

As Introduced

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S. B. No. 69

Senator Williams

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

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~~7~~. 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
the eligible student through the institution in which the 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 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
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 134
successor program, the amount of a grant awarded under this 135
section shall be applied toward the total state cost of 136
attendance and the student's housing costs and living expenses. 137

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 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. 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