



## Ohio Revised Code

### Section 3313.831 Career-technical cooperative education district.

Effective: October 3, 2023

Legislation: House Bill 33 - 135th General Assembly

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(A)(1) On and after July 1, 2024, for the purpose of pooling resources, operating more cost effectively, minimizing administrative overhead, encouraging the sharing of resource development, and diminishing duplication, the boards of education of two or more city, local, or exempted village school districts that are members of the same compact career-technical education provider, as defined in section 3326.01 of the Revised Code, by adopting identical resolutions, may enter into an agreement providing for the creation of a career-technical cooperative education district for the purpose of funding and providing the career-technical education of students enrolled in those school districts in grades seven through twelve with career-technical education adequate to prepare those students for an occupation. Only the member districts of a compact career-technical education provider that exists on the effective date of this section may enter into an agreement to create a career-technical cooperative education district under this section.

(2) The territory of a career-technical cooperative education district at any time shall be composed of the combined territories of the school districts that are parties to the agreement at that time. Services funded by a career-technical cooperative education district shall be available to all individuals enrolled in a school district that is a part of the career-technical cooperative education district.

(3) The agreement may be amended pursuant to terms and procedures mutually agreed to by the boards of education that are parties to the agreement.

(B) Each career-technical cooperative education district shall be governed by a board of directors. The superintendent of each board of education that is a party to the agreement shall serve on the board of directors. The agreement shall provide for the terms of office of directors. Directors shall receive no compensation, but shall be reimbursed, from the special fund of the career-technical education district, for the reasonable and necessary expenses they incur in the performance of their duties for the district. The agreement shall provide for the conduct of the board's initial organizational meeting and for the frequency of subsequent meetings and quorum requirements. At its first meeting, the board shall designate from among its members a president and secretary in the



manner provided in the agreement.

The board of directors of a career-technical cooperative education district is a body corporate and politic, is capable of suing and being sued, is capable of contracting within the limits of this section and the agreement governing the district, and is capable of accepting gifts, donations, bequests, or other grants of money for use in paying its expenses. The district is a public office and its directors are public officials within the meaning of section 117.01 of the Revised Code, the board of directors is a public body within the meaning of section 121.22 of the Revised Code, and records of the board and of the district are public records within the meaning of section 149.43 of the Revised Code.

The agreement shall require the board to designate a permanent location for its offices and meeting place, and may provide for the use of such facilities and property for the provision of services by the agencies with which the board contracts under division (C) of this section.

(C)(1) To provide the services identified in division (A)(1) of this section, the board of directors of a career-technical cooperative education district shall provide for the hiring of employees or shall contract with one or more entities, including a school district that is a party to the agreement, an educational service center, or a state institution of higher education.

An agreement entered into under this section shall do both of the following:

(a) Provide for the distribution of services to be provided by the career-technical cooperative education district and a resident district. The agreement shall specify which services will be provided by employees of member districts and which services will be provided by the career-technical cooperative education district.

(b) Include a statement of how transportation of students to and from school will be provided in the career-technical cooperative education district. The statement shall include at least both of the following:

(i) How special education students will be transported as required by their individualized education plan adopted pursuant to section 3323.08 of the Revised Code;



(ii) Whether transportation to and from school will be provided to any other students of the career-technical cooperative education district, and, if so, the manner in which this transportation will be provided.

(2) The board of directors may levy a tax throughout the district as provided in section 5705.2114 of the Revised Code. The board of directors shall provide for the creation of a special fund to hold the proceeds of any tax levied under section 5705.2114 of the Revised Code and any gifts, donations, bequests, or other grants of money coming into the possession of the district. A career-technical cooperative education district is a subdivision, and the board of directors is a governing body, within the meaning of section 135.01 of the Revised Code. The board of directors may not issue securities or otherwise incur indebtedness.

(3) The adoption or rejection by electors of a tax levy to fund a career-technical cooperative education district pursuant to section 5705.2114 of the Revised Code does not alter the duty of each school district member of the career-technical cooperative education district to provide career-technical education services as required under section 3313.90 of the Revised Code. On the expiration of a career-technical cooperative education district levy, the state, member school districts of the career-technical cooperative education district, and any other governmental entity shall not be obligated to provide replacement funding for the revenues under the expired levy. The tax levy, in whole or in part, shall not be considered a levy for current operating expenses pursuant to division (A) of section 3317.01 of the Revised Code for any of the school districts that are members of the career-technical cooperative education district.

(D)(1) The agreement shall provide for the manner of appointing an individual or entity to perform the duties of fiscal officer of the career-technical cooperative education district. The agreement shall specify the length of time the individual or entity shall perform those duties and whether the individual or entity may be reappointed upon the completion of a term. The fiscal officer may receive compensation for performing the duties of the position and be reimbursed for reasonable expenses of performing those duties from the career-technical cooperative education district's special fund.

(2) The legal advisor of the board of directors of a career-technical cooperative education district shall be the prosecuting attorney of the most populous county containing a school district that is a



member of the career-technical cooperative education district. The prosecuting attorney shall prosecute all actions against a member of the board of directors for malfeasance or misfeasance in office and shall be the legal counsel for the board and its members in all other actions brought by or against them and shall conduct those actions in the prosecuting attorney's official capacity. No compensation in addition to the prosecuting attorney's regular salary shall be allowed.

(E) The board of directors of a career-technical cooperative education district shall procure a policy or policies of insurance insuring the board, the fiscal officer, and the legal representative against liability on account of damage or injury to persons and property. Before procuring such insurance the board shall adopt a resolution setting forth the amount of insurance to be purchased, the necessity of the insurance, and a statement of its estimated premium cost. Insurance procured pursuant to this section shall be from one or more recognized insurance companies authorized to do business in this state. The cost of the insurance shall be paid from the district's special fund.

A career-technical cooperative education district is a political subdivision within the meaning of section 2744.01 of the Revised Code.

(F)(1) The board of education of a school district may join an existing career-technical cooperative education district by adopting a resolution requesting to join as a party to the agreement and upon approval by the boards of education that currently are parties to the agreement. If a tax is levied in the career-technical cooperative education district under section 5705.2114 of the Revised Code, a board of education may join the district only after a majority of qualified electors in the school district voting on the question vote in favor of levying the tax throughout the school district. A board of education joining an existing district shall have the same powers, rights, and obligations under the agreement as other boards of education that are parties to the agreement.

(2) A board of education that is a party to an agreement under this section may withdraw the school district from a career-technical cooperative education district by adopting a resolution. The withdrawal shall take effect on the date provided in the resolution. If a tax is levied in the career-technical cooperative education district under section 5705.2114 of the Revised Code, the resolution shall take effect not later than the first day of January following adoption of the resolution. Beginning with the first day of January following adoption of the resolution, any tax levied under section 5705.2114 of the Revised Code shall not be levied within the territory of the withdrawing



school district. Any collection of tax levied in the territory of the withdrawing school district under that section that has not been settled and distributed when the resolution takes effect shall be credited to the district's special fund.

(G) An agreement entered into under this section shall provide for the manner of the career-technical cooperative education district's dissolution. The district shall cease to exist when not more than one school district remains in the district, and the levy of any tax under section 5705.2114 of the Revised Code shall not be extended on the tax lists in any tax year beginning after the dissolution of the district. The agreement shall provide that, upon dissolution of the district, any unexpended balance in the district's special fund shall be divided among the school districts that are parties to the agreement immediately before dissolution in proportion to the taxable valuation of taxable property in the districts, and credited to their respective general funds.

(H)(1) A career-technical cooperative education district is not a joint vocational school district. Rather, a career-technical cooperative education district shall be considered a compact career-technical education provider, as defined in section 3326.01 of the Revised Code, for the purposes of Title XXXIII of the Revised Code.

(2) The career-technical cooperative education district shall be the lead district as defined in section 3317.023 of the Revised Code to provide primary career-technical education leadership to the member districts. The department of education and workforce shall compute and make payments under Chapter 3317. of the Revised Code to a career-technical cooperative education district in the same manner as a lead district of a career-technical planning district under that chapter.

(I) The department shall create an internal retrieval number for each career-technical cooperative education district established under this section.