

As Introduced

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

S. B. No. 281

Senator Johnson

A BILL

To amend Sections 265.10 and 265.210 of H.B. 166 of
the 133rd General Assembly, as subsequently
amended, to support the New Richmond Exempted
Village School District and to make an
appropriation.

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

Section 1. That Sections 265.10 and 265.210 of H.B. 166 of
the 133rd General Assembly (as amended by S.B. 120 of the 133rd
General Assembly) be amended to read as follows:

Sec. 265.10.

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A EDU DEPARTMENT OF EDUCATION

B General Revenue Fund

C GRF 200321 Operating \$ 15,153,032 \$ 16,565,951
 Expenses

D	GRF	200408	Early Childhood Education	\$	68,116,789	\$	68,116,789
E	GRF	200420	Information Technology Development and Support	\$	4,004,299	\$	4,026,960
F	GRF	200422	School Management Assistance	\$	2,385,580	\$	2,408,711
G	GRF	200424	Policy Analysis	\$	458,232	\$	457,676
H	GRF	200426	Ohio Educational Computer Network	\$	15,457,000	\$	15,457,000
I	GRF	200427	Academic Standards	\$	4,434,215	\$	4,483,525
J	GRF	200437	Student Assessment	\$	56,906,893	\$	56,948,365
K	GRF	200439	Accountability/ Report Cards	\$	7,517,406	\$	7,565,320
L	GRF	200442	Child Care Licensing	\$	2,156,322	\$	2,227,153
M	GRF	200446	Education Management	\$	8,112,987	\$	8,174,415

			Information System				
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	\$	527,129,809
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 <u>6,944,380,845</u>	\$	6,784,618,845 <u>6,786,118,845</u>
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	\$	8,187,203,556	\$	8,089,038,142
Fund		<u>8,188,703,556</u>		<u>8,090,538,142</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 Refunds	\$	550,000	\$	550,000
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 Activity Fund Group		\$	21,293,808	\$	21,404,411
AY State Lottery Fund Group					
AZ 7017 200602	School Climate	\$	2,000,000	\$	2,000,000

Grants

BA 7017	200612	Foundation Funding	\$	1,081,400,000	\$	1,249,900,000
BB 7017	200614	Accelerate Great Schools	\$	1,500,000	\$	1,500,000
BC 7017	200631	Quality Community Schools Support	\$	30,000,000	\$	30,000,000
BD 7017	200636	Enrollment Growth Supplement	\$	15,500,000	\$	23,000,000
BE 7017	200684	Community School Facilities	\$	20,600,000	\$	20,600,000
BF	TOTAL SLF	State Lottery Fund Group	\$	1,151,000,000	\$	1,327,000,000
BG	Federal	Fund Group				
BH 3670	200607	School Food Services	\$	11,469,730	\$	11,897,473
BI 3700	200624	Education of Exceptional Children	\$	2,000,000	\$	2,000,000
BJ 3AF0	657601	Schools Medicaid	\$	295,500	\$	295,500

		Administrative Claims				
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	\$	40,042,720	\$	40,042,720

		Enrichment				
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 Community Learning Centers	\$	47,500,000	\$	47,500,000
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	\$	11,995,178,607
				<u>11,751,595,505</u>		<u>11,996,678,607</u>

Sec. 265.210. FOUNDATION FUNDING

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Of the foregoing appropriation item 200550, Foundation
Funding, up to \$40,000,000 in each fiscal year shall be used to
provide additional state aid to school districts, joint
vocational school districts, community schools, and STEM schools
for special education students under division (C) (3) of section
3314.08, section 3317.0214 and division (B) of section 3317.16
in accordance with the section of H.B. 166 of the 133rd General
Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 and
2021," and section 3326.34 of the Revised Code, except that the
Controlling Board may increase these amounts if presented with

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such a request from the Department of Education at the final 22
meeting of the fiscal year. 23

Of the foregoing appropriation item 200550, Foundation 24
Funding, up to \$3,800,000 in each fiscal year shall be used to 25
fund gifted education at educational service centers. The 26
Department shall distribute the funding through the unit-based 27
funding methodology in place under division (L) of section 28
3317.024, division (E) of section 3317.05, and divisions (A), 29
(B), and (C) of section 3317.053 of the Revised Code as they 30
existed prior to fiscal year 2010. 31

Of the foregoing appropriation item 200550, Foundation 32
Funding, up to \$40,000,000 in each fiscal year shall be reserved 33
to fund the state reimbursement of educational service centers 34
under the section of H.B. 166 of the 133rd General Assembly 35
entitled "EDUCATIONAL SERVICE CENTERS FUNDING." 36

Of the foregoing appropriation item 200550, Foundation 37
Funding, up to \$3,500,000 in each fiscal year shall be 38
distributed to educational service centers for School 39
Improvement Initiatives and for the provision of technical 40
assistance to schools and districts consistent with requirements 41
of section 3312.01 of the Revised Code. The Department may 42
distribute these funds through a competitive grant process. 43

Of the foregoing appropriation item 200550, Foundation 44
Funding, up to \$7,000,000 in each fiscal year shall be reserved 45
for payments under section 3317.029 of the Revised Code, in 46
accordance with the section of H.B. 166 of the 133rd General 47
Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 2020 and 48
2021." If this amount is not sufficient, the Superintendent of 49
Public Instruction may reallocate excess funds for other 50
purposes supported by this appropriation item in order to fully 51

pay the amounts required by that section, provided that the 52
aggregate amount appropriated in appropriation item 200550, 53
Foundation Funding, is not exceeded. 54

Of the foregoing appropriation item 200550, Foundation 55
Funding, up to \$26,400,000 in each fiscal year shall be used to 56
support school choice programs. 57

Of the portion of the funds distributed to the Cleveland 58
Municipal School District under this section, up to \$23,501,887 59
in each fiscal year shall be used to operate the school choice 60
program in the Cleveland Municipal School District under 61
sections 3313.974 to 3313.979 of the Revised Code. 62
Notwithstanding divisions (B) and (C) of section 3313.978 and 63
division (C) of section 3313.979 of the Revised Code, up to 64
\$1,000,000 in each fiscal year of this amount shall be used by 65
the Cleveland Municipal School District to provide tutorial 66
assistance as provided in division (H) of section 3313.974 of 67
the Revised Code. The Cleveland Municipal School District shall 68
report the use of these funds in the district's three-year 69
continuous improvement plan as described in section 3302.04 of 70
the Revised Code in a manner approved by the Department. 71

Of the foregoing appropriation item 200550, Foundation 72
Funding, up to \$2,000,000 in each fiscal year may be used for 73
payment of the College Credit Plus Program for students 74
instructed at home pursuant to section 3321.04 of the Revised 75
Code. An amount equal to the unexpended, unencumbered balance of 76
this earmark at the end of fiscal year 2020 is hereby 77
reappropriated for the same purpose for fiscal year 2021. 78

Of the foregoing appropriation item 200550, Foundation 79
Funding, an amount shall be available in each fiscal year to be 80
paid to joint vocational school districts in accordance with the 81

section of H.B. 166 of the 133rd General Assembly entitled 82
"FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS." 83

Of the foregoing appropriation item 200550, Foundation 84
Funding, up to \$700,000 in each fiscal year shall be used by the 85
Department for a program to pay for educational services for 86
youth who have been assigned by a juvenile court or other 87
authorized agency to any of the facilities described in division 88
(A) of the section of H.B. 166 of the 133rd General Assembly 89
entitled "PRIVATE TREATMENT FACILITY PROJECT." 90

Of the foregoing appropriation item 200550, Foundation 91
Funding, a portion may be used to pay college-preparatory 92
boarding schools the per pupil boarding amount pursuant to 93
section 3328.34 of the Revised Code. 94

Of the foregoing appropriation item 200550, Foundation 95
Funding, a portion in each fiscal year shall be used to pay 96
community schools and STEM schools the amounts calculated for 97
the graduation and third-grade reading bonuses under sections 98
3314.085 and 3326.41 of the Revised Code, in accordance with the 99
sections of H.B. 166 of the 133rd General Assembly entitled 100
"FUNDING FOR COMMUNITY SCHOOLS" and "FUNDING FOR STEM SCHOOLS." 101

Of the foregoing appropriation item 200550, Foundation 102
Funding, up to \$1,172,000 in fiscal year 2020 and up to 103
\$1,760,000 in fiscal year 2021 may be used by the Department for 104
duties and activities related to the establishment of academic 105
distress commissions under section 3302.10 of the Revised Code, 106
to provide support and assistance to academic distress 107
commissions to further their duties under Chapter 3302. of the 108
Revised Code, and to provide technical assistance and tools to 109
support districts subject to academic distress commissions. 110

Of the foregoing appropriation item 200550, Foundation 111
Funding, up to \$350,000 in fiscal year 2020 shall be used by the 112
Department of Education to conduct return on investment studies 113
for programming funded through student success and wellness 114
funds and to provide technical assistance to school districts on 115
implementing these strategies. 116

Of the foregoing appropriation item 200550, Foundation 117
Funding, up to \$100,000 in each fiscal year shall be used to 118
make payments under section 3314.06 of the Revised Code to each 119
community school that operates a program that uses the 120
Montessori method endorsed by the American Montessori society, 121
the Montessori Accreditation Council for Teacher Education, or 122
the Association Montessori Internationale as its primary method 123
of instruction for students younger than four years of age who 124
are enrolled in the school. 125

Of the foregoing appropriation item 200550, Foundation 126
Funding, up to \$10,000,000 in fiscal year 2021 shall be used to 127
pay scholarships awarded as follows. Notwithstanding anything in 128
the Revised Code to the contrary, for applications for the 2020- 129
2021 school year, the Department of Education shall accept, 130
process, and award performance-based Educational Choice 131
scholarships under section 3310.03 of the Revised Code as 132
follows. An application period for students who are eligible for 133
the first time for the 2020-2021 school year shall open April 1, 134
2020, and run not less than sixty days or to the extent funds 135
appropriated by the General Assembly under Section 265.10 of 136
H.B. 166 of the 133rd General Assembly and this section remain 137
available. The Department shall award scholarships in the order 138
that it receives applications and shall continue to award 139
scholarships to the extent the funds appropriated by the General 140
Assembly under Section 265.10 of H.B. 166 of the 133rd General 141

Assembly and this section remain available. An application 142
period for students who were eligible for scholarships for the 143
2019-2020 school year, regardless of whether the students 144
received scholarships for that school year, and remain eligible 145
for the 2020-2021 school year shall open April 1, 2020, and run 146
not less than sixty days. These scholarships shall be funded and 147
paid in accordance with section 3310.08 of the Revised Code. 148

Of the foregoing appropriation item 200550, Foundation 149
Funding, \$1,500,000 in each fiscal year shall be distributed to 150
the New Richmond Exempted Village School District to offset the 151
effects of power plant devaluations on foundation funding. 152

The remainder of the foregoing appropriation item 200550, 153
Foundation Funding, shall be used to fund the payments included 154
in the state funding allocation under division (A) (1) of the 155
section of H.B. 166 of the 133rd General Assembly entitled 156
"FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL 157
DISTRICTS." 158

Appropriation items 200502, Pupil Transportation, 200540, 159
Special Education Enhancements, and 200550, Foundation Funding, 160
other than specific set-asides, are collectively used in each 161
fiscal year to pay state formula aid obligations for school 162
districts, community schools, STEM schools, college preparatory 163
boarding schools, and joint vocational school districts under 164
this act. The first priority of these appropriation items, with 165
the exception of specific set-asides, is to fund state formula 166
aid obligations. It may be necessary to reallocate funds among 167
these appropriation items or use excess funds from other general 168
revenue fund appropriation items in the Department of 169
Education's budget, including appropriation item 200903, 170
Property Tax Reimbursement - Education, in each fiscal year in 171

order to meet state formula aid obligations. If it is determined 172
that it is necessary to transfer funds among these appropriation 173
items or to transfer funds from other General Revenue Fund 174
appropriations in the Department's budget to meet state formula 175
aid obligations, the Superintendent of Public Instruction shall 176
seek approval from the Director of Budget and Management to 177
transfer funds as needed. 178

The Superintendent of Public Instruction shall make 179
payments, transfers, and deductions, as authorized by Title 180
XXXIII of the Revised Code in amounts substantially equal to 181
those made in the prior year, or otherwise, at the discretion of 182
the Superintendent, until at least the effective date of the 183
amendments and enactments made to Title XXXIII by H.B. 166 of 184
the 133rd General Assembly. Any funds paid to districts or 185
schools under this section shall be credited toward the annual 186
funds calculated for the district or school after the changes 187
made to Title XXXIII in H.B. 166 of the 133rd General Assembly 188
are effective. Upon the effective date of changes made to Title 189
XXXIII in H.B. 166 of the 133rd General Assembly, funds shall be 190
calculated as an annual amount. 191

Section 2. That existing Sections 265.10 and 265.210 of 192
H.B. 166 of the 133rd General Assembly (as amended by S.B. 120 193
of the 133rd General Assembly) are hereby repealed. 194