

I\_132\_0419-3

132nd General Assembly  
Regular Session  
2017-2018

Sub. H. B. No. 166

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**A BILL**

To amend sections 3313.902, 3333.122, 3333.60, 1  
3333.70, 3333.92, 3333.94, 3345.011, 5919.34, 2  
and 6301.11 and to enact sections 3333.13 and 3  
5107.06 of the Revised Code, to amend Section 4  
381.360 of Am. Sub. H.B. 49 of the 132nd General 5  
Assembly, and to amend Section 207.10 of S.B. 6  
310 of the 131st General Assembly, as 7  
subsequently amended, to modify programs 8  
regarding financial assistance for students at 9  
Ohio technical centers and to make Ohio 10  
technical centers eligible as lead applicants 11  
for the RAPIDS program. 12

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

**Section 1.** That sections 3313.902, 3333.122, 3333.60, 13  
3333.70, 3333.92, 3333.94, 3345.011, 5919.34, and 6301.11 be 14  
amended and sections 3333.13 and 5107.06 of the Revised Code be 15  
enacted to read as follows: 16

**Sec. 3313.902.** (A) As used in this section: 17



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(1) "Approved industry credential or certificate" means a 18  
credential or certificate that is approved by the chancellor of 19  
higher education. 20

(2) "Approved institution" means an eligible institution 21  
that has been approved to participate in the adult diploma pilot 22  
program under this section. 23

(3) "Approved program of study" means a program of study 24  
offered by an approved institution that satisfies the 25  
requirements of division (B) of this section. 26

(4) An eligible student's "career pathway training program 27  
amount" means the following: 28

(a) If the student is enrolled in a tier one career 29  
pathway training program, \$4,800; 30

(b) If the student is enrolled in a tier two career 31  
pathway training program, \$3,200; 32

(c) If the student is enrolled in a tier three career 33  
pathway training program, \$1,600. 34

(5) "Eligible institution" means any of the following: 35

(a) A community college established under Chapter 3354. of 36  
the Revised Code; 37

(b) A technical college established under Chapter 3357. of 38  
the Revised Code; 39

(c) A state community college established under Chapter 40  
3358. of the Revised Code; 41

(d) An Ohio technical center ~~recognized by the chancellor~~ 42  
~~that provides post-secondary workforce education, as defined in~~ 43  
section 3345.011 of the Revised Code. 44

(6) "Eligible student" means an individual who is at least 45  
twenty-two years of age and has not received a high school 46  
diploma or a certificate of high school equivalence, as defined 47  
in section 4109.06 of the Revised Code. 48

(7) A "tier one career pathway training program" is a 49  
career pathway training program that requires more than six 50  
hundred hours of technical training, as determined by the 51  
department of education. 52

(8) A "tier two career pathway training program" is a 53  
career pathway training program that requires more than three 54  
hundred hours of technical training but less than six hundred 55  
hours of technical training, as determined by the department. 56

(9) A "tier three career pathway training program" is a 57  
career pathway training program that requires three hundred 58  
hours or less of technical training, as determined by the 59  
department. 60

(10) An eligible student's "work readiness training 61  
amount" means the following: 62

(a) If the student's grade level upon initial enrollment 63  
in an approved program of study at an approved institution is 64  
below the ninth grade, as determined in accordance with rules 65  
adopted under division (E) of this section, \$1,500. 66

(b) If the student's grade level upon initial enrollment 67  
in an approved program of study at an approved institution is at 68  
or above the ninth grade, as determined in accordance with rules 69  
adopted under division (E) of this section, \$750. 70

(B) The adult diploma pilot program is hereby established 71  
to permit an eligible institution to obtain approval from the 72  
superintendent of public instruction and the chancellor to 73

develop and offer a program of study that allows an eligible 74  
student to obtain a high school diploma. A program shall be 75  
eligible for this approval if it satisfies all of the following 76  
requirements: 77

(1) The program allows an eligible student to complete the 78  
requirements for obtaining a high school diploma that are 79  
specified in rules adopted by the superintendent under division 80  
(E) of this section while also completing requirements for an 81  
approved industry credential or certificate. 82

(2) The program includes career advising and outreach. 83

(3) The program includes opportunities for students to 84  
receive a competency-based education. 85

(C) Notwithstanding sections 3313.61, 3313.611, 3313.613, 86  
3313.614, 3313.618, and 3313.619 of the Revised Code, the state 87  
board of education shall grant a high school diploma to each 88  
eligible student who enrolls in an approved program of study at 89  
an approved institution and completes the requirements for 90  
obtaining a high school diploma that are specified in rules 91  
adopted by the superintendent under division (E) of this 92  
section. 93

(D) (1) The department shall calculate the following amount 94  
for each eligible student enrolled in each approved 95  
institution's approved program of study: 96

(The student's career pathway training program amount + the 97  
student's work readiness training amount) X 1.2 98

(2) Except as provided in division (D) (4) of this section, 99  
the department shall pay the amount calculated for an eligible 100  
student under division (D) (1) of this section to the approved 101  
institution in which the student is enrolled in the following 102

manner: 103

(a) Twenty-five per cent of the amount calculated under 104  
division (D)(1) of this section shall be paid to the approved 105  
institution after the student successfully completes the first 106  
third of the approved program of study, as determined by the 107  
department; 108

(b) Twenty-five per cent of the amount calculated under 109  
division (D)(1) of this section shall be paid to the approved 110  
institution after the student successfully completes the second 111  
third of the approved program of study, as determined by the 112  
department; 113

(c) Fifty per cent of the amount calculated under division 114  
(D)(1) of this section shall be paid to the approved institution 115  
after the student successfully completes the final third of the 116  
approved program of study, as determined by the department. 117

(3) Of the amount paid to an approved institution under 118  
division (D)(2) of this section, the institution may use the 119  
amount that is in addition to the student's career pathway 120  
training amount and the student's work readiness training amount 121  
for the associated services of the approved program of study. 122  
These services include counseling, advising, assessment, and 123  
other services as determined or required by the department. 124

(4) If the superintendent and the chancellor determine 125  
that is it appropriate for an entity other than the department 126  
to make full or partial payments for an eligible student under 127  
division (D)(2) of this section, that entity shall make those 128  
payments and the department shall not make those payments. 129

(E) The superintendent, in consultation with the 130  
chancellor, shall adopt rules for the implementation of the 131

adult diploma pilot program, including all of the following:	132
(1) The requirements for applying for program approval;	133
(2) The requirements for obtaining a high school diploma through the program, including the requirement to obtain a passing score on an assessment that is appropriate for the career pathway training program that is being completed by the eligible student, and the date on which these requirements take effect;	134 135 136 137 138 139
(3) The assessment or assessments that may be used to complete the assessment requirement for each career pathway training program under division (E)(2) of this section and the score that must be obtained on each assessment in order to pass the assessment;	140 141 142 143 144
(4) Guidelines regarding the funding of the program under division (D) of this section, including a method of funding for students who transfer from one approved institution to another approved institution prior to completing an approved program of study;	145 146 147 148 149
(5) Circumstances under which an eligible student may be charged for tuition, supplies, or associated fees while enrolled in an approved institution's approved program of study;	150 151 152
(6) A requirement that an eligible student may not be charged for tuition, supplies, or associated fees while enrolled in an approved institution's approved program of study except in the circumstances described under division (E)(5) of this section;	153 154 155 156 157
(7) The payment of federal funds that are to be used by approved programs of study at approved institutions.	158 159

**Sec. 3333.122.** (A) The chancellor of higher education 160  
shall adopt rules to carry out this section and as authorized 161  
under section 3333.123 of the Revised Code. The rules shall 162  
include definitions of the terms "resident," "expected family 163  
contribution," "full-time student," "three-quarters-time 164  
student," "half-time student," "one-quarter-time student," 165  
"state cost of attendance," and "accredited" for the purpose of 166  
those sections. 167

(B) Only an Ohio resident who meets both of the following 168  
is eligible for a grant awarded under this section: 169

(1) The resident has an expected family contribution of 170  
two thousand one hundred ninety or less; 171

(2) The resident enrolls in one of the following: 172

(a) An undergraduate program, or a nursing diploma program 173  
approved by the board of nursing under section 4723.06 of the 174  
Revised Code, at a state-assisted state institution of higher 175  
education, as defined in section 3345.12 of the Revised Code, 176  
that meets the requirements of Title VI of the Civil Rights Act 177  
of 1964; 178

(b) An undergraduate program, or a nursing diploma program 179  
approved by the board of nursing under section 4723.06 of the 180  
Revised Code, at a private, nonprofit institution in this state 181  
holding a certificate of authorization pursuant to Chapter 1713. 182  
of the Revised Code; 183

(c) An undergraduate program, or a nursing diploma program 184  
approved by the board of nursing under section 4723.06 of the 185  
Revised Code, at a career college in this state that holds a 186  
certificate of registration from the state board of career 187  
colleges and schools under Chapter 3332. of the Revised Code or 188

at a private institution exempt from regulation under Chapter 189  
3332. of the Revised Code as prescribed in section 3333.046 of 190  
the Revised Code, if the program has a certificate of 191  
authorization pursuant to Chapter 1713. of the Revised Code. 192

(d) A comprehensive transition and postsecondary program 193  
that is certified by the United States department of education. 194  
For purposes of this section, a "comprehensive transition and 195  
postsecondary program" means a degree, certificate, or non- 196  
degree program that is designed to support persons with 197  
intellectual disabilities who are receiving academic, career, 198  
technical, and independent living instruction at an institution 199  
of higher education in order to prepare for gainful employment 200  
as defined in 20 U.S.C. 1140. 201

(e) An approved adult technical education program at an 202  
Ohio technical center, as defined in section 3345.011 of the 203  
Revised Code. 204

(C) (1) The chancellor shall establish and administer a 205  
needs-based financial aid grants program based on the United 206  
States department of education's method of determining financial 207  
need. The program shall be known as the Ohio college opportunity 208  
grant program. The general assembly shall support the needs- 209  
based financial aid program by such sums and in such manner as 210  
it may provide, but the chancellor also may receive funds from 211  
other sources to support the program. If, for any academic year, 212  
the amounts available for support of the program are inadequate 213  
to provide grants to all eligible students, the chancellor shall 214  
do one of the following: 215

(a) Give preference in the payment of grants based upon 216  
expected family contribution, beginning with the lowest expected 217  
family contribution category and proceeding upward by category 218



to the highest expected family contribution category; 219

(b) Proportionately reduce the amount of each grant to be 220  
awarded for the academic year under this section; 221

(c) Use an alternate formula for such grants that 222  
addresses the shortage of available funds and has been submitted 223  
to and approved by the controlling board. 224

(2) The needs-based financial aid grant shall be paid to 225  
the eligible student through the institution in which the 226  
student is enrolled, except that no needs-based financial aid 227  
grant shall be paid to any person serving a term of 228  
imprisonment. Applications for the grants shall be made as 229  
prescribed by the chancellor, and such applications may be made 230  
in conjunction with and upon the basis of information provided 231  
in conjunction with student assistance programs funded by 232  
agencies of the United States government or from financial 233  
resources of the institution of higher education. The 234  
institution shall certify that the student applicant meets the 235  
requirements set forth in division (B) of this section. Needs- 236  
based financial aid grants shall be provided to an eligible 237  
student only as long as the student is making appropriate 238  
progress toward a nursing diploma, an associate or bachelor's 239  
degree, ~~or~~ completion of a comprehensive transition and 240  
postsecondary program, or completion of an adult technical 241  
education program at an Ohio technical center. No student shall 242  
be eligible to receive a grant for more than ten semesters, 243  
fifteen quarters, or the equivalent of five academic years. A 244  
grant made to an eligible student on the basis of less than 245  
full-time enrollment shall be based on the number of credit 246  
hours for which the student is enrolled and shall be computed in 247  
accordance with a formula adopted by rule issued by the 248

chancellor. No student shall receive more than one grant on the 249  
basis of less than full-time enrollment. 250

(D) (1) Except as provided in divisions (D) (4) and (5) of 251  
this section, no grant awarded under this section shall exceed 252  
the total state cost of attendance. 253

(2) Subject to divisions (D) (1), (3), (4), and (5) of this 254  
section, the amount of a grant awarded to a student under this 255  
section shall equal the student's remaining state cost of 256  
attendance after the student's Pell grant and expected family 257  
contribution are applied to the instructional and general 258  
charges for the undergraduate ~~or program,~~ comprehensive 259  
transition and postsecondary program, or an adult technical 260  
education program at an Ohio technical center, as defined in 261  
section 3345.011 of the Revised Code. However, for students 262  
enrolled in a state university or college as defined in section 263  
3345.12 of the Revised Code or a university branch, the 264  
chancellor may provide that the grant amount shall equal the 265  
student's remaining instructional and general charges for the 266  
undergraduate program after the student's Pell grant and 267  
expected family contribution have been applied to those charges, 268  
but, in no case, shall the grant amount for such a student 269  
exceed any maximum that the chancellor may set by rule. 270

(3) For a student enrolled for a semester or quarter in 271  
addition to the portion of the academic year covered by a grant 272  
under this section, the maximum grant amount shall be a 273  
percentage of the maximum specified in any table established in 274  
rules adopted by the chancellor as provided in division (A) of 275  
this section. The maximum grant for a fourth quarter shall be 276  
one-third of the maximum amount so prescribed. The maximum grant 277  
for a third semester shall be one-half of the maximum amount so 278

prescribed. 279

(4) If a student is enrolled in a two-year institution of 280  
higher education and is eligible for an education and training 281  
voucher through the Ohio education and training voucher program 282  
that receives federal funding under the John H. Chafee foster 283  
care independence program, 42 U.S.C. 677, the amount of a grant 284  
awarded under this section may exceed the total state cost of 285  
attendance to additionally cover housing costs. 286

(5) For a student who is receiving federal veterans' 287  
benefits under the "All-Volunteer Force Educational Assistance 288  
Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans 289  
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any 290  
successor program, the amount of a grant awarded under this 291  
section shall be applied toward the total state cost of 292  
attendance and the student's housing costs and living expenses. 293  
Living expenses shall include reasonable costs for room and 294  
board. 295

(E) No grant shall be made to any student in a course of 296  
study in theology, religion, or other field of preparation for a 297  
religious profession unless such course of study leads to an 298  
accredited bachelor of arts, bachelor of science, associate of 299  
arts, or associate of science degree. 300

(F) (1) Except as provided in division (F) (2) of this 301  
section, no grant shall be made to any student for enrollment 302  
during a fiscal year in an institution with a cohort default 303  
rate determined by the United States secretary of education 304  
pursuant to the "Higher Education Amendments of 1986," 100 Stat. 305  
1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth 306  
day of June preceding the fiscal year, equal to or greater than 307  
thirty per cent for each of the preceding two fiscal years. 308

(2) Division (F)(1) of this section does not apply in the 309  
case of either of the following: 310

(a) The institution pursuant to federal law appeals its 311  
loss of eligibility for federal financial aid and the United 312  
States secretary of education determines its cohort default rate 313  
after recalculation is lower than the rate specified in division 314  
(F)(1) of this section or the secretary determines due to 315  
mitigating circumstances that the institution may continue to 316  
participate in federal financial aid programs. The chancellor 317  
shall adopt rules requiring any such appellant to provide 318  
information to the chancellor regarding an appeal. 319

(b) Any student who has previously received a grant 320  
pursuant to any provision of this section, including prior to 321  
the section's amendment by H.B. 1 of the 128th general assembly, 322  
effective July 17, 2009, and who meets all other eligibility 323  
requirements of this section. 324

(3) The chancellor shall adopt rules for the notification 325  
of all institutions whose students will be ineligible to 326  
participate in the grant program pursuant to division (F)(1) of 327  
this section. 328

(4) A student's attendance at any institution whose 329  
students are ineligible for grants due to division (F)(1) of 330  
this section shall not affect that student's eligibility to 331  
receive a grant when enrolled in another institution. 332

(G) Institutions of higher education that enroll students 333  
receiving needs-based financial aid grants under this section 334  
shall report to the chancellor all students who have received 335  
such needs-based financial aid grants but are no longer eligible 336  
for all or part of those grants and shall refund any moneys due 337

the state within thirty days after the beginning of the quarter 338  
or term immediately following the quarter or term in which the 339  
student was no longer eligible to receive all or part of the 340  
student's grant. There shall be an interest charge of one per 341  
cent per month on all moneys due and payable after such thirty- 342  
day period. The chancellor shall immediately notify the office 343  
of budget and management and the legislative service commission 344  
of all refunds so received. 345

Sec. 3333.13. The chancellor of higher education shall 346  
include Ohio technical centers, as defined in section 3345.011 347  
of the Revised Code, in any grant program for institutions of 348  
higher education which are appropriate for the subject areas or 349  
instructional programs offered by Ohio technical centers. 350

**Sec. 3333.60.** As used in sections 3333.61 to 3333.69 of 351  
the Revised Code: 352

(A) "State university or college" has the same meaning as 353  
in section 3345.12 of the Revised Code. 354

(B) "State university" ~~and has the same meaning as in~~ 355  
section 3345.011 of the Revised Code. 356

(C) ~~"state-State institution of higher education" have the~~ 357  
~~same meanings~~ means both a state institution of higher education 358  
and an Ohio technical center as each are defined in section 359  
3345.011 of the Revised Code. 360

**Sec. 3333.70.** (A) The ~~director~~ chancellor of higher 361  
education shall establish and administer the Ohio higher 362  
education innovation grant program to promote educational 363  
excellence and economic efficiency throughout the state in order 364  
to stabilize or reduce student tuition rates at institutions of 365  
higher education. Under the program, the ~~director~~ chancellor 366

shall award grants to state institutions of higher education, ~~as~~ 367  
~~defined in section 3345.011 of the Revised Code,~~ and private 368  
nonprofit institutions for innovative projects that incorporate 369  
academic achievement and economic efficiencies. State 370  
institutions of higher education and private nonprofit 371  
institutions may apply for grants and initiate collaboration 372  
with other institutions of higher education, either public or 373  
private, on such projects. 374

(B) The ~~director~~ chancellor shall adopt rules to 375  
administer the program including, but not limited to, 376  
requirements that each grant application provides for all of the 377  
following: 378

(1) A system by which to measure academic achievement and 379  
reductions in expenditures, both in funding and administration; 380

(2) Demonstration of how the project will be sustained 381  
beyond the grant period and continue to provide substantial 382  
value and lasting impact; 383

(3) Proof of commitment from all parties responsible for 384  
the implementation of the project; 385

(4) Implementation of an ongoing evaluation process and 386  
improvement plans, as necessary. 387

(C) As used in this section: 388

(1) "private-Private nonprofit institution" means a 389  
nonprofit institution in this state that has a certificate of 390  
authorization pursuant to Chapter 1713. of the Revised Code. 391

(2) "State institutions of higher education" means both a 392  
state institution of higher education and an Ohio technical 393  
center as each are defined in section 3345.011 of the Revised 394

<u>Code.</u>	395
<b>Sec. 3333.92.</b> (A) As used in this section, "OhioMeansJobs web site" has the same meaning as in section 6301.01 of the Revised Code.	396 397 398
(B) (1) Each participant in an adult basic and literacy education funded training or education program shall create an account with the OhioMeansJobs web site at the twelfth week of the program.	399 400 401 402
(2) Each participant in an Ohio technical center, <u>as defined in section 3345.011 of the Revised Code,</u> funded training or education program shall create an account with the OhioMeansJobs web site at the time of enrollment in the program.	403 404 405 406
(C) Division (B) of this section does not apply to any individual who is legally prohibited from using a computer, has a physical or visual impairment that makes the individual unable to use a computer, or has a limited ability to read, write, speak, or understand a language in which the OhioMeansJobs web site is available.	407 408 409 410 411 412
<b>Sec. 3333.94.</b> (A) As used in this section:	413
(1) "In-demand job" means a job that is determined to be in demand in this state and its regions under section 6301.11 of the Revised Code.	414 415 416
(2) <del>"Ohio technical center" means a center that provides adult technical education services and is recognized by the chancellor of higher education.</del>	417 418 419
(3) <del>"State institution of higher education" has the same meaning</del> <u>means both a state institution of higher education and an Ohio technical center as each are defined in section 3345.011</u>	420 421 422

of the Revised Code. 423

(B) Not later than January 1, 2018, the chancellor of 424  
higher education shall create an inventory of both credit and 425  
non-credit certificate programs and industry-recognized 426  
credentials offered at state institutions of higher education 427  
~~and Ohio technical centers~~ that align with in-demand jobs in the 428  
state. 429

When awarding funds from the OhioMeansJobs workforce 430  
development revolving loan fund established under section 431  
6301.14 of the Revised Code, the chancellor shall give 432  
preference to certificate programs that support adult learners 433  
and are included in the inventory. 434

**Sec. 3345.011.** "State university" means a public 435  
institution of higher education which is a body politic and 436  
corporate. Each of the following institutions of higher 437  
education shall be recognized as a state university: university 438  
of Akron, Bowling Green state university, Central state 439  
university, university of Cincinnati, Cleveland state 440  
university, Kent state university, Miami university, Ohio 441  
university, Ohio state university, Shawnee state university, 442  
university of Toledo, Wright state university, and Youngstown 443  
state university. 444

"State institution of higher education" means any state 445  
university or college as defined in division (A) (1) of section 446  
3345.12 of the Revised Code, community college, state community 447  
college, university branch established under Chapter 3355. of 448  
the Revised Code, or technical college. 449

"University system of Ohio" means the collective group of 450  
all of the state institutions of higher education. 451



"Member of the university system of Ohio" means any individual state institution of higher education.

"Ohio technical center" means a center that provides adult technical education services and incorporates career-technical education programs that are recognized by the chancellor of higher education. Ohio technical centers shall be considered institutions of higher education.

Sec. 5107.06. To the extent permissible under federal law and notwithstanding anything else to the contrary in Chapter 5107. of the Revised Code, the director of job and family services shall include an adult technical education program at an Ohio technical center as defined in section 3345.011 of the Revised Code, under rules adopted for the purposes of making postsecondary education programs a work activity in the Ohio works first program.

**Sec. 5919.34.** (A) As used in this section:

(1) "Academic term" means any one of the following:

(a) Fall term, which consists of fall semester or fall quarter, as appropriate;

(b) Winter term, which consists of winter semester, winter quarter, or spring semester, as appropriate;

(c) Spring term, which consists of spring quarter;

(d) Summer term, which consists of summer semester or summer quarter, as appropriate;

(e) The equivalent of an academic term for an Ohio technical center as determined by the adjutant general in rules adopted under division (A) (6) of this section.

- (2) "Eligible applicant" means any individual to whom all 479  
of the following apply: 480
- (a) The individual does not possess a baccalaureate 481  
degree. 482
- (b) The individual has enlisted, re-enlisted, or extended 483  
current enlistment in the Ohio national guard or is an 484  
individual to which division (F) of this section applies. 485
- (c) The individual is actively enrolled as a full-time or 486  
part-time student for at least three credit hours of course work 487  
in a semester or quarter in a two-year or four-year degree- 488  
granting program at a state institution of higher education or a 489  
private institution of higher education, ~~or~~ in a diploma- 490  
granting program at a state or private institution of higher 491  
education that is a school of nursing, or in an adult technical 492  
education program at an Ohio technical center. 493
- (d) The individual has not accumulated ninety-six 494  
eligibility units under division (E) of this section. 495
- (3) "State institution of higher education" means any 496  
state university or college as defined in division (A)(1) of 497  
section 3345.12 of the Revised Code, community college 498  
established under Chapter 3354. of the Revised Code, state 499  
community college established under Chapter 3358. of the Revised 500  
Code, university branch established under Chapter 3355. of the 501  
Revised Code, or technical college established under Chapter 502  
3357. of the Revised Code. 503
- (4) "Private institution of higher education" means an 504  
Ohio institution of higher education that is nonprofit and has 505  
received a certificate of authorization pursuant to Chapter 506  
1713. of the Revised Code, that is a private institution exempt 507

from regulation under Chapter 3332. of the Revised Code as 508  
prescribed in section 3333.046 of the Revised Code, or that 509  
holds a certificate of registration and program authorization 510  
issued by the state board of career colleges and schools 511  
pursuant to section 3332.05 of the Revised Code. 512

(5) "Tuition" means the charges imposed to attend an 513  
institution of higher education and includes general and 514  
instructional fees. "Tuition" does not include laboratory fees, 515  
room and board, or other similar fees and charges. 516

(6) "Ohio technical center" has the same meaning as in 517  
section 3345.011 of the Revised Code. For the purposes of this 518  
section, the adjutant general shall adopt rules to determine how 519  
terms used in this section, including "academic term," "credit 520  
hours," "quarters," and "semesters," apply to Ohio technical 521  
centers. 522

(B) There is hereby created a scholarship program to be 523  
known as the Ohio national guard scholarship program. 524

(C) (1) The adjutant general shall approve scholarships for 525  
all eligible applicants. The adjutant general shall process all 526  
applications for scholarships for each academic term in the 527  
order in which they are received. The scholarships shall be made 528  
without regard to financial need. At no time shall one person be 529  
placed in priority over another because of sex, race, or 530  
religion. 531

(2) The adjutant general shall develop and provide a 532  
written explanation that informs all eligible scholarship 533  
recipients that the recipient may become ineligible and liable 534  
for repayment for an amount of scholarship payments received in 535  
accordance with division (G) of this section. The written 536

explanation shall be reviewed by the scholarship recipient 537  
before acceptance of the scholarship and before acceptance of an 538  
enlistment, warrant, commission, or appointment for a term not 539  
less than the recipient's remaining term in the national guard 540  
or in the active duty component of the United States armed 541  
forces. 542

(D) (1) Except as provided in divisions (I) and (J) of this 543  
section, for each academic term that an eligible applicant is 544  
approved for a scholarship under this section and either remains 545  
a current member in good standing of the Ohio national guard or 546  
is eligible for a scholarship under division (F) (1) of this 547  
section, the institution of higher education in which the 548  
applicant is enrolled shall, if the applicant's enlistment 549  
obligation extends beyond the end of that academic term or if 550  
division (F) (1) of this section applies, be paid on the 551  
applicant's behalf the applicable one of the following amounts: 552

(a) If the institution is a state institution of higher 553  
education or an Ohio technical center, an amount equal to one 554  
hundred per cent of the institution's tuition charges; 555

(b) If the institution is a nonprofit private institution 556  
or a private institution exempt from regulation under Chapter 557  
3332. of the Revised Code as prescribed in section 3333.046 of 558  
the Revised Code, an amount equal to one hundred per cent of the 559  
average tuition charges of all state universities; 560

(c) If the institution is an institution that holds a 561  
certificate of registration from the state board of career 562  
colleges and schools, the lesser of the following: 563

(i) An amount equal to one hundred per cent of the 564  
institution's tuition; 565

(ii) An amount equal to one hundred per cent of the average tuition charges of all state universities, as that term is defined in section 3345.011 of the Revised Code.

(2) The adjutant general and the chancellor of higher education may jointly adopt rules to require the use of other federal educational financial assistance programs, including such programs offered by the United States department of defense, for which an applicant is eligible based on the applicant's military service. If such rules are adopted, the rules shall require that financial assistance received by a scholarship recipient under those programs be applied to all eligible expenses prior to the use of scholarship funds awarded under this section. Scholarship funds awarded under this section shall then be applied to the recipient's remaining eligible expenses.

(3) An eligible applicant's scholarship shall not be reduced by the amount of that applicant's benefits under "the Montgomery G.I. Bill Act of 1984," Pub. L. No. 98-525, 98 Stat. 2553 (1984).

(E) A scholarship recipient under this section shall be entitled to receive scholarships under this section for the number of quarters or semesters it takes the recipient to accumulate ninety-six eligibility units as determined under divisions (E)(1) to (3) of this section.

(1) To determine the maximum number of semesters or quarters for which a recipient is entitled to a scholarship under this section, the adjutant general shall convert a recipient's credit hours of enrollment for each academic term into eligibility units in accordance with the following table:

	The		595
Number of	following	The following	596
credit hours	number of	number of	597
of enrollment	eligibility	eligibility	598
in an academic	units if a	units if a	599
term	semester	or quarter	600
	equals		601
12 or more hours	12 units	8 units	602
9 but less than 12	9 units	6 units	603
6 but less than 9	6 units	4 units	604
3 but less than 6	3 units	2 units	605

(2) A scholarship recipient under this section may 606  
continue to apply for scholarships under this section until the 607  
recipient has accumulated ninety-six eligibility units. 608

(3) If a scholarship recipient withdraws from courses 609  
prior to the end of an academic term so that the recipient's 610  
enrollment for that academic term is less than three credit 611  
hours, no scholarship shall be paid on behalf of that person for 612  
that academic term. Except as provided in division (F)(3) of 613  
this section, if a scholarship has already been paid on behalf 614  
of the person for that academic term, the adjutant general shall 615  
add to that person's accumulated eligibility units the number of 616  
eligibility units for which the scholarship was paid. 617

(F) This division applies to any eligible applicant called 618  
into active duty on or after September 11, 2001. As used in this 619  
division, "active duty" means active duty pursuant to an 620  
executive order of the president of the United States, an act of 621  
the congress of the United States, or section 5919.29 or 5923.21 622  
of the Revised Code. 623

(1) For a period of up to five years from when an 624

individual's enlistment obligation in the Ohio national guard 625  
ends, an individual to whom this division applies is eligible 626  
for scholarships under this section for those academic terms 627  
that were missed or could have been missed as a result of the 628  
individual's call into active duty. Scholarships shall not be 629  
paid for the academic term in which an eligible applicant's 630  
enlistment obligation ends unless an applicant is eligible under 631  
this division for a scholarship for such academic term due to 632  
previous active duty. 633

(2) When an individual to whom this division applies 634  
withdraws or otherwise fails to complete courses, for which 635  
scholarships have been awarded under this section, because the 636  
individual was called into active duty, the institution of 637  
higher education shall grant the individual a leave of absence 638  
from the individual's education program and shall not impose any 639  
academic penalty for such withdrawal or failure to complete 640  
courses. Division (F) (2) of this section applies regardless of 641  
whether or not the scholarship amount was paid to the 642  
institution of higher education. 643

(3) If an individual to whom this division applies 644  
withdraws or otherwise fails to complete courses because the 645  
individual was called into active duty, and if scholarships for 646  
those courses have already been paid, either: 647

(a) The adjutant general shall not add to that person's 648  
accumulated eligibility units calculated under division (E) of 649  
this section the number of eligibility units for the academic 650  
courses or term for which the scholarship was paid and the 651  
institution of higher education shall repay the scholarship 652  
amount to the state. 653

(b) The adjutant general shall add to that individual's 654

accumulated eligibility units calculated under division (E) of 655  
this section the number of eligibility units for the academic 656  
courses or term for which the scholarship was paid if the 657  
institution of higher education agrees to permit the individual 658  
to complete the remainder of the academic courses in which the 659  
individual was enrolled at the time the individual was called 660  
into active duty. 661

(4) No individual who is discharged from the Ohio national 662  
guard under other than honorable conditions shall be eligible 663  
for scholarships under this division. 664

(G) A scholarship recipient under this section who fails 665  
to complete the term of enlistment, re-enlistment, or extension 666  
of current enlistment the recipient was serving at the time a 667  
scholarship was paid on behalf of the recipient under this 668  
section is liable to the state for repayment of a percentage of 669  
all Ohio national guard scholarships paid on behalf of the 670  
recipient under this section, plus interest at the rate of ten 671  
per cent per annum calculated from the dates the scholarships 672  
were paid. This percentage shall equal the percentage of the 673  
current term of enlistment, re-enlistment, or extension of 674  
enlistment a recipient has not completed as of the date the 675  
recipient is discharged from the Ohio national guard. 676

The attorney general may commence a civil action on behalf 677  
of the chancellor to recover the amount of the scholarships and 678  
the interest provided for in this division and the expenses 679  
incurred in prosecuting the action, including court costs and 680  
reasonable attorney's fees. A scholarship recipient is not 681  
liable under this division if the recipient's failure to 682  
complete the term of enlistment being served at the time a 683  
scholarship was paid on behalf of the recipient under this 684



section is due to the recipient's death or discharge from the 685  
national guard due to disability or the recipient's enlistment, 686  
warrant, commission, or appointment for a term not less than the 687  
recipient's remaining term in the national guard or in the 688  
active duty component of the United States armed forces. 689

(H) On or before the first day of each academic term, the 690  
adjutant general shall provide an eligibility roster to the 691  
chancellor and to each institution of higher education at which 692  
one or more scholarship recipients have applied for enrollment. 693  
The institution shall use the roster to certify the actual full- 694  
time or part-time enrollment of each scholarship recipient 695  
listed as enrolled at the institution and return the roster to 696  
the adjutant general and the chancellor. Except as provided in 697  
division (J) of this section, the chancellor shall provide for 698  
payment of the appropriate number and amount of scholarships to 699  
each institution of higher education pursuant to division (D) of 700  
this section. If an institution of higher education fails to 701  
certify the actual enrollment of a scholarship recipient listed 702  
as enrolled at the institution within thirty days of the end of 703  
an academic term, the institution shall not be eligible to 704  
receive payment from the Ohio national guard scholarship program 705  
or from the individual enrollee. The adjutant general shall 706  
report on a semiannual basis to the director of budget and 707  
management, the speaker of the house of representatives, the 708  
president of the senate, and the chancellor the number of Ohio 709  
national guard scholarship recipients, the size of the 710  
scholarship-eligible population, and a projection of the cost of 711  
the program for the remainder of the biennium. 712

(I) The chancellor and the adjutant general may adopt 713  
rules pursuant to Chapter 119. of the Revised Code governing the 714  
administration and fiscal management of the Ohio national guard 715

scholarship program and the procedure by which the chancellor 716  
and the department of the adjutant general may modify the amount 717  
of scholarships a member receives based on the amount of other 718  
state financial aid a member receives. 719

(J) The adjutant general, the chancellor, and the 720  
director, or their designees, shall jointly estimate the costs 721  
of the Ohio national guard scholarship program for each upcoming 722  
fiscal biennium, and shall report that estimate prior to the 723  
beginning of the fiscal biennium to the chairpersons of the 724  
finance committees in the general assembly. During each fiscal 725  
year of the biennium, the adjutant general, the chancellor, and 726  
the director, or their designees, shall meet regularly to 727  
monitor the actual costs of the Ohio national guard scholarship 728  
program and update cost projections for the remainder of the 729  
biennium as necessary. If the amounts appropriated for the Ohio 730  
national guard scholarship program and any funds in the Ohio 731  
national guard scholarship reserve fund and the Ohio national 732  
guard scholarship donation fund are not adequate to provide 733  
scholarships in the amounts specified in division (D) (1) of this 734  
section for all eligible applicants, the chancellor shall do all 735  
of the following: 736

(1) Notify each private institution of higher education, 737  
where a scholarship recipient is enrolled, that, by accepting 738  
the Ohio national guard scholarship program as payment for all 739  
or part of the institution's tuition, the institution agrees 740  
that if the chancellor reduces the amount of each scholarship, 741  
the institution shall provide each scholarship recipient a grant 742  
or tuition waiver in an amount equal to the amount the 743  
recipient's scholarship was reduced by the chancellor. 744

(2) Reduce the amount of each scholarship under division 745

(D) (1) (a) of this section proportionally based on the amount of 746  
remaining available funds. Each state institution of higher 747  
education or Ohio technical center shall provide each 748  
scholarship recipient under division (D) (1) (a) of this section a 749  
grant or tuition waiver in an amount equal to the amount the 750  
recipient's scholarship was reduced by the chancellor. 751

(K) Notwithstanding division (A) of section 127.14 of the 752  
Revised Code, the controlling board shall not transfer all or 753  
part of any appropriation for the Ohio national guard 754  
scholarship program. 755

(L) The chancellor and the adjutant general may apply for, 756  
and may receive and accept grants, and may receive and accept 757  
gifts, bequests, and contributions, from public and private 758  
sources, including agencies and instrumentalities of the United 759  
States and this state, and shall deposit the grants, gifts, 760  
bequests, or contributions into the national guard scholarship 761  
donation fund. 762

**Sec. 6301.11.** (A) As used in this section, "public or 763  
private institution" means any of the following: 764

(1) A state institution of higher education, as defined in 765  
section 3345.011 of the Revised Code; 766

(2) A private, nonprofit institution in this state holding 767  
a certificate of authorization pursuant to Chapter 1713. of the 768  
Revised Code; 769

(3) An Ohio technical center ~~that provides adult technical~~ 770  
~~education services as recognized by the chancellor of higher~~ 771  
~~education, as defined in section 3345.011 of the Revised Code.~~ 772

(B) The state board, in connection with the department of 773  
job and family services and public or private institutions, 774

shall develop a methodology for identifying jobs that are in demand by employers operating in this state. The methodology for identifying in-demand jobs shall include an analysis of both of the following:

(1) Jobs that are in demand in each region of the state, as determined by the director of job and family services;

(2) Jobs that pay a wage rate that is equal to or greater than one hundred twenty-five per cent of the wage rate established under section 6 of the "Fair Labor Standards Act of 1938," 52 Stat. 1060, 29 U.S.C. 206, as amended, or its successor law.

(C) The department and the public or private institutions, in consultation with the state board, shall use the methodology to create a list of such in-demand jobs in the state and a list of such in-demand jobs in each region of the state. The department shall publish the lists on the web site of the department. The department and public or private institutions shall periodically update the lists to reflect evolving workforce demands in this state and its regions.

(D) Local boards and other providers of workforce training shall use the lists of in-demand jobs to cultivate and prioritize workforce development activities that correspond to the employment needs of employers operating in this state and in each of its regions and to assist individuals in maximizing their employment opportunities.

**Section 2.** That existing sections 3313.902, 3333.122, 3333.60, 3333.70, 3333.92, 3333.94, 3345.011, 5919.34, and 6301.11 of the Revised Code are hereby repealed.

**Section 3.** That Section 381.360 of Am. Sub. H.B. 49 of the

132nd General Assembly be amended to read as follows: 804

**Sec. 381.360.** OHIO COLLEGE OPPORTUNITY GRANT 805

(A) Except as provided in division (C) of this section: 806

Of the foregoing appropriation item 235563, Ohio College 807  
Opportunity Grant, at least \$94,010,433 in fiscal year 2018 and 808  
at least \$95,351,123 in fiscal year 2019 shall be used by the 809  
Chancellor of Higher Education to award need-based financial aid 810  
to students enrolled in eligible public and private nonprofit 811  
institutions of higher education, excluding early college high 812  
school and post-secondary enrollment option participants. 813

The remainder of the foregoing appropriation item 235563, 814  
Ohio College Opportunity Grant, shall be used by the Chancellor 815  
to award needs-based financial aid to students enrolled in 816  
eligible private for-profit career colleges and schools. 817

(B) (1) As used in this section: 818

(a) "Eligible institution" means any institution described 819  
in divisions (B) (2) (a) to ~~(e)~~ (e) of section 3333.122 of the 820  
Revised Code. 821

(b) The three "sectors" of institutions of higher 822  
education consist of the following: 823

(i) State colleges and universities, community colleges, 824  
state community colleges, university branches, ~~and~~ technical 825  
colleges, and Ohio Technical Centers, as defined in section 826  
3345.011 of the Revised Code; 827

(ii) Eligible private nonprofit institutions of higher 828  
education; 829

(iii) Eligible private for-profit career colleges and 830

schools. 831

(2) Awards for students attending eligible private 832  
nonprofit institutions of higher education shall be determined 833  
at twice the rate of the awards for students attending eligible 834  
public institutions of higher education. 835

(3) For students attending an eligible institution year- 836  
round, awards may be distributed on an annual basis, once Pell 837  
grants have been exhausted. 838

(4) If the Chancellor determines that the amounts 839  
appropriated for support of the Ohio College Opportunity Grant 840  
program are inadequate to provide grants to all eligible 841  
students as calculated under division (D) of section 3333.122 of 842  
the Revised Code, the Chancellor may create a distribution 843  
formula for fiscal year 2018 and fiscal year 2019 based on the 844  
formula used in fiscal year 2017, or may follow methods 845  
established in division (C)(1)(a) or (b) of section 3333.122 of 846  
the Revised Code. The Chancellor shall notify the Controlling 847  
Board of the distribution method. Any formula calculated under 848  
this division shall be complete and established to coincide with 849  
the start of the 2017-2018 academic year. 850

(C) Prior to determining the amount of funds available to 851  
award under this section and section 3333.122 of the Revised 852  
Code, the Chancellor shall use the foregoing appropriation item 853  
235563, Ohio College Opportunity Grant, to pay for renewals or 854  
partial renewals of scholarships students receive under the Ohio 855  
Academic Scholarship Program under sections 3333.21 and 3333.22 856  
of the Revised Code. In paying for scholarships under this 857  
division, the Chancellor shall deduct funds from the allocations 858  
made under division (A) of this section. Deductions shall be 859  
proportionate to the amounts allocated to each sector from the 860

total amounts appropriated for each sector under the foregoing 861  
appropriation item 235563, Ohio College Opportunity Grant. 862

In each fiscal year, with the exception of sections 863  
3333.121 and 3333.124 of the Revised Code and the section of 864  
~~this act~~ Am. Sub. H.B. 49 of the 132nd General Assembly entitled 865  
"STATE FINANCIAL AID RECONCILIATION," the Chancellor shall not 866  
distribute or obligate or commit to be distributed an amount 867  
greater than what is appropriated under the foregoing 868  
appropriation item 235563, Ohio College Opportunity Grant. 869

(D) The Chancellor shall establish, and post on the 870  
Department of Higher Education's web site, award tables based on 871  
any formulas created under division (B) of this section. The 872  
Chancellor shall notify students and institutions of any 873  
reductions in awards under this section. 874

(E) Notwithstanding section 3333.122 of the Revised Code, 875  
no student shall be eligible to receive an Ohio College 876  
Opportunity Grant for more than ten semesters, fifteen quarters, 877  
or the equivalent of five academic years, less the number of 878  
semesters or quarters in which the student received an Ohio 879  
Instructional Grant. 880

(F) During each fiscal year, the Chancellor, as soon as 881  
possible after cancellation, may certify to the Director of 882  
Budget and Management the amount of canceled prior-year 883  
encumbrances in appropriation item 235563, Ohio College 884  
Opportunity Grant. Upon receipt of the certification, the 885  
Director of Budget and Management may transfer cash, up to the 886  
certified amount, from the General Revenue Fund to the Ohio 887  
College Opportunity Grant Program Reserve Fund (Fund 5PU0). 888

**Section 4.** That existing Section 381.360 of Am. Sub. H.B. 889

49 of the 132nd General Assembly is hereby repealed.		890
<b>Section 5.</b> That Section 207.10 of S.B. 310 of the 131st		891
General Assembly, as amended by Sub. H.B. 390 of the 131st		892
General Assembly, be amended to read as follows:		893
<b>Sec. 207.10.</b> DEPARTMENT OF HIGHER EDUCATION AND STATE		894
INSTITUTIONS OF HIGHER EDUCATION		895
BOR DEPARTMENT OF HIGHER EDUCATION		896
Higher Education Improvement Fund (Fund 7034)		897
C23501 Ohio Supercomputer Center	\$ 6,000,000	898
C23502 Research Facility Action and Investment Funds	\$ 1,000,000	899
C23516 Ohio Library and Information Network	\$ 13,415,000	900
C23524 Supplemental Renovations - Library Depositories	\$ 1,150,000	901
C23529 Workforce Based Training and Equipment	\$ 8,000,000	902
C23530 Technology Initiatives	\$ 2,500,000	903
C23532 OARnet	\$ 9,100,000	904
C23551 Research Portal	\$ 1,650,000	905
C23560 HEI Critical Maintenance and Upgrades	\$ 7,200,000	906
C23561 Capital Improvements - Central State Campus		907
Security and Lighting	\$ 1,979,700	908
C23562 Capital Improvements - Central State Hallie		909
Q. Brown Library Upgrades and Repairs	\$ 4,020,300	910
TOTAL Higher Education Improvement Fund	\$ 56,015,000	911
TOTAL ALL FUNDS	\$ 56,015,000	912



RESEARCH FACILITY ACTION AND INVESTMENT FUNDS	913
The foregoing appropriation item C23502, Research Facility	914
Action and Investment Funds, shall be used for a program of	915
grants to be administered by the Department of Higher Education	916
to provide timely availability of capital facilities for	917
research programs and research-oriented instructional programs	918
at or involving state-supported and state-assisted institutions	919
of higher education.	920
WORKFORCE BASED TRAINING AND EQUIPMENT	921
(A) The foregoing appropriation item C23529, Workforce	922
Based Training and Equipment, shall be used to support the	923
Regionally Aligned Priorities in Developing Skills (RAPIDS)	924
program in the Department of Higher Education. The purpose of	925
the RAPIDS program is to support collaborative projects among	926
higher education institutions to strengthen education and	927
training opportunities that maximize workforce development	928
efforts in defined areas of the state.	929
(B) Capital funds appropriated for this purpose by the	930
General Assembly shall be distributed by the Chancellor of	931
Higher Education to Ohio regions or subsets of regions. Regions	932
or subsets of regions may be defined by the state's economic	933
development strategy.	934
(C) The Chancellor shall award capital funds within the	935
program using an application and review process, as developed by	936
the Chancellor. In reviewing applications and making awards,	937
priority shall be given to proposals that demonstrate:	938
(1) Collaboration among and between state institutions of	939
higher education, as defined in section 3345.011 of the Revised	940
Code, Ohio Technical Centers, and other entities as determined	941

to be appropriate by the Chancellor; 942

(2) Evidence of meaningful business support and 943  
engagement; 944

(3) Identification of targeted occupations and industries 945  
supported by data, which sources may include the Governor's 946  
Office of Workforce Transformation, OhioMeansJobs, labor market 947  
information from the Department of Job and Family Services, and 948  
lists of in-demand occupations. 949

(4) Sustainability beyond the grant period with the 950  
opportunity to provide continued value and impact to the region. 951

(D) In submitting proposals for consideration under the 952  
program, a state institution of higher education or an Ohio 953  
Technical Center, as each are defined in section 3345.011 of the 954  
Revised Code, shall be the lead applicant and preference shall 955  
be given to proposals in which equipment and technology acquired 956  
by capital funds awarded under the program are owned by a state 957  
institution of higher education or an Ohio Technical Center. If 958  
equipment, technology, or facilities acquired by capital funds 959  
awarded under the program will be owned by a separate 960  
governmental or nonprofit entity, the state institution of 961  
higher education or Ohio Technical Center shall enter into a 962  
joint use agreement with the entity, which shall be approved by 963  
the Chancellor. 964

**Section 6.** That existing Section 207.10 of S.B. 310 of the 965  
131st General Assembly, as amended by Sub. H.B. 390 of the 131st 966  
General Assembly, is hereby repealed. 967