

## **As Introduced**

**134th General Assembly**

**Regular Session**

**2021-2022**

**S. B. No. 69**

**Senator Williams**

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

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## **A BILL**

To 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 dollars 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 postsecondary program" means a degree, certificate, or non-degree program that is designed to support persons with intellectual disabilities who are receiving academic, career, technical, and independent living instruction at an institution of higher education in order to prepare for gainful employment as defined in 20 U.S.C. 1140.	48 49 50 51 52 53 54
(C) (1) The chancellor shall establish and administer a needs-based financial aid grants program based on the United States department of education's method of determining financial need. The program shall be known as the Ohio college opportunity grant program. The general assembly shall support the needs-based financial aid program by such sums and in such manner as it may provide, but the chancellor also may receive funds from other sources to support the program. If, for any academic year, the amounts available for support of the program are inadequate to provide grants to all eligible students, the chancellor shall do one of the following:	55 56 57 58 59 60 61 62 63 64 65
(a) Give preference in the payment of grants based upon expected family contribution, beginning with the lowest expected family contribution category and proceeding upward by category to the highest expected family contribution category;	66 67 68 69
(b) Proportionately reduce the amount of each grant to be awarded for the academic year under this section;	70 71
(c) Use an alternate formula for such grants that addresses the shortage of available funds and has been submitted to and approved by the controlling board.	72 73 74
(2) The needs-based financial aid grant shall be paid to the eligible student through the institution in which the	75 76

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 or, if the student is enrolled in a 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 106  
award amount for each institutional sector by subtracting the 107

sum of the maximum Pell grant and maximum expected family contribution amounts, as determined by the chancellor, from the average instructional and general fees charged by the institutional sector. The department of higher education shall publish on its web site an annual Ohio college opportunity award table. In no case, shall the grant amount for such a student exceed any maximum that the chancellor may set by rule.

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

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

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

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

effective July 17, 2009, and who meets all other eligibility  
requirements of this section. 167  
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(3) The chancellor shall adopt rules for the notification  
of all institutions whose students will be ineligible to  
participate in the grant program pursuant to division (F)(1) of  
this section. 169  
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(4) A student's attendance at any institution whose  
students are ineligible for grants due to division (F)(1) of  
this section shall not affect that student's eligibility to  
receive a grant when enrolled in another institution. 173  
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(G) Institutions of higher education that enroll students  
receiving needs-based financial aid grants under this section  
shall report to the chancellor all students who have received  
such needs-based financial aid grants but are no longer eligible  
for all or part of those grants and shall refund any moneys due  
the state within thirty days after the beginning of the quarter  
or term immediately following the quarter or term in which the  
student was no longer eligible to receive all or part of the  
student's grant. There shall be an interest charge of one per  
cent per month on all moneys due and payable after such thirty-  
day period. The chancellor shall immediately notify the office  
of budget and management and the legislative service commission  
of all refunds so received. 177  
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Sec. 3333.168. The chancellor of higher education shall  
establish policies and procedures for awarding credit for career  
or technical certification programs offered by community  
colleges and state community colleges and for applying that  
credit toward an associate degree in a related field. 190  
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**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. <u>The</u>	204
<u>standards shall require community colleges and state community</u>	205
<u>colleges to award credit for career or technical certification</u>	206
<u>programs and to apply that credit toward an associate degree in</u>	207
<u>a related field in accordance with the policies and procedures</u>	208
<u>established under section 3333.168 of the Revised Code.</u>	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 low as possible, especially if the institution is being supported by a local tax levy;	224 225 226
(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.	227 228 229
(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.	230 231 232 233 234
(C) In considering institutions that are co-located, the chancellor shall apply the standards to them in two manners:	235 236
(1) As a whole entity;	237
(2) As separate entities, applying the standards separately to each.	238 239
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.	240 241 242 243 244
<b>Section 2.</b> That existing sections 3333.122 and 3333.20 of the Revised Code are hereby repealed.	245 246