As Introduced

134th General Assembly

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S. B. No. 69

Senator Williams

Cosponsors: Senators Yuko, Antonio, Maharath, Craig, Fedor, Thomas

A BILL

То	amend sections 3333.122 and 3333.20 and to enact	1
	section 3333.168 of the Revised Code regarding	2
	noncredit career-technical programs at community	3
	colleges and state community colleges.	4

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

Section 1. That sections 3333.122 and 3333.20 be amended	5
and section 3333.168 of the Revised Code be enacted to read as	6
follows:	7
Sec. 3333.122. (A) The chancellor of higher education	8
shall adopt rules to carry out this section and as authorized	9
under section 3333.123 of the Revised Code. The rules shall	10
include definitions of the terms "resident," "expected family	11
contribution," "full-time student," "three-quarters-time	12
student," "half-time student," "one-quarter-time student,"	13
"state cost of attendance," and "accredited" for the purpose of	14
those sections.	15
(B) Only an Ohio resident who meets both of the following	16
is eligible for a grant awarded under this section:	17
(1) The resident has an expected family contribution of	18

two thousand one hundred ninety <u>dollars</u> or less;	19
(2) The resident enrolls in one of the following:	20
(a) An undergraduate program, or a nursing diploma program	21
approved by the board of nursing under section 4723.06 of the	22
Revised Code, at a state-assisted state institution of higher	23
education, as defined in section 3345.12 of the Revised Code,	24
that meets the requirements of Title VI of the Civil Rights Act	25
of 1964; For purposes of division (B)(2)(a) of this section,	26
enrollment in an undergraduate program includes enrollment in a	27
career and technical program for an in-demand job, as defined in	28
section 3333.94 of the Revised Code, offered at a community	29
college or state community college for which credit is not	30
awarded.	31
(b) An undergraduate program, or a nursing diploma program	32
approved by the board of nursing under section 4723.06 of the	33
Revised Code, at a private, nonprofit institution in this state	34
holding a certificate of authorization pursuant to Chapter 1713.	35
of the Revised Code;	36
(c) An undergraduate program, or a nursing diploma program	37
approved by the board of nursing under section 4723.06 of the	38
Revised Code, at a career college in this state that holds a	39
certificate of registration from the state board of career	40
colleges and schools under Chapter 3332. of the Revised Code or	41
at a private institution exempt from regulation under Chapter	42
3332. of the Revised Code as prescribed in section 3333.046 of	43
the Revised Code, if the program has a certificate of	44
authorization pursuant to Chapter 1713. of the Revised Code.	45
(d) A comprehensive transition and postsecondary program	46
that is certified by the United States department of education.	47

For purposes of this section, a "comprehensive transition and	48
postsecondary program" means a degree, certificate, or non-	49
degree program that is designed to support persons with	50
intellectual disabilities who are receiving academic, career,	51
technical, and independent living instruction at an institution	52
of higher education in order to prepare for gainful employment	53
as defined in 20 U.S.C. 1140.	54
(C)(1) The chancellor shall establish and administer a	55
needs-based financial aid grants program based on the United	56
States department of education's method of determining financial	57
need. The program shall be known as the Ohio college opportunity	58
grant program. The general assembly shall support the needs-	59
based financial aid program by such sums and in such manner as	60
it may provide, but the chancellor also may receive funds from	61
other sources to support the program. If, for any academic year,	62
the amounts available for support of the program are inadequate	63
to provide grants to all eligible students, the chancellor shall	64
do one of the following:	65
(a) Give preference in the payment of grants based upon	66
expected family contribution, beginning with the lowest expected	67
family contribution category and proceeding upward by category	68
to the highest expected family contribution category;	69
(b) Proportionately reduce the amount of each grant to be	70
awarded for the academic year under this section;	71
(c) Use an alternate formula for such grants that	72
addresses the shortage of available funds and has been submitted	73
to and approved by the controlling board.	74
(2) The needs-based financial aid grant shall be paid to	75

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the eligible student through the institution in which the

student is enrolled, except that no needs-based financial aid	77
grant shall be paid to any person serving a term of	78
imprisonment. Applications for the grants shall be made as	79
prescribed by the chancellor, and such applications may be made	80
in conjunction with and upon the basis of information provided	81
in conjunction with student assistance programs funded by	82
agencies of the United States government or from financial	83
resources of the institution of higher education. The	84
institution shall certify that the student applicant meets the	85
requirements set forth in division (B) of this section. Needs-	86
based financial aid grants shall be provided to an eligible	87
student only as long as the student is making appropriate	88
progress toward a nursing diploma, an associate or bachelor's	89
degree, or completion of a comprehensive transition and	90
postsecondary program <u>or, if the student is enrolled in a</u>	91
program for which credit is not awarded, is meeting progress	92
standards adopted by the chancellor. No student shall be	93
eligible to receive a grant for more than ten semesters, fifteen	94
quarters, or the equivalent of five academic years. A grant made	95
to an eligible student on the basis of less than full-time	96
enrollment shall be based on the number of credit hours for	97
which the student is enrolled and shall be computed in	98
accordance with a formula adopted by rule issued by the	99
chancellor. No student shall receive more than one grant on the	100
basis of less than full-time enrollment.	101
(D)(1) Except as provided in divisions (D)(4) and (5) of	102
this section, no grant awarded under this section shall exceed	103
the total state cost of attendance.	104
(2) Subject to divisions (D)(1), (3), (4), and (5) of this	105

section, the chancellor shall determine the maximum per student

award amount for each institutional sector by subtracting the

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sum of the maximum Pell grant and maximum expected family	108
contribution amounts, as determined by the chancellor, from the	109
average instructional and general fees charged by the	110
institutional sector. The department of higher education shall	111
publish on its web site an annual Ohio college opportunity award	112
table. In no case, shall the grant amount for such a student	113
exceed any maximum that the chancellor may set by rule.	114
(3) For a student enrolled for a semester or quarter in	115
addition to the portion of the academic year covered by a grant	116
under this section, the maximum grant amount shall be a	117
percentage of the maximum specified in any table established in	118
rules adopted by the chancellor as provided in division (A) of	119
this section. The maximum grant for a fourth quarter shall be	120
one-third of the maximum amount so prescribed. The maximum grant	121
for a third semester shall be one-half of the maximum amount so	122
prescribed.	123
(4) If a student is enrolled in a two-year institution of	124
higher education and is eligible for an education and training	125
voucher through the Ohio education and training voucher program	126
that receives federal funding under the John H. Chafee foster	127
care independence program, 42 U.S.C. 677, the amount of a grant	128
awarded under this section may exceed the total state cost of	129
attendance to additionally cover housing costs.	130
(5) For a student who is receiving federal veterans'	131
benefits under the "All-Volunteer Force Educational Assistance	132
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Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans	133
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any	133

attendance and the student's housing costs and living expenses.

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Living expenses shall include reasonable costs for room and	138
board.	139
(E) No grant shall be made to any student in a course of	140
study in theology, religion, or other field of preparation for a	141
religious profession unless such course of study leads to an	142
accredited bachelor of arts, bachelor of science, associate of	143
arts, or associate of science degree.	144
(F)(1) Except as provided in division (F)(2) of this	145
section, no grant shall be made to any student for enrollment	146
during a fiscal year in an institution with a cohort default	147
rate determined by the United States secretary of education	148
pursuant to the "Higher Education Amendments of 1986," 100 Stat.	149
1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth	150
day of June preceding the fiscal year, equal to or greater than	151
thirty per cent for each of the preceding two fiscal years.	152
(2) Division (F)(1) of this section does not apply in the	153
case of either of the following:	154
(a) The institution pursuant to federal law appeals its	155
loss of eligibility for federal financial aid and the United	156
States secretary of education determines its cohort default rate	157
after recalculation is lower than the rate specified in division	158
(F)(1) of this section or the secretary determines due to	159
mitigating circumstances that the institution may continue to	160
participate in federal financial aid programs. The chancellor	161
shall adopt rules requiring any such appellant to provide	162
information to the chancellor regarding an appeal.	163
(b) Any student who has previously received a grant	164
pursuant to any provision of this section, including prior to	165
the section's amendment by H.B. 1 of the 128th general assembly,	166

effective July 17, 2009, and who meets all other eligibility	167
requirements of this section.	168
(3) The chancellor shall adopt rules for the notification	169
of all institutions whose students will be ineligible to	170
participate in the grant program pursuant to division (F)(1) of	171
this section.	172
(4) A student's attendance at any institution whose	173
students are ineligible for grants due to division (F)(1) of	174
this section shall not affect that student's eligibility to	175
receive a grant when enrolled in another institution.	176
(G) Institutions of higher education that enroll students	177
receiving needs-based financial aid grants under this section	178
shall report to the chancellor all students who have received	179
such needs-based financial aid grants but are no longer eligible	180
for all or part of those grants and shall refund any moneys due	181
the state within thirty days after the beginning of the quarter	182
or term immediately following the quarter or term in which the	183
student was no longer eligible to receive all or part of the	184
student's grant. There shall be an interest charge of one per	185
cent per month on all moneys due and payable after such thirty-	186
day period. The chancellor shall immediately notify the office	187
of budget and management and the legislative service commission	188
of all refunds so received.	189
Sec. 3333.168. The chancellor of higher education shall	190
establish policies and procedures for awarding credit for career	191
or technical certification programs offered by community	192
colleges and state community colleges and for applying that	193
credit toward an associate degree in a related field.	194
Sec. 3333.20. (A) The chancellor of higher education shall	195

adopt educational service standards that shall apply to all	196
community colleges, university branches, technical colleges, and	197
state community colleges established under Chapters 3354.,	198
3355., 3357., and 3358. of the Revised Code, respectively. These	199
standards shall provide for such institutions to offer or	200
demonstrate at least the following:	201
(1) An appropriate range of career or technical programs	202
designed to prepare individuals for employment in specific	203
careers at the technical or paraprofessional level $ au$. The	204
standards shall require community colleges and state community	205
colleges to award credit for career or technical certification	206
programs and to apply that credit toward an associate degree in	207
a related field in accordance with the policies and procedures	208
established under section 3333.168 of the Revised Code.	209
(2) Commitment to an effective array of developmental	210
education services providing opportunities for academic skill	211
enhancement;	212
(3) Partnerships with industry, business, government, and	213
labor for the retraining of the workforce and the economic	214
development of the community;	215
(4) Noncredit continuing education opportunities;	216
(5) College transfer programs or the initial two years of	217
a baccalaureate degree for students planning to transfer to	218
institutions offering baccalaureate programs;	219
(6) Linkages with high schools to ensure that graduates	220
are adequately prepared for post-secondary instruction;	221
(7) Student access provided according to a convenient	222
schedule and program quality provided at an affordable price;	223

(8) That student fees charged by any institution are as	224
low as possible, especially if the institution is being	225
supported by a local tax levy;	226
(9) A high level of community involvement in the decision-	227
making process in such critical areas as course delivery, range	228
of services, fees and budgets, and administrative personnel.	229
(B) The chancellor shall consult with representatives of	230
state-assisted colleges and universities, as defined in section	231
3333.041 of the Revised Code, in developing appropriate methods	232
for achieving or maintaining the standards adopted pursuant to	233
division (A) of this section.	234
(C) In considering institutions that are co-located, the	235
chancellor shall apply the standards to them in two manners:	236
(1) As a whole entity;	237
(2) As separate entities, applying the standards	238
separately to each.	239
When distributing any state funds among institutions based	240
on the degree to which they meet the standards, the chancellor	241
shall provide to institutions that are co-located the higher	242
amount produced by the two judgments under divisions (C)(1) and	243
(2) of this section.	244
Section 2. That existing sections 3333.122 and 3333.20 of	245
the Revised Code are hereby repealed.	246