

**As Reported by the House Higher Education Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. S. B. No. 120**

**Senators McColley, Rulli**

**Cosponsors: Senators Brenner, Huffman, M., Huffman, S., Roegner, Kunze, Antonio, Burke, Coley, Craig, Eklund, Gavarone, Hackett, Hoagland, Maharath, Manning, Obhof, O'Brien, Peterson, Sykes, Terhar, Uecker, Wilson, Yuko  
Representative Riedel**

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**A BILL**

To amend sections 117.46, 3345.55, and 3365.04 of 1  
the Revised Code to authorize the Auditor of 2  
State to conduct performance audits of any and 3  
all state institutions of higher education, to 4  
modify the requirement regarding College Credit 5  
Plus informational sessions, and to modify the 6  
law regarding campus housing facilities leases 7  
with nonpublic vendors. 8

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

**Section 1.** That sections 117.46, 3345.55, and 3365.04 of 9  
the Revised Code be amended to read as follows: 10

**Sec. 117.46.** Each biennium the auditor of state shall 11  
conduct a minimum of four performance audits under this section. 12  
Except as otherwise provided in this section, at least two of 13  
the audits shall be of state agencies selected from a list 14  
comprised of the administrative departments listed in section 15  
121.02 of the Revised Code and the department of education and 16

at least two of the audits shall be of other state agencies. At 17  
the auditor of state's discretion, the auditor of state may also 18  
conduct ~~a performance audit audits of a state institution~~ 19  
institutions of higher education as one of the four required 20  
~~performance audits~~. The offices of the attorney general, auditor 21  
of state, governor, secretary of state, and treasurer of state 22  
and agencies of the legislative and judicial branches are not 23  
subject to an audit under this section. 24

The auditor shall select each agency or institution to be 25  
audited and shall determine whether to audit the entire agency 26  
or institution or a portion of the agency or institution by 27  
auditing one or more programs, offices, boards, councils, or 28  
other entities within that agency or institution. The auditor 29  
shall make the selection and determination in consultation with 30  
the governor and the speaker and minority leader of the house of 31  
representatives and president and minority leader of the senate. 32

An audit of a portion of an agency or institution shall be 33  
considered an audit of one agency or institution. The authority 34  
to audit a portion of an agency or institution in no way limits 35  
the auditor's ability to audit an entire agency or institution 36  
if it is in the best interest of the state. 37

The performance audits under this section shall be 38  
conducted pursuant to sections 117.01 and 117.13 of the Revised 39  
Code. In conducting a performance audit, the auditor of state 40  
shall determine the scope of the audit, but shall consider, if 41  
appropriate, supervisory and subordinate level operations in the 42  
agency or institution. A performance audit under this section 43  
shall not include review or evaluation of an institution's 44  
academic performance. 45

As used in this section and in sections 117.461, 117.462, 46

117.463, 117.47, 117.471, and 147.472 of the Revised Code, 47  
"state institution of higher education" has the meaning defined 48  
in section 3345.011 of the Revised Code. 49

**Sec. 3345.55.** (A) For purposes of this section, 50  
"university" includes a state institution of higher education as 51  
defined in section 3345.011 of the Revised Code and a university 52  
housing commission created under section 3347.01 of the Revised 53  
Code. 54

(B) Each university may enter into a lease agreement with 55  
a nonpublic vendor to provide housing services in campus housing 56  
facilities to students of the university. The lease agreement 57  
may require the vendor to construct new campus housing 58  
facilities, or improve existing campus housing facilities, to 59  
serve students. The vendor with whom the university enters into 60  
an agreement shall be responsible for the operation and 61  
maintenance of the housing facilities. The lease shall be for a 62  
term of at least twenty years but shall not exceed ~~thirty-~~ 63  
seventy-five years. The lease agreement shall specify that the 64  
vendor is required to lease housing units to students of the 65  
university. Any university housing policies shall extend to and 66  
be enforced by the vendors with whom the university contracts. 67

(C) If the vendors with whom the university has entered 68  
into a lease agreement violate the terms of the lease, the 69  
university may revoke the lease and regain operational control 70  
over the dormitory. 71

(D) Any campus housing facilities included in a lease 72  
agreement entered into under this section, including campus 73  
housing facilities constructed by a nonpublic vendor under a 74  
lease agreement, shall retain an exemption from property taxes 75  
and assessments in accordance with division (M) of section 76

<u>3345.12 of the Revised Code.</u>	77
<b>Sec. 3365.04.</b> Each public and participating nonpublic secondary school shall do all of the following with respect to the college credit plus program:	78 79 80
(A) Provide information about the program prior to the first day of February of each year to all students enrolled in grades six through eleven;	81 82 83
(B) Provide counseling services to students in grades six through eleven and to their parents before the students participate in the program under this chapter to ensure that students and parents are fully aware of the possible consequences and benefits of participation. Counseling information shall include:	84 85 86 87 88 89
(1) Program eligibility;	90
(2) The process for granting academic credits;	91
(3) Any necessary financial arrangements for tuition, textbooks, and fees;	92 93
(4) Criteria for any transportation aid;	94
(5) Available support services;	95
(6) Scheduling;	96
(7) Communicating the possible consequences and benefits of participation, including all of the following:	97 98
(a) The consequences of failing or not completing a course under the program, including the effect on the student's ability to complete the secondary school's graduation requirements;	99 100 101
(b) The effect of the grade attained in a course under the program being included in the student's grade point average, as	102 103

applicable;	104
(c) The benefits to the student for successfully	105
completing a course under the program, including the ability to	106
reduce the overall costs of, and the amount of time required	107
for, a college education.	108
(8) The academic and social responsibilities of students	109
and parents under the program;	110
(9) Information about and encouragement to use the	111
counseling services of the college in which the student intends	112
to enroll;	113
(10) The standard packet of information for the program	114
developed by the chancellor of higher education pursuant to	115
section 3365.15 of the Revised Code;	116
For a participating nonpublic secondary school, counseling	117
information shall also include an explanation that funding may	118
be limited and that not all students who wish to participate may	119
be able to do so.	120
(C) Promote the program on the school's web site,	121
including the details of the school's current agreements with	122
partnering colleges;	123
(D) Schedule at least one informational session per school	124
year to allow each <del>partnering</del> <u>participating</u> college that is	125
located within thirty miles of the school to meet with	126
interested students and parents. The session shall include the	127
benefits and consequences of participation and shall outline any	128
changes or additions to the requirements of the program. If	129
there are no <del>partnering</del> <u>participating</u> colleges located within	130
thirty miles of the school, the school shall coordinate with the	131
closest <del>partnering</del> <u>participating</u> college to offer an	132

informational session.	133
<u>For the purposes of division (D) of this section,</u>	134
<u>"participating college" shall include both of the following:</u>	135
<u>(1) A partnering college;</u>	136
<u>(2) Any public college, private college, or eligible out-</u>	137
<u>of-state college to which both of the following applies:</u>	138
<u>(a) The college participates in the college credit plus</u>	139
<u>program.</u>	140
<u>(b) The college submits to the public or participating</u>	141
<u>nonpublic secondary school a request to attend an informational</u>	142
<u>session.</u>	143
(E) Implement a policy for the awarding of grades and the	144
calculation of class standing for courses taken under division	145
(A) (2) or (B) of section 3365.06 of the Revised Code. The policy	146
adopted under this division shall be equivalent to the school's	147
policy for courses taken under the advanced standing programs	148
described in divisions (A) (2) and (3) of section 3313.6013 of	149
the Revised Code or for other courses designated as honors	150
courses by the school. If the policy includes awarding a	151
weighted grade or enhancing a student's class standing for these	152
courses, the policy adopted under this section shall also	153
provide for these procedures to be applied to courses taken	154
under the college credit plus program.	155
(F) Develop model course pathways, pursuant to section	156
3365.13 of the Revised Code, and publish the course pathways	157
among the school's official list of course offerings for the	158
program.	159
(G) Annually collect, report, and track specified data	160

related to the program according to data reporting guidelines	161
adopted by the chancellor and the superintendent of public	162
instruction pursuant to section 3365.15 of the Revised Code.	163
<b>Section 2.</b> That existing sections 117.46, 3345.55, and	164
3365.04 of the Revised Code are hereby repealed.	165