

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 124**

**Senator Williams**

**Cosponsors: Senators Thomas, Brown, Beagle**

---

**A BILL**

To amend sections 3333.122 and 3333.20 and to enact 1  
section 3333.166 of the Revised Code to qualify 2  
students in noncredit community college and 3  
career and technical programs for Ohio College 4  
Opportunity Grants and to require the awarding 5  
of academic credit for community colleges' 6  
career certification programs. 7

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

**Section 1.** That sections 3333.122 and 3333.20 be amended 8  
and section 3333.166 of the Revised Code be enacted to read as 9  
follows: 10

**Sec. 3333.122.** (A) The chancellor of higher education 11  
shall adopt rules to carry out this section and as authorized 12  
under section 3333.123 of the Revised Code. The rules shall 13  
include definitions of the terms "resident," "expected family 14  
contribution," "full-time student," "three-quarters-time 15  
student," "half-time student," "one-quarter-time student," 16  
"state cost of attendance," and "accredited" for the purpose of 17  
those sections. 18

(B) Only an Ohio resident who meets both of the following 19  
is eligible for a grant awarded under this section: 20

(1) The resident has an expected family contribution of 21  
two thousand one hundred ninety dollars or less; 22

(2) The resident enrolls in one of the following: 23

(a) An undergraduate program, or a nursing diploma program 24  
approved by the board of nursing under section 4723.06 of the 25  
Revised Code, at a state-assisted state institution of higher 26  
education, as defined in section 3345.12 of the Revised Code, 27  
that meets the requirements of Title VI of the Civil Rights Act 28  
of 1964~~+~~. For purposes of division (B) (2) (a) of this section, 29  
enrollment in an undergraduate program shall include enrollment 30  
in a career and technical program for an in-demand job, as 31  
defined in section 3333.93 of the Revised Code, offered at a 32  
community college or state community college for which credit is 33  
not awarded. 34

(b) An undergraduate program, or a nursing diploma program 35  
approved by the board of nursing under section 4723.06 of the 36  
Revised Code, at a private, nonprofit institution in this state 37  
holding a certificate of authorization pursuant to Chapter 1713. 38  
of the Revised Code; 39

(c) An undergraduate program, or a nursing diploma program 40  
approved by the board of nursing under section 4723.06 of the 41  
Revised Code, at a career college in this state that holds a 42  
certificate of registration from the state board of career 43  
colleges and schools under Chapter 3332. of the Revised Code or 44  
at a private institution exempt from regulation under Chapter 45  
3332. of the Revised Code as prescribed in section 3333.046 of 46  
the Revised Code, if the program has a certificate of 47

authorization pursuant to Chapter 1713. of the Revised Code. 48

(C) (1) The chancellor shall establish and administer a 49  
needs-based financial aid grants program based on the United 50  
States department of education's method of determining financial 51  
need. The program shall be known as the Ohio college opportunity 52  
grant program. The general assembly shall support the needs- 53  
based financial aid program by such sums and in such manner as 54  
it may provide, but the chancellor also may receive funds from 55  
other sources to support the program. If, for any academic year, 56  
the amounts available for support of the program are inadequate 57  
to provide grants to all eligible students, the chancellor shall 58  
do one of the following: 59

(a) Give preference in the payment of grants based upon 60  
expected family contribution, beginning with the lowest expected 61  
family contribution category and proceeding upward by category 62  
to the highest expected family contribution category; 63

(b) Proportionately reduce the amount of each grant to be 64  
awarded for the academic year under this section; 65

(c) Use an alternate formula for such grants that 66  
addresses the shortage of available funds and has been submitted 67  
to and approved by the controlling board. 68

(2) The needs-based financial aid grant shall be paid to 69  
the eligible student through the institution in which the 70  
student is enrolled, except that no needs-based financial aid 71  
grant shall be paid to any person serving a term of 72  
imprisonment. Applications for the grants shall be made as 73  
prescribed by the chancellor, and such applications may be made 74  
in conjunction with and upon the basis of information provided 75  
in conjunction with student assistance programs funded by 76

agencies of the United States government or from financial 77  
resources of the institution of higher education. The 78  
institution shall certify that the student applicant meets the 79  
requirements set forth in division (B) of this section. Needs- 80  
based financial aid grants shall be provided to an eligible 81  
student only as long as the student is making appropriate 82  
progress toward a nursing diploma or an associate or bachelor's 83  
degree or, if the student is enrolled in a program for which 84  
credit is not awarded, is meeting progress standards adopted by 85  
the chancellor. No student shall be eligible to receive a grant 86  
for more than ten semesters, fifteen quarters, or the equivalent 87  
of five academic years. A grant made to an eligible student on 88  
the basis of less than full-time enrollment shall be based on 89  
the number of credit hours for which the student is enrolled and 90  
shall be computed in accordance with a formula adopted by rule 91  
issued by the chancellor. No student shall receive more than one 92  
grant on the basis of less than full-time enrollment. 93

(D) (1) Except as provided in division (D) (4) of this 94  
section, no grant awarded under this section shall exceed the 95  
total state cost of attendance. 96

(2) Subject to divisions (D) (1), (3), and (4) of this 97  
section, the amount of a grant awarded to a student under this 98  
section shall equal the student's remaining state cost of 99  
attendance after the student's Pell grant and expected family 100  
contribution are applied to the instructional and general 101  
charges for the undergraduate program. However, for students 102  
enrolled in a state university or college as defined in section 103  
3345.12 of the Revised Code or a university branch, the 104  
chancellor may provide that the grant amount shall equal the 105  
student's remaining instructional and general charges for the 106  
undergraduate program after the student's Pell grant and 107

expected family contribution have been applied to those charges, 108  
but, in no case, shall the grant amount for such a student 109  
exceed any maximum that the chancellor may set by rule. 110

(3) For a student enrolled for a semester or quarter in 111  
addition to the portion of the academic year covered by a grant 112  
under this section, the maximum grant amount shall be a 113  
percentage of the maximum specified in any table established in 114  
rules adopted by the chancellor as provided in division (A) of 115  
this section. The maximum grant for a fourth quarter shall be 116  
one-third of the maximum amount so prescribed. The maximum grant 117  
for a third semester shall be one-half of the maximum amount so 118  
prescribed. 119

(4) If a student is enrolled in a two-year institution of 120  
higher education and is eligible for an education and training 121  
voucher through the Ohio education and training voucher program 122  
that receives federal funding under the John H. Chafee foster 123  
care independence program, 42 U.S.C. 677, the amount of a grant 124  
awarded under this section may exceed the total state cost of 125  
attendance to additionally cover housing costs. 126

(E) No grant shall be made to any student in a course of 127  
study in theology, religion, or other field of preparation for a 128  
religious profession unless such course of study leads to an 129  
accredited bachelor of arts, bachelor of science, associate of 130  
arts, or associate of science degree. 131

(F) (1) Except as provided in division (F) (2) of this 132  
section, no grant shall be made to any student for enrollment 133  
during a fiscal year in an institution with a cohort default 134  
rate determined by the United States secretary of education 135  
pursuant to the "Higher Education Amendments of 1986," 100 Stat. 136  
1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth 137

day of June preceding the fiscal year, equal to or greater than 138  
thirty per cent for each of the preceding two fiscal years. 139

(2) Division (F)(1) of this section does not apply in the 140  
case of either of the following: 141

(a) The institution pursuant to federal law appeals its 142  
loss of eligibility for federal financial aid and the United 143  
States secretary of education determines its cohort default rate 144  
after recalculation is lower than the rate specified in division 145  
(F)(1) of this section or the secretary determines due to 146  
mitigating circumstances that the institution may continue to 147  
participate in federal financial aid programs. The chancellor 148  
shall adopt rules requiring any such appellant to provide 149  
information to the chancellor regarding an appeal. 150

(b) Any student who has previously received a grant 151  
pursuant to any provision of this section, including prior to 152  
the section's amendment by Am. Sub. H.B. 1 of the 128th general 153  
assembly, effective July 17, 2009, and who meets all other 154  
eligibility requirements of this section. 155

(3) The chancellor shall adopt rules for the notification 156  
of all institutions whose students will be ineligible to 157  
participate in the grant program pursuant to division (F)(1) of 158  
this section. 159

(4) A student's attendance at any institution whose 160  
students are ineligible for grants due to division (F)(1) of 161  
this section shall not affect that student's eligibility to 162  
receive a grant when enrolled in another institution. 163

(G) Institutions of higher education that enroll students 164  
receiving needs-based financial aid grants under this section 165  
shall report to the chancellor all students who have received 166

such needs-based financial aid grants but are no longer eligible 167  
for all or part of those grants and shall refund any moneys due 168  
the state within thirty days after the beginning of the quarter 169  
or term immediately following the quarter or term in which the 170  
student was no longer eligible to receive all or part of the 171  
student's grant. There shall be an interest charge of one per 172  
cent per month on all moneys due and payable after such thirty- 173  
day period. The chancellor shall immediately notify the office 174  
of budget and management and the legislative service commission 175  
of all refunds so received. 176

Sec. 3333.166. The chancellor of higher education shall 177  
establish policies and procedures for awarding credit for career 178  
or technical certification programs offered by community 179  
colleges and state community colleges and for applying that 180  
credit toward an associate degree in a related field. 181

**Sec. 3333.20.** (A) The chancellor of higher education shall 182  
adopt educational service standards that shall apply to all 183  
community colleges, university branches, technical colleges, and 184  
state community colleges established under Chapters 3354., 185  
3355., 3357., and 3358. of the Revised Code, respectively. These 186  
standards shall provide for such institutions to offer or 187  
demonstrate at least the following: 188

(1) An appropriate range of career or technical programs 189  
designed to prepare individuals for employment in specific 190  
careers at the technical or paraprofessional level<sup>7</sup>. The 191  
standards shall require community colleges and state community 192  
colleges to award credit for career or technical certification 193  
programs and to apply that credit toward an associate degree in 194  
a related field in accordance with the policies and procedures 195  
established under section 3333.166 of the Revised Code. 196

(2) Commitment to an effective array of developmental education services providing opportunities for academic skill enhancement;	197 198 199
(3) Partnerships with industry, business, government, and labor for the retraining of the workforce and the economic development of the community;	200 201 202
(4) Noncredit continuing education opportunities;	203
(5) College transfer programs or the initial two years of a baccalaureate degree for students planning to transfer to institutions offering baccalaureate programs;	204 205 206
(6) Linkages with high schools to ensure that graduates are adequately prepared for post-secondary instruction;	207 208
(7) Student access provided according to a convenient schedule and program quality provided at an affordable price;	209 210
(8) That student fees charged by any institution are as low as possible, especially if the institution is being supported by a local tax levy;	211 212 213
(9) A high level of community involvement in the decision-making process in such critical areas as course delivery, range of services, fees and budgets, and administrative personnel.	214 215 216
(B) The chancellor shall consult with representatives of state-assisted colleges and universities, as defined in section 3333.041 of the Revised Code, in developing appropriate methods for achieving or maintaining the standards adopted pursuant to division (A) of this section.	217 218 219 220 221
(C) In considering institutions that are co-located, the chancellor shall apply the standards to them in two manners:	222 223



(1) As a whole entity;	224
(2) As separate entities, applying the standards separately to each.	225 226
When distributing any state funds among institutions based on the degree to which they meet the standards, the chancellor shall provide to institutions that are co-located the higher amount produced by the two judgments under divisions (C) (1) and (2) of this section.	227 228 229 230 231
<b>Section 2.</b> That existing sections 3333.122 and 3333.20 of the Revised Code are hereby repealed.	232 233