

As Introduced

**127th General Assembly
Regular Session
2007-2008**

S. B. No. 2

Senator Cates

**Cosponsors: Senators Stivers, Coughlin, Schuring, Carey, Spada, Harris,
Mumper, Clancy**

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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 76
appointed. Any member appointed to fill a vacancy occurring prior 77
to the expiration of the term for which ~~his~~ the member's 78
predecessor was appointed shall hold office for the remainder of 79
such term. Any member shall continue in office subsequent to the 80
expiration date of ~~his~~ the member's term until ~~his~~ a successor 81
takes office, or until a period of sixty days has elapsed, 82
whichever occurs first. 83

No person who has served a full nine-year term shall be 84
eligible for reappointment. 85

Board members shall serve without compensation, but shall be 86
reimbursed for necessary expenses incurred in the conduct of board 87
business. 88

Sec. 3333.021. As used in this section, "university" means 89
any college or university that receives a state appropriation. 90

(A) This division does not apply to proposed rules, 91
amendments, or rescissions subject to review under division (I) of 92
section 119.03 of the Revised Code. No action taken by the 93
chancellor of the Ohio board of regents that could reasonably be 94
expected to have an effect on the revenue or expenditures of any 95
university shall take effect unless at least two weeks prior to 96
the date on which the action is taken, the ~~board~~ chancellor has 97
filed with the speaker of the house of representatives, the 98
president of the senate, the legislative budget office of the 99
legislative service commission, and the director of budget and 100
management a fiscal analysis of the proposed action. The analysis 101
shall include an estimate of the amount by which, during the 102
current and ensuing fiscal biennium, the action would increase or 103
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 196
state-assisted institutions of higher education programs which 197
should be added to their present programs; 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;

(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;

(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 ~~its~~ the chancellor's 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 ~~board~~ chancellor 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 ~~board~~ chancellor 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 submitting a fiscal impact statement to the president of the senate, the speaker of the house of representatives, the legislative service commission, and the director of budget and

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 board of regents <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 board <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 to participate in the development and operation of statewide collaborative efforts, including the Ohio supercomputer center,	288 289 290

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 319
university" means a state university or college as defined in 320
division (A)(1) of section 3345.12 of the Revised Code, community 321

colleges, state community colleges, university branches, and 322
technical colleges. 323

Sec. 3333.042. The chancellor of the Ohio board of regents 324
may grant money to a nonprofit entity that provides a statewide 325
resource for aerospace research, education, and technology, so 326
long as the nonprofit entity makes its resources accessible to 327
state colleges and universities and to agencies of this and other 328
states and the United States. The ~~board~~ chancellor, by rule 329
adopted in accordance with Chapter 119. of the Revised Code, shall 330
establish procedures and forms whereby nonprofit entities may 331
apply for grants; standards and procedures for reviewing 332
applications for and awarding grants; procedures for distributing 333
grants to recipients; procedures for monitoring the use of grants 334
by recipients; requirements, procedures, and forms whereby grant 335
recipients shall report upon their use of grants; and standards 336
and procedures for terminating and requiring repayment of grants 337
in the event of their improper use. 338

A state college or university or a private institution exempt 339
from regulation under Chapter 3332. of the Revised Code as 340
prescribed in section 3333.046 of the Revised Code and any agency 341
of state government may provide assistance, in any form, to any 342
nonprofit entity that receives a grant under this section. Such 343
assistance shall be solely for the purpose of assisting the 344
nonprofit entity in making proper use of the grant. 345

A nonprofit entity that expends a grant under this section 346
for a capital project is not thereby subject to Chapter 123. or 347
153. of the Revised Code. An officer or employee of, or a person 348
who serves on a governing or advisory board or committee of, a 349
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 414
certificate of authorization issued ~~by the Ohio board of regents~~ 415

pursuant to Chapter 1713. of the Revised Code or the governing 416
authority of a private institution exempt from regulation under 417
Chapter 3332. of the Revised Code as prescribed in section 418
3333.046 of the Revised Code may notify the ~~board of regents~~ 419
chancellor that it is making itself subject to divisions (A) and 420
(B) of this section. Upon receipt of such a notice, these 421
divisions shall apply to that institution. 422

Sec. 3333.044. (A) The chancellor of the Ohio board of 423
regents may contract with any consultants that are necessary for 424
the discharge of the ~~board's~~ chancellor's duties under this 425
chapter. 426

(B) The ~~Ohio board of regents~~ chancellor may purchase, upon 427
the terms that the ~~board~~ chancellor determines to be advisable, 428
one or more policies of insurance from insurers authorized to do 429
business in this state that insure consultants who have contracted 430
with the ~~board~~ chancellor under division (A) of this section or 431
members of an advisory committee appointed under section 3333.04 432
of the Revised Code, with respect to the activities of the 433
consultants or advisory committee members in the course of the 434
performance of their responsibilities as consultants or advisory 435
committee members. 436

(C) Subject to the approval of the controlling board, the 437
~~Ohio board of regents~~ chancellor may contract with any entities 438
for the discharge of the ~~board's~~ chancellor's duties and 439
responsibilities under any of the programs established pursuant to 440
sections 3333.12, 3333.122, 3333.21 to 3333.28, 3702.71 to 441
3702.81, and 5120.55, and Chapter 5910. of the Revised Code. The 442
~~board~~ chancellor shall not enter into a contract under this 443
division unless the proposed contractor demonstrates that its 444
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 state, personnel of the state department of education, and members of the state board of education shall provide such data about high school students as are requested by the ~~board of regents~~ chancellor to aid in the development of state higher education plans.

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

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

Sec. 3333.08. It is the declared policy of this state that the availability of eminent domain on behalf of educational

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
origin. 691
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(2) "School of dentistry" means an accredited dental college
as defined under section 4715.10 of the Revised Code. 693
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(3) "Eligible program" means a medical school accredited by
the liaison committee on medical education or an osteopathic
medical school accredited by the American osteopathic association,
or such a school together with a school of dentistry. 695
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(B) In order to provide better for the public health and the
necessary enhancement of instruction in medicine and dentistry in
the state, and to encourage the means of such instruction with the
least economic cost to the people of the state, the chancellor of
the Ohio board of regents may enter into agreements with qualified
institutions of higher education providing for the continued
operation by the institution of eligible programs, conditioned
upon continued payments by the state to such institution for the
purposes of such eligible programs of amounts determined in the
manner provided for the state subsidy from time to time afforded
to state universities on the basis of comparable programs. Before
entering into such agreement, the ~~Ohio board of regents~~ chancellor
shall determine that the institution is a qualified institution of
higher education as defined in division (A) of this section, and
that the operation of such eligible programs as provided for in
such agreement and such payments will contribute to the objectives
stated in this section and to the objectives of the master plan of
higher education formulated under section 3333.04 of the Revised
Code. 699
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(C) Agreements under this section shall contain provisions to
the effect that: 718
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(1) The institution shall submit to the ~~Ohio board of regents~~
chancellor accountings for the expenditure of state payments in 720
721

the manner and at the times as are requested for state-assisted 722
institutions of higher education pursuant to division (A) of 723
section 3333.07 of the Revised Code. 724

(2) The institution shall notify the ~~Ohio board of regents~~ 725
chancellor in the manner provided for state-assisted institutions 726
under division (D) of section 3333.07 of the Revised Code with 727
regard to program recommendations by the ~~Ohio board of regents~~ 728
chancellor in the nature of those provided for in divisions (F) 729
and (G) of section 3333.04 of the Revised Code. 730

(3) The agreement shall terminate if the institution ceases 731
to be a qualified institution of higher education as determined by 732
the ~~Ohio board of regents~~ chancellor in accordance with Chapter 733
119. of the Revised Code. 734

(D) Agreements under this section may make further provision 735
for any one or more of the following as the parties determine: 736

(1) The duration of any such agreement, or additional 737
provision for terminating the agreement; 738

(2) Additional conditions for the effectiveness or continued 739
effectiveness of such agreement; 740

(3) Procedures for the amendment or supplementation of the 741
agreement, including designation of the parties to approve or 742
execute such amendments or supplements; 743

(4) Such other provisions as may be deemed necessary or 744
appropriate. 745

(E) In case any provision or part of this section or any 746
provision, agreement, covenant, stipulation, obligation, act or 747
action, or part thereof, made, assumed, or taken under or pursuant 748
to this section, or any application thereof, is for any reason 749
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	889
\$15,001 - \$16,000	4,920	5,466	5,466	5,466	5,466	890
\$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
\$37,001 - \$38,000	--	--	--	444	888	904
\$38,001 - \$39,000	--	--	--	--	444	905

For a full-time student who is financially independent and 906
 enrolled in a nonprofit educational institution that is not a 907
 state-assisted institution and that has a certificate of 908
 authorization issued pursuant to Chapter 1713. of the Revised 909
 Code, the amount of the instructional grant for two semesters, 910
 three quarters, or a comparable portion of the academic year shall 911
 be determined in accordance with the following table: 912

Private Institution 913

Table of Grants 914

Maximum Grant \$5,466 915

Gross Income Number of Dependents 916

	0	1	2	3	4	5 or more	
\$0 - \$4,800	\$5,466	\$5,466	\$5,466	\$5,466	\$5,466	\$5,466	918
\$4,801 - \$5,300	4,920	5,466	5,466	5,466	5,466	5,466	919
\$5,301 - \$5,800	4,362	5,196	5,466	5,466	5,466	5,466	920
\$5,801 - \$6,300	3,828	4,914	5,196	5,466	5,466	5,466	921
\$6,301 - \$6,800	3,288	4,650	4,914	5,196	5,466	5,466	922
\$6,801 - \$7,300	2,736	4,380	4,650	4,914	5,196	5,466	923
\$7,301 - \$8,300	2,178	4,104	4,380	4,650	4,914	5,196	924
\$8,301 - \$9,300	1,626	3,822	4,104	4,380	4,650	4,914	925
\$9,301 - \$10,300	1,344	3,546	3,822	4,104	4,380	4,650	926
\$10,301 - \$11,800	1,080	3,408	3,546	3,822	4,104	4,380	927
\$11,801 - \$13,300	984	3,276	3,408	3,546	3,822	4,104	928
\$13,301 - \$14,800	888	3,228	3,276	3,408	3,546	3,822	929
\$14,801 - \$16,300	444	2,904	3,228	3,276	3,408	3,546	930
\$16,301 - \$19,300	--	2,136	2,628	2,952	3,276	3,408	931
\$19,301 - \$22,300	--	1,368	1,866	2,358	2,676	3,000	932
\$22,301 - \$25,300	--	1,092	1,368	1,866	2,358	2,676	933
\$25,301 - \$30,300	--	816	1,092	1,368	1,866	2,358	934
\$30,301 - \$35,300	--	492	540	672	816	1,314	935

For a full-time student who is a dependent and enrolled in an 936
 educational institution that holds a certificate of registration 937

from the state board of career colleges and schools or a private 938
institution exempt from regulation under Chapter 3332. of the 939
Revised Code as prescribed in section 3333.046 of the Revised 940
Code, the amount of the instructional grant for two semesters, 941
three quarters, or a comparable portion of the academic year shall 942
be determined in accordance with the following table: 943

Career Institution 944

Table of Grants 945

Maximum Grant \$4,632 946

Gross Income Number of Dependents 947

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

For a full-time student who is financially independent and 966
enrolled in an educational institution that holds a certificate of 967
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 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							974
Table of Grants							975
Maximum Grant \$4,632							976
Gross Income	Number of Dependents						977
	0	1	2	3	4	5 or more	978
\$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 state-assisted educational institution, the amount of the instructional grant for two semesters, three quarters, or a comparable portion of the academic year shall be determined in accordance with the following table:

	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	1006
\$0 - \$15,000	\$2,190	\$2,190	\$2,190	\$2,190	\$2,190	1007
\$15,001 - \$16,000	1,974	2,190	2,190	2,190	2,190	1008
\$16,001 - \$17,000	1,740	1,974	2,190	2,190	2,190	1009
\$17,001 - \$18,000	1,542	1,740	1,974	2,190	2,190	1010
\$18,001 - \$19,000	1,320	1,542	1,740	1,974	2,190	1011
\$19,001 - \$22,000	1,080	1,320	1,542	1,740	1,974	1012
\$22,001 - \$25,000	864	1,080	1,320	1,542	1,740	1013
\$25,001 - \$28,000	648	864	1,080	1,320	1,542	1014
\$28,001 - \$31,000	522	648	864	1,080	1,320	1015
\$31,001 - \$32,000	420	522	648	864	1,080	1016
\$32,001 - \$33,000	384	420	522	648	864	1017
\$33,001 - \$34,000	354	384	420	522	648	1018
\$34,001 - \$35,000	174	354	384	420	522	1019
\$35,001 - \$36,000	--	174	354	384	420	1020
\$36,001 - \$37,000	--	--	174	354	384	1021
\$37,001 - \$38,000	--	--	--	174	354	1022
\$38,001 - \$39,000	--	--	--	--	174	1023

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

						more	
\$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 accredited bachelor of arts, bachelor of science, associate of arts, or associate of science degree.

(F)(1) Except as provided in division (F)(2) of this section, 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 1125
program in the 2006-2007 academic year or thereafter; 1126

(b) Enrolled in either of the following: 1127

(i) An accredited institution of higher education in this 1128
state that meets the requirements of Title VI of the Civil Rights 1129
Act of 1964 and is state-assisted, is nonprofit and has a 1130
certificate of authorization ~~from the Ohio board of regents~~ 1131
pursuant to Chapter 1713. of the Revised Code, has a certificate 1132
of registration from the state board of career colleges and 1133
schools and program authorization to award an associate or 1134
bachelor's degree, or is a private institution exempt from 1135
regulation under Chapter 3332. of the Revised Code as prescribed 1136
in section 3333.046 of the Revised Code. Students who attend an 1137
institution that holds a certificate of registration shall be 1138
enrolled in a program leading to an associate or bachelor's degree 1139
for which associate or bachelor's degree program the institution 1140
has program authorization issued under section 3332.05 of the 1141
Revised Code. 1142

(ii) A technical education program of at least two years 1143
duration sponsored by a private institution of higher education in 1144
this state that meets the requirements of Title VI of the Civil 1145
Rights Act of 1964. 1146

(2) A student who participated in either the early college 1147
high school program administered by the department of education or 1148
in the post-secondary enrollment options program pursuant to 1149
Chapter 3365. of the Revised Code before the 2006-2007 academic 1150
year shall not be excluded from eligibility for a ~~need-based~~ 1151
needs-based financial aid grant under this section. 1152

(3) "Resident," "expected family contribution" or "EFC," 1153
"full-time student," "three-quarters-time student," "half-time 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 is equal to or greater than:	And if the EFC is no more than:	If the student attends a public institution, the annual award shall be:	If the student attends a private institution, the annual award shall be:	If the student attends a career college, the annual award shall be:	
					1214

\$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:

Three-Quarters-Time Enrollment

If the EFC is equal to or greater than:	And the EFC is no more than:	If the student attends a public institution, the annual award	If the student attends a private institution, the annual award	If the student attends a career college, the annual award	1241
---	------------------------------	---	--	---	------

		shall be:	shall be:	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 to or greater than:	And if the EFC is no more than:	If the student attends a public institution, the annual	If the student attends a private institution, the annual	If the student attends a career college, the annual	
					1268

		award shall be:	award shall be:	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 is equal to or greater than:	And if the EFC is no more than:	If the student attends a public institution,	If the student attends a private institution,	If the student attends a career college,	1295
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		the annual award shall be:	the annual award shall be:	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 (C) of this section, the maximum grant amount shall be a percentage of the maximum prescribed in the applicable table of that division. The maximum grant for a fourth quarter shall be one-third of the maximum amount prescribed under that division.

The maximum grant for a third semester shall be one-half of the maximum amount prescribed under that division.

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

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

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

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

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

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

this section. 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 classification system for state institutions of higher education so that the transfer of students and the transfer and articulation of equivalent courses or specified learning modules or units completed by students are not inhibited by inconsistent judgment about the application of transfer credits. Coursework completed within such a system at one state institution of higher education and transferred to another institution shall be applied to the student's degree objective in the same manner as equivalent coursework completed at the receiving institution.

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

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

(5) Study, in consultation with the state board of career colleges and schools, and in light of existing criteria and any other criteria developed by the articulation and transfer advisory council, the feasibility of credit recognition and transferability to state institutions of higher education for graduates who have received associate degrees from a career college or school with a certificate of registration from the state board of career

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 1664
enhancement; 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 board of regents <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 board of regents <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 the degree to which they meet the standards, the board of regents	1694 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 program by such sums and in such manner as it may provide, but the ~~board~~ chancellor may also receive funds from other sources to support the program.

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

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

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

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 2036

lowest expected family contribution. However, the ~~board of regents~~ 2037
chancellor may consider other factors ~~it~~ the chancellor determines 2038
relevant in ranking the applications. 2039

(d) Each loan awarded to a student under division (C)(1)(a) 2040
of this section shall be not less than five thousand dollars per 2041
year. 2042

(2) Twenty-five per cent of available funds shall be awarded 2043
to students enrolled in prelicensure nurse education programs for 2044
registered nurses, as defined in section 4723.01 of the Revised 2045
Code. 2046

(3) Twenty-five per cent of available funds shall be awarded 2047
to students enrolled in prelicensure professional nurse education 2048
programs for licensed practical nurses, as defined in section 2049
4723.01 of the Revised Code. 2050

After January 1, 2012, the ~~board of regents~~ chancellor shall 2051
determine the manner in which to distribute loans under this 2052
section. 2053

(D) Subject to the requirements specified in division (C) of 2054
this section, the ~~board of regents~~ chancellor shall adopt rules in 2055
accordance with Chapter 119. of the Revised Code establishing: 2056

(1) Eligibility criteria for receipt of a loan; 2057

(2) Loan application procedures; 2058

(3) The amounts in which loans may be made and the total 2059
amount that may be loaned to an individual; 2060

(4) The total amount of loans that can be made each year; 2061

(5) The percentage of the money in the fund that must remain 2062
in the fund at all times as a fund balance; 2063

(6) Interest and principal repayment schedules; 2064

(7) Conditions under which a portion of principal and 2065

interest obligations incurred by an individual under the program 2066
will be forgiven; 2067

(8) Ways that the program may be used to encourage 2068
individuals who are members of minority groups to enter the 2069
nursing profession; 2070

(9) Any other matters incidental to the operation of the 2071
program. 2072

(E) The obligation to repay a portion of the principal and 2073
interest on a loan made under this section shall be forgiven if 2074
the recipient of the loan meets the criteria for forgiveness 2075
established by division (C)(1)(b) of this section, in the case of 2076
loans awarded under division (C)(1)(a) of this section, or by the 2077
~~board of regents~~ by chancellor under the rule adopted under 2078
division (D)(7) of this section, in the case of other loans 2079
awarded under this section. 2080

(F) The receipt of a loan under this section shall not affect 2081
a student's eligibility for assistance, or the amount of that 2082
assistance, granted under section 3333.12, 3333.122, 3333.22, 2083
3333.26, 3333.27, 5910.03, 5910.032, or 5919.34 of the Revised 2084
Code, but the rules of the ~~board of regents~~ chancellor may provide 2085
for taking assistance received under those sections into 2086
consideration when determining a student's eligibility for a loan 2087
under this section. 2088

Sec. 3333.29. (A) As used in this section: 2089

(1) "Resident" has the meaning established for purposes of 2090
this section by rule of the chancellor of the Ohio board of 2091
regents. 2092

(2) "Eligible institution" means either: 2093

(a) A private career school registered in accordance with 2094
section 3332.05 of the Revised Code; 2095

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

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

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

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

(E) A grant awarded to an eligible student shall be paid to the eligible institution in which the student is enrolled, and the institution shall reduce the student's instructional and general charges by the amount of the grant. Each grant awarded shall be paid in accordance with division (C) of this section within thirty days after the start of each term of the academic year for which the grant is awarded. No student shall be eligible to receive

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 2189

representative on the letterhead of the employer or the employer's 2190
representative certifying that the parent or spouse of the student 2191
is employed full-time in Ohio; 2192

(2) A copy of the lease under which the parent or spouse is 2193
the lessee and occupant of rented residential property in the 2194
state, a copy of the closing statement on residential real 2195
property of which the parent or spouse is the owner and occupant 2196
in this state or, if the parent or spouse is not the lessee or 2197
owner of the residence in which ~~he~~ the parent or spouse has 2198
established domicile, a letter from the owner of the residence 2199
certifying that the parent or spouse resides at that residence. 2200

Residency officers may also evaluate, in accordance with ~~board~~ the 2201
chancellor's rule, requests for immediate residency status from 2202
dependent students whose parents are not living and whose domicile 2203
follows that of a legal guardian who has accepted full-time 2204
employment and established domicile in the state for reasons other 2205
than gaining the benefit of favorable tuition rates. 2206

(C) "Dependent," "domicile," "institution of higher 2207
education," and "residency officer" have the meanings ascribed in 2208
the ~~board's~~ chancellor's rules adopted under this section. 2209

Sec. 3333.35. The state board of education and the chancellor 2210
of the Ohio board of regents shall strive to reduce unnecessary 2211
student remediation costs incurred by colleges and universities in 2212
this state, increase overall access for students to higher 2213
education, enhance the post-secondary enrollment options program 2214
in accordance with Chapter 3365. of the Revised Code, and enhance 2215
the alternative educator licensure program in accordance with 2216
section 3319.26 of the Revised Code. 2217

Sec. 3333.36. Provided that sufficient unencumbered and 2218
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 Ohio board of regents <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 admission to a state-supported institution of higher education. This division does not limit or affect the ability of a state-supported institution of higher education to suspend or otherwise discipline its students.

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

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

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

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

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

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

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

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

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

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

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

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

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 for 2508
Ohio. 2509