 133rd General Assembly. Any funds paid to districts 374
or schools under this section shall be credited toward the 375
annual funds calculated for the district or school after the 376
changes made to Title XXXIII in ~~this act~~ H.B. 166 of the 133rd 377
General Assembly are effective. Upon the effective date of 378
changes made to Title XXXIII in ~~this act~~ H.B. 166 of the 133rd 379
General Assembly, funds shall be calculated as an annual amount. 380

Sec. 265.215. OPERATING FUNDING FOR FISCAL YEARS 2020 and 381
2021 382

(A) Notwithstanding anything to the contrary in Chapter 383
3317. of the Revised Code, the Department of Education shall 384
make no payments under that chapter for fiscal years 2020 and 385
2021 except as prescribed in this section and the sections of 386
~~this act~~ H.B. 166 of the 133rd General Assembly entitled 387
"FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS" 388
and "FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS." 389

(B) Each school district and educational service center 390
shall report student enrollment data as prescribed by section 391
3317.03 of the Revised Code, which data the Department shall use 392
to make payments under Chapter 3317. of the Revised Code and the 393
sections of ~~this act~~ H.B. 166 of the 133rd General Assembly 394
entitled "FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL 395
DISTRICTS" and "FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS." 396

(C) The tax commissioner shall report data regarding tax 397
valuation and receipts for school districts as prescribed by 398
sections 3317.015, 3317.021, 3317.025, 3317.028, 3317.029, 399
3317.0210, 3317.0211, and 3317.08 of the Revised Code, which 400
data the Department shall use to make payments under Chapter 401

3317. of the Revised Code and the sections of ~~this act~~ H.B. 166 402
of the 133rd General Assembly entitled "FUNDING FOR CITY, LOCAL, 403
AND EXEMPTED VILLAGE SCHOOL DISTRICTS" and "FUNDING FOR JOINT 404
VOCATIONAL SCHOOL DISTRICTS." 405

(D) Unless otherwise specified by another provision of 406
law, in addition to the payments prescribed by the sections of 407
~~this act~~ H.B. 166 of the 133rd General Assembly entitled 408
"FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS" 409
and "FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS," the 410
Department shall continue to make payments or adjustments for 411
each of fiscal years 2020 and 2021 under the following 412
provisions of Chapter 3317. of the Revised Code: 413

(1) All payments or adjustments under section 3317.023 of 414
the Revised Code; 415

(2) All payments or adjustments under section 3317.024 of 416
the Revised Code; 417

(3) Payments under section 3317.029 of the Revised Code. 418
Notwithstanding division (A) (2) (d) of section 3317.029 of the 419
Revised Code, for purposes of these payments, a city, local, or 420
exempted village school district's "state education aid" for 421
fiscal years 2020 and 2021 shall be the payment made to the 422
district under the section of ~~this act~~ H.B. 166 of the 133rd 423
General Assembly entitled "FUNDING FOR CITY, LOCAL, AND EXEMPTED 424
VILLAGE SCHOOL DISTRICTS." 425

(4) Preschool special education payments under section 426
3317.0213 of the Revised Code; 427

(5) The catastrophic cost reimbursement under section 428
3317.0214 of the Revised Code; 429

(6) Payments under sections 3317.06, 3317.062, 3317.063, 430

and 3317.064 of the Revised Code; 431

(7) The catastrophic cost reimbursement under division (B) 432
of section 3317.16 of the Revised Code and excess cost 433
reimbursements under division (C) of that section. No other 434
payments shall be made under that section. 435

(8) Adjustments under section 3317.18 of the Revised Code; 436

(9) Payments to cooperative education school districts 437
under section 3317.19 of the Revised Code; 438

(10) Payments to county boards of developmental 439
disabilities under section 3317.20 of the Revised Code; 440

(11) Payments to state institutions for special education 441
funding under section 3317.201 of the Revised Code; 442

(12) Payments under section 3317.0212 of the Revised Code. 443

(E) Notwithstanding anything to the contrary in Chapter 444
3317. of the Revised Code, for purposes of computing the 445
payments under that chapter for fiscal years 2020 and 2021 446
authorized under this section for which the "state share index" 447
or "state share percentage" is a factor, the Department shall 448
use the state share index or state share percentage, as 449
applicable, computed for each district for fiscal year 2019. 450

(F) For fiscal years 2020 and 2021, when calculating 451
payments under Chapter 3317. of the Revised Code as authorized 452
under this section, and for purposes of sections 3310.09, 453
3313.98, 3313.981, 3314.08, 3315.18, 3326.31, 3326.33, and 454
3365.01 of the Revised Code and any other provision of law with 455
respect to education financing: 456

(1) The "formula amount" equals \$6,020 for fiscal years 457
2020 and 2021. 458

(2) The special education catastrophic cost threshold for 459
fiscal years 2020 and 2021 is \$27,375 for students in categories 460
two through five special education ADM and \$32,850 for students 461
in category six special education ADM. 462

(G) This section does not affect the provisions of 463
sections 3317.0219, 3317.031, 3317.032, 3317.033, 3317.034, 464
3317.035, 3317.036, 3317.061, 3317.07, 3317.08, 3317.081, 465
3317.082, 3317.09, 3317.10, 3317.12, 3317.13, 3317.14, 3317.141, 466
3317.15, 3317.161, 3317.163, 3317.23, 3317.231, 3317.24, 467
3317.25, 3317.26, 3317.27, 3317.30, 3317.40, 3317.50, 3317.51, 468
and 3317.60 of the Revised Code. 469

Sec. 265.220. FUNDING FOR CITY, LOCAL, AND EXEMPTED 470
VILLAGE SCHOOL DISTRICTS 471

(A) Subject to Section 265.227 of ~~this act~~ H.B. 166 of the 472
133rd General Assembly, for each of fiscal years 2020 and 2021, 473
the Department of Education shall pay each city, local, and 474
exempted village school district an amount equal to the ~~sum of~~ 475
~~the following:~~ 476

~~(1) The district's payments for fiscal year 2019 under 477~~
section 3317.022 of the Revised Code and Section 265.220 of Am. 478
Sub. H.B. 49 of the 132nd General Assembly, 479

~~(2) The district's payments for fiscal year 2019 under 480~~
~~section 3317.0212 and division (D) (2) of section 3314.091 of the 481~~
~~Revised Code. 482~~

(B) (1) For purposes of division (B) of this section: 483

(a) "Eligible school district" means a city, local, or 484
exempted village school district with an enrolled ADM greater 485
than or equal to fifty. 486

(b) "Enrolled ADM" has the same meaning as in section 487
3317.0219 of the Revised Code as enacted by ~~this act~~ H.B. 166 of 488
the 133rd General Assembly. 489

(2) For each of fiscal years 2020 and 2021, the Department 490
of Education shall pay each eligible school district an 491
additional amount calculated as follows: 492

(a) Determine the district's percentage of change in 493
enrolled ADM between fiscal years 2016 and 2017, fiscal years 494
2017 and 2018, and fiscal years 2018 and 2019; 495

(b) Calculate the average of the percentage of changes in 496
enrolled ADM determined for the district under division (B) (2) 497
(a) of this section; 498

(c) Compute the district's payment as follows: 499

The district's average percentage calculated under division (B) 500
(2) (b) of this section X 100 X the district's enrolled ADM for 501
fiscal year 2019 X \$20, for fiscal year 2020, or \$30, for fiscal 502
year 2021 503

If the result of the calculation for a district under 504
division (B) (2) (c) of this section is less than zero, the 505
district shall not receive a payment under division (B) of this 506
section. 507

Section 4. That existing Sections 265.10, 265.150, 508
265.210, 265.215, and 265.220 of H.B. 166 of the 133rd General 509
Assembly are hereby repealed. 510