

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

H. B. No. 369

Representative Sweeney

A BILL

To enact section 3317.26 of the Revised Code and to 1
amend Sections 265.10 and 265.210 of Am. Sub. 2
H.B. 49 of the 132nd General Assembly to 3
prescribe a per pupil funding guarantee for 4
certain school districts and to make an 5
appropriation. 6

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

Section 1. That section 3317.26 of the Revised Code be 7
enacted to read as follows: 8

Sec. 3317.26. (A) For fiscal year 2018 and for each fiscal 9
year thereafter, the department of education shall pay an 10
eligible school district additional funds computed as follows: 11

(1) The statewide per pupil amount paid for chartered 12
nonpublic school students - [(the sum of the district's payments 13
under sections 3317.022 and 3317.0212 of the Revised Code and 14
Sections 265.220 and 265.233 of Am. Sub. H.B. 49 of the 132nd 15
general assembly/its formula ADM)]; times 16

(2) The district's formula ADM. 17

If the result is a negative number, no payment shall be 18

made under this section. 19

(B) As used in this section: 20

(1) "Eligible school district" means a city, local, or 21
exempted village school district that has a median income index 22
calculated under division (B)(1) of section 3317.017 of the 23
Revised Code that is less than 1. 24

(2) "Statewide per pupil amount paid for chartered 25
nonpublic school students" means the statewide per pupil amount 26
paid under sections 3317.06, 3317.062, and 3317.063 of the 27
Revised Code, combined, for the current fiscal year, as 28
calculated by the department. 29

Section 2. That Sections 265.10 and 265.210 of Am. Sub. 30
H.B. 49 of the 132nd General Assembly be amended to read as 31
follows: 32

Sec. 265.10. EDU DEPARTMENT OF EDUCATION 33

General Revenue Fund 34

GRF	200321	Operating Expenses	\$ 14,693,536	\$ 14,736,578	35
GRF	200408	Early Childhood Education	\$ 68,116,789	\$ 68,116,789	36 37
GRF	200420	Information Technology Development and Support	\$ 3,770,170	\$ 3,770,170	38 39
GRF	200422	School Management Assistance	\$ 2,077,615	\$ 2,113,413	40 41
GRF	200424	Policy Analysis	\$ 428,962	\$ 428,962	42
GRF	200426	Ohio Educational Computer Network	\$ 15,457,000	\$ 15,457,000	43 44

GRF	200427	Academic Standards	\$ 3,819,487	\$ 3,819,487	45
GRF	200437	Student Assessment	\$ 55,959,287	\$ 56,025,042	46
GRF	200439	Accountability/Report Cards	\$ 413,167	\$ 913,167	47 48
GRF	200442	Child Care Licensing	\$ 1,852,200	\$ 1,887,863	49
GRF	200446	Education Management Information System	\$ 7,574,367	\$ 7,620,414	50 51
GRF	200448	Educator Preparation	\$ 1,710,384	\$ 1,710,384	52
GRF	200455	Community Schools and Choice Programs	\$ 4,435,845	\$ 4,585,028	53 54
GRF	200465	Education Technology Resources	\$ 5,179,107	\$ 5,179,107	55 56
GRF	200502	Pupil Transportation	\$ 546,738,753	\$ 527,129,809	57
GRF	200505	School Lunch Match	\$ 8,963,500	\$ 8,963,500	58
GRF	200511	Auxiliary Services	\$ 150,594,178	\$ 150,594,178	59
GRF	200532	Nonpublic Administrative Cost Reimbursement	\$ 68,034,790	\$ 68,034,790	60 61 62
GRF	200540	Special Education Enhancements	\$ 152,350,000	\$ 152,350,000	63 64
GRF	200545	Career-Technical Education Enhancements	\$ 10,665,866	\$ 9,600,892	65 66
GRF	200550	Foundation Funding	\$ 6,799,882,816 <u>6,800,482,816</u>	\$ 6,937,228,845 <u>6,937,778,845</u>	67 68
GRF	200566	Literacy Improvement	\$ 750,000	\$ 1,250,000	69

GRF	200572	Adult Education Programs	\$ 7,533,216	\$ 8,702,475	70 71
GRF	200573	EdChoice Expansion	\$ 38,400,000	\$ 47,700,000	72
GRF	200574	Half-Mill Maintenance Equalization	\$ 18,715,000	\$ 18,912,000	73 74
GRF	200576	Adaptive Sports Program	\$ 50,000	\$ 50,000	75 76
GRF	200578	Violence Prevention and School Safety	\$ 250,000	\$ 250,000	77 78
GRF	657401	Medicaid in Schools	\$ 295,500	\$ 295,500	79
TOTAL GRF	General Revenue Fund		\$ 7,988,711,535	\$ 8,117,425,393	80
			<u>7,989,311,535</u>	<u>8,117,975,393</u>	81
Dedicated Purpose Fund Group					82
4520	200638	Charges and Reimbursements	\$ 1,000,000	\$ 1,000,000	83 84
4540	200610	High School Equivalency	\$ 1,187,065	\$ 0	85 86
4550	200608	Commodity Foods	\$ 16,000,000	\$ 16,000,000	87
4L20	200681	Teacher Certification and Licensure	\$ 16,002,297	\$ 16,002,297	88 89
5980	200659	Auxiliary Services Reimbursement	\$ 2,930,000	\$ 2,930,000	90 91
5H30	200687	School District Solvency Assistance	\$ 8,000,000	\$ 8,000,000	92 93
5KX0	200691	Ohio School	\$ 828,600	\$ 828,600	94

		Sponsorship Program			95
5MM0	200677	Child Nutrition	\$ 550,000	\$ 550,000	96
		Refunds			97
5U20	200685	National Education	\$ 150,000	\$ 150,000	98
		Statistics			99
5UC0	200662	Accountability/Report	\$ 5,000,000	\$ 5,000,000	100
		Cards			101
6200	200615	Educational	\$ 800,000	\$ 600,000	102
		Improvement Grants			103
TOTAL DPF		Dedicated Purpose Fund	\$ 52,447,962	\$ 51,060,897	104
Group					105
		Internal Service Activity Fund Group			106
1380	200606	Information Technology	\$ 7,047,645	\$ 7,047,645	107
		Development and Support			108
4R70	200695	Indirect Operational	\$ 7,856,766	\$ 7,856,766	109
		Support			110
4V70	200633	Interagency Program	\$ 500,000	\$ 500,000	111
		Support			112
TOTAL ISA		Internal Service Activity	\$ 15,404,411	\$ 15,404,411	113
Fund Group					114
		State Lottery Fund Group			115
7017	200612	Foundation Funding	\$ 1,086,030,000	\$ 1,087,030,000	116
7017	200629	Community Connectors	\$ 4,000,000	\$ 4,000,000	117
7017	200684	Community School	\$ 16,600,000	\$ 16,600,000	118
		Facilities			119

TOTAL SLF State Lottery Fund Group			\$ 1,106,630,000	\$ 1,107,630,000	120
Federal Fund Group					121
3670	200607	School Food Services	\$ 10,080,635	\$ 10,280,635	122
3700	200624	Education of	\$ 2,000,000	\$ 2,000,000	123
		Exceptional Children			124
3AF0	657601	Schools Medicaid	\$ 750,000	\$ 750,000	125
		Administrative Claims			126
3AN0	200671	School Improvement	\$ 25,000,000	\$ 25,000,000	127
		Grants			128
3C50	200661	Early Childhood	\$ 12,555,000	\$ 12,555,000	129
		Education			130
3D20	200667	Math Science	\$ 7,000,000	\$ 7,000,000	131
		Partnerships			132
3EH0	200620	Migrant Education	\$ 2,500,000	\$ 2,500,000	133
3EJ0	200622	Homeless Children	\$ 2,600,000	\$ 2,600,000	134
		Education			135
3GE0	200674	Summer Food Service	\$ 14,856,635	\$ 14,856,635	136
		Program			137
3GG0	200676	Fresh Fruit and	\$ 4,677,340	\$ 4,677,340	138
		Vegetable Program			139
3HF0	200649	Federal Education	\$ 6,364,327	\$ 6,364,327	140
		Grants			141
3L60	200617	Federal School Lunch	\$ 394,612,000	\$ 406,450,000	142
3L70	200618	Federal School	\$ 142,688,750	\$ 154,103,850	143
		Breakfast			144

3L80	200619	Child/Adult Food Programs	\$ 106,913,755	\$ 106,913,755	145 146
3L90	200621	Career-Technical Education Basic Grant	\$ 44,663,900	\$ 44,663,900	147 148
3M00	200623	ESEA Title 1A	\$ 600,000,000	\$ 600,000,000	149
3M20	200680	Individuals with Disabilities Education Act	\$ 445,000,000	\$ 445,000,000	150 151 152
3T40	200613	Public Charter Schools	\$ 14,200,000	\$ 14,200,000	153
3Y20	200688	21st Century Community Learning Centers	\$ 47,500,000	\$ 47,500,000	154 155
3Y60	200635	Improving Teacher Quality	\$ 85,000,000	\$ 85,000,000	156 157
3Y70	200689	English Language Acquisition	\$ 10,101,411	\$ 10,101,411	158 159
3Y80	200639	Rural and Low Income Technical Assistance	\$ 3,300,000	\$ 3,300,000	160 161
3Z20	200690	State Assessments	\$ 11,500,000	\$ 11,500,000	162
3Z30	200645	Consolidated Federal Grant Administration	\$ 10,168,964	\$ 10,168,964	163 164
TOTAL FED	Federal Fund Group		\$ 2,004,032,717	\$ 2,027,485,817	165
TOTAL ALL BUDGET FUND GROUPS			\$ 11,167,226,625	\$ 11,319,006,518	166
			<u>11,167,826,625</u>	<u>11,319,556,518</u>	167
Sec. 265.210.	FOUNDATION FUNDING				168
	Of the foregoing appropriation item 200550, Foundation				169

Funding, up to \$40,000,000 in each fiscal year shall be used to 170
provide additional state aid to school districts, joint 171
vocational school districts, community schools, and STEM schools 172
for special education students under division (C) (3) of section 173
3314.08, section 3317.0214, division (B) of section 3317.16, and 174
section 3326.34 of the Revised Code, except that the Controlling 175
Board may increase these amounts if presented with such a 176
request from the Department of Education at the final meeting of 177
the fiscal year. 178

Of the foregoing appropriation item 200550, Foundation 179
Funding, up to \$3,800,000 in each fiscal year shall be used to 180
fund gifted education at educational service centers. The 181
Department shall distribute the funding through the unit-based 182
funding methodology in place under division (L) of section 183
3317.024, division (E) of section 3317.05, and divisions (A), 184
(B), and (C) of section 3317.053 of the Revised Code as they 185
existed prior to fiscal year 2010. 186

Of the foregoing appropriation item 200550, Foundation 187
Funding, up to \$40,000,000 in each fiscal year shall be reserved 188
to fund the state reimbursement of educational service centers 189
under the section of this act entitled "EDUCATIONAL SERVICE 190
CENTERS FUNDING." 191

Of the foregoing appropriation item 200550, Foundation 192
Funding, up to \$3,500,000 in each fiscal year shall be 193
distributed to educational service centers for School 194
Improvement Initiatives and for the provision of technical 195
assistance to schools and districts. The Department may 196
distribute these funds through a competitive grant process. 197

Of the foregoing appropriation item 200550, Foundation 198
Funding, up to \$10,000,000 in fiscal year 2018 and up to 199

\$7,000,000 in fiscal year 2019 shall be reserved for payments 200
under section 3317.028 of the Revised Code. If this amount is 201
not sufficient, the Department shall prorate the payment amounts 202
so that the aggregate amount allocated in this paragraph is not 203
exceeded. 204

Of the foregoing appropriation item 200550, Foundation 205
Funding, up to \$28,600,000 in fiscal year 2018 and up to 206
\$26,400,000 in fiscal year 2019 shall be used to support school 207
choice programs. 208

Of the portion of the funds distributed to the Cleveland 209
Municipal School District under this section, up to \$15,400,000 210
in fiscal year 2018 and \$17,600,000 in fiscal year 2019 shall be 211
used to operate the school choice program in the Cleveland 212
Municipal School District under sections 3313.974 to 3313.979 of 213
the Revised Code. Notwithstanding divisions (B) and (C) of 214
section 3313.978 and division (C) of section 3313.979 of the 215
Revised Code, up to \$1,000,000 in each fiscal year of this 216
amount shall be used by the Cleveland Municipal School District 217
to provide tutorial assistance as provided in division (H) of 218
section 3313.974 of the Revised Code. The Cleveland Municipal 219
School District shall report the use of these funds in the 220
district's three-year continuous improvement plan as described 221
in section 3302.04 of the Revised Code in a manner approved by 222
the Department. 223

Of the foregoing appropriation item 200550, Foundation 224
Funding, up to \$1,500,000 in each fiscal year may be used for 225
payment of the College Credit Plus Program for students 226
instructed at home pursuant to section 3321.04 of the Revised 227
Code. 228

Of the foregoing appropriation item 200550, Foundation 229

Funding, an amount shall be available in each fiscal year to be 230
paid to joint vocational school districts in accordance with 231
division (A) of section 3317.16 of the Revised Code, and the 232
section of this act entitled "TEMPORARY TRANSITIONAL AID FOR 233
JOINT VOCATIONAL SCHOOL DISTRICTS." 234

Of the foregoing appropriation item 200550, Foundation 235
Funding, up to \$700,000 in each fiscal year shall be used by the 236
Department for a program to pay for educational services for 237
youth who have been assigned by a juvenile court or other 238
authorized agency to any of the facilities described in division 239
(A) of the section of this act entitled "PRIVATE TREATMENT 240
FACILITY PROJECT." 241

Of the foregoing appropriation item 200550, Foundation 242
Funding, a portion may be used to pay college-preparatory 243
boarding schools the per pupil boarding amount pursuant to 244
section 3328.34 of the Revised Code. 245

Of the foregoing appropriation item 200550, Foundation 246
Funding, up to \$1,500,000 in each fiscal year shall be used for 247
the Bright New Leaders for Ohio Schools Program created and 248
implemented by the nonprofit corporation incorporated pursuant 249
to section 3319.271 of the Revised Code, to provide an 250
alternative path for individuals to receive training and 251
development in the administration of primary and secondary 252
education and leadership, enable those individuals to earn 253
degrees and obtain licenses in public school administration, and 254
promote the placement of those individuals in public schools 255
that have a poverty percentage greater than fifty per cent. 256

Of the foregoing appropriation item 200550, Foundation 257
Funding, a portion in each fiscal year shall be used to pay 258
community schools and STEM schools the amounts calculated for 259

the graduation and third-grade reading bonuses under sections 260
3314.085 and 3326.41 of the Revised Code. 261

Of the foregoing appropriation item 200550, Foundation 262
Funding, up to \$600,000 in each fiscal year may be used by the 263
Department for duties and activities related to the 264
establishment of academic distress commissions under section 265
3302.10 of the Revised Code. A portion of the funds may be used 266
as matching funds for any monetary contributions made by a 267
school district for which an academic distress commission is 268
established or by the district's local community to support 269
innovative education programs or a high-quality school 270
accelerator as provided for in section 3302.10 of the Revised 271
Code. 272

The remainder of appropriation item 200550, Foundation 273
Funding, shall be used to distribute the amounts calculated for 274
formula aid under ~~section~~ sections 3317.022 and 3317.26 of the 275
Revised Code, the section of this act entitled "TEMPORARY 276
TRANSITIONAL AID FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL 277
DISTRICTS," and the section of this act entitled "CAP OFFSET 278
AMOUNT FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL DISTRICTS." 279

Appropriation items 200502, Pupil Transportation, 200540, 280
Special Education Enhancements, and 200550, Foundation Funding, 281
other than specific set-asides, are collectively used in each 282
fiscal year to pay state formula aid obligations for school 283
districts, community schools, STEM schools, college preparatory 284
boarding schools, and joint vocational school districts under 285
this act. The first priority of these appropriation items, with 286
the exception of specific set-asides, is to fund state formula 287
aid obligations. It may be necessary to reallocate funds among 288
these appropriation items or use excess funds from other general 289

revenue fund appropriation items in the Department of 290
Education's budget in each fiscal year in order to meet state 291
formula aid obligations. If it is determined that it is 292
necessary to transfer funds among these appropriation items or 293
to transfer funds from other General Revenue Fund appropriations 294
in the Department's budget to meet state formula aid 295
obligations, the Superintendent of Public Instruction shall seek 296
approval from the Director of Budget and Management to transfer 297
funds as needed. 298

The Superintendent of Public Instruction shall make 299
payments, transfers, and deductions, as authorized by Title 300
XXXVIII of the Revised Code in amounts substantially equal to 301
those made in the prior year, or otherwise, at the discretion of 302
the Superintendent, until at least the effective date of the 303
amendments and enactments made to Title XXXVIII by this act. Any 304
funds paid to districts or schools under this section shall be 305
credited toward the annual funds calculated for the district or 306
school after the changes made to Title XXXVIII in this act are 307
effective. Upon the effective date of changes made to Title 308
XXXVIII in this act, funds shall be calculated as an annual 309
amount. 310

Section 3. That existing Sections 265.10 and 265.210 of 311
Am. Sub. H.B. 49 of the 132nd General Assembly are hereby 312
repealed. 313