

# As Passed by the House

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**Representative Webster**

**Cosponsors: Representatives Garrison, Luckie, Lundy, Dyer, Heard, Brady, Celeste, Adams, Williams, B., Sykes, Okey, Bacon, Beatty, Blessing, Bolon, Book, Boyd, Brown, Budish, Carano, Combs, DeBose, DeGeeter, Distel, Domenick, Driehaus, Fende, Flowers, Foley, Gibbs, Hagan, R., Harwood, Hughes, Koziura, Letson, Mallory, McGregor, J., Miller, Oelslager, Otterman, Sayre, Schindel, Stewart, D., Uecker, Ujvagi, White, Williams, S., Wolpert, Yates, Yuko**

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## **A B I L L**

To amend sections 121.03, 3333.01, 3333.021, 3333.03, 1  
3333.04, 3333.041, 3333.042, 3333.043, 3333.044, 2  
3333.045, 3333.046, 3333.047, 3333.05, 3333.06, 3  
3333.07, 3333.071, 3333.072, 3333.08, 3333.09, 4  
3333.10, 3333.11, 3333.12, 3333.121, 3333.122, 5  
3333.123, 3333.13, 3333.14, 3333.15, 3333.16, 6  
3333.161, 3333.162, 3333.17, 3333.18, 3333.19, 7  
3333.20, 3333.21, 3333.22, 3333.23, 3333.25, 8  
3333.26, 3333.27, 3333.28, 3333.29, 3333.31, 9  
3333.35, 3333.36, 3333.37, 3333.372, 3333.373, 10  
3333.374, 3333.375, and 3333.38 and to enact 11  
section 3333.031 of the Revised Code to transfer 12  
appointment of the Chancellor of the Ohio Board of 13  
Regents to the Governor with the advice and 14  
consent of the Senate, to make the Board of 15  
Regents an advisory board to the Chancellor, and 16  
to transfer the Board's duties and powers to the 17

Chancellor. 18

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

**Section 1.** That sections 121.03, 3333.01, 3333.021, 3333.03, 19  
3333.04, 3333.041, 3333.042, 3333.043, 3333.044, 3333.045, 20  
3333.046, 3333.047, 3333.05, 3333.06, 3333.07, 3333.071, 3333.072, 21  
3333.08, 3333.09, 3333.10, 3333.11, 3333.12, 3333.121, 3333.122, 22  
3333.123, 3333.13, 3333.14, 3333.15, 3333.16, 3333.161, 3333.162, 23  
3333.17, 3333.18, 3333.19, 3333.20, 3333.21, 3333.22, 3333.23, 24  
3333.25, 3333.26, 3333.27, 3333.28, 3333.29, 3333.31, 3333.35, 25  
3333.36, 3333.37, 3333.372, 3333.373, 3333.374, 3333.375, and 26  
3333.38 be amended and section 3333.031 of the Revised Code be 27  
enacted to read as follows: 28

**Sec. 121.03.** The following administrative department heads 29  
shall be appointed by the governor, with the advice and consent of 30  
the senate, and shall hold their offices during the term of the 31  
appointing governor, and are subject to removal at the pleasure of 32  
the governor. 33

- (A) The director of budget and management; 34
- (B) The director of commerce; 35
- (C) The director of transportation; 36
- (D) The director of agriculture; 37
- (E) The director of job and family services; 38
- (F) Until July 1, 1997, the director of liquor control; 39
- (G) The director of public safety; 40
- (H) The superintendent of insurance; 41
- (I) The director of development; 42
- (J) The tax commissioner; 43

(K) The director of administrative services;	44
(L) The director of natural resources;	45
(M) The director of mental health;	46
(N) The director of mental retardation and developmental disabilities;	47 48
(O) The director of health;	49
(P) The director of youth services;	50
(Q) The director of rehabilitation and correction;	51
(R) The director of environmental protection;	52
(S) The director of aging;	53
(T) The director of alcohol and drug addiction services;	54
(U) The administrator of workers' compensation who meets the qualifications required under division (A) of section 4121.121 of the Revised Code;	55 56 57
<u>(V) The chancellor of the Ohio board of regents.</u>	58

**Sec. 3333.01.** There is hereby created the Ohio board of regents ~~consisting~~ as an advisory board to the chancellor appointed under section 3333.03 of the Revised Code. The board shall consist of nine members to be appointed by the governor with the advice and consent of the senate. The members shall be residents of this state who possess an interest in and knowledge of higher education. No member shall be a trustee, officer, or employee of any Ohio public or private college or university while serving as a member of the board. In addition to the members appointed by the governor, the ~~chairman~~ chairperson of the education committee of the senate and the ~~chairman~~ chairperson of the education committee of the house of representatives shall, after January 1, 1967, be ex officio members of the board without a vote.

Terms of office shall be for nine years, commencing on the  
twenty-first day of September and ending on the twentieth day of  
September. Each member shall hold office from the date of ~~his~~  
appointment until the end of the term for which ~~he~~ the member was  
appointed. Any member appointed to fill a vacancy occurring prior  
to the expiration of the term for which ~~his~~ the member's  
predecessor was appointed shall hold office for the remainder of  
such term. Any member shall continue in office subsequent to the  
expiration date of ~~his~~ the member's term until ~~his~~ a successor  
takes office, or until a period of sixty days has elapsed,  
whichever occurs first.

No person who has served a full nine-year term shall be  
eligible for reappointment.

Board members shall serve without compensation, but shall be  
reimbursed for necessary expenses incurred in the conduct of board  
business.

**Sec. 3333.021.** As used in this section, "university" means  
any college or university that receives a state appropriation.

(A) This division does not apply to proposed rules,  
amendments, or rescissions subject to review under division (I) of  
section 119.03 of the Revised Code. No action taken by the  
chancellor of the Ohio board of regents that could reasonably be  
expected to have an effect on the revenue or expenditures of any  
university shall take effect unless at least two weeks prior to  
the date on which the action is taken, the ~~board~~ chancellor has  
filed with the speaker of the house of representatives, the  
president of the senate, the legislative budget office of the  
legislative service commission, and the director of budget and  
management a fiscal analysis of the proposed action. The analysis  
shall include an estimate of the amount by which, during the  
current and ensuing fiscal biennium, the action would increase or

decrease the university's revenues or expenditures and increase or 104  
decrease any state expenditures and any other information the 105  
~~board~~ chancellor considers necessary to explain the action's 106  
fiscal effect. 107

(B) Within three days of the date the ~~board of regents~~ 108  
chancellor files with the clerk of the senate a proposed rule, 109  
amendment, or rescission that is subject to review and 110  
invalidation under division (I) of section 119.03 of the Revised 111  
Code, ~~it~~ the chancellor shall file with the speaker of the house, 112  
the president of the senate, the legislative budget office of the 113  
legislative service commission, and the director of budget and 114  
management a fiscal analysis of the proposed rule. The analysis 115  
shall include an estimate of the amount by which, during the 116  
current and ensuing fiscal biennium, the action would increase or 117  
decrease any university's revenues or expenditures and increase or 118  
decrease state revenues or expenditures and any other information 119  
the ~~board~~ chancellor considers necessary to explain the fiscal 120  
effect of the rule, amendment, or rescission. No rule, amendment, 121  
or rescission shall take effect unless the ~~board~~ chancellor has 122  
complied with this division. 123

**Sec. 3333.03.** (A) The ~~Ohio board of regents~~ governor, with 124  
the advice and consent of the senate, shall appoint ~~a~~ the 125  
chancellor ~~to~~ of the Ohio board of regents. The chancellor shall 126  
serve at ~~its~~ the pleasure of the governor, and the governor shall 127  
prescribe the chancellor's duties in addition to the chancellor's 128  
duties prescribed by law. The ~~board~~ governor shall fix the 129  
compensation for the chancellor. 130

(B) The chancellor ~~is the administrative officer of the~~ 131  
~~board, and~~ is responsible for appointing and fixing the 132  
compensation of all professional, administrative, and clerical 133  
employees and staff members necessary to assist ~~the board and the~~ 134

~~chancellor~~ in the performance of ~~their~~ the chancellor's duties. 135  
All employees and staff shall serve at the chancellor's pleasure. 136  
The chancellor shall be a person qualified by training and 137  
experience to understand the problems and needs of the state in 138  
the field of higher education and to devise programs, plans, and 139  
methods of solving the problems and meeting the needs. 140

(C) Neither the chancellor nor any staff member or employee 141  
of the ~~board~~ chancellor shall be a trustee, officer, or employee 142  
of any public or private college or university while serving ~~on~~ 143  
~~the board~~ as chancellor, staff member, or employee. 144

Sec. 3333.031. Whenever the term "Ohio board of regents" is 145  
used, referred to, or designated in any statute, rule, contract, 146  
grant, or other document, the use, reference, or designation shall 147  
be construed to mean the "chancellor of the Ohio board of 148  
regents," except in sections 3333.01, 3333.011, and 3333.02 of the 149  
Revised Code or unless the use, reference, or designation of the 150  
term "Ohio board of regents" relates to the board's duties to give 151  
advice to the chancellor of the Ohio board of regents or unless 152  
another section of law expressly provides otherwise. 153

**Sec. 3333.04.** The chancellor of the Ohio board of regents 154  
shall: 155

(A) Make studies of state policy in the field of higher 156  
education and formulate a master plan for higher education for the 157  
state, considering the needs of the people, the needs of the 158  
state, and the role of individual public and private institutions 159  
within the state in fulfilling these needs; 160

(B)(1) Report annually to the governor and the general 161  
assembly on the findings from ~~its~~ the chancellor's studies and the 162  
master plan for higher education for the state; 163

(2) Report at least semiannually to the general assembly and 164

the governor the enrollment numbers at each state-assisted 165  
institution of higher education. 166

(C) Approve or disapprove the establishment of new branches 167  
or academic centers of state colleges and universities; 168

(D) Approve or disapprove the establishment of state 169  
technical colleges or any other state institution of higher 170  
education; 171

(E) Recommend the nature of the programs, undergraduate, 172  
graduate, professional, state-financed research, and public 173  
services which should be offered by the state colleges, 174  
universities, and other state-assisted institutions of higher 175  
education in order to utilize to the best advantage their 176  
facilities and personnel; 177

(F) Recommend to the state colleges, universities, and other 178  
state-assisted institutions of higher education graduate or 179  
professional programs, including, but not limited to, doctor of 180  
philosophy, doctor of education, and juris doctor programs, that 181  
could be eliminated because they constitute unnecessary 182  
duplication, as shall be determined using the process developed 183  
pursuant to this section, or for other good and sufficient cause. 184  
For purposes of determining the amounts of any state instructional 185  
subsidies paid to these colleges, universities, and institutions, 186  
the ~~board~~ chancellor may exclude students enrolled in any program 187  
that the ~~board~~ chancellor has recommended for elimination pursuant 188  
to this division except that the ~~board~~ chancellor shall not 189  
exclude any such student who enrolled in the program prior to the 190  
date on which the ~~board~~ chancellor initially commences to exclude 191  
students under this division. The ~~board of regents~~ chancellor and 192  
these colleges, universities, and institutions shall jointly 193  
develop a process for determining which existing graduate or 194  
professional programs constitute unnecessary duplication. 195

(G) Recommend to the state colleges, universities, and other state-assisted institutions of higher education programs which should be added to their present programs;	196 197 198
(H) Conduct studies for the state colleges, universities, and other state-assisted institutions of higher education to assist them in making the best and most efficient use of their existing facilities and personnel;	199 200 201 202
(I) Make recommendations to the governor and general assembly concerning the development of state-financed capital plans for higher education; the establishment of new state colleges, universities, and other state-assisted institutions of higher education; and the establishment of new programs at the existing state colleges, universities, and other institutions of higher education;	203 204 205 206 207 208 209
(J) Review the appropriation requests of the public community colleges and the state colleges and universities and submit to the office of budget and management and to the chairpersons of the finance committees of the house of representatives and of the senate <del>its</del> <u>the chancellor's</u> recommendations in regard to the biennial higher education appropriation for the state, including appropriations for the individual state colleges and universities and public community colleges. For the purpose of determining the amounts of instructional subsidies to be paid to state-assisted colleges and universities, the <del>board</del> <u>chancellor</u> shall define "full-time equivalent student" by program per academic year. The definition may take into account the establishment of minimum enrollment levels in technical education programs below which support allowances will not be paid. Except as otherwise provided in this section, the <del>board</del> <u>chancellor</u> shall make no change in the definition of "full-time equivalent student" in effect on November 15, 1981, which would increase or decrease the number of subsidy-eligible full-time equivalent students, without first	210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227



submitting a fiscal impact statement to the president of the 228  
senate, the speaker of the house of representatives, the 229  
legislative service commission, and the director of budget and 230  
management. The ~~board~~ chancellor shall work in close cooperation 231  
with the director of budget and management in this respect and in 232  
all other matters concerning the expenditures of appropriated 233  
funds by state colleges, universities, and other institutions of 234  
higher education. 235

(K) Seek the cooperation and advice of the officers and 236  
trustees of both public and private colleges, universities, and 237  
other institutions of higher education in the state in performing 238  
~~its~~ the chancellor's duties and making ~~its~~ the chancellor's plans, 239  
studies, and recommendations; 240

(L) Appoint advisory committees consisting of persons 241  
associated with public or private secondary schools, members of 242  
the state board of education, or personnel of the state department 243  
of education; 244

(M) Appoint advisory committees consisting of college and 245  
university personnel, or other persons knowledgeable in the field 246  
of higher education, or both, in order to obtain their advice and 247  
assistance in defining and suggesting solutions for the problems 248  
and needs of higher education in this state; 249

(N) Approve or disapprove all new degrees and new degree 250  
programs at all state colleges, universities, and other 251  
state-assisted institutions of higher education; 252

(O) Adopt such rules as are necessary to carry out ~~its~~ the 253  
chancellor's duties and responsibilities; 254

(P) Establish and submit to the governor and the general 255  
assembly a clear and measurable set of goals and timetables for 256  
their achievement for each program under the chancellor's 257  
supervision ~~of the board~~ that is designed to accomplish any of the 258

following:	259
(1) Increased access to higher education;	260
(2) Job training;	261
(3) Adult literacy;	262
(4) Research;	263
(5) Excellence in higher education;	264
(6) Reduction in the number of graduate programs within the same subject area.	265 266
In July of each odd-numbered year, the <del>board of regents</del> <u>chancellor</u> shall submit to the governor and the general assembly a report on progress made toward these goals.	267 268 269
(Q) Make recommendations to the governor and the general assembly regarding the design and funding of the student financial aid programs specified in sections 3333.12, 3333.122, 3333.21 to 3333.27, and 5910.02 of the Revised Code;	270 271 272 273
(R) Participate in education-related state or federal programs on behalf of the state and assume responsibility for the administration of such programs in accordance with applicable state or federal law;	274 275 276 277
(S) Adopt rules for student financial aid programs as required by sections 3333.12, 3333.122, 3333.21 to 3333.27, 3333.28, 3333.29, and 5910.02 of the Revised Code, and perform any other administrative functions assigned to the <del>board</del> <u>chancellor</u> by those sections;	278 279 280 281 282
(T) Administer contracts under sections 3702.74 and 3702.75 of the Revised Code in accordance with rules adopted by the director of health under section 3702.79 of the Revised Code;	283 284 285
(U) Conduct enrollment audits of state-supported institutions of higher education;	286 287

(V) Appoint consortiums of college and university personnel 288  
to participate in the development and operation of statewide 289  
collaborative efforts, including the Ohio supercomputer center, 290  
the Ohio academic resources network, OhioLink, and the Ohio 291  
learning network. For each consortium, the ~~board~~ chancellor shall 292  
designate a college or university to serve as that consortium's 293  
fiscal agent, financial officer, and employer. Any funds 294  
appropriated ~~to the board~~ for the consortiums shall be distributed 295  
to the fiscal agents for the operation of the consortiums. A 296  
consortium shall follow the rules of the college or university 297  
that serves as its fiscal agent. 298

**Sec. 3333.041.** On or before the last day of December of each 299  
year, the chancellor of the Ohio board of regents shall submit a 300  
report to the general assembly, the state board of education, and 301  
the board of education of each city, exempted village, and local 302  
school district on the status of graduates of Ohio school 303  
districts at state-assisted colleges or universities during the 304  
twelve-month period ending on the thirtieth day of September of 305  
the current calendar year. The report shall list, by school 306  
district, the number of graduates of each school district who 307  
attended such a college or university and the percentage of each 308  
district's graduates enrolled in such a college or university 309  
during the reporting period who were required during such period 310  
by the college or university, as a prerequisite to enrolling in 311  
those courses generally required for first-year students, to 312  
enroll in a remedial course in English, including composition or 313  
reading, mathematics, and any other area designated by the board. 314

Each state-assisted college and university shall, by the 315  
first day of November of each year, submit to the ~~board~~ chancellor 316  
in the form specified by the ~~board~~ chancellor the information the 317  
~~board~~ chancellor requires to compile ~~its~~ the report. 318

As used in this section, "state-assisted college or university" means a state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community colleges, state community colleges, university branches, and technical colleges.

**Sec. 3333.042.** The chancellor of 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~~ chancellor, 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 and requiring repayment of grants in the event of their improper use.

A state college or university or a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code and any agency of state government may provide assistance, in any form, to any nonprofit entity that receives a grant under this section. Such assistance shall be solely for the purpose of assisting the nonprofit entity in making proper use of the grant.

A nonprofit entity that expends a grant under this section for a capital project is not thereby subject to Chapter 123. or 153. of the Revised Code. An officer or employee of, or a person who serves on a governing or advisory board or committee of, a

nonprofit entity that receives a grant under this section is not 350  
thereby an officer or employee of a state college or university or 351  
of the state. An officer or employee of a state college or 352  
university or of the state who is assigned to assist a nonprofit 353  
entity in making proper use of a grant does not, to the extent the 354  
officer or employee provides such assistance, thereby hold an 355  
incompatible office or employment, or have a direct or indirect 356  
interest in a contract or expenditure of the entity. 357

**Sec. 3333.043.** (A) As used in this section: 358

(1) "Institution of higher education" means the state 359  
universities listed in section 3345.011 of the Revised Code, 360  
municipal educational institutions established under Chapter 3349. 361  
of the Revised Code, community colleges established under Chapter 362  
3354. of the Revised Code, university branches established under 363  
Chapter 3355. of the Revised Code, technical colleges established 364  
under Chapter 3357. of the Revised Code, state community colleges 365  
established under Chapter 3358. of the Revised Code, any 366  
institution of higher education with a certificate of registration 367  
from the state board of career colleges and schools, and any 368  
institution for which the chancellor of the Ohio board of regents 369  
receives a notice pursuant to division (C) of this section. 370

(2) "Community service" has the same meaning as in section 371  
3313.605 of the Revised Code. 372

(B)(1) The board of trustees or other governing entity of 373  
each institution of higher education shall encourage and promote 374  
participation of students in community service through a program 375  
appropriate to the mission, student population, and environment of 376  
each institution. The program may include, but not be limited to, 377  
providing information about community service opportunities during 378  
student orientation or in student publications; providing awards 379  
for exemplary community service; encouraging faculty members to 380

incorporate community service into students' academic experiences 381  
wherever appropriate to the curriculum; encouraging recognized 382  
student organizations to undertake community service projects as 383  
part of their purposes; and establishing advisory committees of 384  
students, faculty members, and community and business leaders to 385  
develop cooperative programs that benefit the community and 386  
enhance student experience. The program shall be flexible in 387  
design so as to permit participation by the greatest possible 388  
number of students, including part-time students and students for 389  
whom participation may be difficult due to financial, academic, 390  
personal, or other considerations. The program shall emphasize 391  
community service opportunities that can most effectively use the 392  
skills of students, such as tutoring or literacy programs. The 393  
programs shall encourage students to perform services that will 394  
not supplant the hiring of, result in the displacement of, or 395  
impair any existing employment contracts of any particular 396  
employee of any private or governmental entity for which services 397  
are performed. 398

(2) The chancellor of the Ohio board of regents shall 399  
encourage all institutions of higher education in the development 400  
of community service programs. With the assistance of the Ohio 401  
community service council created in section 121.40 of the Revised 402  
Code, the ~~board of regents~~ chancellor shall make available 403  
information about higher education community service programs to 404  
institutions of higher education and to statewide organizations 405  
involved with or promoting volunteerism, including information 406  
about model community service programs, teacher training courses, 407  
and community service curricula and teaching materials for 408  
possible use by institutions of higher education in their 409  
programs. The ~~board~~ chancellor shall encourage institutions of 410  
higher education to jointly coordinate higher education community 411  
service programs through consortia of institutions or other 412  
appropriate means of coordination. 413

(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 exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code may notify the ~~board of regents~~ chancellor 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. 3333.044.** (A) The chancellor of the Ohio board of regents may contract with any consultants that are necessary for the discharge of the ~~board's~~ chancellor's duties under this chapter.

(B) The ~~Ohio board of regents~~ chancellor may purchase, upon the terms that the ~~board~~ chancellor determines to be advisable, one or more policies of insurance from insurers authorized to do business in this state that insure consultants who have contracted with the ~~board~~ chancellor under division (A) of this section or members of an advisory committee appointed under section 3333.04 of the Revised Code, with respect to the activities of the consultants or advisory committee members in the course of the performance of their responsibilities as consultants or advisory committee members.

(C) Subject to the approval of the controlling board, the ~~Ohio board of regents~~ chancellor may contract with any entities for the discharge of the ~~board's~~ chancellor's duties and responsibilities under any of the programs established pursuant to sections 3333.12, 3333.122, 3333.21 to 3333.28, 3702.71 to 3702.81, and 5120.55, and Chapter 5910. of the Revised Code. The ~~board~~ chancellor shall not enter into a contract under this division unless the proposed contractor demonstrates that its

primary purpose is to promote access to higher education by 445  
providing student financial assistance through loans, grants, or 446  
scholarships, and by providing high quality support services and 447  
information to students and their families with regard to such 448  
financial assistance. 449

Chapter 125. of the Revised Code does not apply to contracts 450  
entered into pursuant to this section. In awarding contracts under 451  
this division, the ~~board~~ chancellor shall consider factors such as 452  
the cost of the administration of the contract, the experience of 453  
the contractor, and the contractor's ability to properly execute 454  
the contract. 455

**Sec. 3333.045.** As used in this section, "state university or 456  
college" means any state university listed in section 3345.011 of 457  
the Revised Code, the northeastern Ohio universities college of 458  
medicine, any community college under Chapter 3354. of the Revised 459  
Code, any university branch district under Chapter 3355. of the 460  
Revised Code, any technical college under Chapter 3357. of the 461  
Revised Code, and any state community college under Chapter 3358. 462  
of the Revised Code. 463

The chancellor of the Ohio board of regents shall work with 464  
the attorney general, the auditor of state, and the Ohio ethics 465  
commission to develop a model for training members of the boards 466  
of trustees of all state universities and colleges and members of 467  
the board of regents regarding the authority and responsibilities 468  
of a board of trustees or the board of regents. This model shall 469  
include a review of fiduciary responsibilities, ethics, and fiscal 470  
management. Use of this model by members of boards of trustees and 471  
the board of regents shall be voluntary. 472

This section does not apply to the three members of the board 473  
of trustees of the northeastern Ohio universities college of 474  
medicine who are presidents of state universities. 475



**Sec. 3333.046.** Any institution authorized to grant on ~~the~~ 476  
~~effective date of this section~~ February 20, 2002, baccalaureate or 477  
master's degrees, for which ~~the board of regents has issued~~ 478  
certificates of authorization have been issued under Chapter 1713. 479  
of the Revised Code; that is accredited by the appropriate 480  
regional and, when appropriate, professional accrediting 481  
associations within whose jurisdiction it falls; and that is 482  
operated by a for-profit corporation shall cease to be subject to 483  
any regulation under Chapter 3332. of the Revised Code but shall 484  
continue to be subject to the provisions for approval of degree 485  
programs set forth in Chapter 1713. of the Revised Code, including 486  
approval of any additional associate, baccalaureate, or master's 487  
degree programs offered by the institution. 488

**Sec. 3333.047.** With regard to any state student financial aid 489  
program established in this chapter, Chapter 5910., or section 490  
5919.34 of the Revised Code, the chancellor of the Ohio board of 491  
regents shall conduct audits to: 492

(A) Determine the validity of information provided by 493  
students and parents regarding eligibility for state student 494  
financial aid. If the ~~board~~ chancellor determines that eligibility 495  
data has been reported incorrectly or inaccurately, and where the 496  
~~board~~ chancellor determines an adjustment to be appropriate, the 497  
institution of higher education shall adjust the financial aid 498  
awarded to the student. 499

(B) Ensure that institutions of higher education are in 500  
compliance with the ~~board's~~ rules governing state student 501  
financial aid programs. An institution that fails to comply with 502  
the ~~board's~~ rules in the administration of any state student 503  
financial aid program shall be fully liable to reimburse the ~~board~~ 504  
state for the unauthorized use of student financial aid funds. 505

Sec. 3333.05. The chancellor of the Ohio board of regents 506  
shall approve or disapprove proposed official plans of community 507  
college districts, prepared and submitted pursuant to sections 508  
3354.01 to 3354.18, ~~inclusive~~, of the Revised Code, and issue or 509  
decline to issue charters for operation of community colleges, 510  
pursuant to section 3354.07 of the Revised Code. 511

The ~~board~~ chancellor shall approve an official plan, and 512  
issue a charter, only upon the following findings: 513

(A) That the official plan and all past and proposed actions 514  
of the community college district are in conformity to law; 515

(B) That the proposed community college will not unreasonably 516  
and wastefully duplicate existing educational services available 517  
to students and prospective students residing in the community 518  
college district; 519

(C) That there is reasonable prospect of adequate current 520  
operating revenue for the proposed community college from its 521  
proposed opening date of operation; 522

(D) That the proposed lands and facilities of the community 523  
colleges will be adequate and efficient for the purposes of the 524  
proposed community college; 525

(E) That the proposed curricular programs defined in section 526  
3354.01 of the Revised Code as "arts and sciences" and 527  
"technical," or either, are the programs for which there is 528  
substantial need in the territory of the district. 529

The employment and separation of individual personnel in a 530  
community college, and the establishing or abolishing of 531  
individual courses of instruction, shall not be subject to the 532  
specific and individual approval or disapproval of the ~~Ohio board~~ 533  
~~of regents~~ chancellor, but shall occur in the discretion of the 534  
local management of such college within the limitations of law, 535

the official plan, and the charter of such college. 536

**Sec. 3333.06.** The chancellor of the Ohio board of regents 537  
shall prepare a state plan and do all other things necessary for 538  
participation in federal acts relative to the construction of 539  
higher educational academic facilities. 540

Such plan shall provide for objective standards and methods 541  
of determining the relative priorities for eligible projects for 542  
the construction of academic facilities submitted by institutions 543  
of higher education within the state and for determining the 544  
federal share of the development for each such project. 545

The ~~board~~ chancellor shall provide for assigning priorities 546  
in accordance with such criteria, standards, and methods to 547  
eligible projects submitted to ~~the board~~ and approved by ~~it~~ the 548  
chancellor, shall recommend to the United States secretary of 549  
education, in the order of such priority, applications covering 550  
such eligible projects, and shall certify to the secretary the 551  
federal share of the development cost of such projects. 552

The ~~board~~ chancellor shall provide a fair hearing to each 553  
institution which has submitted a project as to the priority 554  
assigned to such project by the ~~board~~ chancellor or as to any 555  
other determination of the ~~board~~ chancellor adversely affecting 556  
such institution. 557

The ~~board~~ chancellor shall receive federal grants for the 558  
proper and efficient administration of the state plan, and shall 559  
provide for such fiscal control and fund accounting procedures as 560  
may be necessary to ensure proper disbursement of, and accounting 561  
for, federal funds paid to the ~~board~~ chancellor. 562

The ~~board~~ chancellor shall make such reports in such form and 563  
containing such information as may be reasonably required by the 564  
secretary in the performance of ~~his~~ the secretary's functions 565

under federal law relating to grants for the construction of 566  
academic facilities. 567

Each federal grant received by the ~~board~~ chancellor shall be 568  
paid into the state treasury. 569

**Sec. 3333.07.** (A) Colleges, universities, and other 570  
institutions of higher education which receive state assistance, 571  
but are not supported primarily by the state, shall submit to the 572  
chancellor of the Ohio board of regents such accounting of the 573  
expenditure of state funds at such time and in such form as the 574  
~~board~~ chancellor prescribes. 575

(B) No state institution of higher education shall establish 576  
a new branch or academic center without the approval of the ~~board~~ 577  
chancellor. 578

(C) No state institution of higher education shall offer a 579  
new degree or establish a new degree program without the approval 580  
of the ~~board~~ chancellor. No degree approval shall be given for a 581  
technical education program unless such program is offered by a 582  
state assisted university, a university branch, a technical 583  
college, or a community college. 584

(D) Any state college, university, or other state assisted 585  
institution of higher education not complying with a 586  
recommendation of the ~~board~~ chancellor pursuant to division (F) or 587  
(G) of section 3333.04 of the Revised Code shall so notify the 588  
~~board~~ chancellor in writing within one hundred twenty days after 589  
receipt of the recommendation, stating the reasons why it cannot 590  
or should not comply. 591

(E) The officers, trustees, and employees of all institutions 592  
of higher education which are state supported or state assisted 593  
shall cooperate with the ~~board~~ chancellor in supplying information 594  
regarding their institutions, and advising and assisting the ~~board~~ 595

chancellor on matters of higher education in this state in every 596  
way possible when so requested by the ~~board~~ chancellor. 597

(F) Persons associated with the public school systems in this 598  
state, personnel of the state department of education, and members 599  
of the state board of education shall provide such data about high 600  
school students as are requested by the ~~board of regents~~ 601  
chancellor to aid in the development of state higher education 602  
plans. 603

**Sec. 3333.071.** Notwithstanding section 3345.16 of the Revised 604  
Code, no expenditure shall be made for land for higher education 605  
purposes by public institutions of higher education or agents of 606  
such institutions from any fund without the approval of the 607  
chancellor of the Ohio board of regents and the controlling board. 608  
No state appropriation for capital improvements shall be released 609  
by the controlling board for the purchase of land or buildings 610  
from any organization or corporation which has been established to 611  
benefit or assist the institution, except that such releases may 612  
be made if the land is to be used for a currently state-financed 613  
improvement. 614

**Sec. 3333.072.** The chancellor of the Ohio board of regents, 615  
after consulting with the state colleges and universities and with 616  
the office of budget and management, shall adopt rules in 617  
accordance with Chapter 119. of the Revised Code to govern the 618  
allocation of state capital appropriations to state colleges and 619  
universities. In drafting the rules, the ~~board~~ chancellor shall 620  
incorporate the recommendations of the final report of the 621  
commission to study higher education debt service, issued June 28, 622  
1994, as these recommendations have been utilized and modified in 623  
procedures developed by the ~~board~~ chancellor and the office of 624  
budget and management since the report was issued. 625

**Sec. 3333.08.** It is the declared policy of this state that 626  
the availability of eminent domain on behalf of educational 627  
institutions of higher education is in the public welfare. A 628  
private college, university, or other institution of higher 629  
education may therefore apply to the chancellor of the Ohio board 630  
of regents for the right to appropriate property when such 631  
institution is unable to agree with the owner or owners of the 632  
subject property upon the price to be paid for the property. The 633  
institution shall be one that any educationally qualified member 634  
of the public who desires to attend has, or can acquire, a right 635  
to be admitted upon equal terms without discrimination. The 636  
institution shall certify to the ~~board~~ chancellor, in its 637  
application, that the use of the property to be appropriated is to 638  
be for educational purposes, including student housing and dining 639  
facilities, that reasonable efforts have been made to purchase the 640  
property, and that it will be used without discrimination against 641  
any person or group and be equally available to all qualified 642  
persons. The institution also shall submit to the ~~board~~ chancellor 643  
its plans for the use of the property and such other information 644  
as the ~~board~~ chancellor may require. The ~~board~~ chancellor may, 645  
thereafter, and upon a determination that the intended use is in 646  
the public interest, approve the application by resolution. Upon 647  
such approval, the institution may appropriate the property in the 648  
same manner as is provided for the appropriation of property in 649  
Chapter 163. of the Revised Code. 650

**Sec. 3333.09.** "Public university or college," as used in this 651  
section, means any non-profit university or college situated 652  
within this state which is open to the public on equal terms and 653  
which is not affiliated with or controlled by an organization 654  
which is not primarily educational in nature. Any such university 655  
or college shall be considered to be serving a public purpose. 656

The chancellor of the Ohio board of regents may, upon a the 657  
chancellor's determination ~~by it~~ that such action would serve the 658  
interests of higher education in this state, in terms of expansion 659  
of educational opportunity in a major urban area and in terms of 660  
expansion of educational service to a major urban community, 661  
accept conveyances of land, situated within this state, from any 662  
public university or college and enter into an agreement before or 663  
after such conveyance to lease to such public university or 664  
college, upon terms as may be prescribed by the ~~board of regents~~ 665  
chancellor, such land together with buildings constructed thereon 666  
and furniture, fixtures, and equipment therein for use as an 667  
educational facility. The lease shall be for a period not to 668  
exceed fifty years, renewable for a like term, and shall provide 669  
that such buildings be used solely for educational purposes and 670  
that the ~~Ohio board of regents~~ chancellor may cancel such lease if 671  
such buildings are used for other purposes. Such lease may contain 672  
provisions for the sale of such property to the lessee, upon the 673  
consent of the ~~Ohio board of regents~~ chancellor, for a purchase 674  
price not less than the actual cost to the ~~Ohio board of regents~~ 675  
chancellor, less depreciation, computed at the rate customarily 676  
applied to similar structures. The ~~Ohio board of regents~~ 677  
chancellor, through the department of administrative services, may 678  
construct, equip, or remodel buildings on lands accepted by ~~it~~ the 679  
chancellor in the name of the state pursuant to this section. 680  
Title to lands acquired under this section shall be taken in the 681  
name of the state. 682

Responsibility for the proper use, maintenance, and repair of 683  
leased buildings shall rest upon the lessee. 684

**Sec. 3333.10.** (A) As used in this section: 685

(1) "Qualified institution of higher education" or 686  
"institution" means a nonprofit educational institution, holding 687

an effective certificate of authorization issued by the ~~Ohio board~~ 688  
~~of regents~~ under section 1713.02 of the Revised Code, operating in 689  
the state an eligible program, and admitting students without 690  
discrimination by reason of race, creed, color, or national 691  
origin. 692

(2) "School of dentistry" means an accredited dental college 693  
as defined under section 4715.10 of the Revised Code. 694

(3) "Eligible program" means a medical school accredited by 695  
the liaison committee on medical education or an osteopathic 696  
medical school accredited by the American osteopathic association, 697  
or such a school together with a school of dentistry. 698

(B) In order to provide better for the public health and the 699  
necessary enhancement of instruction in medicine and dentistry in 700  
the state, and to encourage the means of such instruction with the 701  
least economic cost to the people of the state, the chancellor of 702  
the Ohio board of regents may enter into agreements with qualified 703  
institutions of higher education providing for the continued 704  
operation by the institution of eligible programs, conditioned 705  
upon continued payments by the state to such institution for the 706  
purposes of such eligible programs of amounts determined in the 707  
manner provided for the state subsidy from time to time afforded 708  
to state universities on the basis of comparable programs. Before 709  
entering into such agreement, the ~~Ohio board of regents~~ chancellor 710  
shall determine that the institution is a qualified institution of 711  
higher education as defined in division (A) of this section, and 712  
that the operation of such eligible programs as provided for in 713  
such agreement and such payments will contribute to the objectives 714  
stated in this section and to the objectives of the master plan of 715  
higher education formulated under section 3333.04 of the Revised 716  
Code. 717

(C) Agreements under this section shall contain provisions to 718  
the effect that: 719



(1) The institution shall submit to the ~~Ohio board of regents~~ chancellor accountings for the expenditure of state payments in the manner and at the times as are requested for state-assisted institutions of higher education pursuant to division (A) of section 3333.07 of the Revised Code.

(2) The institution shall notify the ~~Ohio board of regents~~ chancellor in the manner provided for state-assisted institutions under division (D) of section 3333.07 of the Revised Code with regard to program recommendations by the ~~Ohio board of regents~~ chancellor in the nature of those provided for in divisions (F) and (G) of section 3333.04 of the Revised Code.

(3) The agreement shall terminate if the institution ceases to be a qualified institution of higher education as determined by the ~~Ohio board of regents~~ chancellor in accordance with Chapter 119. of the Revised Code.

(D) Agreements under this section may make further provision for any one or more of the following as the parties determine:

(1) The duration of any such agreement, or additional provision for terminating the agreement;

(2) Additional conditions for the effectiveness or continued effectiveness of such agreement;

(3) Procedures for the amendment or supplementation of the agreement, including designation of the parties to approve or execute such amendments or supplements;

(4) Such other provisions as may be deemed necessary or appropriate.

(E) In case any provision or part of this section or any provision, agreement, covenant, stipulation, obligation, act or action, or part thereof, made, assumed, or taken under or pursuant to this section, or any application thereof, is for any reason

held to be illegal or invalid, such illegality or invalidity shall 750  
not affect the remainder thereof or any other provision of this 751  
section or any other provision, agreement, covenant, stipulation, 752  
obligation, action, or part thereof, made, assumed, or taken under 753  
or pursuant to this section, which shall be construed and enforced 754  
as if such illegal or invalid portion were not contained therein, 755  
nor shall such illegality or invalidity of any application thereof 756  
affect any legal and valid application thereof, and each such 757  
provision, agreement, covenant, stipulation, obligation, act, or 758  
action, or part thereof, shall be deemed to be effective, 759  
operative, made, done, or entered into in the manner and to the 760  
full extent permitted by law to accomplish most nearly the 761  
intention thereof. 762

(F) No agreement shall be entered into under this section 763  
with any institution which is not in compliance with section 764  
3333.11 of the Revised Code. 765

**Sec. 3333.11.** Each school or college of medicine supported in 766  
whole or in part by the state shall create a curriculum for and 767  
maintain a department of family practice, the purpose of which 768  
shall be to acquaint undergraduates with and to train postgraduate 769  
physicians for the practice of family medicine. The minimum 770  
requirements for the department shall include courses of study in 771  
family care, including clinical experience, a program of 772  
preceptorships, and a program of family practice residencies in 773  
university or other hospital settings. 774

Each program of family practice shall: 775

(A) Be designated to advance the field of family practice; 776

(B) Educate all medical students in family practice and 777  
encourage students to enter it as a career; 778

(C) Provide students an opportunity to study family practice 779

in various situations through preceptorships, seminars, model 780  
family practice units within the medical school, classroom work, 781  
hospital programs, or other means; 782

(D) Develop residency and other training programs for family 783  
practice in public and private hospitals, including those in 784  
nonmetropolitan areas of the state; 785

(E) The department shall be a full department co-equal with 786  
all other major clinical departments and headed by a qualified 787  
experienced family practitioner serving as ~~chairman~~ chairperson of 788  
the department of family practice and director of the family 789  
practice residency program. 790

Funds appropriated by the general assembly in support of 791  
family practice programs shall not be disbursed until the 792  
chancellor of the Ohio board of regents has certified that the 793  
intent and requirements of this section are being met. 794

**Sec. 3333.12.** (A) As used in this section: 795

(1) "Eligible student" means an undergraduate student who is: 796

(a) An Ohio resident enrolled in an undergraduate program 797  
before the 2006-2007 academic year; 798

(b) Enrolled in either of the following: 799

(i) An accredited institution of higher education in this 800  
state that meets the requirements of Title VI of the Civil Rights 801  
Act of 1964 and is state-assisted, is nonprofit and has a 802  
certificate of authorization ~~from the Ohio board of regents~~ 803  
pursuant to Chapter 1713. of the Revised Code, has a certificate 804  
of registration from the state board of career colleges and 805  
schools and program authorization to award an associate or 806  
bachelor's degree, or is a private institution exempt from 807  
regulation under Chapter 3332. of the Revised Code as prescribed 808  
in section 3333.046 of the Revised Code. Students who attend an 809

institution that holds a certificate of registration shall be 810  
enrolled in a program leading to an associate or bachelor's degree 811  
for which associate or bachelor's degree program the institution 812  
has program authorization issued under section 3332.05 of the 813  
Revised Code. 814

(ii) A technical education program of at least two years 815  
duration sponsored by a private institution of higher education in 816  
this state that meets the requirements of Title VI of the Civil 817  
Rights Act of 1964. 818

(c) Enrolled as a full-time student or enrolled as a less 819  
than full-time student for the term expected to be the student's 820  
final term of enrollment and is enrolled for the number of credit 821  
hours necessary to complete the requirements of the program in 822  
which the student is enrolled. 823

(2) "Gross income" includes all taxable and nontaxable income 824  
of the parents, the student, and the student's spouse, except 825  
income derived from an Ohio academic scholarship, income earned by 826  
the student between the last day of the spring term and the first 827  
day of the fall term, and other income exclusions designated by 828  
the chancellor of the Ohio board of regents. Gross income may be 829  
verified to the ~~board~~ chancellor by the institution in which the 830  
student is enrolled using the federal financial aid eligibility 831  
verification process or by other means satisfactory to the ~~board~~ 832  
chancellor. 833

(3) "Resident," "full-time student," "dependent," 834  
"financially independent," and "accredited" shall be defined by 835  
rules adopted by the ~~board~~ chancellor. 836

(B) The ~~Ohio board of regents~~ chancellor shall establish and 837  
administer an instructional grant program and may adopt rules to 838  
carry out this section. The general assembly shall support the 839  
instructional grant program by such sums and in such manner as it 840

may provide, but the ~~board~~ chancellor may also receive funds from 841  
other sources to support the program. If the amounts available for 842  
support of the program are inadequate to provide grants to all 843  
eligible students, preference in the payment of grants shall be 844  
given in terms of income, beginning with the lowest income 845  
category of gross income and proceeding upward by category to the 846  
highest gross income category. 847

An instructional grant shall be paid to an eligible student 848  
through the institution in which the student is enrolled, except 849  
that no instructional grant shall be paid to any person serving a 850  
term of imprisonment. Applications for such grants shall be made 851  
as prescribed by the ~~board~~ chancellor, and such applications may 852  
be made in conjunction with and upon the basis of information 853  
provided in conjunction with student assistance programs funded by 854  
agencies of the United States government or from financial 855  
resources of the institution of higher education. The institution 856  
shall certify that the student applicant meets the requirements 857  
set forth in divisions (A)(1)(b) and (c) of this section. 858  
Instructional grants shall be provided to an eligible student only 859  
as long as the student is making appropriate progress toward a 860  
nursing diploma or an associate or bachelor's degree. No student 861  
shall be eligible to receive a grant for more than ten semesters, 862  
fifteen quarters, or the equivalent of five academic years. A 863  
grant made to an eligible student on the basis of less than 864  
full-time enrollment shall be based on the number of credit hours 865  
for which the student is enrolled and shall be computed in 866  
accordance with a formula adopted by the ~~board~~ chancellor. No 867  
student shall receive more than one grant on the basis of less 868  
than full-time enrollment. 869

An instructional grant shall not exceed the total 870  
instructional and general charges of the institution. 871

(C) The tables in this division prescribe the maximum grant 872

amounts covering two semesters, three quarters, or a comparable 873  
 portion of one academic year. Grant amounts for additional terms 874  
 in the same academic year shall be determined under division (D) 875  
 of this section. 876

For a full-time student who is a dependent and enrolled in a 877  
 nonprofit educational institution that is not a state-assisted 878  
 institution and that has a certificate of authorization issued 879  
 pursuant to Chapter 1713. of the Revised Code, the amount of the 880  
 instructional grant for two semesters, three quarters, or a 881  
 comparable portion of the academic year shall be determined in 882  
 accordance with the following table: 883

Private Institution 884

Table of Grants 885

Maximum Grant \$5,466 886

Gross Income Number of Dependents 887

	1	2	3	4	5 or more	
\$0 - \$15,000	\$5,466	\$5,466	\$5,466	\$5,466	\$5,466	888
\$15,001 - \$16,000	4,920	5,466	5,466	5,466	5,466	889
\$16,001 - \$17,000	4,362	4,920	5,466	5,466	5,466	891
\$17,001 - \$18,000	3,828	4,362	4,920	5,466	5,466	892
\$18,001 - \$19,000	3,288	3,828	4,362	4,920	5,466	893
\$19,001 - \$22,000	2,736	3,288	3,828	4,362	4,920	894
\$22,001 - \$25,000	2,178	2,736	3,288	3,828	4,362	895
\$25,001 - \$28,000	1,626	2,178	2,736	3,288	3,828	896
\$28,001 - \$31,000	1,344	1,626	2,178	2,736	3,288	897
\$31,001 - \$32,000	1,080	1,344	1,626	2,178	2,736	898
\$32,001 - \$33,000	984	1,080	1,344	1,626	2,178	899
\$33,001 - \$34,000	888	984	1,080	1,344	1,626	900
\$34,001 - \$35,000	444	888	984	1,080	1,344	901
\$35,001 - \$36,000	--	444	888	984	1,080	902
\$36,001 - \$37,000	--	--	444	888	984	903



For a full-time student who is a dependent and enrolled in an educational institution that holds a certificate of registration from the state board of career colleges and schools or a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code, 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:

Career Institution						944
Table of Grants						945
Maximum Grant \$4,632						946
Gross Income	Number of Dependents					947
	1	2	3	4	5 or more	948
\$0 - \$15,000	\$4,632	\$4,632	\$4,632	\$4,632	\$4,632	949
\$15,001 - \$16,000	4,182	4,632	4,632	4,632	4,632	950
\$16,001 - \$17,000	3,684	4,182	4,632	4,632	4,632	951
\$17,001 - \$18,000	3,222	3,684	4,182	4,632	4,632	952
\$18,001 - \$19,000	2,790	3,222	3,684	4,182	4,632	953
\$19,001 - \$22,000	2,292	2,790	3,222	3,684	4,182	954
\$22,001 - \$25,000	1,854	2,292	2,790	3,222	3,684	955
\$25,001 - \$28,000	1,416	1,854	2,292	2,790	3,222	956
\$28,001 - \$31,000	1,134	1,416	1,854	2,292	2,790	957
\$31,001 - \$32,000	906	1,134	1,416	1,854	2,292	958
\$32,001 - \$33,000	852	906	1,134	1,416	1,854	959
\$33,001 - \$34,000	750	852	906	1,134	1,416	960
\$34,001 - \$35,000	372	750	852	906	1,134	961
\$35,001 - \$36,000	--	372	750	852	906	962
\$36,001 - \$37,000	--	--	372	750	852	963
\$37,001 - \$38,000	--	--	--	372	750	964
\$38,001 - \$39,000	--	--	--	--	372	965

For a full-time student who is financially independent and enrolled in an educational institution that holds a certificate of



registration from the state board of career colleges and schools 968  
 or a private institution exempt from regulation under Chapter 969  
 3332. of the Revised Code as prescribed in section 3333.046 of the 970  
 Revised Code, the amount of the instructional grant for two 971  
 semesters, three quarters, or a comparable portion of the academic 972  
 year shall be determined in accordance with the following table: 973

Career Institution 974

Table of Grants 975

Maximum Grant \$4,632 976

Gross Income Number of Dependents 977

Gross Income	Number of Dependents						978
	0	1	2	3	4	5 or more	
\$0 - \$4,800	\$4,632	\$4,632	\$4,632	\$4,632	\$4,632	\$4,632	979
\$4,801 - \$5,300	4,182	4,632	4,632	4,632	4,632	4,632	980
\$5,301 - \$5,800	3,684	4,410	4,632	4,632	4,632	4,632	981
\$5,801 - \$6,300	3,222	4,158	4,410	4,632	4,632	4,632	982
\$6,301 - \$6,800	2,790	3,930	4,158	4,410	4,632	4,632	983
\$6,801 - \$7,300	2,292	3,714	3,930	4,158	4,410	4,632	984
\$7,301 - \$8,300	1,854	3,462	3,714	3,930	4,158	4,410	985
\$8,301 - \$9,300	1,416	3,246	3,462	3,714	3,930	4,158	986
\$9,301 - \$10,300	1,134	3,024	3,246	3,462	3,714	3,930	987
\$10,301 - \$11,800	906	2,886	3,024	3,246	3,462	3,714	988
\$11,801 - \$13,300	852	2,772	2,886	3,024	3,246	3,462	989
\$13,301 - \$14,800	750	2,742	2,772	2,886	3,024	3,246	990
\$14,801 - \$16,300	372	2,466	2,742	2,772	2,886	3,024	991
\$16,301 - \$19,300	--	1,800	2,220	2,520	2,772	2,886	992
\$19,301 - \$22,300	--	1,146	1,584	1,986	2,268	2,544	993
\$22,301 - \$25,300	--	930	1,146	1,584	1,986	2,268	994
\$25,301 - \$30,300	--	708	930	1,146	1,584	1,986	995
\$30,301 - \$35,300	--	426	456	570	708	1,116	996

For a full-time student who is a dependent and enrolled in a 997  
 state-assisted educational institution, the amount of the 998  
 instructional grant for two semesters, three quarters, or a 999

comparable portion of the academic year shall be determined in 1000  
accordance with the following table: 1001

Public Institution 1002

Table of Grants 1003

Maximum Grant \$2,190 1004

Gross Income Number of Dependents 1005

	1	2	3	4	5 or more	
\$0 - \$15,000	\$2,190	\$2,190	\$2,190	\$2,190	\$2,190	1006
\$15,001 - \$16,000	1,974	2,190	2,190	2,190	2,190	1007
\$16,001 - \$17,000	1,740	1,974	2,190	2,190	2,190	1008
\$17,001 - \$18,000	1,542	1,740	1,974	2,190	2,190	1009
\$18,001 - \$19,000	1,320	1,542	1,740	1,974	2,190	1010
\$19,001 - \$22,000	1,080	1,320	1,542	1,740	1,974	1011
\$22,001 - \$25,000	864	1,080	1,320	1,542	1,740	1012
\$25,001 - \$28,000	648	864	1,080	1,320	1,542	1013
\$28,001 - \$31,000	522	648	864	1,080	1,320	1014
\$31,001 - \$32,000	420	522	648	864	1,080	1015
\$32,001 - \$33,000	384	420	522	648	864	1016
\$33,001 - \$34,000	354	384	420	522	648	1017
\$34,001 - \$35,000	174	354	384	420	522	1018
\$35,001 - \$36,000	--	174	354	384	420	1019
\$36,001 - \$37,000	--	--	174	354	384	1020
\$37,001 - \$38,000	--	--	--	174	354	1021
\$38,001 - \$39,000	--	--	--	--	174	1022

For a full-time student who is financially independent and 1024  
enrolled in a state-assisted educational institution, the amount 1025  
of the instructional grant for two semesters, three quarters, or a 1026  
comparable portion of the academic year shall be determined in 1027  
accordance with the following table: 1028

Public Institution 1029

Table of Grants 1030

	Maximum Grant \$2,190						1031
Gross Income	Number of Dependents						1032
	0	1	2	3	4	5 or more	1033
\$0 - \$4,800	\$2,190	\$2,190	\$2,190	\$2,190	\$2,190	\$2,190	1034
\$4,801 - \$5,300	1,974	2,190	2,190	2,190	2,190	2,190	1035
\$5,301 - \$5,800	1,740	2,082	2,190	2,190	2,190	2,190	1036
\$5,801 - \$6,300	1,542	1,968	2,082	2,190	2,190	2,190	1037
\$6,301 - \$6,800	1,320	1,866	1,968	2,082	2,190	2,190	1038
\$6,801 - \$7,300	1,080	1,758	1,866	1,968	2,082	2,190	1039
\$7,301 - \$8,300	864	1,638	1,758	1,866	1,968	2,082	1040
\$8,301 - \$9,300	648	1,530	1,638	1,758	1,866	1,968	1041
\$9,301 - \$10,300	522	1,422	1,530	1,638	1,758	1,866	1042
\$10,301 - \$11,800	420	1,356	1,422	1,530	1,638	1,758	1043
\$11,801 - \$13,300	384	1,308	1,356	1,422	1,530	1,638	1044
\$13,301 - \$14,800	354	1,290	1,308	1,356	1,422	1,530	1045
\$14,801 - \$16,300	174	1,164	1,290	1,308	1,356	1,422	1046
\$16,301 - \$19,300	--	858	1,050	1,182	1,308	1,356	1047
\$19,301 - \$22,300	--	540	750	948	1,062	1,200	1048
\$22,301 - \$25,300	--	432	540	750	948	1,062	1049
\$25,301 - \$30,300	--	324	432	540	750	948	1050
\$30,301 - \$35,300	--	192	210	264	324	522	1051

(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 1063  
accredited bachelor of arts, bachelor of science, associate of 1064  
arts, or associate of science degree. 1065

(F)(1) Except as provided in division (F)(2) of this section, 1066  
no grant shall be made to any student for enrollment during a 1067  
fiscal year in an institution with a cohort default rate 1068  
determined by the United States secretary of education pursuant to 1069  
the "Higher Education Amendments of 1986," 100 Stat. 1278, 1408, 1070  
20 U.S.C.A. 1085, as amended, as of the fifteenth day of June 1071  
preceding the fiscal year, equal to or greater than thirty per 1072  
cent for each of the preceding two fiscal years. 1073

(2) Division (F)(1) of this section does not apply to the 1074  
following: 1075

(a) Any student enrolled in an institution that under the 1076  
federal law appeals its loss of eligibility for federal financial 1077  
aid and the United States secretary of education determines its 1078  
cohort default rate after recalculation is lower than the rate 1079  
specified in division (F)(1) of this section or the secretary 1080  
determines due to mitigating circumstances the institution may 1081  
continue to participate in federal financial aid programs. The 1082  
~~board~~ chancellor shall adopt rules requiring institutions to 1083  
provide information regarding an appeal to the ~~board~~ chancellor. 1084

(b) Any student who has previously received a grant under 1085  
this section who meets all other requirements of this section. 1086

(3) The ~~board~~ chancellor shall adopt rules for the 1087  
notification of all institutions whose students will be ineligible 1088  
to participate in the grant program pursuant to division (F)(1) of 1089  
this section. 1090

(4) A student's attendance at an institution whose students 1091  
lose eligibility for grants under division (F)(1) of this section 1092  
shall not affect that student's eligibility to receive a grant 1093

when enrolled in another institution. 1094

(G) Institutions of higher education that enroll students 1095  
receiving instructional grants under this section shall report to 1096  
the ~~board~~ chancellor all students who have received instructional 1097  
grants but are no longer eligible for all or part of such grants 1098  
and shall refund any moneys due the state within thirty days after 1099  
the beginning of the quarter or term immediately following the 1100  
quarter or term in which the student was no longer eligible to 1101  
receive all or part of the student's grant. There shall be an 1102  
interest charge of one per cent per month on all moneys due and 1103  
payable after such thirty-day period. The ~~board~~ chancellor shall 1104  
immediately notify the office of budget and management and the 1105  
legislative service commission of all refunds so received. 1106

**Sec. 3333.121.** There is hereby established in the state 1107  
treasury the state need-based financial aid reconciliation fund, 1108  
which shall consist of refunds of instructional grant payments 1109  
made pursuant to section 3333.12 of the Revised Code and refunds 1110  
of state need-based financial aid payments made pursuant to 1111  
section 3333.122 of the Revised Code. Revenues credited to the 1112  
fund shall be used by the chancellor of the Ohio board of regents 1113  
to pay to higher education institutions any outstanding 1114  
obligations from the prior year owed for the Ohio instructional 1115  
grant program and the Ohio college opportunity grant program that 1116  
are identified through the annual reconciliation and financial 1117  
audit. Any amount in the fund that is in excess of the amount 1118  
certified to the director of budget and management by the ~~board of~~ 1119  
~~regents~~ chancellor as necessary to reconcile prior year payments 1120  
under the program shall be transferred to the general revenue 1121  
fund. 1122

**Sec. 3333.122.** (A) As used in this section: 1123

(1) "Eligible student" means a student who is:	1124
(a) An Ohio resident who first enrolls in an undergraduate program in the 2006-2007 academic year or thereafter;	1125 1126
(b) Enrolled in either of the following:	1127
(i) An accredited institution of higher education in this state that meets the requirements of Title VI of the Civil Rights Act of 1964 and is state-assisted, is nonprofit and has a certificate of authorization <del>from the Ohio board of regents</del> pursuant to Chapter 1713. of the Revised Code, has a certificate of registration from the state board of career colleges and schools and program authorization to award an associate or bachelor's degree, or is a private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code. Students who attend an institution that holds a certificate of registration shall be enrolled in a program leading to an associate or bachelor's degree for which associate or bachelor's degree program the institution has program authorization issued under section 3332.05 of the Revised Code.	1128 1129 1130 1131 1132 1133 1134 1135 1136 1137 1138 1139 1140 1141 1142
(ii) A technical education program of at least two years duration sponsored by a private institution of higher education in this state that meets the requirements of Title VI of the Civil Rights Act of 1964.	1143 1144 1145 1146
(2) A student who participated in either the early college high school program administered by the department of education or in the post-secondary enrollment options program pursuant to Chapter 3365. of the Revised Code before the 2006-2007 academic year shall not be excluded from eligibility for a <del>need-based</del> <u>needs-based financial aid</u> grant under this section.	1147 1148 1149 1150 1151 1152
(3) "Resident," "expected family contribution" or "EFC," "full-time student," "three-quarters-time student," "half-time	1153 1154

student," "one-quarter-time student," and "accredited" shall be 1155  
defined by rules adopted by the chancellor of the Ohio board of 1156  
regents. 1157

(B) The ~~Ohio board of regents~~ chancellor shall establish and 1158  
administer a needs-based financial aid program based on the United 1159  
States department of education's method of determining financial 1160  
need and may adopt rules to carry out this section. The program 1161  
shall be known as the Ohio college opportunity grant program. The 1162  
general assembly shall support the needs-based financial aid 1163  
program by such sums and in such manner as it may provide, but the 1164  
~~board~~ chancellor may also receive funds from other sources to 1165  
support the program. If the amounts available for support of the 1166  
program are inadequate to provide grants to all eligible students, 1167  
preference in the payment of grants shall be given in terms of 1168  
expected family contribution, beginning with the lowest expected 1169  
family contribution category and proceeding upward by category to 1170  
the highest expected family contribution category. 1171

A needs-based financial aid grant shall be paid to an 1172  
eligible student through the institution in which the student is 1173  
enrolled, except that no needs-based financial aid grant shall be 1174  
paid to any person serving a term of imprisonment. Applications 1175  
for such grants shall be made as prescribed by the ~~board~~ 1176  
chancellor, and such applications may be made in conjunction with 1177  
and upon the basis of information provided in conjunction with 1178  
student assistance programs funded by agencies of the United 1179  
States government or from financial resources of the institution 1180  
of higher education. The institution shall certify that the 1181  
student applicant meets the requirements set forth in divisions 1182  
(A)(1)(a) and (b) of this section. Needs-based financial aid 1183  
grants shall be provided to an eligible student only as long as 1184  
the student is making appropriate progress toward a nursing 1185  
diploma or an associate or bachelor's degree. No student shall be 1186

eligible to receive a grant for more than ten semesters, fifteen 1187  
quarters, or the equivalent of five academic years. A grant made 1188  
to an eligible student on the basis of less than full-time 1189  
enrollment shall be based on the number of credit hours for which 1190  
the student is enrolled and shall be computed in accordance with a 1191  
formula adopted by the ~~board~~ chancellor. No student shall receive 1192  
more than one grant on the basis of less than full-time 1193  
enrollment. 1194

A needs-based financial aid grant shall not exceed the total 1195  
instructional and general charges of the institution. 1196

(C) The tables in this division prescribe the maximum grant 1197  
amounts covering two semesters, three quarters, or a comparable 1198  
portion of one academic year. Grant amounts for additional terms 1199  
in the same academic year shall be determined under division (D) 1200  
of this section. 1201

As used in the tables in division (C) of this section: 1202

(1) "Private institution" means an institution that is 1203  
nonprofit and has a certificate of authorization ~~from the Ohio~~ 1204  
~~board of regents~~ pursuant to Chapter 1713. of the Revised Code. 1205

(2) "Career college" means either an institution that holds a 1206  
certificate of registration from the state board of career 1207  
colleges and schools or a private institution exempt from 1208  
regulation under Chapter 3332. of the Revised Code as prescribed 1209  
in section 3333.046 of the Revised Code. 1210

Full-time students shall be eligible to receive awards 1211  
according to the following table: 1212

Full-Time Enrollment 1213

If the EFC	And if the	If the	If the	If the	
is equal	EFC is no	student	student	student	1214
to or	more than:	attends a	attends a	attends a	
greater		public	private	career	



than:		institution, the annual award shall be:	institution, the annual award shall be:	college, the annual award shall be:	
\$2,101	\$2,190	\$300	\$600	\$480	1215
2,001	2,100	402	798	642	1216
1,901	2,000	498	1,002	798	1217
1,801	1,900	600	1,200	960	1218
1,701	1,800	702	1,398	1,122	1219
1,601	1,700	798	1,602	1,278	1220
1,501	1,600	900	1,800	1,440	1221
1,401	1,500	1,002	1,998	1,602	1222
1,301	1,400	1,098	2,202	1,758	1223
1,201	1,300	1,200	2,400	1,920	1224
1,101	1,200	1,302	2,598	2,082	1225
1,001	1,100	1,398	2,802	2,238	1226
901	1,000	1,500	3,000	2,400	1227
801	900	1,602	3,198	2,562	1228
701	800	1,698	3,402	2,718	1229
601	700	1,800	3,600	2,280	1230
501	600	1,902	3,798	3,042	1231
401	500	1,998	4,002	3,198	1232
301	400	2,100	4,200	3,360	1233
201	300	2,202	4,398	3,522	1234
101	200	2,298	4,602	3,678	1235
1	100	2,400	4,800	3,840	1236
0	0	2,496	4,992	3,996	1237

Three-quarters-time students shall be eligible to receive awards according to the following table: 1238  
1239

Three-Quarters-Time Enrollment 1240

If the EFC	And the	If the	If the	If the	1241
is equal	EFC is no	student	student	student	
to or	more than:	attends a	attends a	attends a	

greater than:		public institution, the annual award shall be:	private institution, the annual award shall be:	career college, the annual award shall be:	
\$2,101	\$2,190	\$228	\$450	\$360	1242
2,001	2,100	300	600	480	1243
1,901	2,000	372	750	600	1244
1,801	1,900	450	900	720	1245
1,701	1,800	528	1,050	840	1246
1,601	1,700	600	1,200	960	1247
1,501	1,600	678	1,350	1,080	1248
1,401	1,500	750	1,500	1,200	1249
1,301	1,400	822	1,650	1,320	1250
1,201	1,300	900	1,800	1,440	1251
1,101	1,200	978	1,950	1,560	1252
1,001	1,100	1,050	2,100	1,680	1253
901	1,000	1,128	2,250	1,800	1254
801	900	1,200	2,400	1,920	1255
701	800	1,272	2,550	2,040	1256
601	700	1,350	2,700	2,160	1257
501	600	1,428	2,850	2,280	1258
401	500	1,500	3,000	2,400	1259
301	400	1,578	3,150	2,520	1260
201	300	1,650	3,300	2,640	1261
101	200	1,722	3,450	2,760	1262
1	100	1,800	3,600	2,880	1263
0	0	1,872	3,744	3,000	1264

Half-time students shall be eligible to receive awards 1265  
according to the following table: 1266

Half-Time Enrollment 1267

If the EFC is equal	And if the EFC is no	If the student	If the student	If the student	1268
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to or greater than:	more than:	attends a public institution, the annual award shall be:	attends a private institution, the annual award shall be:	attends a career college, the annual award shall be:	
\$2,101	\$2,190	\$150	\$300	\$240	1269
2,001	2,100	204	402	324	1270
1,901	2,000	252	504	402	1271
1,801	1,900	300	600	480	1272
1,701	1,800	354	702	564	1273
1,601	1,700	402	804	642	1274
1,501	1,600	450	900	720	1275
1,401	1,500	504	1,002	804	1276
1,301	1,400	552	1,104	882	1277
1,201	1,300	600	1,200	960	1278
1,101	1,200	654	1,302	1,044	1279
1,001	1,100	702	1,404	1,122	1280
901	1,000	750	1,500	1,200	1281
801	900	804	1,602	1,284	1282
701	800	852	1,704	1,362	1283
601	700	900	1,800	1,440	1284
501	600	954	1,902	1,524	1285
401	500	1,002	2,004	1,602	1286
301	400	1,050	2,100	1,680	1287
201	300	1,104	2,202	1,764	1288
101	200	1,152	2,304	1,842	1289
1	100	1,200	2,400	1,920	1290
0	0	1,248	2,496	1,998	1291

One-quarter-time students shall be eligible to receive awards 1292  
according to the following table: 1293

One-Quarter-Time Enrollment 1294

If the EFC And if the If the If the If the 1295

is equal to or greater than:	EFC is no more than:	student attends a public institution, the annual award shall be:	student attends a private institution, the annual award shall be:	student attends a career college, the annual award shall be:	
\$2,101	\$2,190	\$78	\$150	\$120	1296
2,001	2,100	102	198	162	1297
1,901	2,000	126	252	198	1298
1,801	1,900	150	300	240	1299
1,701	1,800	174	348	282	1300
1,601	1,700	198	402	318	1301
1,501	1,600	228	450	360	1302
1,401	1,500	252	498	402	1303
1,301	1,400	276	552	438	1304
1,201	1,300	300	600	480	1305
1,101	1,200	324	648	522	1306
1,001	1,100	348	702	558	1307
901	1,000	378	750	600	1308
801	900	402	798	642	1309
701	800	426	852	678	1310
601	700	450	900	720	1311
501	600	474	948	762	1312
401	500	498	1,002	798	1313
301	400	528	1,050	840	1314
201	300	552	1,098	882	1315
101	200	576	1,152	918	1316
1	100	600	1,200	960	1317
0	0	624	1,248	1,002	1318

(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

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1320  
1321

(C) of this section, the maximum grant amount shall be a 1322  
percentage of the maximum prescribed in the applicable table of 1323  
that division. The maximum grant for a fourth quarter shall be 1324  
one-third of the maximum amount prescribed under that division. 1325  
The maximum grant for a third semester shall be one-half of the 1326  
maximum amount prescribed under that division. 1327

(E) No grant shall be made to any student in a course of 1328  
study in theology, religion, or other field of preparation for a 1329  
religious profession unless such course of study leads to an 1330  
accredited bachelor of arts, bachelor of science, associate of 1331  
arts, or associate of science degree. 1332

(F)(1) Except as provided in division (F)(2) of this section, 1333  
no grant shall be made to any student for enrollment during a 1334  
fiscal year in an institution with a cohort default rate 1335  
determined by the United States secretary of education pursuant to 1336  
the "Higher Education Amendments of 1986," 100 Stat. 1278, 1408, 1337  
20 U.S.C.A. 1085, as amended, as of the fifteenth day of June 1338  
preceding the fiscal year, equal to or greater than thirty per 1339  
cent for each of the preceding two fiscal years. 1340

(2) Division (F)(1) of this section does not apply to the 1341  
following: 1342

(a) Any student enrolled in an institution that under the 1343  
federal law appeals its loss of eligibility for federal financial 1344  
aid and the United States secretary of education determines its 1345  
cohort default rate after recalculation is lower than the rate 1346  
specified in division (F)(1) of this section or the secretary 1347  
determines due to mitigating circumstances the institution may 1348  
continue to participate in federal financial aid programs. The 1349  
~~board~~ chancellor shall adopt rules requiring institutions to 1350  
provide information regarding an appeal to the ~~board~~ chancellor. 1351

(b) Any student who has previously received a grant under 1352

this section who meets all other requirements of this section. 1353

(3) The ~~board~~ chancellor shall adopt rules for the 1354  
notification of all institutions whose students will be ineligible 1355  
to participate in the grant program pursuant to division (F)(1) of 1356  
this section. 1357

(4) A student's attendance at an institution whose students 1358  
lose eligibility for grants under division (F)(1) of this section 1359  
shall not affect that student's eligibility to receive a grant 1360  
when enrolled in another institution. 1361

(G) Institutions of higher education that enroll students 1362  
receiving needs-based financial aid grants under this section 1363  
shall report to the ~~board~~ chancellor all students who have 1364  
received needs-based financial aid grants but are no longer 1365  
eligible for all or part of such grants and shall refund any 1366  
moneys due the state within thirty days after the beginning of the 1367  
quarter or term immediately following the quarter or term in which 1368  
the student was no longer eligible to receive all or part of the 1369  
student's grant. There shall be an interest charge of one per cent 1370  
per month on all moneys due and payable after such thirty-day 1371  
period. The ~~board~~ chancellor shall immediately notify the office 1372  
of budget and management and the legislative service commission of 1373  
all refunds so received. 1374

**Sec. 3333.123.** (A) As used in this section: 1375

(1) "The Ohio college opportunity grant program" means the 1376  
program established under section 3333.122 of the Revised Code. 1377

(2) "Rules for the Ohio college opportunity grant program" 1378  
means the rules authorized in division (S) of section 3333.04 of 1379  
the Revised Code for the implementation of the program. 1380

(B) In adopting rules for the Ohio college opportunity grant 1381  
program, the chancellor of the Ohio board of regents may include 1382

provisions that give preferential or priority funding to 1383  
low-income students who in their primary and secondary school work 1384  
participate in or complete rigorous academic coursework, attain 1385  
passing scores on the tests prescribed in section 3301.0710 of the 1386  
Revised Code, or meet other high academic performance standards 1387  
determined by the ~~board~~ chancellor to reduce the need for 1388  
remediation and ensure academic success at the postsecondary 1389  
education level. Any such rules shall include a specification of 1390  
procedures needed to certify student achievement of primary and 1391  
secondary standards as well as the timeline for implementation of 1392  
the provisions authorized by this section. 1393

**Sec. 3333.13.** (A) Money appropriated to the chancellor of the 1394  
Ohio board of regents for the purposes of this division shall be 1395  
paid at the times and in the amounts necessary to meet all 1396  
payments required to be made by the ~~board~~ chancellor to the Ohio 1397  
public facilities commission pursuant to leases or agreements made 1398  
under division (B) of section 154.21 of the Revised Code, as 1399  
certified under division (C) of this section, including 1400  
supplements to such certifications. 1401

(B) The ~~board~~ chancellor shall include in ~~its~~ the estimate of 1402  
proposed expenses submitted pursuant to section 126.02 of the 1403  
Revised Code the estimated amounts of all such payments to be made 1404  
by ~~it~~ the chancellor. The ~~board~~ chancellor shall include the 1405  
estimated amounts of all such payments to be made by ~~it~~ the 1406  
chancellor in recommendations for appropriation required by 1407  
division (J) of section 3333.04 of the Revised Code. The director 1408  
of budget and management shall include in the state budget 1409  
estimates provided for in section 126.02 of the Revised Code the 1410  
estimated amount of all such payments to be made during the next 1411  
biennium, and this amount shall be included in the state budget to 1412  
be submitted by the governor to the general assembly pursuant to 1413  
section 107.03 of the Revised Code. 1414

(C) On the first day of July of each year, or as soon 1415  
thereafter as is practicable, the chancellor or a vice-chancellor 1416  
~~of the board~~ shall certify to the director the payments contracted 1417  
to be made, during the period of the then current appropriations 1418  
made for the purposes of division (A) of this section, to the 1419  
commission by the ~~board~~ chancellor pursuant to leases and 1420  
agreements made under division (B) of section 154.21 of the 1421  
Revised Code. The certification shall state the amounts and dates 1422  
of payment required therefor and the amounts to be credited 1423  
pursuant to such leases and agreements to the higher education 1424  
bond service trust fund and other special funds established 1425  
pursuant to Chapter 154. of the Revised Code. If the director 1426  
finds such certification to be correct, the director shall 1427  
promptly add the director's certification thereto and submit it to 1428  
the treasurer of state. Such annual certification shall be 1429  
supplemented in similar manner upon the execution of each new 1430  
lease or agreement, any supplement to an existing lease or 1431  
agreement, or any amendment thereof, affecting the amounts of 1432  
those payments. 1433

**Sec. 3333.14.** Effective July 1, 1971, all public post high 1434  
school technical education programs shall be operated by technical 1435  
colleges, community colleges, university branches, state colleges, 1436  
state-affiliated universities and state universities. Subject to 1437  
rules and regulations adopted by the chancellor of the Ohio board 1438  
of regents, the board of trustees or directors of one of the above 1439  
such institutions shall adopt a plan of transition governing each 1440  
public post high school technical education program not 1441  
specifically identified or included in this section which is 1442  
located in the geographic region of such institution as defined by 1443  
the ~~board of regents~~ chancellor. The plan of transition shall 1444  
provide for the dissolution of such technical education programs 1445  
either by transfer of a program's lands, buildings, and equipment 1446



to one of the above such institutions or by complete termination 1447  
of the technical education program. 1448

**Sec. 3333.15.** If the board of trustees of a state university 1449  
fails to undertake appropriate action to establish a university 1450  
branch campus within one year from the enactment of a capital 1451  
improvement appropriation for the development of such university 1452  
branch facility, the chancellor of the Ohio board of regents may 1453  
act as ~~it~~ the chancellor deems necessary in place of the board of 1454  
trustees, including securing the release of construction planning 1455  
and construction contract funds from the state controlling board. 1456  
If the ~~board of regents~~ chancellor takes action to plan and 1457  
construct a university branch in accordance with this section, the 1458  
officers and staff of such university shall perform all necessary 1459  
functions incident to the planning and construction of such 1460  
university branch as directed by the ~~board of regents~~ chancellor. 1461

**Sec. 3333.16.** As used in this section "state institution of 1462  
higher education" means an institution of higher education as 1463  
defined in section 3345.12 of the Revised Code. 1464

(A) ~~By April 15, 2005,~~ The chancellor of the Ohio board of 1465  
regents shall do all of the following: 1466

(1) Establish policies and procedures applicable to all state 1467  
institutions of higher education that ensure that students can 1468  
begin higher education at any state institution of higher 1469  
education and transfer coursework and degrees to any other state 1470  
institution of higher education without unnecessary duplication or 1471  
institutional barriers. The purpose of this requirement is to 1472  
allow students to attain their highest educational aspirations in 1473  
the most efficient and effective manner for the students and the 1474  
state. These policies and procedures shall require state 1475  
institutions of higher education to make changes or modifications, 1476

as needed, to strengthen course content so as to ensure 1477  
equivalency for that course at any state institution of higher 1478  
education. 1479

(2) Develop and implement a universal course equivalency 1480  
classification system for state institutions of higher education 1481  
so that the transfer of students and the transfer and articulation 1482  
of equivalent courses or specified learning modules or units 1483  
completed by students are not inhibited by inconsistent judgment 1484  
about the application of transfer credits. Coursework completed 1485  
within such a system at one state institution of higher education 1486  
and transferred to another institution shall be applied to the 1487  
student's degree objective in the same manner as equivalent 1488  
coursework completed at the receiving institution. 1489

(3) Develop a system of transfer policies that ensure that 1490  
graduates with associate degrees which include completion of 1491  
approved transfer modules shall be admitted to a state institution 1492  
of higher education, shall be able to compete for admission to 1493  
specific programs on the same basis as students native to the 1494  
institution, and shall have priority over out-of-state associate 1495  
degree graduates and transfer students. To assist a student in 1496  
advising and transferring, all state institutions of higher 1497  
education shall fully implement the course applicability system. 1498

(4) Examine the feasibility of developing a transfer 1499  
marketing agenda that includes materials and interactive 1500  
technology to inform the citizens of Ohio about the availability 1501  
of transfer options at state institutions of higher education and 1502  
to encourage adults to return to colleges and universities for 1503  
additional education; 1504

(5) Study, in consultation with the state board of career 1505  
colleges and schools, and in light of existing criteria and any 1506  
other criteria developed by the articulation and transfer advisory 1507  
council, the feasibility of credit recognition and transferability 1508

to state institutions of higher education for graduates who have 1509  
received associate degrees from a career college or school with a 1510  
certificate of registration from the state board of career 1511  
colleges and schools under Chapter 3332. of the Revised Code. 1512

~~(B) By April 15, 2004, the board shall report to the general 1513  
assembly on its progress in attaining completion of the actions 1514  
prescribed in division (A) of this section. 1515~~

~~(C) All provisions of the existing articulation and transfer 1516  
policy developed by the Ohio board of regents shall remain in 1517  
effect except where amended by this ~~act~~ section. 1518~~

**Sec. 3333.161.** (A) As used in this section: 1519

(1) "Articulation agreement" means an agreement between two 1520  
or more state institutions of higher education to facilitate the 1521  
transfer of students and credits between such institutions. 1522

(2) "State institution of higher education" and "state 1523  
university" have the same meanings as in section 3345.011 of the 1524  
Revised Code. 1525

(3) "Two year college" includes a community college, state 1526  
community college, technical college, and university branch. 1527

~~(B) Not later than April 15, 2005, The chancellor of the Ohio 1528  
board of regents shall adopt rules establishing a statewide system 1529  
for articulation agreements among state institutions of higher 1530  
education for transfer students pursuing teacher education 1531  
programs. The rules shall require an articulation agreement 1532  
between institutions to include all of the following: 1533~~

(1) The development of a transfer module for teacher 1534  
education that includes introductory level courses that are 1535  
evaluated as appropriate by faculty employed by the state 1536  
institutions of higher education that are parties to the 1537  
articulation agreement; 1538

(2) A foundation of general studies courses that have been 1539  
identified as part of the transfer module for teacher education 1540  
and have been evaluated as appropriate for the preparation of 1541  
teachers and consistent with the academic content standards 1542  
adopted under section 3301.079 of the Revised Code; 1543

(3) A clear identification of university faculty who are 1544  
partnered with two year college faculty; 1545

(4) The publication of the articulation agreement that is 1546  
available to all students, faculty, and staff. 1547

**Sec. 3333.162.** (A) As used in this section, "state 1548  
institution of higher education" means an institution of higher 1549  
education as defined in section 3345.12 of the Revised Code. 1550

(B) By April 15, 2007, the chancellor of the Ohio board of 1551  
regents, in consultation with the department of education, public 1552  
adult and secondary career-technical education institutions, and 1553  
state institutions of higher education, shall establish criteria, 1554  
policies, and procedures that enable students to transfer agreed 1555  
upon technical courses completed through an adult career-technical 1556  
education institution, a public secondary career-technical 1557  
institution, or a state institution of higher education to a state 1558  
institution of higher education without unnecessary duplication or 1559  
institutional barriers. The courses to which the criteria, 1560  
policies, and procedures apply shall be those that adhere to 1561  
recognized industry standards and equivalent coursework common to 1562  
the secondary career pathway and adult career-technical education 1563  
system and regionally accredited state institutions of higher 1564  
education. Where applicable, the policies and procedures shall 1565  
build upon the articulation agreement and transfer initiative 1566  
course equivalency system required by section 3333.16 of the 1567  
Revised Code. 1568

~~(C) By April 15, 2006, the board shall report to the general 1569~~

~~assembly on its progress in establishing these policies and~~ 1570  
~~procedures.~~ 1571

**Sec. 3333.17.** The chancellor of the Ohio board of regents may 1572  
enter into contracts with the appropriate agency in a contiguous 1573  
state whereby the agency provides for charging Ohio residents 1574  
enrolled in state-assisted post-secondary educational institutions 1575  
in the contiguous state, tuition and fees at rates no higher than 1576  
the rates charged to students who are residents of that state, and 1577  
whereby the ~~Ohio board of regents~~ chancellor, as part of such 1578  
contracts, may provide that rates for tuition and fees charged to 1579  
residents of the contiguous state who are enrolled in 1580  
state-assisted post-secondary educational institutions in Ohio 1581  
shall not exceed those charged Ohio residents. 1582

State-assisted post-secondary educational institutions in 1583  
Ohio may enter into contracts with appropriate state-assisted 1584  
post-secondary educational institutions in a contiguous state 1585  
whereby the state-assisted post-secondary educational institution 1586  
provides for charging Ohio residents enrolled in the institution 1587  
in the contiguous state, tuition and fees at rates no higher than 1588  
the rates charged to students who are residents of that state, and 1589  
whereby the Ohio state-assisted post-secondary institution, as 1590  
part of such contracts, may provide that rates for tuition and 1591  
fees charged to residents of the contiguous state who are enrolled 1592  
in the state-assisted post-secondary educational institutions in 1593  
Ohio shall not exceed those charged Ohio residents. 1594

The contracts entered into by the ~~board of regents~~ chancellor 1595  
or a state-assisted post-secondary educational institution may 1596  
limit the type of academic program offered at the reciprocal 1597  
rates. Residents of contiguous states enrolled in for credit 1598  
courses taught at the main campus and identified off-campus sites 1599  
at state-assisted post-secondary educational institutions in Ohio 1600

under such contracts shall be included in calculating the number 1601  
of full-time equivalent students for state subsidy purposes. The 1602  
~~board of regents~~ chancellor and each state-assisted post-secondary 1603  
educational institution shall periodically assess the costs and 1604  
benefits of each such contract and the extent to which parity is 1605  
achieved between Ohio and the contiguous state with respect to 1606  
students benefiting from the contract. All Ohio state-assisted 1607  
post-secondary educational institutions participating in these 1608  
contracts shall report enrollments and other information annually 1609  
to the ~~Ohio board of regents~~ chancellor. No contract shall be 1610  
entered into under this section without the approval of the ~~Ohio~~ 1611  
~~board of regents~~ chancellor. The ~~Ohio board of regents~~ chancellor 1612  
shall report the status of these contracts to the controlling 1613  
board annually. 1614

**Sec. 3333.18.** The chancellor of the Ohio board of regents may 1615  
enter into contracts with the appropriate agency in a contiguous 1616  
state whereby financial aids from the funds of each state may be 1617  
used by qualified student recipients to attend approved 1618  
post-secondary educational institutions in the other state. 1619  
Approved institutions in Ohio are those that are state-assisted or 1620  
are nonprofit and have received certificates of authorization ~~from~~ 1621  
~~the Ohio board of regents~~ pursuant to Chapter 1713. of the Revised 1622  
Code, or are private institutions exempt from regulation under 1623  
Chapter 3332. of the Revised Code as prescribed in section 1624  
3333.046 of the Revised Code. Eligible post-secondary educational 1625  
institutions in the contiguous state shall be similarly approved 1626  
by the appropriate agency of that state. In formulating and 1627  
executing such contracts with a contiguous state, the ~~board~~ 1628  
chancellor shall assure that the total cost to this state 1629  
approximates the total cost to the contiguous state. Any contract 1630  
entered into under this section shall be subject to the periodic 1631  
review of, and approval by, the controlling board. 1632

**Sec. 3333.19.** The chancellor of the Ohio board of regents may 1633  
enter into agreements with the appropriate agency in a foreign 1634  
country or with an agency or organization sponsoring foreign 1635  
student exchanges under which the agency or organization ensures 1636  
that Ohio residents enrolled in post-secondary educational 1637  
institutions in the foreign country will pay tuition and fees at 1638  
rates no higher than the rates charged to students who are 1639  
residents of that country and under which the ~~board of regents~~ 1640  
chancellor provides that rates for tuition and fees charged to a 1641  
comparable number of students from the foreign country who are 1642  
enrolled in state-assisted institutions of higher education in 1643  
Ohio are to be no higher than the rates charged to students who 1644  
are Ohio residents. Notwithstanding that an Ohio resident is 1645  
enrolled in a post-secondary educational institution in a foreign 1646  
country under one of these agreements, any such student who was 1647  
previously enrolled in a state-assisted institution shall be 1648  
counted as enrolled in such institution for state subsidy purposes 1649  
in a manner prescribed by rules the ~~board of regents~~ chancellor 1650  
shall adopt. 1651

**Sec. 3333.20.** (A) ~~On or before September 1, 1993, The~~ 1652  
chancellor of the Ohio board of regents shall adopt educational 1653  
service standards that shall apply to all community colleges, 1654  
university branches, technical colleges, and state community 1655  
colleges established under Chapters 3354., 3355., 3357., and 3358. 1656  
of the Revised Code, respectively. These standards shall provide 1657  
for such institutions to offer or demonstrate at least the 1658  
following: 1659

(1) An appropriate range of career or technical programs 1660  
designed to prepare individuals for employment in specific careers 1661  
at the technical or paraprofessional level; 1662

(2) Commitment to an effective array of developmental 1663

education services providing opportunities for academic skill enhancement;	1664 1665
(3) Partnerships with industry, business, government, and labor for the retraining of the workforce and the economic development of the community;	1666 1667 1668
(4) Noncredit continuing education opportunities;	1669
(5) College transfer programs or the initial two years of a baccalaureate degree for students planning to transfer to institutions offering baccalaureate programs;	1670 1671 1672
(6) Linkages with high schools to ensure that graduates are adequately prepared for post-secondary instruction;	1673 1674
(7) Student access provided according to a convenient schedule and program quality provided at an affordable price;	1675 1676
(8) That student fees charged by any institution are as low as possible, especially if the institution is being supported by a local tax levy;	1677 1678 1679
(9) A high level of community involvement in the decision-making process in such critical areas as course delivery, range of services, fees and budgets, and administrative personnel.	1680 1681 1682
(B) The <del>board of regents</del> <u>chancellor</u> shall consult with representatives of state-assisted colleges and universities, as defined in section 3333.041 of the Revised Code, in developing appropriate methods for achieving or maintaining the standards adopted pursuant to division (A) of this section.	1683 1684 1685 1686 1687
(C) In considering institutions that are co-located, the <del>board of regents</del> <u>chancellor</u> shall apply the standards to them in two manners:	1688 1689 1690
(1) As a whole entity;	1691
(2) As separate entities, applying the standards separately to each.	1692 1693



When distributing any state funds among institutions based on 1694  
the degree to which they meet the standards, the ~~board of regents~~ 1695  
chancellor shall provide to institutions that are co-located the 1696  
higher amount produced by the two judgments under divisions (C)(1) 1697  
and (2) of this section. 1698

**Sec. 3333.21.** As used in sections 3333.21 to 3333.23 of the 1699  
Revised Code, "term" and "academic year" mean "term" and "academic 1700  
year" as defined by the chancellor of the Ohio board of regents. 1701

The ~~board~~ chancellor shall establish and administer an 1702  
academic scholarship program. Under the program, a total of one 1703  
thousand new scholarships shall be awarded annually in the amount 1704  
of not less than two thousand dollars per award. At least one such 1705  
new scholarship shall be awarded annually to a student in each 1706  
public high school and joint vocational school and each nonpublic 1707  
high school for which the state board of education prescribes 1708  
minimum standards in accordance with section 3301.07 of the 1709  
Revised Code. 1710

To be eligible for the award of a scholarship, a student 1711  
shall be a resident of Ohio and shall be enrolled as a full-time 1712  
undergraduate student in an Ohio institution of higher education 1713  
that meets the requirements of Title VI of the "Civil Rights Act 1714  
of 1964" and is state-assisted, is nonprofit and holds a 1715  
certificate of authorization issued under section 1713.02 of the 1716  
Revised Code, is a private institution exempt from regulation 1717  
under Chapter 3332. of the Revised Code as prescribed in section 1718  
3333.046 of the Revised Code, or holds a certificate of 1719  
registration and program authorization issued under section 1720  
3332.05 of the Revised Code and awards an associate or bachelor's 1721  
degree. Students who attend an institution holding a certificate 1722  
of registration shall be enrolled in a program leading to an 1723  
associate or bachelor's degree for which associate or bachelor's 1724

degree program the institution has program authorization to offer 1725  
the program issued under section 3332.05 of the Revised Code. 1726

"Resident" and "full-time student" shall be defined ~~by board~~ 1727  
~~rule~~ in rules adopted by the chancellor. 1728

The ~~board~~ chancellor shall award the scholarships on the 1729  
basis of a formula designed by ~~it~~ the chancellor to identify 1730  
students with the highest capability for successful college study. 1731  
The formula shall weigh the factor of achievement, as measured by 1732  
grade point average, and the factor of ability, as measured by 1733  
performance on a competitive examination specified by the ~~board~~ 1734  
chancellor. Students receiving scholarships shall be known as 1735  
"Ohio academic scholars." Annually, not later than the 1736  
thirty-first day of July, the ~~board~~ chancellor shall report to the 1737  
governor and the general assembly on the performance of current 1738  
Ohio academic scholars and the effectiveness of ~~its~~ the formula. 1739

**Sec. 3333.22.** Each Ohio academic scholarship shall be awarded 1740  
for an academic year and may be renewed for each of three 1741  
additional academic years. The scholarship amount awarded to a 1742  
scholar for an academic year shall be not less than two thousand 1743  
dollars. A scholarship shall be renewed if the scholar maintains 1744  
an academic record satisfactory to the chancellor of the Ohio 1745  
board of regents and meets any of the following conditions: 1746

(A) The scholar is enrolled as a full-time undergraduate; 1747

(B) The scholar was awarded an undergraduate degree in less 1748  
than four academic years and is enrolled as a full-time graduate 1749  
or professional student in an Ohio institution of higher education 1750  
that meets the requirements of Title VI of the "Civil Rights Act 1751  
of 1964" and is state-assisted or is nonprofit and holds a 1752  
certificate of authorization issued under section 1713.02 of the 1753  
Revised Code; 1754

(C) The scholar is a full-time student concurrently enrolled 1755  
as an undergraduate student and as a graduate or professional 1756  
student in an Ohio institution of higher education that meets the 1757  
requirements of division (B) of this section. 1758

Each amount awarded shall be paid in equal installments to 1759  
the scholar at the time of enrollment for each term of the 1760  
academic year for which the scholarship is awarded or renewed. No 1761  
scholar is eligible to receive an Ohio academic scholarship for 1762  
more than the equivalent of four academic years. 1763

If an Ohio academic scholar is temporarily unable to attend 1764  
school because of illness or other cause satisfactory to the ~~board~~ 1765  
chancellor, the ~~board~~ chancellor may grant a leave of absence for 1766  
a designated period of time. If a scholar discontinues full-time 1767  
attendance at the scholar's school during a term because of 1768  
illness or other cause satisfactory to the ~~board~~ chancellor, the 1769  
scholar may either claim a prorated payment for the period of 1770  
actual attendance or waive payment for that term. A term for which 1771  
prorated payment is made shall be considered a full term for which 1772  
a scholarship was received. A term for which payment is waived 1773  
shall not be considered a term for which a scholarship was 1774  
received. 1775

Receipt of an Ohio academic scholarship shall not affect a 1776  
scholar's eligibility for the Ohio instructional grant program. 1777

**Sec. 3333.23.** At the end of each term, each Ohio academic 1778  
scholar shall request the registrar of the school to send a copy 1779  
of the scholar's scholastic record to the chancellor of the Ohio 1780  
~~board~~ or of regents. If the scholar's record fails to meet the 1781  
standards established by the ~~board~~ chancellor, further payments 1782  
shall be suspended until the scholar demonstrates promise of 1783  
successful progress in the academic program for which the award 1784  
was made. The ~~board~~ chancellor may revoke the scholarship if the 1785

scholar does not resume successful academic progress within a 1786  
reasonable time. 1787

**Sec. 3333.25.** There is hereby created the Ohio academic 1788  
scholarship payment fund, which shall be in the custody of the 1789  
treasurer of state but shall not be a part of the state treasury. 1790  
The fund shall consist of all moneys appropriated for the fund by 1791  
the general assembly and other moneys otherwise made available to 1792  
the fund. The payment fund shall be used for the payment of Ohio 1793  
academic scholarships or for additional scholarships to recognize 1794  
outstanding academic achievement and ability. The chancellor of 1795  
the Ohio board of regents shall administer this section and 1796  
establish rules for the distribution and awarding of any 1797  
additional scholarships. 1798

The ~~board~~ chancellor may direct the treasurer of state to 1799  
invest any moneys in the payment fund not currently needed for 1800  
scholarship payments, in any kinds of investments in which moneys 1801  
of the public employees retirement system may be invested. 1802

The instruments of title of all investments shall be 1803  
delivered to the treasurer of state or to a qualified trustee 1804  
designated by the treasurer of state as provided in section 135.18 1805  
of the Revised Code. The treasurer of state shall collect both 1806  
principal and investment earnings on all investments as they 1807  
become due and pay them into the fund. 1808

All deposits to the fund shall be made in financial 1809  
institutions of this state secured as provided in section 135.18 1810  
of the Revised Code. 1811

**Sec. 3333.26.** (A) Any citizen of this state who has resided 1812  
within the state for one year, who was in the active service of 1813  
the United States as a soldier, sailor, nurse, or marine between 1814  
April 6, 1917, and November 11, 1918, and who has been honorably 1815

discharged from that service, shall be admitted to any school, 1816  
college, or university that receives state funds in support 1817  
thereof, without being required to pay any tuition or 1818  
matriculation fee, but is not relieved from the payment of 1819  
laboratory or similar fees. 1820

(B)(1) As used in this division: 1821

(a) "Volunteer firefighter" has the meaning as in division 1822  
(B)(1) of section 146.01 of the Revised Code. 1823

(b) "Public service officer" means an Ohio firefighter, 1824  
volunteer firefighter, police officer, member of the state highway 1825  
patrol, employee designated to exercise the powers of police 1826  
officers pursuant to section 1545.13 of the Revised Code, or other 1827  
peace officer as defined by division (B) of section 2935.01 of the 1828  
Revised Code, or a person holding any equivalent position in 1829  
another state. 1830

(c) "Qualified former spouse" means the former spouse of a 1831  
public service officer, or of a member of the armed services of 1832  
the United States, who is the custodial parent of a minor child of 1833  
that marriage pursuant to an order allocating the parental rights 1834  
and responsibilities for care of the child issued pursuant to 1835  
section 3109.04 of the Revised Code. 1836

(d) "Operation enduring freedom" means that period of 1837  
conflict which began October 7, 2001, and ends on a date declared 1838  
by the president of the United States or the congress. 1839

(e) "Operation Iraqi freedom" means that period of conflict 1840  
which began March 20, 2003, and ends on a date declared by the 1841  
president of the United States or the congress. 1842

(f) "Combat zone" means an area that the president of the 1843  
United States by executive order designates, for purposes of 26 1844  
U.S.C. 112, as an area in which armed forces of the United States 1845  
are or have engaged in combat. 1846

(2) Any resident of this state who is under twenty-six years 1847  
of age, or under thirty years of age if the resident has been 1848  
honorably discharged from the armed services of the United States, 1849  
who is the child of a public service officer killed in the line of 1850  
duty or of a member of the armed services of the United States 1851  
killed in the line of duty during operation enduring freedom or 1852  
operation Iraqi freedom, and who is admitted to any state 1853  
university or college as defined in division (A)(1) of section 1854  
3345.12 of the Revised Code, community college, state community 1855  
college, university branch, or technical college shall not be 1856  
required to pay any tuition or any student fee for up to four 1857  
academic years of education, which shall be at the undergraduate 1858  
level. 1859

A child of a member of the armed services of the United 1860  
States killed in the line of duty during operation enduring 1861  
freedom or operation Iraqi freedom is eligible for a waiver of 1862  
tuition and student fees under this division only if the student 1863  
is not eligible for a war orphans scholarship authorized by 1864  
Chapter 5910. of the Revised Code. In any year in which the war 1865  
orphans scholarship board reduces the percentage of tuition 1866  
covered by a war orphans scholarship below one hundred per cent 1867  
pursuant to division (A) of section 5910.04 of the Revised Code, 1868  
the waiver of tuition and student fees under this division for a 1869  
child of a member of the armed services of the United States 1870  
killed in the line of duty during operation enduring freedom or 1871  
operation Iraqi freedom shall be reduced by the same percentage. 1872

(3) Any resident of this state who is the spouse or qualified 1873  
former spouse of a public service officer killed in the line of 1874  
duty, and who is admitted to any state university or college as 1875  
defined in division (A)(1) of section 3345.12 of the Revised Code, 1876  
community college, state community college, university branch, or 1877  
technical college, shall not be required to pay any tuition or any 1878

student fee for up to four academic years of education, which 1879  
shall be at the undergraduate level. 1880

(4) Any resident of this state who is the spouse or qualified 1881  
former spouse of a member of the armed services of the United 1882  
States killed in the line of duty while serving in a combat zone 1883  
after May 7, 1975, and who is admitted to any state university or 1884  
college as defined in division (A)(1) of section 3345.12 of the 1885  
Revised Code, community college, state community college, 1886  
university branch, or technical college, shall not be required to 1887  
pay any tuition or any student fee for up to four years of 1888  
academic education, which shall be at the undergraduate level. In 1889  
order to qualify under division (B)(4) of this section, the spouse 1890  
or qualified former spouse shall have been a resident of this 1891  
state at the time the member was killed in the line of duty. 1892

(C) Any institution that is not subject to division (B) of 1893  
this section and that holds a valid certificate of registration 1894  
issued under Chapter 3332. of the Revised Code, a valid 1895  
certificate issued under Chapter 4709. of the Revised Code, or a 1896  
valid license issued under Chapter 4713. of the Revised Code, or 1897  
that is nonprofit and has a certificate of authorization issued 1898  
under section 1713.02 of the Revised Code, or that is a private 1899  
institution exempt from regulation under Chapter 3332. of the 1900  
Revised Code as prescribed in section 3333.046 of the Revised 1901  
Code, which reduces tuition and student fees of a student who is 1902  
eligible to attend an institution of higher education under the 1903  
provisions of division (B) of this section by an amount indicated 1904  
by the chancellor of the Ohio board of regents shall be eligible 1905  
to receive a grant in that amount from the ~~board~~ chancellor. 1906

Each institution that enrolls students under division (B) of 1907  
this section shall report to the ~~board~~ chancellor, by the first 1908  
day of July of each year, the number of students who were so 1909  
enrolled and the average amount of all such tuition and student 1910

fees waived during the preceding year. The ~~board~~ chancellor shall 1911  
determine the average amount of all such tuition and student fees 1912  
waived during the preceding year. The average amount of the 1913  
tuition and student fees waived under division (B) of this section 1914  
during the preceding year shall be the amount of grants that 1915  
participating institutions shall receive under this division 1916  
during the current year, but no grant under this division shall 1917  
exceed the tuition and student fees due and payable by the student 1918  
prior to the reduction referred to in this division. The grants 1919  
shall be made for four years of undergraduate education of an 1920  
eligible student. 1921

**Sec. 3333.27.** As used in this section: 1922

(A) "Eligible institution" means a nonprofit Ohio institution 1923  
of higher education that holds a certificate of authorization 1924  
issued under section 1713.02 of the Revised Code and meets the 1925  
requirements of Title VI of the Civil Rights Act of 1964. 1926

(B) "Resident" and "full-time student" have the meanings 1927  
established for purposes of this section by rule of the chancellor 1928  
of the Ohio board of regents. 1929

The ~~board~~ chancellor shall establish and administer a student 1930  
choice grant program and shall adopt rules for the administration 1931  
of the program. 1932

The ~~board~~ chancellor may make a grant to any resident of this 1933  
state who is enrolled as a full-time student in a bachelor's 1934  
degree program at an eligible institution and maintains an 1935  
academic record that meets or exceeds the standard established 1936  
pursuant to this section by rule of the ~~board~~ chancellor, except 1937  
that no grant shall be made to any individual who was enrolled as 1938  
a student in an institution of higher education on or before July 1939  
1, 1984, or is serving a term of imprisonment. The grant shall not 1940  
exceed the lesser of the total instructional and general charges 1941



of the institution in which the student is enrolled, or an amount 1942  
equal to one-fourth of the total of any state instructional 1943  
subsidy amount distributed by the ~~board~~ chancellor in the second 1944  
fiscal year of the preceding biennium for all full-time students 1945  
enrolled in bachelor's degree programs at four-year state-assisted 1946  
institutions of higher education divided by the sum of the actual 1947  
number of full-time students enrolled in bachelor's degree 1948  
programs at four-year state-assisted institutions of higher 1949  
education reported to the ~~board~~ chancellor for such year by the 1950  
institutions to which the subsidy was distributed. 1951

The ~~board~~ chancellor shall prescribe the form and manner of 1952  
application for grants including the manner of certification by 1953  
eligible institutions that each applicant from such institution is 1954  
enrolled in a bachelor's degree program as a full-time student and 1955  
has an academic record that meets or exceeds the standard 1956  
established by the ~~board~~ chancellor. 1957

A grant awarded to an eligible student shall be paid to the 1958  
institution in which the student is enrolled, and the institution 1959  
shall reduce the student's instructional and general charges by 1960  
the amount of the grant. Each grant awarded shall be prorated and 1961  
paid in equal installments at the time of enrollment for each term 1962  
of the academic year for which the grant is awarded. No student 1963  
shall be eligible to receive a grant for more than ten semesters, 1964  
fifteen quarters, or the equivalent of five academic years. 1965

The receipt of an Ohio student choice grant shall not affect 1966  
a student's eligibility for assistance, or the amount of such 1967  
assistance, granted under section 3315.33, 3333.12, 3333.122, 1968  
3333.22, 3333.26, 5910.03, 5910.032, or 5919.34 of the Revised 1969  
Code. If a student receives assistance under one or more of such 1970  
sections, the student choice grant made to the student shall not 1971  
exceed the difference between the amount of assistance received 1972  
under such sections and the total instructional and general 1973

charges of the institution in which the student is enrolled. 1974

The general assembly shall support the student choice grant 1975  
program by such sums and in such manner as it may provide, but the 1976  
~~board~~ chancellor may also receive funds from other sources to 1977  
support the program. 1978

No grant shall be made to any student enrolled in a course of 1979  
study leading to a degree in theology, religion, or other field of 1980  
preparation for a religious profession unless the course of study 1981  
leads to an accredited bachelor of arts or bachelor of science 1982  
degree. 1983

Institutions of higher education that enroll students 1984  
receiving grants under this section shall report to the ~~board~~ 1985  
chancellor the name of each student who has received such a grant 1986  
but who is no longer eligible for all or part of such grant and 1987  
shall refund all moneys due to the state within thirty days after 1988  
the beginning of the term immediately following the term in which 1989  
the student was no longer eligible to receive all or part of the 1990  
grant. There shall be an interest charge of one per cent per month 1991  
on all moneys due and payable after such thirty-day period. The 1992  
~~board~~ chancellor shall immediately notify the office of budget and 1993  
management and the legislative service commission of all refunds 1994  
received. 1995

**Sec. 3333.28.** (A) The chancellor of the Ohio board of regents 1996  
shall establish the nurse education assistance program, the 1997  
purpose of which shall be to make loans to students enrolled in 1998  
prelicensure nurse education programs at institutions approved by 1999  
the board of nursing under section 4723.06 of the Revised Code and 2000  
postlicensure nurse education programs approved by the ~~board of~~ 2001  
~~regents~~ chancellor under section 3333.04 of the Revised Code or 2002  
offered by an institution holding a certificate of authorization 2003  
issued ~~by the board of regents~~ under Chapter 1713. of the Revised 2004

Code. The board of nursing shall assist the ~~board of regents~~ 2005  
chancellor in administering the program. 2006

(B) There is hereby created in the state treasury the nurse 2007  
education assistance fund, which shall consist of all money 2008  
transferred to it pursuant to section 4743.05 of the Revised Code. 2009  
The fund shall be used by the ~~board of regents~~ chancellor for 2010  
loans made under division (A) of this section and for expenses of 2011  
administering the loan program. 2012

(C) Between July 1, 2005, and January 1, 2012, the ~~board of~~ 2013  
~~regents~~ chancellor shall distribute money in the nurse education 2014  
assistance fund in the following manner: 2015

(1)(a) Fifty per cent of available funds shall be awarded as 2016  
loans to registered nurses enrolled in postlicensure nurse 2017  
education programs described in division (A) of this section. To 2018  
be eligible for a loan, the applicant shall provide the ~~board~~ 2019  
chancellor with a letter of intent to practice as a faculty member 2020  
at a prelicensure or postlicensure program for nursing in this 2021  
state upon completion of the applicant's academic program. 2022

(b) If the borrower of a loan under division (C)(1)(a) of 2023  
this section secures employment as a faculty member of an approved 2024  
nursing education program in this state within six months 2025  
following graduation from an approved nurse education program, the 2026  
~~board~~ chancellor may forgive the principal and interest of the 2027  
student's loans received under division (C)(1)(a) of this section 2028  
at a rate of twenty-five per cent per year, for a maximum of four 2029  
years, for each year in which the borrower is so employed. A 2030  
deferment of the service obligation, and other conditions 2031  
regarding the forgiveness of loans may be granted as provided by 2032  
the rules adopted under division (D)(7) of this section. 2033

(c) Loans awarded under division (C)(1)(a) of this section 2034  
shall be awarded on the basis of the student's expected family 2035

contribution, with preference given to those applicants with the lowest expected family contribution. However, the ~~board of regents~~ chancellor may consider other factors ~~it~~ the chancellor determines relevant in ranking the applications.

(d) Each loan awarded to a student under division (C)(1)(a) of this section shall be not less than five thousand dollars per year.

(2) Twenty-five per cent of available funds shall be awarded to students enrolled in prelicensure nurse education programs for registered nurses, as defined in section 4723.01 of the Revised Code.

(3) Twenty-five per cent of available funds shall be awarded to students enrolled in prelicensure professional nurse education programs for licensed practical nurses, as defined in section 4723.01 of the Revised Code.

After January 1, 2012, the ~~board of regents~~ chancellor shall determine the manner in which to distribute loans under this section.

(D) Subject to the requirements specified in division (C) of this section, the ~~board of regents~~ chancellor shall adopt rules in accordance with Chapter 119. of the Revised Code establishing:

(1) Eligibility criteria for receipt of a loan;

(2) Loan application procedures;

(3) The amounts in which loans may be made and the total amount that may be loaned to an individual;

(4) The total amount of loans that can be made each year;

(5) The percentage of the money in the fund that must remain in the fund at all times as a fund balance;

(6) Interest and principal repayment schedules;

(7) Conditions under which a portion of principal and interest obligations incurred by an individual under the program will be forgiven;

(8) Ways that the program may be used to encourage individuals who are members of minority groups to enter the nursing profession;

(9) Any other matters incidental to the operation of the program.

(E) The obligation to repay a portion of the principal and interest on a loan made under this section shall be forgiven if the recipient of the loan meets the criteria for forgiveness established by division (C)(1)(b) of this section, in the case of loans awarded under division (C)(1)(a) of this section, or by the ~~board of regents~~ by chancellor under the rule adopted under division (D)(7) of this section, in the case of other loans awarded under this section.

(F) The receipt of a loan under this section shall not affect a student's eligibility for assistance, or the amount of that assistance, granted under section 3333.12, 3333.122, 3333.22, 3333.26, 3333.27, 5910.03, 5910.032, or 5919.34 of the Revised Code, but the rules of the ~~board of regents~~ chancellor may provide for taking assistance received under those sections into consideration when determining a student's eligibility for a loan under this section.

**Sec. 3333.29.** (A) As used in this section:

(1) "Resident" has the meaning established for purposes of this section by rule of the chancellor of the Ohio board of regents.

(2) "Eligible institution" means either:

(a) A private career school registered in accordance with

section 3332.05 of the Revised Code; 2095

(b) A private institution exempt from regulation under 2096  
Chapter 3332. of the Revised Code as prescribed in section 2097  
3333.046 of the Revised Code. 2098

(B) The ~~Ohio board of regents~~ chancellor shall establish and 2099  
administer the student workforce development grant program and 2100  
shall adopt rules for the administration of the program. Such 2101  
rules shall be similar to the rules ~~the Ohio board of regents~~ 2102  
~~adopts~~ adopted under section 3333.27 of the Revised Code. 2103

(C) The ~~Ohio board of regents~~ chancellor may make a grant to 2104  
any resident of this state who is enrolled as a full-time student 2105  
in an authorized baccalaureate degree or associate degree program 2106  
at an eligible institution and who maintains an academic record 2107  
that meets or exceeds a standard established by rule of the state 2108  
board of career colleges and schools. The size of an annual grant 2109  
award shall be determined by the ~~Ohio board of regents~~ chancellor 2110  
based on the amount of funds available for the program. The grant 2111  
shall be prorated and paid in equal installments per academic term 2112  
in accordance with division (E) of this section. 2113

(D) The ~~Ohio board of regents~~ chancellor shall prescribe the 2114  
form and manner of application for grants and shall provide a 2115  
method for eligible institutions to certify applicants who are 2116  
enrolled in authorized baccalaureate degree or associate degree 2117  
programs and have academic records meeting or exceeding the 2118  
standard established by the state board of career colleges and 2119  
schools. 2120

(E) A grant awarded to an eligible student shall be paid to 2121  
the eligible institution in which the student is enrolled, and the 2122  
institution shall reduce the student's instructional and general 2123  
charges by the amount of the grant. Each grant awarded shall be 2124  
paid in accordance with division (C) of this section within thirty 2125

days after the start of each term of the academic year for which 2126  
the grant is awarded. No student shall be eligible to receive 2127  
grants for more than the equivalent of five academic years. 2128

(F) The receipt of a workforce development grant shall not 2129  
affect a student's eligibility for assistance or the amount of 2130  
such assistance granted under any other provision of state law. If 2131  
a student receives assistance under one or more other provisions 2132  
of state law, the grant made to the student under this section 2133  
shall not exceed the difference between the total instructional 2134  
and general charges assessed to the student by the eligible 2135  
institution and the amount of total assistance the student 2136  
receives under other provisions of state law. 2137

(G) The general assembly shall support the workforce 2138  
development grant program with such appropriations as the general 2139  
assembly sees fit. The ~~Ohio board of regents~~ chancellor may also 2140  
receive funds from other sources to support the program. 2141

(H) Eligible institutions that enroll students receiving 2142  
grants under this section shall report to the ~~Ohio board of~~ 2143  
~~regents~~ chancellor the name of each student who has received such 2144  
a grant but who is no longer eligible for such a grant. In the 2145  
event that an eligible student who has been awarded a grant under 2146  
this section withdraws from enrollment at an institution during 2147  
any term, the institution shall refund a prorated amount of the 2148  
student's grant for that term to the ~~Ohio board of regents~~ 2149  
chancellor in accordance with the school's refund policy. 2150

(I) The state board of career colleges and schools shall 2151  
report to the ~~Ohio board of regents~~ chancellor each degree 2152  
granting private career school's job placement rate for the 2153  
immediately preceding academic year. No grant awarded to an 2154  
eligible student under this section shall be paid to a registered 2155  
private career school if the school's job placement rate for 2156  
baccalaureate degree and associate degree programs for the 2157

preceding academic year was less than seventy-five per cent. 2158

**Sec. 3333.31.** (A) For state subsidy and tuition surcharge 2159  
purposes, status as a resident of Ohio shall be defined by the 2160  
chancellor of the Ohio board of regents by rule promulgated 2161  
pursuant to Chapter 119. of the Revised Code. No adjudication as 2162  
to the status of any person under such rule, however, shall be 2163  
required to be made pursuant to Chapter 119. of the Revised Code. 2164  
The term "resident" for these purposes shall not be equated with 2165  
the definition of that term as it is employed elsewhere under the 2166  
laws of this state and other states, and shall not carry with it 2167  
any of the legal connotations appurtenant thereto. Rather, for 2168  
such purposes, the rule promulgated ~~by the Ohio board of regents~~ 2169  
under this section shall have the objective of excluding from 2170  
treatment as residents those who are present in the state 2171  
primarily for the purpose of attending a state-supported or 2172  
state-assisted institution of higher education, and may prescribe 2173  
presumptive rules, rebuttable or conclusive, as to such purpose 2174  
based upon the source or sources of support of the student, 2175  
residence prior to first enrollment, evidence of intention to 2176  
remain in the state after completion of studies, or such other 2177  
factors as the ~~Ohio board of regents may deem~~ chancellor deems 2178  
relevant. 2179

(B) The rules of the ~~Ohio board of regents~~ chancellor for 2180  
determining student residency shall not deny residency status to a 2181  
student who is either a dependent child of a parent, or the spouse 2182  
of a person who, as of the first day of a term of enrollment in an 2183  
institution of higher education, has accepted full-time employment 2184  
and established domicile in this state for reasons other than 2185  
gaining the benefit of favorable tuition rates. 2186

Documentation of full-time employment and domicile shall 2187  
include both of the following documents: 2188



(1) A sworn statement from the employer or the employer's representative on the letterhead of the employer or the employer's representative certifying that the parent or spouse of the student is employed full-time in Ohio;

(2) A copy of the lease under which the parent or spouse is the lessee and occupant of rented residential property in the state, a copy of the closing statement on residential real property of which the parent or spouse is the owner and occupant in this state or, if the parent or spouse is not the lessee or owner of the residence in which ~~he~~ the parent or spouse has established domicile, a letter from the owner of the residence certifying that the parent or spouse resides at that residence.

Residency officers may also evaluate, in accordance with ~~board~~ the chancellor's rule, requests for immediate residency status from dependent students whose parents are not living and whose domicile follows that of a legal guardian who has accepted full-time employment and established domicile in the state for reasons other than gaining the benefit of favorable tuition rates.

(C) "Dependent," "domicile," "institution of higher education," and "residency officer" have the meanings ascribed in the ~~board's~~ chancellor's rules adopted under this section.

**Sec. 3333.35.** The state board of education and the chancellor of the Ohio board of regents shall strive to reduce unnecessary student remediation costs incurred by colleges and universities in this state, increase overall access for students to higher education, enhance the post-secondary enrollment options program in accordance with Chapter 3365. of the Revised Code, and enhance the alternative educator licensure program in accordance with section 3319.26 of the Revised Code.

**Sec. 3333.36.** Provided that sufficient unencumbered and

unexpended funds are available from general revenue fund 2219  
appropriations made to the Ohio board of regents or to the 2220  
chancellor of the Ohio board of regents, the chancellor ~~of the~~ 2221  
~~Ohio board of regents~~ shall allocate up to seventy thousand 2222  
dollars in each fiscal year to make payments to the Columbus 2223  
program in intergovernmental issues, an Ohio internship program at 2224  
Kent state university, for scholarships of up to two thousand 2225  
dollars for each student enrolled in the program. The chancellor 2226  
may utilize any general revenue funds appropriated to the board of 2227  
regents or to the chancellor that the chancellor determines to be 2228  
available for purposes of this section. 2229

**Sec. 3333.37.** As used in sections 3333.37 to 3333.375 of the 2230  
Revised Code, the following words and terms have the following 2231  
meanings unless the context indicates a different meaning or 2232  
intent: 2233

(A) "Cost of attendance" means all costs of a student 2234  
incurred in connection with a program of study at an eligible 2235  
institution, as determined by the institution, including tuition; 2236  
instructional fees; room and board; books, computers, and 2237  
supplies; and other related fees, charges, and expenses. 2238

(B) "Eligible institution" means one of the following: 2239

(1) A state-assisted post-secondary educational institution 2240  
within the state; 2241

(2) A nonprofit institution of higher education within the 2242  
state that holds a certificate of authorization ~~from the Ohio~~ 2243  
~~board of regents pursuant to~~ issued under Chapter 1713. of the 2244  
Revised Code, that is accredited by the appropriate regional and, 2245  
when appropriate, professional accrediting associations within 2246  
whose jurisdiction it falls, is authorized to grant a bachelor's 2247  
degree or higher, and satisfies other conditions as set forth in 2248  
the policy guidelines; 2249

(3) A private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code.	2250 2251 2252
(C) "Eligible student" means either of the following:	2253
(1) An undergraduate student who meets all of the following:	2254
(a) Is a resident of this state;	2255
(b) Has graduated from any Ohio secondary school for which the state board of education prescribes minimum standards in accordance with section 3301.07 of the Revised Code;	2256 2257 2258
(c) Is attending and in good standing, or has been accepted for attendance, at any eligible institution as a full-time student to pursue a bachelor's degree.	2259 2260 2261
(2) A graduate student who is a resident of this state, and is attending and in good standing, or has been accepted for attendance, at any eligible institution.	2262 2263 2264
(D) "Fellowship" or "fellowship program" means the Ohio priority needs fellowship created by sections 3333.37 to 3333.375 of the Revised Code.	2265 2266 2267
(E) "Full-time student" has the meaning as defined by rule of the <u>chancellor of the</u> Ohio board of regents.	2268 2269
(F) "Ohio outstanding scholar" means a student who is the recipient of a scholarship under sections 3333.37 to 3333.375 of the Revised Code.	2270 2271 2272
(G) "Policy guidelines" means the rules adopted by the <del>Ohio board of regents</del> <u>chancellor</u> pursuant to section 3333.374 of the Revised Code.	2273 2274 2275
(H) "Priority needs fellow" means a student who is the recipient of a fellowship under sections 3333.37 to 3333.375 of the Revised Code.	2276 2277 2278

(I) "Priority needs field of study" means those academic 2279  
majors and disciplines as determined by the ~~Ohio board of regents~~ 2280  
chancellor that support the purposes and intent of sections 2281  
3333.37 to 3333.375 of the Revised Code as described in section 2282  
3333.371 of the Revised Code. 2283

(J) "Scholarship" or "scholarship program" means the Ohio 2284  
outstanding scholarship created by sections 3333.37 to 3333.375 of 2285  
the Revised Code. 2286

**Sec. 3333.372.** (A) There ~~is~~ are hereby authorized the "Ohio 2287  
outstanding scholarship" and the "Ohio priority needs fellowship" 2288  
programs, which shall be established and administered by the 2289  
chancellor of the Ohio board of regents for eligible students. The 2290  
programs shall provide scholarships to eligible undergraduate 2291  
students and fellowships to eligible graduate students, equal to 2292  
the annual cost of attendance at eligible institutions, to pursue 2293  
baccalaureate degrees and post-baccalaureate degrees in priority 2294  
needs field of study consistent with section 3333.371 of the 2295  
Revised Code. 2296

(B) The scholarship and fellowship programs created under 2297  
sections 3333.37 to 3333.375 of the Revised Code and any necessary 2298  
administrative expenses shall be funded solely from the Ohio 2299  
outstanding scholarship and the Ohio priority needs fellowship 2300  
programs payment funds established pursuant to section 3333.375 of 2301  
the Revised Code. 2302

(C) The scholarships shall be renewable for each of three 2303  
additional years for undergraduate study, and the fellowships 2304  
shall be renewable for each of two additional years for graduate 2305  
study, provided the Ohio outstanding scholar or priority needs 2306  
fellow remains an eligible student at an eligible institution. 2307

**Sec. 3333.373.** (A) The ~~board of regents shall establish the~~ 2308

scholarship rules advisory committee, ~~which is hereby established.~~ 2309  
The committee shall consist of the chancellor of the Ohio board of 2310  
regents or the chancellor's designee, the treasurer of state or 2311  
the treasurer of state's designee, the director of development or 2312  
the director's designee, one state senator appointed by the 2313  
president of the senate, one state representative appointed by the 2314  
speaker of the house of representatives, and two public members 2315  
appointed by the chancellor representing the interests of the 2316  
state-assisted eligible institutions and private nonprofit 2317  
eligible institutions, respectively. 2318

(B) The committee, ~~within one hundred twenty days after June~~ 2319  
~~8, 2000,~~ shall provide recommendations to the ~~Ohio board of~~ 2320  
~~regents~~ chancellor as to rules, criteria, and guidelines necessary 2321  
and appropriate to implement the scholarship and fellowship 2322  
programs created by sections 3333.37 to 3333.375 of the Revised 2323  
Code. 2324

(C) The committee shall meet at least annually to review the 2325  
scholarship and fellowship programs guidelines; make 2326  
recommendations to amend, rescind, or modify the policy 2327  
guidelines; and approve scholarship and fellowship awards to 2328  
eligible students. 2329

(D) Sections 101.82 to 101.87 of the Revised Code do not 2330  
apply to this section. 2331

**Sec. 3333.374.** (A) After receipt of recommendations from the 2332  
scholarship rules advisory committee or if no recommendations are 2333  
received, the chancellor of the Ohio board of regents, ~~not later~~ 2334  
~~than one hundred eighty days after the effective date of this~~ 2335  
~~section and~~ with the approval of the treasurer of state, shall 2336  
adopt rules, in accordance with Chapter 119. of the Revised Code, 2337  
establishing ~~such~~ policy guidelines ~~as the board considers~~ 2338

~~necessary and appropriate to provide~~ for the implementation of the 2339  
scholarship and fellowship programs. 2340

(B) Nothing in this section or section 3333.373 of the 2341  
Revised Code shall prevent the ~~board~~ chancellor, with the approval 2342  
of the treasurer of state, from amending or rescinding rules 2343  
adopted pursuant to division (A) of this section, or from adopting 2344  
new rules, in accordance with Chapter 119. of the Revised Code, 2345  
from time to time as are necessary to further the purposes of 2346  
sections 3333.37 to 3333.375 of the Revised Code. 2347

**Sec. 3333.375.** (A)(1) There ~~is~~ are hereby created the Ohio 2348  
outstanding scholarship and the Ohio priority needs fellowship 2349  
programs payment funds, which shall be in the custody of the 2350  
treasurer of state, but shall not be a part of the state treasury. 2351

(2) The payment funds shall consist solely of all moneys 2352  
returned to the treasurer of state, as issuer of certain 2353  
tax-exempt student loan revenue bonds, from all indentures of 2354  
trust, both presently existing and future, created as a result of 2355  
tax-exempt student loan revenue bonds issued under Chapter 3366. 2356  
of the Revised Code, and any moneys earned from allowable 2357  
investments of the payment funds under division (B) of this 2358  
section. 2359

(3) The payment funds shall be used solely for scholarship 2360  
and fellowships awarded under sections 3333.37 to 3333.375 of the 2361  
Revised Code by the chancellor of the Ohio board of regents and 2362  
for any necessary administrative expenses incurred by the ~~board~~ 2363  
chancellor in administering the scholarship and fellowship 2364  
programs. 2365

(B) The treasurer of state may invest any moneys in the 2366  
payment funds not currently needed for scholarship and fellowship 2367  
payments in any kind of investments in which moneys of the public 2368  
employees retirement system may be invested under Chapter 145. of 2369

the Revised Code. 2370

(C)(1) The instruments of title of all investments shall be 2371  
delivered to the treasurer of state or to a qualified trustee 2372  
designated by the treasurer of state as provided in section 135.18 2373  
of the Revised Code. 2374

(2) The treasurer of state shall collect both principal and 2375  
investment earnings on all investments as they become due and pay 2376  
them into the payment funds. 2377

(3) All deposits to the payment funds shall be made in public 2378  
depositories of this state and secured as provided in section 2379  
135.18 of the Revised Code. 2380

(D) On or before March 1, 2001, and on or before the first 2381  
day of March in each subsequent year, the treasurer of state shall 2382  
provide to the chancellor of the Ohio board of regents a statement 2383  
indicating the moneys in the Ohio outstanding scholarship and the 2384  
Ohio priority needs fellowship programs payment funds that are 2385  
available for the upcoming academic year to award scholarships and 2386  
fellowships under sections 3333.37 to 3333.375 of the Revised 2387  
Code. 2388

**Sec. 3333.38.** (A) As used in this section: 2389

(1) "Institution of higher education" includes all of the 2390  
following: 2391

(a) A state institution of higher education, as defined in 2392  
section 3345.011 of the Revised Code; 2393

(b) A nonprofit institution issued a certificate of 2394  
authorization ~~by the Ohio board of regents~~ under Chapter 1713. of 2395  
the Revised Code; 2396

(c) A private institution exempt from regulation under 2397  
Chapter 3332. of the Revised Code, as prescribed in section 2398  
3333.046 of the Revised Code; 2399

(d) An institution of higher education with a certificate of registration from the state board of career colleges and schools under Chapter 3332. of the Revised Code.

(2) "Student financial assistance supported by state funds" includes assistance granted under sections 3315.33, 3333.12, 3333.122, 3333.21, 3333.26, 3333.27, 3333.28, 3333.29, 3333.372, 5910.03, 5910.032, and 5919.34 of the Revised Code and any other post-secondary student financial assistance supported by state funds.

(B) An individual who is convicted of, pleads guilty to, or is adjudicated a delinquent child for one of the following violations shall be ineligible to receive any student financial assistance supported by state funds at an institution of higher education for two calendar years from the time the individual applies for assistance of that nature:

(1) A violation of section 2917.02 or 2917.03 of the Revised Code;

(2) A violation of section 2917.04 of the Revised Code that is a misdemeanor of the fourth degree;

(3) A violation of section 2917.13 of the Revised Code that is a misdemeanor of the fourth or first degree and occurs within the proximate area where four or more others are acting in a course of conduct in violation of section 2917.11 of the Revised Code.

(C) If an individual is convicted of, pleads guilty to, or is adjudicated a delinquent child for committing a violation of section 2917.02 or 2917.03 of the Revised Code, and if the individual is enrolled in a state-supported institution of higher education, the institution in which the individual is enrolled shall immediately dismiss the individual. No state-supported institution of higher education shall admit an individual of that



nature for one academic year after the individual applies for 2431  
admission to a state-supported institution of higher education. 2432  
This division does not limit or affect the ability of a 2433  
state-supported institution of higher education to suspend or 2434  
otherwise discipline its students. 2435

**Section 2.** That existing sections 121.03, 3333.01, 3333.021, 2436  
3333.03, 3333.04, 3333.041, 3333.042, 3333.043, 3333.044, 2437  
3333.045, 3333.046, 3333.047, 3333.05, 3333.06, 3333.07, 3333.071, 2438  
3333.072, 3333.08, 3333.09, 3333.10, 3333.11, 3333.12, 3333.121, 2439  
3333.122, 3333.123, 3333.13, 3333.14, 3333.15, 3333.16, 3333.161, 2440  
3333.162, 3333.17, 3333.18, 3333.19, 3333.20, 3333.21, 3333.22, 2441  
3333.23, 3333.25, 3333.26, 3333.27, 3333.28, 3333.29, 3333.31, 2442  
3333.35, 3333.36, 3333.37, 3333.372, 3333.373, 3333.374, 3333.375, 2443  
and 3333.38 of the Revised Code are hereby repealed. 2444

**Section 3.** (A) On and after the effective date of this 2445  
section: 2446

(1) The Ohio Board of Regents, as established by section 2447  
3333.01 of the Revised Code, shall be an advisory board charged 2448  
with the duty to advise the Chancellor of the Ohio Board of 2449  
Regents in carrying out the Chancellor's duties. 2450

(2) The Chancellor of the Ohio Board of Regents shall have 2451  
the powers and duties formerly prescribed as powers and duties of 2452  
the Ohio Board of Regents and any other powers and duties granted 2453  
to the Chancellor by law enacted after the effective date of this 2454  
section. 2455

(3) The Chancellor of the Ohio Board of Regents is thereupon 2456  
and thereafter successor to, assumes the obligations of, and 2457  
otherwise constitutes the continuation of the Ohio Board of 2458  
Regents. 2459

(4) Any business commenced but not completed by the Ohio 2460

Board of Regents shall be completed by the Chancellor of the Ohio 2461  
Board of Regents in the same manner, and with the same effect, as 2462  
if completed by the Board. No validation, cure, right, privilege, 2463  
remedy, obligation, or liability is lost or impaired by reason of 2464  
the change in powers and duties prescribed in the provisions 2465  
amended and enacted in Sections 1 and 2 of this act. 2466

(5) All of the rules of the Ohio Board of Regents continue in 2467  
effect as rules of the Chancellor of the Ohio Board of Regents, 2468  
until amended or rescinded by the Chancellor. 2469

(6) Except as otherwise specified in section 3333.031 of the 2470  
Revised Code or another provision of law on point enacted after 2471  
the effective date of this section, when the Ohio Board of Regents 2472  
is referred to in any statute, rule, contract, grant, or other 2473  
document, the reference shall be construed to refer to the 2474  
Chancellor of the Ohio Board of Regents. 2475

(B) No judicial or administrative action or proceeding in 2476  
which the Ohio Board of Regents is a party that is pending on the 2477  
effective date of this section, is affected by the change in 2478  
powers and duties prescribed in the provisions amended and enacted 2479  
in Sections 1 and 2 of this act. Such action or proceeding shall 2480  
be prosecuted or defended in the name of the Chancellor of the 2481  
Ohio Board of Regents. On application to the court or other 2482  
tribunal, the Chancellor of the Ohio Board of Regents shall be 2483  
substituted for the Ohio Board of Regents as a party to such 2484  
action or proceeding. 2485

(C) As prescribed in division (B) of section 3333.03 of the 2486  
Revised Code, professional, administrative, and clerical employees 2487  
and staff of the Ohio Board of Regents remain subject to the 2488  
appointment by and continue to serve at the pleasure of the 2489  
Chancellor of the Ohio Board of Regents. 2490

(D) On the effective date of this section, all books, 2491

records, documents, files, transcripts, equipment, furniture, 2492  
supplies and other materials assigned to or in the possession of 2493  
the Ohio Board of Regents shall be transferred to the Chancellor 2494  
of the Ohio Board of Regents. 2495

**Section 4.** Not later than September 28, 2007, the Chancellor 2496  
of the Ohio Board of Regents shall report to the General Assembly, 2497  
in accordance with division (B) of section 101.68 of the Revised 2498  
Code, and to the Governor, recommendations to accomplish the 2499  
following: 2500

(A) Make college more affordable and accessible for all 2501  
Ohioans; 2502

(B) Encourage Ohio graduates to remain in Ohio after earning 2503  
their degrees; 2504

(C) Maximize higher education as a driver of the state's 2505  
economy. 2506

The report also shall include a plan as to how the Board of 2507  
Regents should be fully utilized to enhance higher education in 2508  
Ohio. 2509