

**USE OF
AUXILIARY SERVICES
FUNDS**

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USE OF AUXILIARY SERVICES FUNDS

Auxiliary Services for nonpublic school is authorized by ORC 3317.06 and 3317.024. The following items may be purchased and the following personnel may be hired.

Such services, either personnel or materials and equipment are requested by the nonpublic school on the Form SF-200 which must be submitted for every request for expenditure of Auxiliary Services funds. An individual parent/student by statute is the one whom a textbook or other materials/equipment is loaned. In practice the nonpublic administrator signs as representative of the parent/student. The Office of Finance Program Services guidelines indicate that a parent representative may sign the request, and the nonpublic school administrator is that representative.

Pupils sign for books and instructional materials which are loaned to them for individual use.

(A)(1) Secular textbooks or (2) electronic textbooks

- An electronic textbook is computer software, interactive video disc, magnetic media, CD-ROM, computer courseware, local and remote computer assisted instruction, on-line service, electronic medium, or other means of conveying information to the student or otherwise contributing to the learning process through electronic means.
- The textbooks must be used for instructional purposes either in a classroom or at home. A home-use fee per pupil would be permissible.

- Hire clerical personnel to administer the lending program

- Such clerical staff may be hired for the school year and for time before and after a school year provided all such services are rendered and paid for in a given fiscal year. Funds to accomplish this must be encumbered and services rendered in the fiscal year whose funds are used.

(1) Books, book substitutes, text substitutes, text supplements, consumable or non-consumable

- This includes workbooks and manuals including consumable workbooks and manuals for student use and textbook resource kits containing materials for use by individual students.
- There are no limits on the number of textbooks that may be purchased.
- Textbook and textbook substitutes may be in loose-leaf form, or electronic.
- Textbooks requested do not have to comply with the public school district's list of approved textbooks.
- *Not permissible: teachers editions, unless for Auxiliary Services paid staff.*
- *Not permissible: reading materials only for teachers (professional library).*

- (2) **Computer software, interactive videodisc, magnetic media, CD-ROM, computer courseware, local and remote computer assisted instruction, on-line service, electronic medium, and other electronic means.**

- This includes internet charges.

(B) to (J) Only those personnel services authorized by the statute may be provided with Auxiliary Services funds; conversely, services not authorized by the statute may not be provided with these funds.

(B) Speech/hearing specialist (diagnostic)

(C) Physician, nurse, dental or optometric service

- May administer first aid.

- May purchase health office supplies.

(D) Psychologist (diagnostic)

- May conduct evaluations whose results are shared with public school districts.

- *Not permissible: preparing the MFE's or IEP's mandated by federal law (IDEA) which are the responsibility of the public school district.*

Personnel hired per (B), (C) and (D) shall perform their services in the pupil's nonpublic school, or in a mobile unit located there.

(E) Speech/hearing specialist, psychologist (therapeutic)

(F) Guidance counselor, social worker

(G) Remedial service personnel

- *Not permissible: home instruction or home tutoring.*

- *Not permissible: summer programs funded with Auxiliary Services monies.*

(H) Standardized tests and scoring services

(I) Programs for children with disabilities or for gifted children

(J) Clerical personnel for items B through I

Clerical and supervisory personnel in (E), (F), (G) and (J) shall perform their services in:

- (1) public schools**
- (2) nonpublic schools**
- (3) public center**
- (4) mobile units**

(K) Computer software, site licensing, prerecorded video laserdiscs, DVD, compact discs, video cassette cartridges, wide area connectivity, internet access, math and science equipment and materials, instructional materials, school library materials

- Items that are in general use in the public schools of the state.
- Wiring for computers, etc., in a mobile unit would be permissible.
- *Not permissible: wiring of the nonpublic building itself.*

(1) Incapable of diversion to religious use

(2) Susceptible of loan to individual pupils

- Not for entire classroom use.

(3) Incapable of diversion to religious use

(4) Prepared learning materials

- In all subject areas including art classes.
- There must be something printed on them or they must be in their final manufactured state, not blank.
- This includes workbooks and manuals including consumable workbooks and manuals for student use.
- *Not permissible: materials on which something is not printed or imprinted, such as copy paper, blank tapes, or blank construction paper, unless it is for use by Auxiliary Services paid staff.*

(5) Materials that are secular, neutral and non-ideological

- This includes textbook resource kits if they contain prepared learning materials for use by individual students.

(6) Materials that are non-discriminatory

(7) Of benefit to the instruction of individual children

- Must be used by students for instructional purposes only.
- *Not permissible: materials not for instructional use (e.g. playground balls).*
- *Not permissible: materials for extracurricular activities.*

(8) Include educational resources of the eTech Ohio Commission

(9) Hire clerical personnel to administer the lending program

- For use by Auxiliary Services staff.
- Auxiliary Services supplies (e.g. property stamps, forms).

(L) Instructional equipment including computer hardware and related equipment

- Related equipment includes file servers (for instructional purposes), scanners, printers, modems, etc.
- For use by Auxiliary Services staff such as clerks for inventory (computer, copier, laminator, file cabinet, furniture or a mobile unit) purposes or by guidance counselors for guidance activities.
- For use in regular classrooms by individual students or by group of students, including such classroom equipment such as television sets and VCR's, physical education equipment for physical education classes, and musical instruments for music classes.
- Such equipment must be located near Auxiliary Services staff using it, or in a regular classroom where pupils are taught.
- Lease purchase agreements are permissible as long as funds are not obligated beyond the present biennium.
- Repair and maintenance of equipment originally purchased with Auxiliary Services funds are permissible with Auxiliary Services funds.
- *Not permissible: repair and maintenance of computers not originally purchased with Auxiliary Services funds.*
- *Not permissible: the equipment purchased may not change the infrastructure of the nonpublic building, i.e., the equipment can be easily transferred or removed.*
- *Not permissible: regular classroom furniture and equipment.*
- *Not permissible: book trucks or audio-visual carts (not used primarily by students).*
- *Not permissible: wiring of the nonpublic building.*

(M) Mobile units

- Services for a mobile unit purchased with Auxiliary Services funds (e.g. electricity, telephone, insurance, repairs, snow plowing, security, maintenance).
- Only for the fiscal year in which the service is rendered, although an encumbrance may be made before the end of the second year of a biennium for such services in the following July and August.

- *Not permissible: payment for utilities inside the nonpublic school building even if for use by Auxiliary Services staff.*
- *Not permissible: services for a mobile unit not purchased with Auxiliary Services funds.*
- *Not permissible: capital improvements on nonpublic building rooms or leased rooms.*

(N) Storing records of a chartered nonpublic school that closes

- reimburse costs to a public school district one time only.

(O) Unexpended Auxiliary Services funds are to be transferred into the Auxiliary Services Personnel Unemployment Compensation Fund

- a form for public school districts to claim reimbursement for unemployment compensation paid for Auxiliary Services – paid staff is included in the “Forms” section.

The following are not permissible with Auxiliary Services funds:

- *Field trips*
- *Services rendered by a contract/agreement with an individual (e.g., an entertainer)*

(P) All personnel are employable:

- (a) as individuals by a public school district**
- (b) by a purchase order/contract with an education service center (ESC)**
- (c) by contract with the Department of Health, a city or general health districts, private agencies where personnel are licensed by an appropriate state board or agency, or another school district**

- the public school district may issue a purchase order to a legitimate/registered private agency (aka “third party agency”) but not to a private individual.
- *Not permissible: Services rendered by an individual who is not incorporated or who does not have a license to do business in the State of Ohio.*
- *Not permissible: direct payment by contract to an individual who is not an employee or for whom payment is not made to a private agency.*
- *Not permissible: a school district may not pay directly an individual who is not its employee. For example, a tutor may not be paid directly.*

(1) Personnel include:

Nurse	Physician
Dentist	Optometrist
Health Aide	Psychologist
Physical/Occupational Therapist	Social Worker
Speech Therapist	Guidance Counselor
Tutor	Handicapped/Gifted Personnel
Clerk	Remedial Personnel

The following personnel services are indicated in the law as permissible:

Diagnostic (B)(D)	Guidance/Counseling (F)
Therapeutic (E)	Remedial (G)
Health (C)	Handicapped/Gifted (I)
Clerical (N)	

The following personnel services are not permissible (no authority in law):

**Administrative
Regular Instruction
Supplemental
Consultant**

- A licensed practical nurse may provide nursing services if that person is under the direct supervision of a registered nurse.

(2) Individuals employed by a public school district or ESC are subject to the interview, selection, and evaluation procedures of the district or ESC, are paid in accordance with their salary schedules, and receive their adopted fringe benefits.

- Job descriptions must be provided for all personnel.

- For professional staff, they may be the job description used by the public school district or ESC through which they are employed.

- For clerical staff, job descriptions are given in the “Guidelines for Implementation of Nonpublic Auxiliary Services Funding.”

- *Not permissible, paying unemployment compensation costs from current Auxiliary Services funds. (A separate fund is available for this.)*

- *Not permissible: performing duties outside their job description. Teachers may not perform such duties as playground supervision, cafeteria duty, etc.*

Teachers employed by and through either the public school district or an ESC to work in nonpublic schools do not have to meet the requirements of a highly qualified teacher (HQT).

In-service of teachers: Auxiliary Services funds may be used to pay the in-service of Auxiliary Services staff if the same in-service is provided to public school teachers and is required by the district's collective bargaining agreement. This includes workshop participation that is part of a teacher's Local Professional Development Committee plan (LPDC).

In-service training may be included in a purchase order for the purchase of equipment (e.g. computers).

- Not permissible: in-service for nonpublic teachers not included in the original purchase order to purchase equipment.

- Not permissible: travel expenses, conference fees, or other fees for Auxiliary Services staff.

(Q) Transportation provided to nonpublic pupils shall be paid for by the public school district and may not be paid from Auxiliary Services funds, unless the request is submitted by the parent of a served child.

(R) Only health and remedial services available to pupils attending the public school district may be provided through Auxiliary Services funds.

(S) Interest earned on the funds must be used for Auxiliary Service purposes.

(T) The Department of Education shall adopt guidelines and procedures under which (1) programs and services shall be provided, (2) public school districts shall be reimbursed for administrative costs, (3) unexpended funds may be transferred to the Auxiliary Services Personnel Unemployment Compensation fund, and (4) materials in Section K are susceptible to individual use rather than classroom use.

- public school districts may be reimbursed for administrative costs up to 4% of the maximum allocation and of the interest earned. If 4% is taken on the amount expended for third party contracts, the public school district must provide justification for such action.

- not permissible: taking 4% for administrative costs if a nonpublic school does not participate in the Auxiliary Services program.

Am. Sub. HB 119 allows school districts that receive records for storage from closed chartered nonpublic schools to charge and receive a one-time reimbursement from Auxiliary Services funding for costs the district incurred to store the records. This charge and reimbursement may be made from unencumbered funds remaining in the account for the closed school. If unencumbered funds have already been returned to the Department, Form SF-230 Supplement would have to be filed for reimbursement of the costs.