



**Senate Finance Higher Education Subcommittee
Am. Sub. House Bill 49 Testimony
Ohio School Boards Association
Buckeye Association of School Administrators
Ohio Association of School Business Officials
May 23, 2017**

Good afternoon, Chairman Gardner, Vice Chair Williams, and members of the Senate Finance Higher Education Subcommittee. Thank you for the opportunity to speak to you today regarding Amended Substitute House Bill (HB) 49. My name is Jay Smith, Deputy Director of Legislative Services for the Ohio School Boards Association (OSBA). Joining me today for this testimony and in answering your questions are Barbara Shaner, Advocacy Specialist for the Ohio Association of School Business Officials (OASBO), and Thomas Ash, Director of Government Relations for the Buckeye Association of School Administrators (BASA).

Our organizations represent public school district boards of education, superintendents, treasurers/CFOs, business managers, and other school business officials from around the state. Our members of course have a keen interest in the provisions proposed in Am. Sub. HB 49. We are here today to offer our thoughts on the bill as it relates to the College Credit Plus program for primary and secondary education students.

College Credit Plus (CCP) Issues

We begin by stating that we support programs that give students options for enhancing their high school education experience. We are also in support of students' ability to earn college credit for courses that also apply toward K-12 academic requirements. Prior to CCP, school districts across the state were providing dual enrollment course opportunities, and had done so for many years through local agreements with institutions of higher education (IHEs). Students also had the opportunity to take college courses through the former Post Secondary Enrollment Options (PSEO) program. We believe the new CCP mandated program has created challenges for school districts and IHEs alike, and changes are needed.

HB 49 contains proposals to change the current CCP program. Our organizations have been pursuing changes since the program's inception. Some of the changes in HB 49 represent a step in the right direction; however, we urge you to consider additional changes.

The following are the CCP provisions in Am. Sub. HB 49 in its current form:

- Student Eligibility: CCP participation would be limited to students who demonstrate college readiness, such as scoring remediation-free on a college entrance exam.
- Course Eligibility: There will be some restrictions, established by rule, on the courses eligible for CCP funding.
- Continuing Student Participation: Students who underperform in CCP will need to meet certain requirements in order to continue participation.
- Textbooks: The cost to high schools will be limited to 50% of the textbook cost for districts with colleges responsible for the remaining 50%, or to a cost and distribution arrangement negotiated with the college.
- Funding Floor & Ceiling: HB 49 as passed by the House allows school districts and higher education institutions (IHEs) to negotiate per credit hour funding below the established floor.

The student, course eligibility, and continuing student participation provisions are very much needed. School districts have reported that some college courses students are taking under CCP do not match the rigor of some high school level courses that do not qualify for CCP. Districts have also expressed concerns that students that are not truly “college ready” are being accepted into institutions of higher education. These changes could help to alleviate those concerns.

We supported the executive proposal that limited the cost of textbooks for school districts to \$10 per credit hour as a tremendous improvement over the current system. The House version represents an improvement over current law; however, we obviously would prefer the \$10 per credit hour in the executive proposal.

We were pleased to see that Sub. HB 49 removes the provision that would have eliminated the waiver for districts and IHEs to negotiate a credit hour price below the established floor. We favor a more market driven approach to local agreements. Currently, school districts have little power to negotiate under CCP.

The following is a list of areas we believe should be addressed in HB 49:

- Weighted grades for college level courses should only be weighted the same as high school courses when they are comparable courses
- School districts must have more control over who can teach college courses
- Districts should have permissive authority to pass tuition costs along to parents on a sliding scale, means-tested basis
- More should be done to improve communication between the IHEs and school districts

Again, more detail and background on these issues can be found in the attached list of recommendations which we developed last fall in response to the consideration of HB 474 in the 131st General Assembly.

This concludes our testimony. We will be happy to address your questions.

College Credit Plus BASA, OASBO & OSBA Detailed Recommendations September 23, 2016

At the request of State Representative Mike Duffey, Chairman of the Higher Education Subcommittee of the House Finance Committee, BASA, OASBO, and OSBA developed a very specific set of recommendations for changes related to Ohio's new College Credit Plus (CCP) program. The recommendations are based on the collective testimony presented to the Subcommittee by public school district representatives, who came forward to address concerns about CCP based on their own experiences and the experiences of their students. Representative Duffey charged the organizations with identifying specific problems and developing recommendations to solve them. To accomplish the task, the organizations re-convened their joint CCP writing team which has been collecting information and identifying issues with the program for many months.

The following recommendations were gleaned from the school district testimony. They are viewed as the prevailing themes underlying all the anecdotal problems described by the witnesses.

Revisit the CCP statutes in the ORC and amend/modify to reflect the following changes until such time there is valid evidence to show the need for further mandates.

1. Amend to reflect previous law/practice where school districts utilized local dual enrollment agreements by restoring the relevant sections to the ORC.
 - a. Require school districts to enter into at least one agreement with a local institution of higher education (IHE). This allows options for students and also promotes a market approach to the agreements, giving school districts more leverage in negotiating the details of the agreements (IHEs will compete for the opportunity to engage).
 - b. Collect data on those local agreements (currently, no statewide data exists for the number of students who were participating in college level courses other than through the PSEO program, prior to the enactment of CCP (i.e., there is no evidence that shows there were barriers to student participation in college level courses previously)).
2. Allow school districts and IHEs to negotiate local agreements on their own terms as they had successfully done before CCP.
3. Allow school districts to use discretion as to whether or not parents should contribute to the tuition and textbook costs. The current program represents an expansion of government "entitlement" with no discretion as to who qualifies.
 - a. May require income or means-testing to determine ability to pay ~ see example below in the specific recommendations section).
 - b. Textbook costs were previously:
 - i. Covered by the local dual enrollment agreements;
 - ii. Paid for by the students/parents; or
 - iii. paid for by the IHE
 - c. Tuition costs students/parents paid under previous dual enrollment opportunities were:

- i. Typically much lower than college tuition paid by the traditional college student, a fact appreciated by even parents of means.
 - ii. Often based on income or means-testing.
 - iii. Collected to offset costs; not profit.
 - iv. A means to create shared responsibility for student success (parents had “skin in the game”).
4. School districts must have some discretion in determining whether or not a student is prepared for college level courses and/or the college experience.

Recommendations on specific topics for any statewide mandated program for dual credit (high school & college credit) should the above amendments not be adopted:

HB 474 Provisions:

Given the widespread opposition to the expansion of CCP provision proposed in HB 474 where remediation courses would be approved for CCP, this provision should be removed from the bill.

Given the widespread opposition to the HB 474 proposed elimination of the waiver option (Chancellor sign waiver for the “floor” requirement).

Problems with the current CCP Program:

- The witnesses overwhelmingly oppose the current CCP requirement that a funding “floor” be required. There should not be a need for a waiver if districts are permitted to negotiate with IHEs locally.
- Because there is so much inconsistency among the various IHE agreements, and school districts appear to have no leverage or a position from which to negotiate agreements, a change is needed to the requirement that districts participate with every IHE in the area.
 - To achieve access to college credit for all qualified students, school districts should be required to enter into a minimum of one local agreement (negotiated locally), with additional agreements optional.
 - This will result in a more market-based environment.
 - We recommend the following changes:
 - **ORC 3365.01:(O)** *"Partnering secondary school" means a public or nonpublic secondary school ~~with which a college~~ has entered into ~~an~~ one agreement with a partnering college in order to offer the program established by this chapter. A partnering secondary school may enter into multiple agreements but is not required to do so.*
- Textbook costs ~ develop one standard for how textbooks are handled. For example:
 - Textbooks should be utilized for at least two years.
 - If the IHE wishes to replace textbooks sooner, they must bear the cost.

- If school districts are responsible for the cost of textbooks, the cost for one textbook should not exceed 25% of the “ceiling” amount for the course.
- The definition of “textbooks” must include the requirement that the textbook has an ISBN#.
- Districts should have permissive authority to pass textbook costs along to parents on a sliding scale, means-tested basis. The following parameters should be utilized (taken from the means-tested voucher program in the ORC):

- **ORC 3365.07 (A) (3)** ~~No participant that is enrolled in a public college shall be charged for any tuition, textbooks, or other fees related to participation in the program. A partnering school may charge tuition and/or textbook fees for students enrolled in College Credit Plus in any school year following the 2016-2017 school year. If a district charges tuition and/or textbook fees under this divisions, the district shall develop a sliding fee scale based on family incomes consisting of at least three tiers. For instance:~~

- (a) If the student’s family income is above two hundred percent but at or below three hundred percent of the federal poverty guidelines, the student shall be responsible for twenty-five percent of the cost.

- (b) If the student’s family income is above three hundred percent but at or below four hundred percent of the federal poverty guidelines, the student shall be responsible for fifty percent of the cost.

- If the student’s family income is above four hundred percent of the federal poverty guidelines, the student shall be responsible for seventy-five percent of the cost.

(Note: This same language also needs to be inserted as ORC 3365.07 (B)(3) to cover students attending private IHEs)

- A statewide textbook depository should be created for use by all school districts; or
 - A resource list created to be utilized for textbook purchases
 - Local agreements cannot restrict where or how the textbooks are purchased
 - IHE bookstores should not be permitted to profit from textbooks purchased for high school students).
- Due to the inconsistencies whereby IHEs are accepting students, something must be done to address how college readiness is determined.
 - The law should require that stakeholders be convened to develop uniform standards for college readiness.
 - The law should eliminate the requirement that students in grades below 9 be permitted to participate in college courses. However, discretion could be given to the district student to allow exceptions on a case-by-case basis, for students in lower grades to participate in college courses in core

- subject areas.
 - School districts must be able to limit students' participation in college courses to those deemed to be college ready.
 - Enforcement is needed once uniform standards for acceptance is developed.
- Comparable courses on the college campus must be at least equal in rigor to those available at the high school level.
 - School districts must sign off on the IHEs determination of comparability before a course is permitted to be offered to a high school student from the district.
 - Courses qualifying for college credit should only be in what are considered core subject areas.
- Require IHEs to be approved by the National Alliance of Concurrent Enrollment Providers (NACEP) to elevate the regulation of rigor. Give IHEs a timeline for when the requirement would become effective.
 - **ORC 3365.01 (N)** *"Partnering college" means a college with which a public or nonpublic secondary school has entered into an agreement in order to offer the program established by this chapter. In order to enter into such agreement for the 2018-2019 school year and thereafter, a partnering college must adopt and implement the program standards and required evidence for accreditation by the National Alliance of Concurrent Enrollment Partnership or similar organization approved by the chancellor and state superintendent or public instruction.*
- Weighted grades for college level courses should only be weighted the same as high school courses when they are comparable courses ~ not simply courses in the same subject area (i.e., an algebra I course should not be equal to AP Calculus).
 - **ORC 3365.04 (E)** *Implement a policy for the awarding of grades and the calculation of class standing for courses taken under division (A)(2) or (B) of section 3365.06 of the Revised Code. The policy adopted under this division shall be equivalent to the school's policy for comparable courses taken under the advanced standing programs described in divisions (A)(2) and (3) of section 3313.6013 of the Revised Code or for other comparable courses designated as honors courses by the school. If the policy includes awarding a weighted grade or enhancing a student's class standing for these courses, the policy adopted under this section shall also provide for these procedures to be applied to comparable courses taken under the college credit plus program.*

However, for courses taken under the college credit plus program that are not comparable to courses taken under other advanced

standing programs or courses designated as honors courses by the school, the school shall not be required to award a weighted grade or enhance a student's class standing under this division.

- School districts must have more control over who can teach college courses (i.e., qualifications, etc.) under local dual enrollment agreements. If the district has teachers holding the qualifications/standards designated by the state, the IHE must agree to allowing the school district's teacher to provide the instruction.
 - **ORC 3365.11(A)** Each instructor teaching a course under the college credit plus program shall meet the credential requirements set forth in guidelines and procedures established by the ~~chancellor of the ohio board of regents~~ director of the department of higher education. If the guidelines require high school teachers to take any additional graduate-level coursework in order to meet the credential requirements, that coursework shall be applicable to continuing education and professional development requirements for the renewal of the teacher's educator license.

(B) If a district has a teacher holding the qualifications/standards designated in division A of this section, at the district's request, the IHE must agree to allow the school district's teacher to provide the instruction for College Credit Plus Courses.

- Districts should have permissive authority to pass tuition costs along to parents on a sliding scale, means-tested basis. The following parameters should be utilized (taken from the means-tested voucher program in the ORC):
 - **ORC 3365.07 (A) (3)** No participant that is enrolled in a public college shall be charged for any tuition, textbooks, or other fees related to participation in the program. A partnering secondary school may charge tuition and/or textbook fees for students enrolled in College Credit Plus in any school year following the 2016-2017 school year. If a district charges tuition and/or textbook fees under this divisions, the district shall develop a sliding fee scale based on family incomes consisting of at least three tiers. For instance:
 - (a) If the student's family income is above two hundred percent but at or below three hundred percent of the federal poverty guidelines, the student shall be responsible for twenty-five percent of the cost.
 - (b) If the student's family income is above three hundred percent but at or below four hundred percent of the federal poverty guidelines, the student shall be responsible for fifty percent of the cost.
 - (c) If the student's family income is above four hundred percent of the federal poverty guidelines, the student shall be responsible for seventy-five percent of the cost. (I made this

75% where the language in the voucher section would have had them pay 100%. It is my belief that they should receive some benefit and not pay the entire cost. Thoughts?)

(Note: This same language also needs to be inserted as ORC 3365.07 (B)(3) to cover students attending private IHEs)

- Because some districts have such limited resources, the funds deducted for CCP has the effect of eating into the funds (resources for programs) meant for the students that are left in the district – those not wishing to take CCP courses. Therefore, the education opportunities for those students are affected.
 - Ohio law should allow for creativity in CCP delivery so as to not affect students not participating in CCP.
 - Every effort should be made to keep the resources of the school district from being syphoned away.
 - This could be achieved by allowing the majority of courses to be offered on the high school campus, permitting the blending traditional students and dual enrollment students to be in the same class.
 - If local agreements are truly permitted to be negotiated by the two parties, creativity is more likely to be prevalent.
- More should be done to improve communication between the IHEs and school districts. Districts do not receive timely information about which students have been accepted and what courses they are taking until very late in the process. Codify in law the following portions of **OAC 3333-1-65.3**:
 - (A) Chapter 3365. of the Revised Code, and all regulations adopted pursuant to that chapter, shall apply to all participating institutions of higher education, public or nonpublic, in-state or out-of-state.
 - (1) Failure to comply with the requirements of the college credit plus program, including, but not limited to, reporting data, may result in the chancellor and the superintendent withholding payment to, demanding repayment from, sending a distribution amount that is in favor of the other participating party, suspending the ability to negotiate future alternative funding structure, or suspending the institution of higher education's eligibility to continue participating in the program.
 - (2) The chancellor shall make available a current list of institutions that are suspended from participation due to noncompliance.
 - (B) Each institution of higher education admitting and enrolling a student under the college credit plus program shall issue the following:

(1) A pre-term notice of admission to the institution, including the specific course registrations and credit hours, to be sent not later than fourteen calendar days prior to the first day of classes for the term of enrollment if the student's enrollment is within fourteen calendar days prior to the first day of classes of the term, then a pre-term notice of admission shall be sent upon enrollment to all of the following:

- (a) The participant;
- (b) The participant's parent;
- (c) The secondary school of the participant;
- (d) The superintendent of public instruction.

(2) A confirmation of course enrollment notice, listing the courses and hours of enrollment, and the option elected by the participant under division (A) or (B) of section 3365.06 of the Revised Code for each course not later than twenty-one calendar days after the first day of classes for a term of enrollment to all of the following:

- (a) The participant;
- (b) The secondary school of the participant;
- (c) The superintendent of public instruction.

(C) Prior to the first day of the term of enrollment at the institution, each institution of higher education enrolling a student under the college credit plus program shall provide to each school counselor or other identified school staff designated to provide counseling services to students of the secondary school the following information:

- (1) A roster of participants from that school who are enrolled in the institution and a list of course enrollment for each participant;
- (2) The date signifying when withdrawal from a course would negatively affect a participant's grade.

- If there is to be a state-mandated program, there must be joint oversight between K-12 representatives and representatives from Higher Education. Ohio law actually required an oversight board to be appointed with the implementation of CCP. To date, no information about such a group has been announced. Overall, many of the problems reported by school districts about CCP, point to their lack of involvement in decision making at the macro and micro levels. Changes are needed to ensure more school district involvement in structuring local programs.

- **ORC 3365.15 (D)** Establish a college credit plus advisory committee to assist in the development of performance metrics and the monitoring of the program's progress. The committee shall include an equal number of representatives of partnering secondary schools and partnering colleges.

(1) The advisory committee shall include the following:

- (a) at least one member of the advisory committee shall be a school guidance counselor;
- (b) at least one member representing superintendents selected from a list of two nominees submitted by the buckeye association of school administrators;
- (c) at least one member representing school district treasurers or business managers selected from a list of two nominees submitted by the Ohio association of school business officials; and
- (d) at least one member of a school district board of education selected from a list of two nominees submitted by the Ohio school boards association.