



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

Holly Cantrell Gilman and
William Schwartz

Am. Sub. S.B. 8

132nd General Assembly
(As Passed by the House)

- Sens.** Gardner and Terhar, Beagle, Eklund, Hite, Brown, Manning, Oelslager, Uecker, Bacon, Balderson, Dolan, Hackett, Hoagland, Hottinger, Huffman, Kunze, LaRose, Lehner, Obhof, O'Brien, Peterson, Schiavoni, Sykes, Tavares, Thomas, Wilson, Yuko
- Reps.** Gavarone, Hambley, Anielski, Antonio, Arndt, Ashford, Barnes, Blessing, Brenner, Brown, Butler, DeVitis, Fedor, Galonski, Hughes, Ingram, Landis, Manning, O'Brien, Patterson, Patton, Pelanda, Perales, Riedel, Rogers, Seitz, Sheehy, Sweeney, West
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BILL SUMMARY

- Establishes the 1:1 School Facilities Option Program as an alternative to assist certain school districts in constructing, acquiring, reconstructing, or making additions or repairs to any feature of a classroom facility.
 - Makes appropriations and revises earmarks for the Departments of Education, Higher Education, and Mental Health and Addiction Services.
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CONTENT AND OPERATION

1:1 School Facilities Option Program

The bill establishes the 1:1 School Facilities Option Program. Under the program, the Ohio Facilities Construction Commission must provide funding to assist eligible school districts in constructing, acquiring, reconstructing, or making additions or repairs to any feature of a classroom facility that meets state design standards in lieu of a larger project under the Classroom Facilities Assistance Program (CFAP) or Vocational School Facilities Assistance Program (VFAP) (see "**Background**" below). Note, the program under the bill is identical to the program enacted into law in H.B. 49 of the 132nd General Assembly, effective September 29, 2017.

A district may avail itself of the program only if it has not entered into an agreement for any previous state-assisted classroom facilities project, except for a

project under the Emergency Assistance Program. Also, a city, exempted village, or local school district that received partial assistance under CFAP prior to May 20, 1997, is not eligible for the 1:1 program.

A district may participate in the 1:1 program only when it becomes eligible for assistance under CFAP or VFAP, in accordance with the annual wealth percentile rankings of districts under continuing law.¹ At that time, in order to participate, the district's board of education must approve participation by an affirmative vote of at least four-fifths of its full membership.

The bill specifies that a district that receives assistance under the 1:1 program is not eligible for subsequent assistance under either CFAP or VFAP until the expiration of 20 years after the date the district enters into an agreement under the program. A similar provision of continuing law applies to districts that enter into CFAP or VFAP agreements.²

Assessment of eligible districts

A school district that decides to participate must request an assessment from the Commission. Based on the results of that assessment, the Commission must determine the following:

- (1) The scope of the entire project;
- (2) The basic project cost of the school district's classroom facilities needs; and
- (3) The state's portion of the total project if the school district were to receive assistance under CFAP or VFAP.³

Amount of funding and matching share

Under the 1:1 program, a district may receive state funds in an amount of up to the greater of \$1 million or 10% of the state's share of the total project cost, as determined by the assessment. However, a district may choose to receive less than the maximum amount. The district must match the amount of state funds it receives on a one-to-one basis.⁴

¹ R.C. 3318.39(A). See R.C.3318.011 and 3318.42, neither in the bill.

² R.C. 3318.39(D). See R.C. 3318.04(B) and 3318.40(B)(2), neither in the bill.

³ R.C. 3318.39(B)(1).

⁴ R.C. 3318.39(B)(2) and (3).



Background

The Ohio Facilities Construction Commission (OFCC) administers several programs that provide state assistance to school districts and other public schools in constructing classroom facilities. Under former law, those programs were administered by the School Facilities Commission, which had been an agency within the OFCC. But H.B. 49 of the 132nd General Assembly abolished the School Facilities Commission and transferred its duties to the OFCC.

The main program, the Classroom Facilities Assistance Program, is designed to provide each city, exempted village, and local school district with partial funding to address all of the district's classroom facilities needs. It is a graduated, cost-sharing program where a district's portion of the total cost of the project and priority for funding are based on the district's relative wealth. Districts are ranked by wealth into percentiles. The poorest districts are served first and receive a greater amount of state assistance than wealthier districts will receive when it is their turn to be served based on their respective wealth percentile.⁵

Joint vocational school districts are served by a similar program, the Vocational School Facilities Assistance Program.⁶

Districts may access funding from the Emergency Assistance Program to address reconstruction, renovation, or repair of facilities made necessary due to natural disasters ("acts of God").⁷

Other programs address the needs of particular types of districts and schools. Generally, they all operate on a cost-sharing basis.

Appropriations and earmarks

The bill makes appropriations and adjusts existing earmarks as follows:

(1) Appropriates to the Department of Education \$162,200 in FY 2018 and \$162,000 in FY 2019 (GRF line item 200545, Career-Technical Education Enhancements), to support VoAg (agricultural education) programs in one at-risk "nonvocational" school in each of the Cleveland Municipal and Cincinnati City school districts.⁸

⁵ R.C. 3318.01 through 3318.20, none in the bill.

⁶ R.C. 3318.40 through 3318.45, none in the bill.

⁷ R.C. 3318.351, not in the bill.

⁸ Sections 2, 3, and 5.



(2) Appropriates to the Department of Higher Education \$141,244 in FY 2018 and \$148,136 in FY 2019 (GRF line item 235511, Cooperative Extension Service). Of those amounts \$134,244 in FY 2018 and \$141,136 in FY 2019 is earmarked to support salaries and benefits for staff for one 4-H Club at an elementary school in Cleveland and at one in Cincinnati. It also earmarks \$7,000 in each fiscal year for expenses related to the clubs and specifies that 70% of that amount must be "spent directly in relation to student involvement in 4-H."⁹

(3) Eliminates an earmark of \$75,000 for each fiscal year appropriated to the Department of Mental Health and Addiction Services in H.B. 49 (from GRF line item 336421, Continuum of Care Services), for the Trauma Assistance Program located at Mt. Carmel West Hospital in Columbus.¹⁰

(4) Amends an earmark of funds appropriated to the Department of Higher Education in H.B. 49 of the 132nd General Assembly. It directs \$50,000 for each fiscal year (from GRF line item 235591, Co-op Internship Program), to Wright State University for its Model United Nations Program, instead of the University's Center for Liberal Arts Student Success as under current law.¹¹

HISTORY

ACTION	DATE
Introduced	01-31-17
Reported, S. Education	05-17-17
Passed Senate (33-0)	05-17-17
Reported, H. Education & Career Readiness	06-21-17
Passed House (97-0)	07-06-17

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⁹ Sections 2, 4, and 5.

¹⁰ Section 337.50 of H.B. 49, amended in Sections 6 and 7.

¹¹ Section 381.371 of H.B. 49, amended in Sections 6 and 7.

