

Senate Substitute House Bill 33 Summary (Pending in Senate Finance Committee)
June 6, 2023

K-12 Education

School Funding

- Maintains the House’s updated data used to calculate the base cost in the formula from FY18 data to FY22 data and continues the phase-in percentages to be 50% in FY24 and 66.67% in FY25.
- Provides a combined total of \$8.24 billion in FY24 and \$8.44 billion in FY25 to traditional school districts and joint vocational school districts.
- Compared to the House, decreases spending by \$245.6 million in FY24 and by \$295.8 million in FY25.
- Increases the formula’s minimum state share percentage for traditional school districts and joint vocational school districts from 5% to 10% in FY24 and FY25.
- Modifies the formula’s local capacity measure to be based on 60% of the district’s valuation per pupil and 40% on the districts federal adjusted gross income (FAGI) per pupil, rather than 60% on valuation per pupil, 20% on FAGI per pupil, and 20% on adjusted FAGI per pupil.
- Eliminates supplemental targeted assistance, a \$53 million annual payment for districts to mitigate potential losses resulting from changes in how students are counted in the current formula.
- Replaces two guarantees – temporary transitional aid and formula transition supplement – with one guarantee – transitional aid – which ensures a district’s foundation aid in FY24 and FY25 does not fall below its FY23 foundation aid.
- Removes the \$500,000 appropriations for an economically disadvantaged student cost study.
- Maintains the Student Wellness and Success Funds spending deadlines and restrictions.
- Permits school bus purchase funds awarded in FY 2022 and FY 2023 to be used through FY 2025.
- Removes the requirement for the Department to conduct a study on access to all-day kindergarten, including barriers to offering all-day kindergarten, and age cut-off dates.
- Removes the requirement for the Department to conduct an evaluation of student wellness and success funds on measures such as school climate, attendance, discipline, and academic achievement.

State Minimum Teacher Salary Schedule; Recruitment, Retention & Preparation Provisions

- Removes the House-passed increase to the state minimum teacher salary from \$30,000 to \$40,000 for teachers with a bachelor's degree and zero years of experience.
- Senate removes House-passed "Grow Your Own" Teacher Program that supports low-income high school seniors and certain employees with higher education scholarships of up to \$32,000 after graduating from a teacher training program.
- Senate removes House-passed teacher loan repayment program that would have provided \$40,000 maximum awards to eligible teachers who teach for five consecutive years in hard-to-staff schools.
- Removes requirement to establish a Teacher Apprenticeship Program leading to professional licensure.
- Allocates up to \$3 million, instead of \$7.5 million, in each fiscal year for the Department, in consultation with ODHE, to provide awards to support graduate coursework for high school teachers to receive credentialing to teach College Credit Plus courses.
- Senate decreases the FY24 earmark for Ohio Military Veterans Educator Program from \$3,225,000 to \$1,612,000. Maintains FY25 earmark at \$3,225,000.

Powers and Duties of State Board of Education (SBOE)/Department of Education and Workforce

- Includes provisions of Senate Bill 1, which limits the powers and duties of the State Board of Education:
 - Renames the Ohio Department of Education (ODE) to be the Department of Education and Workforce (DEW).
 - Establishes DEW as a cabinet-level agency under the Governor.
 - Transfers most of the powers and duties of the State Board of Education (SBOE) and Superintendent of Public Instruction to DEW.
 - Retains SBOE powers and duties in the areas of teacher licensure, licensee discipline, teacher evaluation, school territory transfers and certain other areas.

ODE Policy Review

- Removes House-passed requirements that each policy established by the Department to (1) comply with statutes and rules in existence at the time the policy is established, (2) not establish a new requirement, (3) include a statement that the policy does not have the force of law on the first page, and (4) state the statute or rule on which the policy is based.
- Removes House-passed requirements the Department policy review and complaint process.

Vouchers and Charter Schools

- Institutes universal eligibility for the income based EdChoice voucher program. Any K-12 student would be eligible for a taxpayer funded voucher to pay private school tuition.
- Students from households with incomes at or below 450% of poverty (\$135,000 for a family of four) would be eligible for the full base voucher amount of \$6,165 for grades K-8 or \$8,407 for grades 9-12.
- Voucher amounts for first-time recipients are subject to a sliding scale with reduced amounts for students from households with incomes above 450% of poverty. (550% = half the base amount, 650% = one quarter the base amount, the lowest amount is 10% the base).
- Removes language from House-passed version that would prohibit a private school from requiring a parent to disclose, as part of the school's admission procedure, whether the student's family income is at or below 200% of the federal poverty level.
- Removes language from the House-passed version that would require the Department to develop one or more measures to enable parents to compare the performance of voucher students against that of students enrolled in public schools.
- Retains the proposed executive budget \$1,250 per pupil increase to the Quality Community Schools Support Fund and adds independent STEM schools to the list of who may qualify.
- Requires a Community School of Quality first designated for the 2022-2023 school year to maintain that designation through the 2027-2028 school year.

Third Grade Reading Guarantee

- Removes language in the House-passed budget that incorporates the provisions of House Bill 117 to eliminate mandatory student retention under the Third Grade Reading Guarantee and eliminate one administration of the third grade state assessment in English and Language Arts.

Literacy

- Requires the Department to compile a list of high-quality core curriculum and instructional materials and a list of evidence-based reading intervention programs that are aligned with the science of reading and requires each school district to use these beginning no later than the 2024-25 school year.
- Defines the "science of reading" as a body of evidence that: 1) informs how students learn to read and write proficiently, 2) explains why some students have difficulty, 3) indicates that all students benefit from systematic instruction in phonemic awareness, phonics, vocabulary, fluency, comprehension, and writing,

and 4) does not rely on teaching students to read based on meaning, structure and syntax, and visual cues.

- Prohibits districts or schools from using the “three-cueing” approach to teach a student to read unless the school receives a waiver from the Department or the student’s IEP or a reading improvement monitoring plan.
- Requires the Department to identify vendors that provide professional development to educators, including pre-service teachers and faculty employed by educator preparation programs, on the use of high-quality core curriculum and instructional materials and reading intervention programs.
- Earmarks \$64 million to subsidize schools’ costs of high-quality core curriculum and instructional materials in English language arts and evidence-based reading intervention programs.
- Provides up to \$86 million to reimburse school districts for stipends paid to teachers to complete professional development aligned to the science of reading. Requires that all teachers complete the course by July 30, 2025, unless they have already completed a similar course.
- Requires schools to pay a stipend of \$1,200 for K-5 teachers, ELA teachers grade 6-12, intervention specialists, reading specialists and instructional coaches for literacy professional development and a \$400 stipend for all other teachers.
- Maintains \$18 million for funding literacy coaches.
- Maintains the requirement that the Chancellor, in consultation with the Superintendent of Public Instruction, to establish metrics to ensure that each educator training program includes evidence-based strategies for effective literacy instruction aligned to the science of reading, including phonics, phonemic awareness, fluency, comprehension, and vocabulary development, and is part of a structured literacy program.
- Maintains the requirement that the Chancellor to develop an audit process that clearly documents the degree to which each institution of higher education that offers educator training programs is in alignment with the literacy requirements, annually create a summary of literacy instruction strategies and practices in place for all educator preparation programs based on the program audits, and to revoke approval for programs that are found to be not in alignment and do not address the findings of the audit within one year.
- Removes the \$500,000 appropriation over the biennium to award competitive grants of up to \$10,000 to institutions of higher education to promote student teacher placement with teachers who (1) received instruction in evidence-based strategies aligned to the science of reading (2) use high-quality instructional materials aligned to the science of reading and (3) implement a structured literacy approach in their classroom.

Dyslexia

- Removes the requirement for the Department to identify a tier one dyslexia screening measure by January 1, 2024, and make it available to public schools free of charge.
- Clarifies that a school must administer a tier one dyslexia screening measure.
- Retains House-passed language that changed from July 1, 2023, to “at the start of the school year”, the deadline for teachers who provide instruction for students in grades K and one to complete their professional development training.
- Retains House-passed language that changed from July 1, 2024, to September 15, 2024, the deadline for teachers who provide instruction for students in grades two and three to complete their professional development training.
- Retains House-passed language that changed from July 1, 2025, to September 15, 2025, the deadline for teachers who provide instruction for students in grades four through twelve to complete their professional development training.

Career-Technical Education

- Eliminates the \$100 million appropriation to support the purchasing of career technical education equipment.
- Maintains the \$200 million one-time appropriation to support construction projects that establish or expand career-technical education programs.
- Removes the House-passed appropriation of \$7.6 million in FY24 for facilities projects of the Sandusky City School District, including \$2.8 million for a new culinary facility and \$4.8 million for a new welding facility.
- Eliminates the House-passed appropriation of \$1.4 million to the Medina County Career Center to construct a new fire training facility.

School Transportation

Transportation Compliance Monitoring System

- Modifies the Transportation Compliance Monitoring System, under which school districts are assessed financial penalties for noncompliance with transportation laws.
- Revises the definition of noncompliance to be five consecutive school days or more than 10 school days within a school year, rather than 10 consecutive days or 10 cumulative days in a semester.
- Broadens the eligible offenses that contribute to a district being noncompliant to be (1) when students arrive more than 30 minutes late to school, (2) when students are picked up more than 30 minutes after the end of the school day, (3) when students do not receive any transportation at all, and (4) noncompliance with any other transportation law.
- Modifies the noncompliance financial penalty to withhold a district’s transportation payments for each noncompliance day and disburse the per-pupil

daily amount of the district's transportation payment to parents of students who did not receive proper transportation while the district was noncompliant.

- Requires a district found to be out of compliance to submit a remediation plan to the Department. Once a district meets the terms of the remediation plan, requires the Department to resume transportation payments to the district.

Other Transportation Provisions

- Removes the House-passed requirement that school districts provide K-8 students “substantially the same level of transportation service, route, and schedule convenience, and pick-up and drop-off times” relative to their school’s start and end times regardless of whether the pupil attends a public school, private school, or charter school.
- Requires school districts to provide transportation as a related service to students with disabilities who live in the district but attend a nonpublic school if the school district is provided with supporting documentation in the student's individualized education program, individual service plan, or academic support plan.
- Requires determinations of transportation impracticality to be re-evaluated at least every other year and be reconsidered in each year if a parent or guardian has a change of circumstances and requests transportation (under continuing law, a school district may offer a parent a payment in lieu of transportation, if it determines, based on a variety of factors, that transporting a particular student is impractical).
- Authorizes a community school to use a vehicle designed to carry nine passengers or less (not counting the driver) to transport its students when either the school district has declared transportation of the student impractical, or the student lives more than 30 minutes away from the community school (the same authorization applies to chartered nonpublic schools under continuing law).
- Requires the DEW Director and the Director of Public Safety to modify their rules related to daily pre-trip inspections of school buses.
- Establishes a pilot program under which two ESCs (one in Franklin County and Montgomery County) will voluntarily participate to provide transportation to community, STEM, and chartered nonpublic school students, in lieu of receiving transportation from their resident school district. Requires the ESC’s to be selected by October 15, 2023.

School Meals

- Removes the requirement for the Department to provide reimbursements to make school breakfasts and lunches free for all students eligible for a reduced-price breakfast or lunch at public, chartered nonpublic special education programs operated by county boards of developmental disabilities, and facilities offering juvenile day treatment services.

Licensure

- Retains the modification of teacher licensure grade bands to preK-8 and 6-12, rather than preK-5, 4-9, and 7-12.
- Unlicensed Veterans/ “Troops to Teachers”:
 - Senate removes the Governor’s proposal to create an alternative military educator license.
 - Senate makes the existing “Troops to Teachers” law (ORC 3319.283) applicable to all honorably discharged veterans (instead of only those discharged between June 30, 1997, and June 30, 2000), and removes the law’s prohibition on unlicensed veterans teaching in core subject areas (ELA, Math, Science, Social Studies, Foreign Languages, Fine Arts). The Senate maintains the general qualifications in the existing “Troops to Teachers” law, which allows schools to employ an unlicensed individual who meets the following criteria: 1) Honorably discharged veteran of the armed forces of the United States; 2) While in the armed forces the individual had meaningful teaching or other instructional experience; and 3) Holds at least a baccalaureate degree.
 - Senate maintains “Troops to Teachers” requirement to complete fifteen hours (or equivalent) of coursework every five years, as is required for licensed teachers.
 - Senate cuts biennial funding for recruiting military veteran educators by \$1.6 million (down to \$5 million over biennium).
- The Senate maintains House-passed provision that permits the holder of an alternative resident educator license to teach preschool students.
- The Senate tweaks House-passed reforms to Ohio Teacher Residency (OTR) Program and Resident Educator Summative Assessment (RESA):
 - Senate adds provision making the alternative resident educator license renewable generally, rather than renewable only for reasons determined by the State Board or as necessary to complete the Ohio Teacher Residency Program.
 - Senate removes House-passed requirement that each school district, community school, and STEM school to provide one day of professional development leave every school year for resident educators to observe a veteran classroom teacher.
 - Reduces the alternative resident educator license from four to two years and, accordingly, reduces from four to two the number of years that an individual must teach under that license before receiving a professional educator license.
 - Prohibits the State Board of Education from limiting the number of attempts participants have to successfully complete the RESA.
 - Permits mentoring under OTR Program to be conducted online or in person.

- Requires the Department to provide participants and mentors with no-cost online access to professional development resources and sample videos of Ohio classroom lessons submitted for the resident educator summative assessment (RESA).
- Requires the Department to provide each participant who does not receive a passing score on the RESA with a no-cost opportunity to meet online with an instructional coach to discuss results, improvement strategies, and professional development.
- Permits participants who have not taken the RESA to meet with instructional coaches if the participant's district or school pays the costs.
- Permits individuals to submit the RESA between the first Tuesday of October and the first Friday of April of the individual's second year of the program.
- Requires the results of each RESA to be returned within 30 days unless a new assessor is contracted, in which case results must be returned within 45 days.
- The Senate maintains the Governor's proposal to create pre-service teacher permits.
- The Senate adds a provision exempting an applicant for a one-year nonrenewable out-of-state teaching license who passes Ohio's Foundations of Reading Exam on the first try from having to complete at least six of the required twelve hours of coursework in the teaching of reading.
- Computer Science Licensure:
 - The Senate re-instates the Governor's proposed "Teach CS" grant program to fund coursework, materials, and exams for existing teachers who qualify to teach computer science through supplemental licenses, endorsements, and continuing education and individuals who complete the alternative resident educator license.
 - Extends through the 2024-2025 school year a current law exemption for the 2019-2020 through 2022-2023 school years that permits a public school to allow an individual who holds a valid teaching license to teach computer science, provided that individual completes a professional development course that provides computer science content knowledge, and expands the grade bands for which a license holder must be licensed to teach to qualify for that exemption from any of grades 7-12 to any of grades K-12.
 - Retains the executive budget and House-passed proposal to require a computer science teaching license for industry professionals to teach computer science to specific grades, limited to teaching forty hours in a week in the subject area of computer science. Licenses issued under this section shall specify whether the educator is licensed to teach grades K-12, PK-5, 4-9, or 7-12.
- Substitute teachers:

- A new provision makes permanent a temporary law set to expire after the 2023- 2024 school year that permits a school district, community school, STEM school, chartered nonpublic school, or ESC to hire a substitute teacher that does not hold a post-secondary degree, provided that the teacher is of good moral character, meets the district's or school's own set of educational requirements, and passes a background check.
- A new provision establishes a one-year temporary substitute teaching license for individuals who meet the specified criteria and requires the State Board of Education to establish procedures and criteria under which that license may be renewed.
- School Counselor Licensure:
 - The Senate maintains codification of the State Board of Education's rules establishing eligibility requirements for the issuance of an initial professional pupil services license in school counseling and adds a new requirement that an applicant complete 12 hours of training about the building and construction trades that must be completed at a construction site or a trade training facility. Permits an applicant for an initial school counselor license to count the 12 hours of training toward meeting the 600-hour internship requirement for the license.
 - The Senate maintains the requirement that an individual who holds a school counselor license complete at least four hours of training about the building and construction trades at a construction site or trade training facility to renew that license. Permits the four hours of training to count toward meeting continuing education requirements for licensure renewal.
 - The Senate eliminates the House-passed provision that requires the Superintendent of Public Instruction to designate at least one the Department employee to serve as a liaison to school counselors across the state. Requires the Superintendent to give preference to the Department employees with a valid pupil services license in school counseling.

Use of Online Instruction During School Closures

- Repeals the process under which school districts, community schools, and chartered nonpublic schools may use "blizzard bags" or lessons posted online for school closures and replaces it with a procedure under which those school closures are made up through a virtual education delivery model.
- Requires school districts that do not operate using a blended learning model to adopt a plan by August 1 of each school year to provide instruction via online delivery in order to make up hours when school is closed, up to the equivalent of three school days.
- Requires the plan to contain certain information, including a statement that the school, to the extent possible, will provide real time synchronous learning on a virtual learning platform, the school's attendance requirements, a description of

how equitable access will be ensured, and written consent of the applicable teacher's union.

- Permits the board of education of any JVSD to include in its plan other options to make up any number of additional hours missed as a result of one or more of its schools being closed.
- Specifies that a district or school that implements a compliant plan will not be considered to have failed to comply with the minimum number of hours requirement with respect to the number of make-up hours for which the plan is used.

Homeschooling

- Exempts children receiving home education from the requirement in current law that they be excused by the resident district superintendent.
- Specifies that a home educated student may be subject to state truancy law if there is evidence the child is not receiving the required education.
- Requires the DEW Director to rescind rules regarding the issuance of excuses from compulsory attendance for the purposes of home education.
- Removes the requirement that a student meet academic requirements to participate in extracurricular activities.

Graduation

- Requires DEW to operate a competency-based diploma pilot program in FY 2024 and 2025 for students 18-22 years old that is aligned to the rules for the Adult High School Diploma Program and earmarks \$2.5 million for the purpose.
- Permits a student to substitute one-half unit of financial literacy instruction for one-half unit of social studies instruction to meet the financial literacy requirement for graduation.

Free Application for Student Financial Aid (FASFA)

- Retains the removal of the executive budget proposal's requirement for high school students to complete the FASFA to graduate.
- Requires the Department of Higher Education to establish a statewide system to support school districts with completion of the Free Application for Federal Student Aid (FAFSA) and college access programming.

Seizure Action Plans

- Requires all public and chartered nonpublic schools to create an individualized seizure action plan for each student with an active seizure disorder diagnosis (In general, the plans provide parental consent for a school nurse or other authorized staff to administer medications prescribed for a seizure disorder and information on the student's medication, including instructions for administration).

- Requires districts and schools to provide training every two years to ensure that at least one employee other than a school nurse is trained on the implementation of seizure action plans.
- Provides qualified immunity in a civil action for claims arising from performance under these provisions unless the performance constitutes willful or wanton misconduct.

School Facilities

- Removes the House-passed provision that establishes the Accelerated Appalachian School Building Assistance Program (AAP) under which eligible school districts in the Appalachian region may apply for special assistance under the Classroom Facilities Assistance Program (CFAP).

Department of Children and Youth

- Retains the proposal to create the Department of Children and Youth to provide a greater state focus on supporting children in their early years.
- Shifts certain funding line items from Education, Health, Developmental Disabilities, Medicaid, Mental Health and Drug Addiction, and Job and Family Service agencies to the new department.

Other

- Maintains House-passed provision that prohibits the establishment of new Academic Distress Commissions for the 2023-24 and 2024-25 school years.
- Requires each public and chartered nonpublic school, by June 30 of each school year, to provide a student's parents with the student's score on any state assessment administered to the student in that year.
- Requires a district or school to mail or email the scores to the student's parent or post them in an accessible, secure portal on the district's or school's website.
- Removes the House-passed provision that requires coaches at public and private schools to complete an approved student mental health training course each time the individual applies for or renews a pupil activity program permit.
- Removes House-passed \$598,000 appropriation in each fiscal year to support instruction in cardiopulmonary resuscitation and the use of automated external defibrillator requirements for high school students.
- Eliminates the State Report Card Review Committee, which is required to be established on July 1, 2023, and issue a report on the state report card no later than June 30, 2024.
- Removes a House-passed provision that requires public or chartered nonpublic schools to transmit a transferring student's school records within five school days upon receiving such a request from the student's new school.
- Requires each school district to report to the Education Management Information System (EMIS) the number of students attending a school within the district other than the one normally assigned.

- Requires any school district that uses an enrollment lottery for intra-district enrollment to conduct the lottery on the second Monday of June in the school year prior to the school year for which the student is seeking enrollment.
- Requires each school district, other public school, and chartered nonpublic school that enrolls girls in grades 6-12 to provide free feminine hygiene products to those students. Appropriates \$5 million over the biennium to reimburse school districts for the installation of dispensers and products.
- Adds a new exception to the current-law prohibition against members of school district boards having a financial interest in a contract into which the district enters when the contract is with a private institution of higher education that employs a board member. Requires the board member to recuse from voting on and discussing the contract and to file an affidavit stating the member's employment status.
- Requires school districts and chartered nonpublic schools that participates in athletic events to permit an individual to pay cash for a ticket to an event or activity the school conducts, sponsors, or participates in and for which the school charges admission to attend. Further, requires a cash option for concessions.

Taxes

Income Tax

- For tax year 2023, retains the four tax brackets. Reduces the highest income tax rate bracket from 3.99% to 3.75% and the second lowest bracket from 3.226% to 3%.
- For tax year 2024, and after, reduces the four brackets to two brackets. Establishes income tax rates of 2.75% (up to \$92,000 annually) and 3.5% (above \$92,000). People earning \$26,500 or less would pay nothing.
- Estimated state revenue loss over the biennium at \$1.5 billion as a result of the income tax changes.

Sales Tax

- Creates a \$1 billion expanded sales tax holiday to occur in August 2024.

Property Tax

- Restores the ability of school districts and local governments to place a replacement levy on the ballot.
- Eliminates the House-passed adjustment to the homestead exemption that indexes for inflation each year, beginning in 2023 for real property and 2024 for homes subject to the manufactured and mobile home tax.
- Eliminates the House provision that would have created the Joint Committee on Property Tax Review and Reform.
- Removes a provision that allowed an electric utility from requesting and the Tax Commissioner from approving, for property tax purposes, a reduction in the

taxable value of a power plant's tangible personal property (TPP) of more than 7.5% compared to the preceding tax year, beginning in tax year 2024. This may limit the revenue loss from property taxes in some years for political subdivisions in which an electric generating plant is located.

- Maintains a provision that exempts from property tax a portion of the value of land subdivided for residential development for up to eight years.
- Removes a provision that extended, from 13 months to 16 months, the time during which the voters of a school district must approve bond and tax levies related to a school facilities project after OFCC grants conditional approval of the project.
- Maintains a provision that allows a city to extend the life of a pre-2006 TIF incentive district by up to 15 years, provided notice is given to the affected school board and the school board either: (1) approves the exemption on the basis of a mutually acceptable compensation agreement; (2) receives compensation equal in value to the amount of taxes that would be payable to the district if the improvements exempted from taxation had not been exempted for the additional period; or (3) waives its right to approve exemptions from taxation.

Higher Education

- Reduces funding as proposed in the House-passed budget for the State Share of Instruction line item by 0.45% (\$10 million) in FY 2024 and 0.87% (\$18 million) in FY 2025.
- Provides \$400 million over the biennium for the Ohio College Opportunity Grant (OCOG), Ohio's need based financial aid program.
- Prohibits universities from increasing tuition and fees by more than 3% over the cost of the previous year.
- Prohibits state institutions of higher education from requiring students to live in on-campus housing beginning January 1, 2024.
- Reduces funding for the Shawnee State Supplement line item by 25.2% (\$3 million) in FY 2024 and 27.4 % (\$3.4 million) in FY 2025.
- Retains replacement of the Ohio College Access Grant with the Ohio Ready to Work Program. Under the program, the Chancellor must award up to \$3,000 to eligible students enrolled in a qualified program. Prohibits a student from receiving a grant for more than six semesters or the equivalent of three academic years.
- Eliminates \$20 million over the biennium for mental health support on college and university campuses.
- Removes a current law exception for a state institution of higher education's rules from review by Joint Committee on Agency Rule Review (JCARR).

Developmental Disabilities

- Eliminates the House-passed provision that would permit probate courts to consider supported decision making as a less restrictive alternative to guardianship for adults with developmental disabilities when evidence of a supportive decision-making agreement is presented in court.
- Removes the House-passed provision that would create a presumption of competence and capacity for adults with developmental disabilities, unless deemed incompetent by a court.
- Replaces the House provision with one, that beginning on July 1, 2025, does all of the following: (1) requires an appointing authority, when appointing members of a county board of developmental disabilities, to place emphasis on specified criteria for making appointments; (2) requires a board of county commissioners to appoint at least one individual with developmental disabilities and one individual who is a family member of an individual with developmental disabilities to serve on a county board; (3) requires a senior probate judge to appoint at least one individual with developmental disabilities or an individual who is a family member of an individual eligible for residential services or supported living and specifies that a judge's appointment of an individual with a developmental disability satisfies a board of county commissioners' requirement to make such an appointment; and (4) specifies that an appointing authority's unfulfilled vacancy does not prohibit it from filling other vacancies on a county board.

August Special Election

- Appropriates \$15 million to pay the costs associated with conducting a special election on August 8, 2023.

State Appropriation Limitation and Rainy-Day Fund

- Beginning in 2028, modifies the State Appropriation Limitation (SAL) to include all appropriations that are supported by GRF tax receipts and reduces the growth factor to 3%. Makes other changes to tighten the SAL and to restrict the growth of state spending.
- Increases the cap on revenue that can be put into the Rainy-Day Fund from 8.5% to 10%.

STATE COUNCIL OF PROFESSIONAL EDUCATORS (SCOPE)

Department of Rehabilitation and Correction (DRC)

- Maintains provision expanding earned credit release time: Effective April 4, 2024, increases the maximum credit a prisoner may earn for participating in a DRC-approved program while confined from 8% to 15% of the prisoner's sentence, specifies that if a prisoner has met the 8% cap as of the bill's effective date, or reaches the 8% cap between that effective date and April 3, 2024, the cap is 15%

of the prisoner's sentence. Stipulates that this change applies only with respect to the time the prisoner is confined between the bill's effective date and April 4, 2024, and the 15% cap that takes effect April 4, 2024, will apply only with respect to the time a prisoner is confined on or after that date.

- The Senate maintains a provision requiring that DRC allow prisoners working toward completion of a high school diploma or equivalent to participate in Ohio Penal Industries.
- The Senate maintains an earmark of up to \$6.9 million in each fiscal year (GRF ALI 200572) for Adult Education Programs 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.
- The Senate lowers the minimum age to participate in the Adult Diploma Pilot Program from 20 to 18. This expands the number of adults eligible for the program, which may increase amounts paid to eligible institutions approved for the program. If the funding available for the program in the line-item for Adult Education Programs (GRF ALI 200572) is insufficient to make payments to participating institutions, the bill authorizes a transfer of appropriation from Foundation Funding (GRF ALI 200550 and ALI 200572).
- The Senate adds a competency-based diploma program that requires the Department of Education & Workforce (DEW) to operate a competency-based diploma pilot program in FY24-25 for students who are at least 18 years old, but under 22 years old that is aligned to the rules and standards for the 22+ Adult High Diploma Program. Requires DEW to issue a report on the pilot program by July 30, 2025, and post the report on its web site.

Department of Youth Services (DYS)

- Requires Education Services line-item to be used to fund the operating expenses of providing educational services to youth supervised by DYS, including teachers' salaries, maintenance costs, and educational equipment.
- 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.
- 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).

Ohio School for the Deaf and Blind (OSB)

- Establishes Ohio Deaf and Blind Education Services which includes both the State School for the Deaf and the State School for the Blind. Abolishes the superintendent positions for both schools and creates one superintendent for Ohio Deaf and Blind Education Services appointed by the State Board of Education. The Legislative Service Commission states that the schools have

worked together for more than a decade to consolidate fiscal services, maintenance and custodial services, human resources, health care services, food services, security, information technology services, and have shared a superintendent since 2018.

Ohio State Library

- Requires the Office of Budget and Management Director to transfer \$1,274,194 in each fiscal year from the Public Library Fund to the Library for the Blind Fund.