

**As Introduced**

**124th General Assembly  
Regular Session  
2001-2002**

**S. B. No. 116**

**SENATORS Robert Gardner, Spada, Mumper, Hottinger, Furney,  
Wachtmann, Harris, Prentiss, Amstutz, White, Fingerhut, Blessing,  
Shoemaker, DiDonato**

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**A B I L L**

To amend sections 1713.02, 1713.03, 3332.02, 3333.042, 1  
3333.043, 3333.12, 3333.18, 3333.21, 3333.26, 2  
3333.37, 3365.01, 3366.01, 5107.58, 5910.04, and 3  
5919.34 and to enact section 3333.046 of the 4  
Revised Code to permit institutions that grant 5  
baccalaureate degrees approved by the board of 6  
regents under section 3332.05 of the Revised Code 7  
on the effective date of this act, are operated by 8  
a for-profit corporation, and are not 9  
state-assisted to be regulated exclusively by the 10  
board of regents. 11

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

**Section 1.** That sections 1713.02, 1713.03, 3332.02, 3333.042, 12  
3333.043, 3333.12, 3333.18, 3333.21, 3333.26, 3333.37, 3365.01, 13  
3366.01, 5107.58, 5910.04, and 5919.34 be amended and that section 14  
3333.046 of the Revised Code be enacted to read as follows: 15

**Sec. 1713.02.** (A) Any institution described in division (A) 16  
of section 1713.01 of the Revised Code may become incorporated 17  
under sections 1702.01 to 1702.58 of the Revised Code. 18

(B) Except as provided in division (E) of this section, no nonprofit institution or corporation of the type described in division (A) of section 1713.01 of the Revised Code that is established after October 13, 1967, may confer degrees, diplomas, or other written evidences of proficiency or achievement, until it has received a certificate of authorization issued by the Ohio board of regents, nor shall any such institution or corporation identify itself as a "college" or "university" unless it has received a certificate of authorization from the board.

(C) Except as provided in division (E) of this section, no institution of the type described in division (A)(3) or (B) of section 1713.01 of the Revised Code that intends to offer or offers a course or courses within this state, but that did not offer a course or courses within this state on or before October 13, 1967, may confer degrees, diplomas, or other written evidences of proficiency or achievement or offer any course or courses within this state until it has received a certificate of authorization from the Ohio board of regents, nor shall the institution identify itself as a "college" or "university" unless it has received such a certificate from the board.

(D) Each certificate of authorization shall specify the diplomas or degrees authorized to be given, courses authorized to be offered, and the sites at which courses are to be conducted. A copy of such certificate shall be filed with the secretary of state if the institution is incorporated. Any institution or corporation established or that offered a course or courses of instruction in this state prior to October 13, 1967, may apply to the board for a certificate of authorization, and the board shall issue a certificate if it finds that such institution or corporation meets the requirements established pursuant to sections 1713.01, 1713.02, 1713.03, 1713.04, 1713.06, 1713.09, and 1713.25 of the Revised Code.

(E) An institution that clearly identifies itself in its name with the phrase "bible college" or "bible institute" and has not received a certificate of authorization may confer diplomas and other written evidences of proficiency or achievement other than associate, baccalaureate, master's, and doctoral degrees or any other type of degree and may identify itself as a "bible college" if such institution:

(1) Prominently discloses on any transcripts, diplomas, or other written evidences of proficiency or achievement, and includes with any promotional material or other literature intended for the public, the statement: "this institution is not certified by the board of regents or the state of Ohio."

(2) Limits its course of instruction to religion, theology, or preparation for a religious vocation, or is operated by a church or religious organization and limits its instruction to preparation for service to churches or other religious organizations.

(3) Confers only diplomas and other written evidences of proficiency or achievement that bear titles clearly signifying the religious nature of the instruction offered by the institution.

(F) ~~No~~ Except as otherwise provided in section 3333.046 of the Revised Code, no school of the type described in division (E) of section 3332.01 of the Revised Code that intends to offer or offers a degree program within this state or solicits students within this state may confer a baccalaureate, master's, or doctoral degree or solicit students for such degree programs until it has received both a certificate of authorization from the board of regents under this chapter and program authorization from the state board of proprietary school registration for such degree program under section 3332.05 of the Revised Code.

**Sec. 1713.03.** The Ohio board of regents shall establish

standards for certificates of authorization to be issued to 82  
institutions as defined in section 1713.01 of the Revised Code, to 83  
private institutions governed by the board of regents under 84  
section 3333.046 of the Revised Code, and to schools holding 85  
certificates of registration issued by the state board of 86  
proprietary school registration pursuant to division (C) of 87  
section 3332.05 ~~(C)~~ of the Revised Code. A certificate of 88  
authorization may permit an institution or school to award one or 89  
more types of degrees. 90

The standards for a certificate of authorization may include, 91  
for various types of institutions, schools, or degrees, minimum 92  
qualifications for faculty, library, laboratories, and other 93  
facilities as adopted and published by the Ohio board of regents. 94  
The standards shall be adopted by the board pursuant to Chapter 95  
119. of the Revised Code. 96

An institution or school shall apply to the board for a 97  
certificate of authorization on forms containing such information 98  
as is prescribed by the board. Each institution or school with a 99  
certificate of authorization shall file an annual report with the 100  
board in such form and containing such information as the board 101  
prescribes. 102

**Sec. 3332.02.** This chapter does not apply to the following 103  
categories of courses, schools, or colleges: 104

(A) Tuition-free courses or schools conducted by employers 105  
exclusively for their own employees; 106

(B) Nonprofit institutions with certificates of authorization 107  
issued pursuant to section 1713.02 of the Revised Code or that are 108  
nonprofit institutions exempted from the requirement to obtain a 109  
certificate by division (E) of that section; 110

(C) Schools, colleges, technical colleges, or universities 111  
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| established by law or chartered by the Ohio board of regents;  | 113   |
| (D) Courses of instruction required by law to be approved or licensed, or given by institutions approved or licensed, by a state board or agency other than the state board of school and college registration, except that a school so approved or licensed may apply to the state board of proprietary school registration for a certificate of registration to be issued in accordance with this chapter;   | 114<br>115<br>116<br>117<br>118<br>119<br>120   |
| (E) Schools for which minimum standards are prescribed by the state board of education pursuant to division (D) of section 3301.07 of the Revised Code;  | 121<br>122<br>123   |
| (F) Courses of instruction conducted by a public school district or a combination of public school districts;  | 124<br>125  |
| (G) Courses of instruction conducted outside the United States;  | 126<br>127  |
| <u>(H) Private institutions governed by the board of regents under section 3333.046 of the Revised Code.</u>   | 128<br>129  |
| <b>Sec. 3333.042.</b> The Ohio board of regents may grant money to a nonprofit entity that provides a statewide resource for aerospace research, education, and technology, so long as the nonprofit entity makes its resources accessible to state colleges and universities and to agencies of this and other states and the United States. The board, by rule adopted in accordance with Chapter 119. of the Revised Code, shall establish procedures and forms whereby nonprofit entities may apply for grants; standards and procedures for reviewing applications for and awarding grants; procedures for distributing grants to recipients; procedures for monitoring the use of grants by recipients; requirements, procedures, and forms whereby grant recipients shall report upon their use of grants; and standards and procedures for terminating | 130<br>131<br>132<br>133<br>134<br>135<br>136<br>137<br>138<br>139<br>140<br>141<br>142 |

and requiring repayment of grants in the event of their improper use. 143  
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A state college or university or private institution governed 145  
by the board of regents under section 3333.046 of the Revised Code 146  
and any agency of state government may provide assistance, in any 147  
form, to any nonprofit entity that receives a grant under this 148  
section. Such assistance shall be solely for the purpose of 149  
assisting the nonprofit entity in making proper use of the grant. 150

A nonprofit entity that expends a grant under this section 151  
for a capital project is not thereby subject to Chapter 123. or 152  
153. of the Revised Code. An officer or employee of, or a person 153  
who serves on a governing or advisory board or committee of, a 154  
nonprofit entity that receives a grant under this section is not 155  
thereby an officer or employee of a state college or university or 156  
of the state. An officer or employee of a state college or 157  
university or of the state who is assigned to assist a nonprofit 158  
entity in making proper use of a grant does not, to the extent ~~he~~ 159  
the officer or employee provides such assistance, thereby hold an 160  
incompatible office or employment, or have a direct or indirect 161  
interest in a contract or expenditure of the entity. 162

**Sec. 3333.043.** (A) As used in this section: 163

(1) "Institution of higher education" means the state 164  
universities listed in section 3345.011 of the Revised Code, 165  
municipal educational institutions established under Chapter 3349. 166  
of the Revised Code, community colleges established under Chapter 167  
3354. of the Revised Code, university branches established under 168  
Chapter 3355. of the Revised Code, technical colleges established 169  
under Chapter 3357. of the Revised Code, state community colleges 170  
established under Chapter 3358. of the Revised Code, any 171  
institution of higher education with a certificate of registration 172  
from the state board of proprietary school registration, and any 173

institution for which the Ohio board of regents receives a notice 174  
pursuant to division (C) of this section. 175

(2) "Community service" has the same meaning as in section 176  
3313.605 of the Revised Code. 177

(B)(1) The board of trustees or other governing entity of 178  
each institution of higher education shall encourage and promote 179  
participation of students in community service through a program 180  
appropriate to the mission, student population, and environment of 181  
each institution. The program may include, but not be limited to, 182  
providing information about community service opportunities during 183  
student orientation or in student publications; providing awards 184  
for exemplary community service; encouraging faculty members to 185  
incorporate community service into students' academic experiences 186  
wherever appropriate to the curriculum; encouraging recognized 187  
student organizations to undertake community service projects as 188  
part of their purposes; establishing advisory committees of 189  
students, faculty members, and community and business leaders to 190  
develop cooperative programs that benefit the community and 191  
enhance student experience. The program shall be flexible in 192  
design so as to permit participation by the greatest possible 193  
number of students, including part-time students and students for 194  
whom participation may be difficult due to financial, academic, 195  
personal, or other considerations. The program shall emphasize 196  
community service opportunities that can most effectively use the 197  
skills of students, such as tutoring or literacy programs. The 198  
programs shall encourage students to perform services that will 199  
not supplant the hiring of, result in the displacement of, or 200  
impair any existing employment contracts of any particular 201  
employee of any private or governmental entity for which services 202  
are performed. 203

(2) The Ohio board of regents shall encourage all 204  
institutions of higher education in the development of community 205

service programs. With the assistance of the state community  
service advisory committee created in section 121.40 of the  
Revised Code, the board of regents shall make available  
information about higher education community service programs to  
institutions of higher education and to statewide organizations  
involved with or promoting volunteerism, including information  
about model community service programs, teacher training courses,  
and community service curricula and teaching materials for  
possible use by institutions of higher education in their  
programs. The board shall encourage institutions of higher  
education to jointly coordinate higher education community service  
programs through consortia of institutions or other appropriate  
means of coordination.

(C) The board of trustees of any nonprofit institution with a  
certificate of authorization issued by the Ohio board of regents  
pursuant to Chapter 1713. of the Revised Code or the governing  
authority of a private institution governed by the board of  
regents under section 3333.046 of the Revised Code may notify the  
board of regents that it is making itself subject to divisions (A)  
and (B) of this section. Upon receipt of such a notice, these  
divisions shall apply to that institution.

Sec. 3333.046. Any institution that grants baccalaureate or  
master's degrees approved by the board of regents under division  
(C) of section 3332.05 of the Revised Code on the effective date  
of this section, that is accredited by the appropriate regional  
and, when appropriate, professional accrediting associations  
within whose jurisdiction it falls, and that is operated by a  
for-profit corporation may apply to be governed exclusively by the  
Ohio board of regents. The board shall determine the applicable  
accreditations that each applicant institution is required to  
possess under this section.



Application shall be made in writing to the board of regents 237  
by the highest ranking officer of the corporation whose office is 238  
in this state. The board may accept or reject the application. If 239  
the board decides to accept the application, the board shall 240  
assume regulation of all the programs of the institution in 241  
accordance with Chapter 1713. of the Revised Code and the 242  
institution ceases to be subject to any regulation under Chapter 243  
3332 of the Revised Code. 244

Upon acceptance of the application, the board of regents 245  
shall notify the officer of the corporation and the state board of 246  
proprietary school registration of the effective date of the 247  
institution's governance exclusively by the board of regents. 248

**Sec. 3333.12.** (A) As used in this section: 249

(1) "Eligible student" means an undergraduate student who is: 250  
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(a) An Ohio resident; 252

(b) Enrolled in either of the following: 253

(i) An accredited institution of higher education in this 254  
state that meets the requirements of Title VI of the Civil Rights 255  
Act of 1964 and is state-assisted, is nonprofit and has a 256  
certificate of authorization from the Ohio board of regents 257  
pursuant to Chapter 1713. of the Revised Code, ~~or~~ has a 258  
certificate of registration from the state board of proprietary 259  
school registration and program authorization to award an 260  
associate or bachelor's degree, or is a private institution 261  
governed by the board of regents under section 3333.046 of the 262  
Revised Code. Students who attend an institution that holds a 263  
certificate of registration shall be enrolled in a program leading 264  
to an associate or bachelor's degree for which associate or 265  
bachelor's degree program the institution has program 266

authorization issued under section 3332.05 of the Revised Code. 267

(ii) A technical education program of at least two years' 268  
duration sponsored by a private institution of higher education in 269  
this state that meets the requirements of Title VI of the Civil 270  
Rights Act of 1964. 271

(c) Enrolled as a full-time student or enrolled as a less 272  
than full-time student for the term expected to be the student's 273  
final term of enrollment and is enrolled for the number of credit 274  
hours necessary to complete the requirements of the program in 275  
which the student is enrolled. 276

(2) "Gross income" includes all taxable and nontaxable income 277  
of the parents, the student, and the student's spouse, except 278  
income derived from an Ohio academic scholarship, income earned by 279  
the student between the last day of the spring term and the first 280  
day of the fall term, and other income exclusions designated by 281  
the board. Gross income may be verified to the board by the 282  
institution in which the student is enrolled using the federal 283  
financial aid eligibility verification process or by other means 284  
satisfactory to the board. 285

(3) "Resident," "full-time student," "dependent," 286  
"financially independent," and "accredited" shall be defined by 287  
rules adopted by the board. 288

(B) The Ohio board of regents shall establish and administer 289  
an instructional grant program and may adopt rules to carry out 290  
this section. The general assembly shall support the instructional 291  
grant program by such sums and in such manner as it may provide, 292  
but the board may also receive funds from other sources to support 293  
the program. If the amounts available for support of the program 294  
are inadequate to provide grants to all eligible students, 295  
preference in the payment of grants shall be given in terms of 296  
income, beginning with the lowest income category of gross income 297  
and proceeding upward by category to the highest gross income 298

category.

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An instructional grant shall be paid to an eligible student through the institution in which the student is enrolled, except that no instructional grant shall be paid to any person serving a term of imprisonment. Applications for such grants shall be made as prescribed by the board, and such applications may be made in conjunction with and upon the basis of information provided in conjunction with student assistance programs funded by agencies of the United States government or from financial resources of the institution of higher education. The institution shall certify that the student applicant meets the requirements set forth in divisions (A)(1)(b) and (c) of this section. Instructional grants shall be provided to an eligible student only as long as the student is making appropriate progress toward a nursing diploma or an associate or bachelor's degree. No student shall be eligible to receive a grant for more than ten semesters, fifteen quarters, or the equivalent of five academic years. A grant made to an eligible student on the basis of less than full-time enrollment shall be based on the number of credit hours for which the student is enrolled and shall be computed in accordance with a formula adopted by the board. No student shall receive more than one grant on the basis of less than full-time enrollment.

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An instructional grant shall not exceed the total instructional and general charges of the institution.

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(C) The tables in this division prescribe the maximum grant amounts covering two semesters, three quarters, or a comparable portion of one academic year. Grant amounts for additional terms in the same academic year shall be determined under division (D) of this section.

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For a full-time student who is a dependent and enrolled in a nonprofit educational institution that is not a state-assisted institution and that has a certificate of authorization issued

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pursuant to Chapter 1713. of the Revised Code, the amount of the 331  
 instructional grant for two semesters, three quarters, or a 332  
 comparable portion of the academic year shall be determined in 333  
 accordance with the following table: 334

Table of Grants 335

| Gross Income        | Maximum Grant \$4,872 |         |         |         |           | 338 |
|---------------------|-----------------------|---------|---------|---------|-----------|-----|
|                     | Number of Dependents  |         |         |         |           |     |
|                     | 1                     | 2       | 3       | 4       | 5 or more |     |
| Under \$13,001      | \$4,872               | \$4,872 | \$4,872 | \$4,872 | \$4,872   | 339 |
| \$13,001 - \$14,000 | 4,386                 | 4,872   | 4,872   | 4,872   | 4,872     | 340 |
| \$14,001 - \$15,000 | 3,888                 | 4,386   | 4,872   | 4,872   | 4,872     | 341 |
| \$15,001 - \$16,000 | 3,408                 | 3,888   | 4,386   | 4,872   | 4,872     | 342 |
| \$16,001 - \$17,000 | 2,928                 | 3,408   | 3,888   | 4,386   | 4,872     | 343 |
| \$17,001 - \$20,000 | 2,442                 | 2,928   | 3,408   | 3,888   | 4,386     | 344 |
| \$20,001 - \$23,000 | 1,944                 | 2,442   | 2,928   | 3,408   | 3,888     | 345 |
| \$23,001 - \$26,000 | 1,452                 | 1,944   | 2,442   | 2,928   | 3,408     | 346 |
| \$26,001 - \$29,000 | 1,200                 | 1,452   | 1,944   | 2,442   | 2,928     | 347 |
| \$29,001 - \$30,000 | 966                   | 1,200   | 1,452   | 1,944   | 2,442     | 348 |
| \$30,001 - \$31,000 | 882                   | 966     | 1,200   | 1,452   | 1,944     | 349 |
| \$31,001 - \$32,000 | 792                   | 882     | 966     | 1,200   | 1,452     | 350 |
| \$32,001 - \$33,000 | 396                   | 792     | 882     | 966     | 1,200     | 351 |
| \$33,001 - \$34,000 | -0-                   | 396     | 792     | 882     | 966       | 352 |
| \$34,001 - \$35,000 | -0-                   | -0-     | 396     | 792     | 882       | 353 |
| \$35,001 - \$36,000 | -0-                   | -0-     | -0-     | 396     | 792       | 354 |
| \$36,001 - \$37,000 | -0-                   | -0-     | -0-     | -0-     | 396       | 355 |
| Over \$37,000       | -0-                   | -0-     | -0-     | -0-     | -0-       | 356 |

For a full-time student who is financially independent and 357  
 enrolled in a nonprofit educational institution that is not a 358  
 state-assisted institution and that has a certificate of 359  
 authorization issued pursuant to Chapter 1713. of the Revised 360  
 Code, the amount of the instructional grant for two semesters, 361

three quarters, or a comparable portion of the academic year shall 362  
be determined in accordance with the following table: 363

Table of Grants 364

| Gross Income        | Maximum Grant \$4,872 |         |         |         |         |              | 365 |
|---------------------|-----------------------|---------|---------|---------|---------|--------------|-----|
|                     | Number of Dependents  |         |         |         |         |              |     |
|                     | 0                     | 1       | 2       | 3       | 4       | 5 or<br>more | 367 |
| Under \$4,201       | \$4,872               | \$4,872 | \$4,872 | \$4,872 | \$4,872 | \$4,872      | 368 |
| \$4,201 - \$4,800   | 4,386                 | 4,872   | 4,872   | 4,872   | 4,872   | 4,872        | 369 |
| \$4,801 - \$5,300   | 3,888                 | 4,386   | 4,872   | 4,872   | 4,872   | 4,872        | 370 |
| \$5,301 - \$5,800   | 3,408                 | 3,888   | 4,386   | 4,872   | 4,872   | 4,872        | 371 |
| \$5,801 - \$6,300   | 2,928                 | 3,408   | 3,888   | 4,386   | 4,872   | 4,872        | 372 |
| \$6,301 - \$6,800   | 2,442                 | 2,928   | 3,408   | 3,888   | 4,386   | 4,872        | 373 |
| \$6,801 - \$7,800   | 1,944                 | 2,442   | 2,928   | 3,408   | 3,888   | 4,386        | 374 |
| \$7,801 - \$8,800   | 1,452                 | 1,944   | 2,442   | 2,928   | 3,408   | 3,888        | 375 |
| \$8,801 - \$9,800   | 1,200                 | 1,452   | 1,944   | 2,442   | 2,928   | 3,408        | 376 |
| \$9,801 - \$11,300  | 966                   | 1,200   | 1,452   | 1,944   | 2,442   | 2,928        | 377 |
| \$11,301 - \$12,800 | 882                   | 966     | 1,200   | 1,452   | 1,944   | 2,442        | 378 |
| \$12,801 - \$14,300 | 792                   | 882     | 966     | 1,200   | 1,452   | 1,944        | 379 |
| \$14,301 - \$15,800 | 396                   | 792     | 882     | 966     | 1,200   | 1,452        | 380 |
| \$15,801 - \$18,800 | -0-                   | 396     | 792     | 882     | 966     | 1,200        | 381 |
| \$18,801 - \$21,800 | -0-                   | -0-     | 396     | 792     | 882     | 966          | 382 |
| \$21,801 - \$24,800 | -0-                   | -0-     | -0-     | 396     | 792     | 882          | 383 |
| \$24,801 - \$29,500 | -0-                   | -0-     | -0-     | -0-     | 396     | 792          | 384 |
| \$29,501 - \$34,500 | -0-                   | -0-     | -0-     | -0-     | -0-     | 396          | 385 |
| Over \$34,500       | -0-                   | -0-     | -0-     | -0-     | -0-     | -0-          | 386 |

For a full-time student who is a dependent and enrolled in an 387  
educational institution that holds a certificate of registration 388  
from the state board of proprietary school registration or a 389  
private institution governed by the board of regents under section 390  
3333.046 of the Revised Code, the amount of the instructional 391  
grant for two semesters, three quarters, or a comparable portion 392

of the academic year shall be determined in accordance with the 393  
following table: 394

Table of Grants 395

| Gross Income        | Maximum Grant \$4,128 |         |         |         |              | 397 |
|---------------------|-----------------------|---------|---------|---------|--------------|-----|
|                     | Number of Dependents  |         |         |         |              |     |
|                     | 1                     | 2       | 3       | 4       | 5 or<br>more | 398 |
| Under \$13,001      | \$4,128               | \$4,128 | \$4,128 | \$4,128 | \$4,128      | 399 |
| \$13,001 - \$14,000 | 3,726                 | 4,128   | 4,128   | 4,128   | 4,128        | 400 |
| \$14,001 - \$15,000 | 3,288                 | 3,726   | 4,128   | 4,128   | 4,128        | 401 |
| \$15,001 - \$16,000 | 2,874                 | 3,288   | 3,726   | 4,128   | 4,128        | 402 |
| \$16,001 - \$17,000 | 2,490                 | 2,874   | 3,288   | 3,726   | 4,128        | 403 |
| \$17,001 - \$20,000 | 2,046                 | 2,490   | 2,874   | 3,288   | 3,726        | 404 |
| \$20,001 - \$23,000 | 1,656                 | 2,046   | 2,490   | 2,874   | 3,288        | 405 |
| \$23,001 - \$26,000 | 1,266                 | 1,656   | 2,046   | 2,490   | 2,874        | 406 |
| \$26,001 - \$29,000 | 1,014                 | 1,266   | 1,656   | 2,046   | 2,490        | 407 |
| \$29,001 - \$30,000 | 810                   | 1,014   | 1,266   | 1,656   | 2,046        | 408 |
| \$30,001 - \$31,000 | 762                   | 810     | 1,014   | 1,266   | 1,656        | 409 |
| \$31,001 - \$32,000 | 672                   | 762     | 810     | 1,014   | 1,266        | 410 |
| \$32,001 - \$33,000 | 336                   | 672     | 762     | 810     | 1,014        | 411 |
| \$33,001 - \$34,000 | -0-                   | 336     | 672     | 762     | 810          | 412 |
| \$34,001 - \$35,000 | -0-                   | -0-     | 336     | 672     | 762          | 413 |
| \$35,001 - \$36,000 | -0-                   | -0-     | -0-     | 336     | 672          | 414 |
| \$36,001 - \$37,000 | -0-                   | -0-     | -0-     | -0-     | 336          | 415 |
| Over \$37,000       | -0-                   | -0-     | -0-     | -0-     | -0-          | 416 |

For a full-time student who is financially independent and 417  
enrolled in an educational institution that holds a certificate of 418  
registration from the state board of proprietary school 419  
registration or a private institution governed by the board of 420  
regents under section 3333.046 of the Revised Code, the amount of 421  
the instructional grant for two semesters, three quarters, or a 422  
comparable portion of the academic year shall be determined in 423  
accordance with the following table: 424

| Table of Grants       |                      |         |         |         |         |              | 425 |
|-----------------------|----------------------|---------|---------|---------|---------|--------------|-----|
| Maximum Grant \$4,128 |                      |         |         |         |         |              | 426 |
| Gross Income          | Number of Dependents |         |         |         |         |              | 427 |
|                       | 0                    | 1       | 2       | 3       | 4       | 5 or<br>more | 428 |
| Under \$4,201         | \$4,128              | \$4,128 | \$4,128 | \$4,128 | \$4,128 | \$4,128      | 429 |
| \$4,201 - \$4,800     | 3,726                | 4,128   | 4,128   | 4,128   | 4,128   | 4,128        | 430 |
| \$4,801 - \$5,300     | 3,288                | 3,726   | 4,128   | 4,128   | 4,128   | 4,128        | 431 |
| \$5,301 - \$5,800     | 2,874                | 3,288   | 3,726   | 4,128   | 4,128   | 4,128        | 432 |
| \$5,801 - \$6,300     | 2,490                | 2,874   | 3,288   | 3,726   | 4,128   | 4,128        | 433 |
| \$6,301 - \$6,800     | 2,046                | 2,490   | 2,874   | 3,288   | 3,726   | 4,128        | 434 |
| \$6,801 - \$7,800     | 1,656                | 2,046   | 2,490   | 2,874   | 3,288   | 3,726        | 435 |
| \$7,801 - \$8,800     | 1,266                | 1,656   | 2,046   | 2,490   | 2,874   | 3,288        | 436 |
| \$8,801 - \$9,800     | 1,014                | 1,266   | 1,656   | 2,046   | 2,490   | 2,874        | 437 |
| \$9,801 - \$11,300    | 810                  | 1,014   | 1,266   | 1,656   | 2,046   | 2,490        | 438 |
| \$11,301 - \$12,800   | 762                  | 810     | 1,014   | 1,266   | 1,656   | 2,046        | 439 |
| \$12,801 - \$14,300   | 672                  | 762     | 810     | 1,014   | 1,266   | 1,656        | 440 |
| \$14,301 - \$15,800   | 336                  | 672     | 762     | 810     | 1,014   | 1,266        | 441 |
| \$15,801 - \$18,800   | -0-                  | 336     | 672     | 762     | 810     | 1,014        | 442 |
| \$18,801 - \$21,800   | -0-                  | -0-     | 336     | 672     | 762     | 810          | 443 |
| \$21,801 - \$24,800   | -0-                  | -0-     | -0-     | 336     | 672     | 762          | 444 |
| \$24,801 - \$29,500   | -0-                  | -0-     | -0-     | -0-     | 336     | 672          | 445 |
| \$29,501 - \$34,500   | -0-                  | -0-     | -0-     | -0-     | -0-     | 336          | 446 |
| Over \$34,500         | -0-                  | -0-     | -0-     | -0-     | -0-     | -0-          | 447 |

For a full-time student who is a dependent and enrolled in a state-assisted educational institution, the amount of the instructional grant for two semesters, three quarters, or a comparable portion of the academic year shall be determined in accordance with the following table:

| Table of Grants       |                      |   |   |   |              | 453 |
|-----------------------|----------------------|---|---|---|--------------|-----|
| Maximum Grant \$1,956 |                      |   |   |   |              | 454 |
| Gross Income          | Number of Dependents |   |   |   |              | 455 |
|                       | 1                    | 2 | 3 | 4 | 5 or<br>more | 456 |

|                     |         |         |         |         | more    |     |
|---------------------|---------|---------|---------|---------|---------|-----|
| Under \$13,001      | \$1,956 | \$1,956 | \$1,956 | \$1,956 | \$1,956 | 457 |
| \$13,001 - \$14,000 | 1,764   | 1,956   | 1,956   | 1,956   | 1,956   | 458 |
| \$14,001 - \$15,000 | 1,554   | 1,764   | 1,956   | 1,956   | 1,956   | 459 |
| \$15,001 - \$16,000 | 1,380   | 1,554   | 1,764   | 1,956   | 1,956   | 460 |
| \$16,001 - \$17,000 | 1,182   | 1,380   | 1,554   | 1,764   | 1,956   | 461 |
| \$17,001 - \$20,000 | 966     | 1,182   | 1,380   | 1,554   | 1,764   | 462 |
| \$20,001 - \$23,000 | 774     | 966     | 1,182   | 1,380   | 1,554   | 463 |
| \$23,001 - \$26,000 | 582     | 774     | 966     | 1,182   | 1,380   | 464 |
| \$26,001 - \$29,000 | 468     | 582     | 774     | 966     | 1,182   | 465 |
| \$29,001 - \$30,000 | 378     | 468     | 582     | 774     | 966     | 466 |
| \$30,001 - \$31,000 | 348     | 378     | 468     | 582     | 774     | 467 |
| \$31,001 - \$32,000 | 318     | 348     | 378     | 468     | 582     | 468 |
| \$32,001 - \$33,000 | 162     | 318     | 348     | 378     | 468     | 469 |
| \$33,001 - \$34,000 | -0-     | 162     | 318     | 348     | 378     | 470 |
| \$34,001 - \$35,000 | -0-     | -0-     | 162     | 318     | 348     | 471 |
| \$35,001 - \$36,000 | -0-     | -0-     | -0-     | 162     | 318     | 472 |
| \$36,001 - \$37,000 | -0-     | -0-     | -0-     | -0-     | 162     | 473 |
| Over \$37,000       | -0-     | -0-     | -0-     | -0-     | -0-     | 474 |

For a full-time student who is financially independent and enrolled in a state-assisted educational institution, the amount of the instructional grant for two semesters, three quarters, or a comparable portion of the academic year shall be determined in accordance with the following table:

| Table of Grants   |                       |         |         |         |         |           |     |
|-------------------|-----------------------|---------|---------|---------|---------|-----------|-----|
| Gross Income      | Maximum Grant \$1,956 |         |         |         |         |           |     |
|                   | Number of Dependents  |         |         |         |         |           |     |
|                   | 0                     | 1       | 2       | 3       | 4       | 5 or more |     |
| Under \$4,201     | \$1,956               | \$1,956 | \$1,956 | \$1,956 | \$1,956 | \$1,956   | 484 |
| \$4,201 - \$4,800 | 1,764                 | 1,956   | 1,956   | 1,956   | 1,956   | 1,956     | 485 |
| \$4,801 - \$5,300 | 1,554                 | 1,764   | 1,956   | 1,956   | 1,956   | 1,956     | 486 |
| \$5,301 - \$5,800 | 1,380                 | 1,554   | 1,764   | 1,956   | 1,956   | 1,956     | 487 |



|                     |       |       |       |       |       |       |     |
|---------------------|-------|-------|-------|-------|-------|-------|-----|
| \$5,801 - \$6,300   | 1,182 | 1,380 | 1,554 | 1,764 | 1,956 | 1,956 | 488 |
| \$6,301 - \$6,800   | 966   | 1,182 | 1,380 | 1,554 | 1,764 | 1,956 | 489 |
| \$6,801 - \$7,800   | 774   | 966   | 1,182 | 1,380 | 1,554 | 1,764 | 490 |
| \$7,801 - \$8,800   | 582   | 774   | 966   | 1,182 | 1,380 | 1,554 | 491 |
| \$8,801 - \$9,800   | 468   | 582   | 774   | 966   | 1,182 | 1,380 | 492 |
| \$9,801 - \$11,300  | 378   | 468   | 582   | 774   | 966   | 1,182 | 493 |
| \$11,301 - \$12,800 | 348   | 378   | 468   | 582   | 774   | 966   | 494 |
| \$12,801 - \$14,300 | 318   | 348   | 378   | 468   | 582   | 774   | 495 |
| \$14,301 - \$15,800 | 162   | 318   | 348   | 378   | 468   | 582   | 496 |
| \$15,801 - \$18,800 | -0-   | 162   | 318   | 348   | 378   | 468   | 497 |
| \$18,801 - \$21,800 | -0-   | -0-   | 162   | 318   | 348   | 378   | 498 |
| \$21,801 - \$24,800 | -0-   | -0-   | -0-   | 162   | 318   | 348   | 499 |
| \$24,801 - \$29,500 | -0-   | -0-   | -0-   | -0-   | 162   | 318   | 500 |
| \$29,501 - \$34,500 | -0-   | -0-   | -0-   | -0-   | -0-   | 162   | 501 |
| Over \$34,500       | -0-   | -0-   | -0-   | -0-   | -0-   | -0-   | 502 |

(D) For a full-time student enrolled in an eligible institution for a semester or quarter in addition to the portion of the academic year covered by a grant determined under division (C) of this section, the maximum grant amount shall be a percentage of the maximum prescribed in the applicable table of that division. The maximum grant for a fourth quarter shall be one-third of the maximum amount prescribed under that division. The maximum grant for a third semester shall be one-half of the maximum amount prescribed under that division.

(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.

(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.

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(2) Division (F)(1) of this section does not apply to the  
following:

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(a) Any student enrolled in an institution that under the  
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 the institution may  
continue to participate in federal financial aid programs. The  
board shall adopt rules requiring institutions to provide  
information regarding an appeal to the board.

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(b) Any student who has previously received a grant under  
this section who meets all other requirements of this section.

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(3) The board 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.

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(4) A student's attendance at an institution whose students  
lose eligibility for grants under division (F)(1) of this section  
shall not affect that student's eligibility to receive a grant  
when enrolled in another institution.

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(G) Institutions of higher education that enroll students  
receiving instructional grants under this section shall report to  
the board all students who have received instructional grants but  
are no longer eligible for all or part of such grants and shall  
refund any moneys due the state within thirty days after the  
beginning of the quarter or term immediately following the quarter

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or term in which the student was no longer eligible to receive all 551  
or part of the student's grant. There shall be an interest charge 552  
of one per cent per month on all moneys due and payable after such 553  
thirty-day period. The board shall immediately notify the office 554  
of budget and management and ~~the legislative budget office of the~~ 555  
legislative service commission of all refunds so received. 556

**Sec. 3333.18.** The Ohio board of regents may enter into 557  
contracts with the appropriate agency in a contiguous state 558  
whereby financial aids from the funds of each state may be used by 559  
qualified student recipients to attend approved post-secondary 560  
educational institutions in the other state. Approved institutions 561  
in Ohio are those that are state-assisted or are nonprofit and 562  
have received certificates of authorization from the Ohio board of 563  
regents pursuant to Chapter 1713. of the Revised Code, or are 564  
private institutions governed by the board of regents under 565  
section 3333.046 of the Revised Code. Eligible post-secondary 566  
educational institutions in the contiguous state shall be 567  
similarly approved by the appropriate agency of that state. In 568  
formulating and executing such contracts with a contiguous state, 569  
the board shall assure that the total cost to this state 570  
approximates the total cost to the contiguous state. Any contract 571  
entered into under this section shall be subject to the periodic 572  
review of, and approval by, the controlling board. 573

**Sec. 3333.21.** As used in sections 3333.21 to 3333.23 of the 574  
Revised Code, "term" and "academic year" mean "term" and "academic 575  
year" as defined by the Ohio board of regents. 576

The board shall establish and administer an academic 577  
scholarship program. Under the program, a total of one thousand 578  
new scholarships shall be awarded annually in the amount of two 579  
thousand dollars per award. At least one such new scholarship 580  
shall be awarded annually to a student in each public high school 581

and joint vocational school and each nonpublic high school for 582  
which the state board of education prescribes minimum standards in 583  
accordance with section 3301.07 of the Revised Code. 584

To be eligible for the award of a scholarship, a student 585  
shall be a resident of Ohio and shall be enrolled as a full-time 586  
undergraduate student in an Ohio institution of higher education 587  
that meets the requirements of Title VI of the "Civil Rights Act 588  
of 1964" and is state-assisted, is nonprofit and holds a 589  
certificate of authorization issued under section 1713.02 of the 590  
Revised Code, is a private institution governed by the board of 591  
regents under section 3333.046 of the Revised Code, or holds a 592  
certificate of registration and program authorization issued under 593  
section 3332.05 of the Revised Code and awards an associate or 594  
bachelor's degree. Students who attend an institution holding a 595  
certificate of registration shall be enrolled in a program leading 596  
to an associate or bachelor's degree for which associate or 597  
bachelor's degree program the institution has program 598  
authorization to offer the program issued under section 3332.05 of 599  
the Revised Code. 600

"Resident" and "full-time student" shall be defined by board 601  
rule. 602

The board shall award the scholarships on the basis of a 603  
formula designed by it to identify students with the highest 604  
capability for successful college study. The formula shall weigh 605  
the factor of achievement, as measured by grade point average, and 606  
the factor of ability, as measured by performance on a competitive 607  
examination specified by the board. Students receiving 608  
scholarships shall be known as "Ohio academic scholars." Annually, 609  
not later than the thirty-first day of July, the board shall 610  
report to the governor and the general assembly on the performance 611  
of current Ohio academic scholars and the effectiveness of its 612  
formula. 613

Sec. 3333.26. (A) Any citizen of this state who has resided 614  
within the state for one year and who was in the active service of 615  
the United States as a soldier, sailor, nurse, or marine between 616  
April 6, 1917, and November 11, 1918, and who has been honorably 617  
discharged from such service, shall be admitted to any school, 618  
college, or university that receives state funds in support 619  
thereof, without being required to pay any tuition or 620  
matriculation fee, but is not relieved from the payment of 621  
laboratory or similar fees. 622

(B)(1) As used in this division: 623

(a) "Volunteer ~~fire-fighter~~ firefighter" has the meaning 624  
given in division (B)(1) of section 146.01 of the Revised Code; 625

(b) "Public service officer" means an Ohio ~~fire-fighter~~ 626  
firefighter, volunteer ~~fire-fighter~~ firefighter, police officer, 627  
member of the highway patrol, employee designated to exercise the 628  
powers of police officers pursuant to section 1545.13 of the 629  
Revised Code, or other peace officer as defined by division (B) of 630  
section 2935.01 of the Revised Code, or a person holding any 631  
equivalent position in another state; 632

(c) "Qualified former spouse" means the former spouse of a 633  
public service officer who is the custodial parent of a minor 634  
child of that marriage pursuant to an order allocating the 635  
parental rights and responsibilities for care of the child issued 636  
pursuant to section 3109.04 of the Revised Code. 637

(2) Any resident of this state who is under twenty-six years 638  
of age, or under thirty years of age if the resident has been 639  
honorably discharged from the armed services of the United States, 640  
and who is the child of a public service officer killed in the 641  
line of duty, and who is admitted to any state university or 642  
college as defined in division (A)(1) of section 3345.12 of the 643  
Revised Code, community college, state community college, 644

university branch, or technical college, shall not be required to  
pay any tuition or any student fee for up to four academic years  
of education, which shall be at the undergraduate level.

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(3) Any resident of this state who is the spouse or qualified  
former spouse of a public service officer killed in the line of  
duty, and who is admitted to any state university or college as  
defined in division (A)(1) of section 3345.12 of the Revised Code,  
community college, state community college, university branch, or  
technical college, shall not be required to pay any tuition or any  
student fee for up to four academic years of education, which  
shall be at the undergraduate level.

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(C) Any institution that is not subject to division (B) of  
this section and that holds a valid certificate of registration  
issued under Chapter 3332., a valid certificate issued under  
Chapter 4709., or a valid license issued under Chapter 4713. of  
the Revised Code, or that is nonprofit and has a certificate of  
authorization issued under section 1713.02 of the Revised Code or  
that is a private institution governed by the board of regents  
under section 3333.046 of the Revised Code that reduces tuition  
and student fees of a student who is eligible to attend an  
institution of higher education under the provisions of division  
(B) of this section by an amount indicated by the Ohio board of  
regents shall be eligible to receive a grant in that amount from  
the board. Each institution that enrolls students under division  
(B) of this section shall report to the board, by the first day of  
July of each year, the number of students who were so enrolled and  
the average amount of all such tuition and fees waived during the  
preceding year. The board shall determine the average amount of  
all such tuition and fees waived during the preceding year. The  
average amount of tuition and fees waived under division (B) of  
this section during the preceding year shall be the amount of  
grants that participating institutions shall receive under this

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division during the current year, but no grant under this division 677  
shall exceed the tuition and student fees due and payable by the 678  
student prior to the reduction referred to in this division. Such 679  
grants shall be made for four years of undergraduate education of 680  
an eligible student. 681

**Sec. 3333.37.** As used in sections 3333.37 to 3333.375 of the 682  
Revised Code, the following words and terms have the following 683  
meanings unless the context indicates a different meaning or 684  
intent: 685

(A) "Cost of attendance" means all costs of a student 686  
incurred in connection with a program of study at an eligible 687  
institution, as determined by the institution, including tuition; 688  
instructional fees; room and board; books, computers, and 689  
supplies; and other related fees, charges, and expenses. 690

(B) "Eligible institution" means ~~either~~ one of the following: 691

(1) A state-assisted post-secondary educational institution 692  
within the state; 693

(2) A nonprofit institution of higher education within the 694  
state that holds a certificate of authorization from the Ohio 695  
board of regents pursuant to Chapter 1713. of the Revised Code, 696  
that is accredited by the appropriate regional and, when 697  
appropriate, professional accrediting associations within whose 698  
jurisdiction it falls, is authorized to grant a bachelor's degree 699  
or higher, and satisfies other conditions as set forth in the 700  
policy guidelines; 701

(3) A private institution governed by the board of regents 702  
under section 3333.046 of the Revised Code. 703

(C) "Eligible student" means either of the following: 704

(1) An undergraduate student who meets all of the following: 705

(a) Is a resident of this state; 706

(b) Has graduated from any Ohio secondary school for which 707  
the state board of education prescribes minimum standards in 708  
accordance with section 3301.07 of the Revised Code; 709

(c) Is attending and in good standing, or has been accepted 710  
for attendance, at any eligible institution as a full-time student 711  
to pursue a bachelor's degree. 712

(2) A graduate student who is a resident of this state, and 713  
is attending and in good standing, or has been accepted for 714  
attendance, at any eligible institution. 715

(D) "Fellowship" or "fellowship program" means the Ohio 716  
priority needs fellowship created by sections 3333.37 to 3333.375 717  
of the Revised Code. 718

(E) "Full-time student" has the meaning as defined by rule of 719  
the Ohio board of regents. 720

(F) "Ohio outstanding scholar" means a student who is the 721  
recipient of a scholarship under sections 3333.37 to 3333.375 of 722  
the Revised Code. 723

(G) "Policy guidelines" means the rules adopted by the Ohio 724  
board of regents pursuant to section 3333.374 of the Revised Code. 725

(H) "Priority needs fellow" means a student who is the 726  
recipient of a fellowship under sections 3333.37 to 3333.375 of 727  
the Revised Code. 728

(I) "Priority needs field of study" means those academic 729  
majors and disciplines as determined by the Ohio board of regents 730  
that support the purposes and intent of sections 3333.37 to 731  
3333.375 of the Revised Code as described in section 3333.371 of 732  
the Revised Code. 733

(J) "Scholarship" or "scholarship program" means the Ohio 734  
outstanding scholarship created by sections 3333.37 to 3333.375 of 735  
the Revised Code. 736



Sec. 3365.01. As used in sections 3365.01 to 3365.10 of the Revised Code:

(A) "College" means any state-assisted college or university described in section 3333.041 of the Revised Code, any nonprofit institution holding a certificate of authorization pursuant to Chapter 1713. of the Revised Code, any private institution governed by the board of regents under section 3333.046 of the Revised Code, and any institution holding a certificate of registration from the state board of proprietary school registration and program authorization for an associate or bachelor's degree program issued under section 3332.05 of the Revised Code.

(B) "School district," except as specified in division (G) of this section, means any school district to which a student is admitted under section 3313.64, 3313.65, 3313.98, or 3317.08 of the Revised Code and does not include a joint vocational or cooperative education school district.

(C) "Parent" has the same meaning as in section 3313.64 of the Revised Code.

(D) "Participant" means a student enrolled in a college under the post-secondary enrollment options program established by this chapter.

(E) "Secondary grade" means the ninth through twelfth grades.

(F) "School foundation payments" means the amount required to be paid to a school district for a fiscal year under Chapter 3317. of the Revised Code.

(G) "Tuition base" means, with respect to a participant's school district, the formula amount defined in division (B) of section 3317.02 of the Revised Code multiplied by the district's

cost-of-doing-business factor defined in division (N) of section 767  
3317.02 of the Revised Code. The participant's "school district" 768  
in the case of a participant enrolled in a community school shall 769  
be the school district in which the student is entitled to attend 770  
school under section 3313.64 or 3313.65 of the Revised Code. 771

(H) "Educational program" means enrollment in one or more 772  
school districts, in a nonpublic school, or in a college under 773  
division (B) of section 3365.04 of the Revised Code. 774

(I) "Nonpublic school" means a chartered or nonchartered 775  
school for which minimum standards are prescribed by the state 776  
board of education pursuant to division (D) of section 3301.07 of 777  
the Revised Code. 778

(J) "School year" means the year beginning on the first day 779  
of July and ending on the thirtieth day of June. 780

(K) "Community school" means any school established pursuant 781  
to Chapter 3314. of the Revised Code that includes secondary 782  
grades. 783

(L) "Community school payments" means payments made by the 784  
department of education to a community school pursuant to division 785  
(D) of section 3314.08 of the Revised Code. 786

**Sec. 3366.01.** As used in this chapter, the following words 787  
and terms have the following meanings unless the context indicates 788  
a different meaning or intent: 789

(A) "Bond proceedings" means the order, trust, agreement, 790  
indenture and other agreements, or amendments and supplements to 791  
the foregoing, or any one or more or combination thereof, 792  
authorizing or providing for the terms and conditions applicable 793  
to, or providing for the issuance, security, or liquidity of, 794  
obligations and the provisions contained in such obligations. 795

(B) "Bond service charges" means principal, including 796

mandatory sinking fund requirements for retirement of obligations, 797  
and interest, and redemption premium, if any, required to be paid 798  
on obligations. 799

(C) "Bond service fund" means the applicable fund and 800  
accounts therein created in the bond proceedings for and pledged 801  
to the payment of bond service charges, including all moneys and 802  
investments, and earnings from investments, credited and to be 803  
credited thereto. 804

(D) "Costs of attendance" means all costs of a student 805  
incurred in connection with a program of study at an eligible 806  
institution, as determined by the institution, including tuition; 807  
instructional fees; room and board; books, computers, and 808  
supplies; and other related fees, charges, and expenses. 809

(E) "Designated administrator" means, with respect to all 810  
obligations issued prior to September 1, 1999, and to all 811  
nonfederal education loans, the nonprofit corporation designated 812  
on November 10, 1992, under division (D) of section 3351.07 of the 813  
Revised Code to operate exclusively for charitable and educational 814  
purposes by expanding access to higher education financing 815  
programs for students and families in need of student financial 816  
aid. For all other purposes, "designated administrator" means the 817  
Ohio corporation that is a subsidiary of the nonprofit corporation 818  
designated under division (D) of section 3351.07 of the Revised 819  
Code and that has agreed to enter into an administration agreement 820  
with the issuing authority and the director of development, or any 821  
other person that enters into an administration agreement with the 822  
issuing authority and the director of development. 823

(F) "Education loan" means a loan made by an eligible lender 824  
pursuant to the policy guidelines to or for the benefit of a 825  
student for the purpose of financing part or all of the student's 826  
costs of attendance. 827

(G) "Eligible borrower" means any of the following: 828

(1) Individuals who are residents of the state, and who are 829  
attending and are in good standing in, or who have been accepted 830  
for attendance at, any eligible institution located in this state 831  
or elsewhere, on a part-time or full-time basis, to pursue an 832  
associate, baccalaureate, or advanced degree or a nursing diploma; 833

(2) Individuals who reside outside the state and who have 834  
been accepted for attendance at, or who are attending and are in 835  
good standing in, any eligible institution located in this state, 836  
on a part-time or full-time basis, to pursue an associate, 837  
baccalaureate, or advanced degree or a nursing diploma; 838

(3) Individuals who are parents or legal guardians of, or 839  
other persons, as set forth in the policy guidelines, borrowing 840  
under an education loan for the benefit of individuals meeting 841  
requirements set forth in division (G)(1) or (2) of this section, 842  
in order to assist them in paying costs of attendance. 843

(H)(1) "Eligible institution" means an institution described 844  
in any of divisions (H)(1)(a), (b), ~~or (c)~~, or (d) of this section 845  
that satisfies all of the requirements set forth in divisions 846  
(H)(2), (3), and (4) of this section. 847

(a) The institution is a state-assisted post-secondary 848  
educational institution within this state. 849

(b) The institution is a nonprofit institution within this 850  
state having a certificate of authorization from the Ohio board of 851  
regents pursuant to Chapter 1713. of the Revised Code. 852

(c) The institution is a post-secondary educational 853  
institution similar to one described in division (H)(1)(a) or (b) 854  
of this section that is located outside this state and that is 855  
similarly approved by the appropriate agency of that state. 856

(d) The institution is a private institution governed by the 857

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| <u>board of regents under section 3333.046 of the Revised Code.</u>   | 858  |
| (2) The institution is accredited by the appropriate regional and, when appropriate, professional accrediting associations within whose jurisdiction it falls.  | 859<br>860<br>861  |
| (3) The institution satisfies the eligibility requirements for participation in the federal family education loan program authorized under Title IV, Part B, of the "Higher Education Act of 1965," 20 U.S.C.A. 1071 et seq., as amended, as long as that program remains in existence.   | 862<br>863<br>864<br>865<br>866  |
| (4) The institution satisfies the other conditions set forth in the policy guidelines.  | 867<br>868   |
| (I) "Eligible lender" means, with respect to lenders making nonfederal education loans, a bank, national banking association, savings bank, savings and loan association, or credit union having an office in this state that satisfies the criteria for eligible lenders established pursuant to the policy guidelines. With respect to lenders making federal education loans, "eligible lender" means any person that is permitted to make loans under the federal family education loan program authorized under Title IV, Part B, of the "Higher Education Act of 1965," 20 U.S.C.A. 1071 et seq., as amended; that has an office in this state; and that satisfies the criteria for eligible lenders established pursuant to the policy guidelines. | 869<br>870<br>871<br>872<br>873<br>874<br>875<br>876<br>877<br>878<br>879<br>880 |
| (J) "Federal education loan" means an education loan that is originated in compliance with the federal family education loan program authorized under Title IV, Part B, of the "Higher Education Act of 1965," 20 U.S.C.A. 1071 et seq., as amended.  | 881<br>882<br>883<br>884   |
| (K) "Governmental agency" means the state and any state department, division, commission, institution, or authority; the United States or any agency thereof; or any agency, commission, or authority established pursuant to an interstate compact or  | 885<br>886<br>887<br>888   |

agreement; or any combination of the foregoing. 889

(L) "Issuing authority" means the treasurer of state, or the 890  
officer who by law performs the functions of the treasurer of 891  
state. 892

(M) "Nonfederal education loan" means any education loan that 893  
is not a federal education loan. 894

(N) "Obligations" means the bonds, notes, or securities of 895  
this state issued by the issuing authority pursuant to this 896  
chapter. 897

(O) "Person" means any individual, corporation, business 898  
trust, estate, trust, partnership, or association, any federal, 899  
state, interstate, regional, or local governmental agency, any 900  
subdivision of the state, or any combination of these. 901

(P) "Pledged receipts" means, to the extent the following are 902  
pledged by the bond proceedings for the payment of bond service 903  
charges: all receipts representing moneys accruing from or in 904  
connection with the repayment of education loans, including 905  
interest and payments from any guarantee or insurance in respect 906  
to such education loans; accrued interest received from the sale 907  
of obligations; the balances in the special funds; income from the 908  
investment of the special funds; all right, title, and interest of 909  
the state and the designated administrator in the education loans 910  
and any guarantees or insurance in respect thereof, and any money 911  
representing the proceeds of obligations or any income from or 912  
interest on those proceeds; or any other gifts, grants, donations, 913  
and pledges and any income and receipts therefrom, available and 914  
pledged for the payment of bond service charges. 915

(Q) "Policy guidelines" means the rules adopted pursuant to 916  
division (A) of section 3366.03 of the Revised Code. 917

(R) "Proceeds loan" means the transfer, pursuant to a loan 918  
agreement or agency agreement, of the proceeds of the obligations, 919

or the deposit of the proceeds of the obligations with a trustee 920  
in trust under a trust agreement, indenture, or other trust 921  
document under the bond proceedings pending their disbursement for 922  
the purposes authorized by this chapter. 923

(S) "Resident" means any student who would qualify as a 924  
resident of this state for state subsidy and tuition surcharge 925  
purposes under rules adopted by the Ohio board of regents under 926  
section 3333.31 of the Revised Code. 927

(T) "Special funds" or "funds" means the bond service fund 928  
and any other funds, including reserve funds, created under the 929  
bond proceedings, including all moneys and investments, and 930  
earnings from investment, credited and to be credited thereto. 931

(U) "Student" means an individual described in division 932  
(G)(1) or (2) of this section who meets requirements established 933  
under the policy guidelines. "Student" includes dependent and 934  
independent undergraduate, graduate, and professional students. 935

(V) "Subdivision" has the same meaning as in division (MM) of 936  
section 133.01 of the Revised Code. 937

**Sec. 5107.58.** In accordance with a federal waiver granted by 938  
the United States secretary of health and human services pursuant 939  
to a request made under former section 5101.09 of the Revised 940  
Code, county departments of job and family services may establish 941  
and administer as a work activity for minor heads of households 942  
and adults participating in Ohio works first an education program 943  
under which the participant is enrolled full-time in 944  
post-secondary education leading to vocation at a state 945  
institution of higher education, as defined in section 3345.031 of 946  
the Revised Code; a private nonprofit college or university that 947  
possesses a certificate of authorization issued by the Ohio board 948  
of regents pursuant to Chapter 1713. of the Revised Code, or is 949  
exempted by division (E) of section 1713.02 of the Revised Code 950

from the requirement of a certificate; a school that holds a 951  
certificate of registration and program authorization issued by 952  
the state board of proprietary school registration under Chapter 953  
3332. of the Revised Code; a private institution governed by the 954  
board of regents under section 3333.046 of the Revised Code; or a 955  
school that has entered into a contract with the county department 956  
of job and family services. The participant shall make reasonable 957  
efforts, as determined by the county department, to obtain a loan, 958  
scholarship, grant, or other assistance to pay for the tuition, 959  
including a federal Pell grant under 20 U.S.C.A. 1070a and an Ohio 960  
instructional grant under section 3333.12 of the Revised Code. If 961  
the participant has made reasonable efforts but is unable to 962  
obtain sufficient assistance to pay the tuition the program may 963  
pay the tuition. On or after October 1, 1998, the county 964  
department may enter into a loan agreement with the participant to 965  
pay the tuition. The total period for which tuition is paid and 966  
loans made shall not exceed two years. If the participant, 967  
pursuant to division (B)(3) of section 5107.43 of the Revised 968  
Code, volunteers to participate in the education program for more 969  
hours each week than the participant is assigned to the program, 970  
the program may pay or the county department may loan the cost of 971  
the tuition for the additional voluntary hours as well as the cost 972  
of the tuition for the assigned number of hours. The participant 973  
may receive, for not more than three years, support services, 974  
including publicly funded child day-care under Chapter 5104. of 975  
the Revised Code and transportation, that the participant needs to 976  
participate in the program. To receive support services in the 977  
third year, the participant must be, as determined by the 978  
educational institution in which the participant is enrolled, in 979  
good standing with the institution. 980

A county department that provides loans under this section 981  
shall establish procedures governing loan application for and 982  
approval and administration of loans granted pursuant to this 983



section.

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**Sec. 5910.04.** Scholarships granted under sections 5910.01 to  
5910.06 of the Revised Code shall consist of either of the  
following:

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(A) An exemption from the payment of one hundred per cent of  
the general and instructional fees at colleges and universities  
which receive support from the state of Ohio and are approved by  
the chancellor of the board of regents, except that the percentage  
may be reduced by the war orphans scholarship board in any year  
that insufficient funds are appropriated to fully fund  
scholarships for all eligible students;

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(B) A grant to an eligible child who is enrolled in an  
institution that has received a certificate of authorization from  
the board of regents under Chapter 1713. of the Revised Code, or a  
private institution governed by the board of regents under section  
3333.046 of the Revised Code, or is enrolled in an institution  
that has received a certificate of registration from the state  
board of proprietary school ~~and college~~ registration. Students who  
attend an institution that holds a certificate of registration  
shall be enrolled in either a program leading to an associate  
degree or a program leading to a bachelor's degree for which  
associate or bachelor's degree program the institution has  
received program authorization issued under section 3332.05 of the  
Revised Code to offer such degree program. The grant shall be paid  
to the child through the institution in which the child is  
enrolled, and shall equal one hundred per cent of the average  
value of all scholarships granted under division (A) of this  
section during the preceding year, except that the percentage may  
be reduced by the war orphans scholarship board in any year that  
insufficient funds are appropriated to fully fund scholarships for  
all eligible students. In no case shall the grant exceed the total

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general and instructional charges of the institution. 1015

The board shall not reduce the percentage to be paid for 1016  
scholarships awarded pursuant to section 5910.032 of the Revised 1017  
Code below one hundred per cent. 1018

**Sec. 5919.34.** (A) As used in this section: 1019

(1) "Academic term" means any one of the following: 1020

(a) Fall term, which consists of fall semester or fall 1021  
quarter, as appropriate; 1022

(b) Winter term, which consists of winter semester, winter 1023  
quarter, or spring semester, as appropriate; 1024

(c) Spring term, which consists of spring quarter; 1025

(d) Summer term, which consists of summer semester or summer 1026  
quarter, as appropriate. 1027

(2) "Eligible applicant" means any individual to whom all of 1028  
the following apply: 1029

(a) The individual does not possess a baccalaureate degree. 1030

(b) The individual has enlisted, re-enlisted, or extended 1031  
current enlistment in the Ohio national guard. 1032

(c) The individual is actively enrolled as a full-time or 1033  
part-time student for at least six credit hours of course work in 1034  
a semester or quarter in a two-year or four-year degree-granting 1035  
program at an institution of higher education or in a 1036  
diploma-granting program at an institution of higher education 1037  
that is a school of nursing. 1038

(d) The individual has not accumulated ninety-six eligibility 1039  
units under division (E) of this section. 1040

(3) "Institution of higher education" means an Ohio 1041  
institution of higher education that is state-assisted, that is 1042

nonprofit and has received a certificate of authorization from the 1043  
Ohio board of regents pursuant to Chapter 1713. of the Revised 1044  
Code, that is a private institution governed by the board of 1045  
regents under section 3333.046 of the Revised Code, or that holds 1046  
a certificate of registration and program authorization issued by 1047  
the state board of proprietary school registration pursuant to 1048  
section 3332.05 of the Revised Code. 1049

(4) "State university" has the same meaning as in section 1050  
3345.011 of the Revised Code. 1051

(B)(1) There is hereby created a scholarship program to be 1052  
known as the Ohio national guard scholarship program. For the 1053  
fiscal year 2000, the number of participants in the program for 1054  
the fall term is limited to the equivalent of two thousand five 1055  
hundred full-time participants; the number of participants in the 1056  
program for the winter term is limited to the equivalent of two 1057  
thousand five hundred full-time participants; the number of 1058  
participants in the program for the spring term is limited to the 1059  
equivalent of one thousand six hundred seventy-five full-time 1060  
participants; and the number of participants in the program for 1061  
the summer term is limited to the equivalent of six hundred 1062  
full-time participants. Except as provided in division (B)(2) of 1063  
this section for the fiscal year 2001 and succeeding fiscal years, 1064  
the number of participants in the program for the fall term is 1065  
limited to the equivalent of three thousand five hundred full-time 1066  
participants; the number of participants in the program for the 1067  
winter term is limited to the equivalent of three thousand five 1068  
hundred full-time participants; the number of participants in the 1069  
program for the spring term is limited to the equivalent of two 1070  
thousand three hundred forty-five full-time participants; and the 1071  
number of participants in the program for the summer term is 1072  
limited to the equivalent of eight hundred full-time participants. 1073

(2) After the application deadline for any academic term in 1074

fiscal year 2001, the adjutant general may request the controlling board, if sufficient appropriated funds are available, to approve the following number of additional participants for that term:

(a) For the fall or winter academic term, up to the equivalent of five hundred additional full-time participants;

(b) For the spring academic term, up to the equivalent of three hundred seventy-five additional full-time participants;

(c) For the summer academic term, up to the equivalent of one hundred twenty-five additional full-time participants.

(C) If the adjutant general estimates that appropriations for all scholarships applied for under this section and likely to be used during an academic term are inadequate for all eligible applicants for that academic term to receive scholarships, the adjutant general shall promptly inform all applicants not receiving scholarships for that academic term of the next academic term that appropriations will be adequate for the scholarships. Any such eligible applicant may again apply for a scholarship beginning that academic term if the applicant is in compliance with all requirements established by this section and the adjutant general for the program. The adjutant general shall process all applications for scholarships for each academic term in the order in which they are received. The scholarships shall be made without regard to financial need. At no time shall one person be placed in priority over another because of sex, race, or religion.

(D) Except as provided in division (H) of this section, for each academic term that an eligible applicant is approved for a scholarship under this section and remains a current member in good standing of the Ohio national guard, the institution of higher education in which the applicant is enrolled shall, if the applicant's enlistment obligation extends beyond the end of that academic term, be paid on the applicant's behalf the applicable

one of the following amounts: 1106

(1) If the institution is state-assisted, an amount equal to 1107  
one hundred per cent of the institution's tuition charges; 1108

(2) If the institution is a nonprofit private institution or 1109  
a private institution governed by the board of regents under 1110  
section 3333.046 of the Revised Code, an amount equal to one 1111  
hundred per cent of the average tuition charges of all state 1112  
universities; 1113

(3) If the institution is an institution that holds a 1114  
certificate of registration from the state board of proprietary 1115  
school registration, the lesser of the following: 1116

(a) An amount equal to one hundred per cent of the total 1117  
instructional and general charges of the institution; 1118

(b) An amount equal to one hundred per cent of the average 1119  
tuition charges of all state universities. 1120

(4) An eligible applicant's scholarship shall not be reduced 1121  
by the amount of that applicant's benefits under "the Montgomery 1122  
G.I. Bill Act of 1984," Pub. L. No. 98-525, 98 Stat. 2553 (1984). 1123

(E) A scholarship recipient under this section shall be 1124  
entitled to receive scholarships under this section for the number 1125  
of quarters or semesters it takes the recipient to accumulate 1126  
ninety-six eligibility units as determined under divisions (E)(1) 1127  
to (3) of this section. 1128

(1) To determine the maximum number of semesters or quarters 1129  
for which a recipient is entitled to a scholarship under this 1130  
section, the adjutant general shall convert a recipient's credit 1131  
hours of enrollment for each academic term into eligibility units 1132  
in accordance with the following table: 1133

|              |               |               |      |
|--------------|---------------|---------------|------|
| Number of    | The following | The following | 1134 |
| credit hours | number of     | number of     | 1135 |

|                    |                 |             |      |
|--------------------|-----------------|-------------|------|
| of enrollment      | eligibility     | eligibility | 1136 |
| in an academic     | units if a      | units if a  | 1137 |
| term               | equals semester | or quarter  | 1138 |
| 12 or more hours   | 12 units        | 8 units     | 1139 |
| 9 but less than 12 | 9 units         | 6 units     | 1140 |
| 6 but less than 9  | 6 units         | 4 units     | 1141 |

(2) A scholarship recipient under this section may continue 1142  
to apply for scholarships under this section until the recipient 1143  
has accumulated ninety-six eligibility units. 1144

(3) If a scholarship recipient withdraws from courses prior 1145  
to the end of an academic term so that the recipient's enrollment 1146  
for that academic term is less than six credit hours, no 1147  
scholarship shall be paid on behalf of that person for that 1148  
academic term except that, if a scholarship has already been paid 1149  
on behalf of the person for that academic term, the adjutant 1150  
general shall add to that person's accumulated eligibility units 1151  
the number of eligibility units for which the scholarship was 1152  
paid. 1153

(F) A scholarship recipient under this section who fails to 1154  
complete the term of enlistment, re-enlistment, or extension of 1155  
current enlistment the recipient was serving at the time a 1156  
scholarship was paid on behalf of the recipient under this section 1157  
is liable to the state for repayment of a percentage of all Ohio 1158  
national guard scholarships paid on behalf of the recipient under 1159  
this section, plus interest at the rate of ten per cent per annum 1160  
calculated from the dates the scholarships were paid. This 1161  
percentage shall equal the percentage of the current term of 1162  
enlistment, re-enlistment, or extension of enlistment a recipient 1163  
has not completed as of the date the recipient is discharged from 1164  
the Ohio national guard. 1165

The attorney general may commence a civil action on behalf of 1166  
the adjutant general to recover the amount of the scholarships and 1167

the interest provided for in this division and the expenses 1168  
incurred in prosecuting the action, including court costs and 1169  
reasonable attorney's fees. A scholarship recipient is not liable 1170  
under this division if the recipient's failure to complete the 1171  
term of enlistment being served at the time a scholarship was paid 1172  
on behalf of the recipient under this section is due to the 1173  
recipient's death; discharge from the national guard due to 1174  
disability; or the recipient's enlistment, for a term not less 1175  
than the recipient's remaining term in the national guard, in the 1176  
active component of the United States armed forces or the active 1177  
reserve component of the United States armed forces. 1178

(G) On or before the first day of each academic term, the 1179  
adjutant general shall provide an eligibility roster to each 1180  
institution of higher education at which one or more scholarship 1181  
recipients have applied for enrollment. The institution shall use 1182  
the roster to certify the actual full-time or part-time enrollment 1183  
of each scholarship recipient listed as enrolled at the 1184  
institution and return the roster to the adjutant general within 1185  
thirty days after the first day of the academic term. The adjutant 1186  
general shall report to the Ohio board of regents the number of 1187  
students in the Ohio national guard scholarship program at each 1188  
institution of higher education. The Ohio board of regents shall 1189  
provide for payment of the appropriate number and amount of 1190  
scholarships to each institution of higher education pursuant to 1191  
division (D) of this section. The adjutant general shall report on 1192  
a quarterly basis to the director of budget and management, the 1193  
speaker of the house of representatives, and the president of the 1194  
senate the number of Ohio national guard scholarship recipients 1195  
and a projection of the cost of the program for the remainder of 1196  
the biennium. 1197

(H) The chancellor of the Ohio board of regents and the 1198  
adjutant general may adopt rules pursuant to Chapter 119. of the 1199

Revised Code governing the administration and fiscal management of 1200  
the Ohio national gaurd scholarship program and the procedure by 1201  
which the Ohio board of regents and the department of the adjutant 1202  
general may modify the amount of scholarships a member receives 1203  
based on the amount other state financial aid a member recives. 1204

(I) Notwithstanding division (A) of section 127.14 of the 1205  
Revised Code, the controlling board shall not transfer all or part 1206  
of any appropriation for the Ohio national guard scholarship 1207  
program. 1208

**Section 2.** That existing sections 1713.02, 1713.03, 3332.02, 1209  
3333.042, 3333.043, 3333.12, 3333.18, 3333.21, 3333.26, 3333.37, 1210  
3365.01, 3366.01, 5107.58, 5910.04, and 5919.34 of the Revised 1211  
Code are hereby repealed. 1212