

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 399**

**Representative Koehler**

**Cosponsors: Representatives Becker, Young, Maag, Rezabek, Roegner, Conditt,  
Thompson, Zeltwanger**

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**A BILL**

To amend Section 263.220 of Am. Sub. H.B. 64 of the 1  
131st General Assembly to increase the earmarked 2  
funding for the College Credit Plus Program for 3  
home instructed students. 4

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

**Section 1.** That Section 263.220 of Am. Sub. H.B. 64 of the 5  
131st General Assembly be amended to read as follows: 6

**Sec. 263.220.** FOUNDATION FUNDING 7

Of the foregoing appropriation item 200550, Foundation 8  
Funding, up to \$40,000,000 in each fiscal year shall be used to 9  
provide additional state aid to school districts, joint 10  
vocational school districts, community schools, and STEM schools 11  
for special education students under division (C) (3) of section 12  
3314.08, section 3317.0214, division (B) of section 3317.16, and 13  
section 3326.34 of the Revised Code, except that the Controlling 14  
Board may increase these amounts if presented with such a 15  
request from the Department of Education at the final meeting of 16  
the fiscal year. 17

Of the foregoing appropriation item 200550, Foundation 18  
Funding, up to \$3,800,000 in each fiscal year shall be used to 19  
fund gifted education at educational service centers. The 20  
Department shall distribute the funding through the unit-based 21  
funding methodology in place under division (L) of section 22  
3317.024, division (E) of section 3317.05, and divisions (A), 23  
(B), and (C) of section 3317.053 of the Revised Code as they 24  
existed prior to fiscal year 2010. 25

Of the foregoing appropriation item 200550, Foundation 26  
Funding, up to \$37,950,000 in fiscal year 2016 and up to 27  
\$41,400,000 in fiscal year 2017 shall be reserved to fund the 28  
state reimbursement of educational service centers under the 29  
section of this act entitled "EDUCATIONAL SERVICE CENTERS 30  
FUNDING"; and up to \$3,500,000 in each fiscal year shall be 31  
distributed to educational service centers for School 32  
Improvement Initiatives and for the provision of technical 33  
assistance as required by the Elementary and Secondary Education 34  
Act Flexibility waivers approved for Ohio by the United States 35  
Department of Education. Educational service centers shall be 36  
required to support districts in the development and 37  
implementation of their continuous improvement plans as required 38  
in section 3302.04 of the Revised Code and to provide technical 39  
assistance and support in accordance with Title I of the "No 40  
Child Left Behind Act of 2001," 115 Stat. 1425, 20 U.S.C. 6317, 41  
as administered pursuant to the Elementary and Secondary 42  
Education Act Flexibility waivers approved for Ohio by the 43  
United States Department of Education. 44

Of the foregoing appropriation item 200550, Foundation 45  
Funding, up to \$20,000,000 in each fiscal year shall be reserved 46  
for payments under sections 3317.026, 3317.027, and 3317.028 of 47  
the Revised Code. If this amount is not sufficient, the 48

Department of Education shall prorate the payment amounts so 49  
that the aggregate amount allocated in this paragraph is not 50  
exceeded. 51

Of the foregoing appropriation item 200550, Foundation 52  
Funding, up to \$1,000,000 in each fiscal year shall be used to 53  
pay career-technical planning districts for the amounts 54  
reimbursed to students, as prescribed in this paragraph. Each 55  
career-technical planning district shall reimburse individuals 56  
taking the online General Educational Development (GED) test for 57  
the first time for application/test fees in excess of \$40. Each 58  
career-technical planning district shall designate a site or 59  
sites where individuals may register and take the exam. For each 60  
individual that registers for the exam, the career-technical 61  
planning district shall make available and offer career 62  
counseling services, including information on adult education 63  
programs that are available. Any remaining funds in each fiscal 64  
year shall be reimbursed to the Department of Youth Services and 65  
the Department of Rehabilitation and Correction for individuals 66  
in these facilities who have taken the GED for the first time. 67  
The amounts reimbursed shall not exceed the per-individual 68  
amounts reimbursed to other individuals under this section for 69  
each section of the GED. 70

Of the foregoing appropriation item 200550, Foundation 71  
Funding, up to \$29,900,000 in fiscal year 2016 and up to 72  
\$38,000,000 in fiscal year 2017 shall be used to support school 73  
choice programs. 74

Of the portion of the funds distributed to the Cleveland 75  
Municipal School District under this section, up to \$11,901,887 76  
in each fiscal year shall be used to operate the school choice 77  
program in the Cleveland Municipal School District under 78

sections 3313.974 to 3313.979 of the Revised Code. 79  
Notwithstanding divisions (B) and (C) of section 3313.978 and 80  
division (C) of section 3313.979 of the Revised Code, up to 81  
\$1,000,000 in each fiscal year of this amount shall be used by 82  
the Cleveland Municipal School District to provide tutorial 83  
assistance as provided in division (H) of section 3313.974 of 84  
the Revised Code. The Cleveland Municipal School District shall 85  
report the use of these funds in the district's three-year 86  
continuous improvement plan as described in section 3302.04 of 87  
the Revised Code in a manner approved by the Department of 88  
Education. 89

Of the foregoing appropriation item 200550, Foundation 90  
Funding, up to ~~\$500,000~~ \$1,500,000 in each fiscal year may be 91  
used for payment of the College Credit Plus Program for students 92  
instructed at home pursuant to section 3321.04 of the Revised 93  
Code. 94

Of the foregoing appropriation item 200550, Foundation 95  
Funding, an amount shall be available in each fiscal year to be 96  
paid to joint vocational school districts in accordance with 97  
division (A) of section 3317.16 of the Revised Code, and the 98  
section of this act entitled "TEMPORARY TRANSITIONAL AID FOR 99  
JOINT VOCATIONAL SCHOOL DISTRICTS." 100

Of the foregoing appropriation item 200550, Foundation 101  
Funding, up to \$700,000 in each fiscal year shall be used by the 102  
Department of Education for a program to pay for educational 103  
services for youth who have been assigned by a juvenile court or 104  
other authorized agency to any of the facilities described in 105  
division (A) of the section of this act entitled "PRIVATE 106  
TREATMENT FACILITY PROJECT." 107

Of the foregoing appropriation item 200550, Foundation 108

Funding, a portion may be used to pay college-preparatory 109  
boarding schools the per pupil boarding amount pursuant to 110  
section 3328.34 of the Revised Code. 111

Of the foregoing appropriation item 200550, Foundation 112  
Funding, up to \$2,000,000 in each fiscal year shall be used for 113  
the Bright New Leaders for Ohio Schools Program created and 114  
implemented by the nonprofit corporation incorporated pursuant 115  
to Section 733.40 of Am. Sub. H.B. 59 of the 130th General 116  
Assembly, to provide an alternative path for individuals to 117  
receive training and development in the administration of 118  
primary and secondary education and leadership, enable those 119  
individuals to earn degrees and obtain licenses in public school 120  
administration, and promote the placement of those individuals 121  
in public schools that have a poverty percentage greater than 122  
fifty per cent. 123

Of the foregoing appropriation item 200550, Foundation 124  
Funding, \$750,000 in fiscal year 2016 shall be used as matching 125  
funds to support efforts by the Accelerate Great Schools public- 126  
private partnership to increase the number of high-performing 127  
schools in Cincinnati; to attract and develop excellent school 128  
leaders and teachers; and to engage families and communities in 129  
fostering educational improvement. 130

Of the foregoing appropriation item 200550, Foundation 131  
Funding, \$200,000 in each fiscal year shall be used to support 132  
Bellefaire JCB's Social Advocates for Youth Program. 133

Of the foregoing appropriation item 200550, Foundation 134  
Funding, \$150,000 in each fiscal year shall be used to support 135  
programming at the Cleveland Museum of Natural History. 136

Of the foregoing appropriation item 200550, Foundation 137

Funding, a portion in each fiscal year shall be used to pay 138  
community schools the amounts calculated for the graduation and 139  
third-grade reading bonuses under section 3314.085 and to pay 140  
STEM schools the amounts calculated for the graduation bonus 141  
under section 3326.41 of the Revised Code. 142

Of the foregoing appropriation item 200550, Foundation 143  
Funding, up to \$930,000 in fiscal year 2016 and up to \$2,000,000 144  
in fiscal year 2017 may be used by the Department of Education 145  
for duties and activities related to the establishment of 146  
academic distress commissions under section 3302.10 of the 147  
Revised Code. A portion of the funds may be used as matching 148  
funds for any monetary contributions made by a school district 149  
for which an academic distress commission is established or by 150  
the district's local community to support innovative education 151  
programs or a high-quality school accelerator as provided for in 152  
section 3302.10 of the Revised Code. 153

The remainder of appropriation item 200550, Foundation 154  
Funding, shall be used to distribute the amounts calculated for 155  
formula aid under ~~sections~~section 3317.022 of the Revised Code 156  
and the section of this act entitled "TEMPORARY TRANSITIONAL AID 157  
FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL 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 in each fiscal year in order to meet state 170  
formula aid obligations. If it is determined that it is 171  
necessary to transfer funds among these appropriation items or 172  
to transfer funds from other General Revenue Fund appropriations 173  
in the Department of Education's budget to meet state formula 174  
aid obligations, the Superintendent of Public Instruction shall 175  
seek approval from the Director of Budget and Management to 176  
transfer funds as needed. 177

The Superintendent of Public Instruction shall make 178  
payments, transfers, and deductions, as authorized by Title 179  
XXXVIII of the Revised Code in amounts substantially equal to 180  
those made in the prior year, or otherwise, at the discretion of 181  
the Superintendent, until at least the effective date of the 182  
amendments and enactments made to Title XXXVIII by this act. Any 183  
funds paid to districts or schools under this section shall be 184  
credited toward the annual funds calculated for the district or 185  
school after the changes made to Title XXXVIII in this act are 186  
effective. Upon the effective date of changes made to Title 187  
XXXVIII in this act, funds shall be calculated as an annual 188  
amount. 189

**Section 2.** That existing Section 263.220 of Am. Sub. H.B. 190  
64 of the 131st General Assembly is hereby repealed. 191