

As Introduced

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H. B. No. 423

Representative Williams, S.

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A B I L L

To amend sections 3333.122, 3333.20, and 6301.02 and 1
to enact section 3333.91 of the Revised Code to 2
create the Industry Sector Strategy Training 3
Program, to require the awarding of academic 4
credit to individuals who complete the program, 5
and to require the Department of Job and Family 6
Services to streamline core services provided 7
under the federal Workforce Investment Act. 8

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

Section 1. That sections 3333.122, 3333.20, and 6301.02 be 9
amended and section 3333.91 of the Revised Code be enacted to read 10
as follows: 11

Sec. 3333.122. (A) The chancellor of the Ohio board of 12
regents shall adopt rules to carry out this section and as 13
authorized under section 3333.123 of the Revised Code. The rules 14
shall include definitions of the terms "resident," "expected 15
family contribution," "full-time student," "three-quarters-time 16
student," "half-time student," "one-quarter-time student," "state 17
cost of attendance," and "accredited" for the purpose of those 18
sections. 19

(B) Only an Ohio resident who meets both of the following is 20

eligible for a grant awarded under this section: 21

(1) The resident has an expected family contribution of two 22
thousand one hundred ninety dollars or less; 23

(2) The resident enrolls in one of the following: 24

(a) An undergraduate program, or a nursing diploma program 25
approved by the board of nursing under division (A)(5) of section 26
4723.06 of the Revised Code, at a state-assisted state institution 27
of higher education, as defined in section 3345.12 of the Revised 28
Code, that meets the requirements of Title VI of the Civil Rights 29
Act of 1964~~7~~. For purposes of division (B)(2)(a) of this section, 30
enrollment in an undergraduate program shall include enrollment in 31
a training program approved under section 3333.91 of the Revised 32
Code. 33

(b) An undergraduate program, or a nursing diploma program 34
approved by the board of nursing under division (A)(5) of section 35
4723.06 of the Revised Code, at a private, nonprofit institution 36
in this state holding a certificate of authorization pursuant to 37
Chapter 1713. of the Revised Code; 38

(c) An undergraduate program, or a nursing diploma program 39
approved by the board of nursing under division (A)(5) of section 40
4723.06 of the Revised Code, at a career college in this state 41
that holds a certificate of registration from the state board of 42
career colleges and schools under Chapter 3332. of the Revised 43
Code or at a private institution exempt from regulation under 44
Chapter 3332. of the Revised Code as prescribed in section 45
3333.046 of the Revised Code, if the program has a certificate of 46
authorization pursuant to Chapter 1713. of the Revised Code. 47

(C)(1) The chancellor shall establish and administer a 48
needs-based financial aid grants program based on the United 49
States department of education's method of determining financial 50
need. The program shall be known as the Ohio college opportunity 51

grant program. The general assembly shall support the needs-based 52
financial aid program by such sums and in such manner as it may 53
provide, but the chancellor also may receive funds from other 54
sources to support the program. If, for any academic year, the 55
amounts available for support of the program are inadequate to 56
provide grants to all eligible students, the chancellor shall do 57
one of the following: 58

(a) Give preference in the payment of grants based upon 59
expected family contribution, beginning with the lowest expected 60
family contribution category and proceeding upward by category to 61
the highest expected family contribution category; 62

(b) Proportionately reduce the amount of each grant to be 63
awarded for the academic year under this section; 64

(c) Use an alternate formula for such grants that addresses 65
the shortage of available funds and has been submitted to and 66
approved by the controlling board. 67

(2) The needs-based financial aid grant shall be paid to the 68
eligible student through the institution in which the student is 69
enrolled, except that no needs-based financial aid grant shall be 70
paid to any person serving a term of imprisonment. Applications 71
for the grants shall be made as prescribed by the chancellor, and 72
such applications may be made in conjunction with and upon the 73
basis of information provided in conjunction with student 74
assistance programs funded by agencies of the United States 75
government or from financial resources of the institution of 76
higher education. The institution shall certify that the student 77
applicant meets the requirements set forth in division (B) of this 78
section. Needs-based financial aid grants shall be provided to an 79
eligible student only as long as the student is making appropriate 80
progress toward a nursing diploma ~~or~~, an associate or bachelor's 81
degree, or a regionally developed industry-recognized credential 82
under section 3333.91 of the Revised Code. No student shall be 83

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

(D)(1) Except as provided in division (D)(4) of this section,
no grant awarded under this section shall exceed the total state
cost of attendance.

(2) Subject to divisions (D)(1), (3), and (4) of this
section, the amount of a grant awarded to a student under this
section shall equal the student's remaining state cost of
attendance after the student's Pell grant and expected family
contribution are applied to the instructional and general charges
for the undergraduate program. However, for students enrolled in a
state university or college as defined in section 3345.12 of the
Revised Code or a university branch, the chancellor may provide
that the grant amount shall equal the student's remaining
instructional and general charges for the undergraduate program
after the student's Pell grant and expected family contribution
have been applied to those charges, but, in no case, shall the
grant amount for such a student exceed any maximum that the
chancellor may set by rule.

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

maximum amount so prescribed. The maximum grant for a third 116
semester shall be one-half of the maximum amount so prescribed. 117

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(4) If a student is enrolled in a two-year institution of 119
higher education and is eligible for an education and training 120
voucher through the Ohio education and training voucher program 121
that receives federal funding under the John H. Chafee foster care 122
independence program, 42 U.S.C. 677, the amount of a grant awarded 123
under this section may exceed the total state cost of attendance 124
to additionally cover housing costs. 125

(E) No grant shall be made to any student in a course of 126
study in theology, religion, or other field of preparation for a 127
religious profession unless such course of study leads to an 128
accredited bachelor of arts, bachelor of science, associate of 129
arts, or associate of science degree. 130

(F)(1) Except as provided in division (F)(2) of this section, 131
no grant shall be made to any student for enrollment during a 132
fiscal year in an institution with a cohort default rate 133
determined by the United States secretary of education pursuant to 134
the "Higher Education Amendments of 1986," 100 Stat. 1278, 1408, 135
20 U.S.C. ~~A.~~ 1085, as amended, as of the fifteenth day of June 136
preceding the fiscal year, equal to or greater than thirty per 137
cent for each of the preceding two fiscal years. 138

(2) Division (F)(1) of this section does not apply in the 139
case of either of the following: 140

(a) The institution pursuant to federal law appeals its loss 141
of eligibility for federal financial aid and the United States 142
secretary of education determines its cohort default rate after 143
recalculation is lower than the rate specified in division (F)(1) 144
of this section or the secretary determines due to mitigating 145
circumstances that the institution may continue to participate in 146

federal financial aid programs. The chancellor shall adopt rules 147
requiring any such appellant to provide information to the 148
chancellor regarding an appeal. 149

(b) Any student who has previously received a grant pursuant 150
to any provision of this section, including prior to the section's 151
amendment by Am. Sub. H.B. 1 of the 128th general assembly, 152
effective July 17, 2009, and who meets all other eligibility 153
requirements of this section. 154

(3) The chancellor shall adopt rules for the notification of 155
all institutions whose students will be ineligible to participate 156
in the grant program pursuant to division (F)(1) of this section. 157
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(4) A student's attendance at any institution whose students 159
are ineligible for grants due to division (F)(1) of this section 160
shall not affect that student's eligibility to receive a grant 161
when enrolled in another institution. 162

(G) Institutions of higher education that enroll students 163
receiving needs-based financial aid grants under this section 164
shall report to the chancellor all students who have received such 165
needs-based financial aid grants but are no longer eligible for 166
all or part of those grants and shall refund any moneys due the 167
state within thirty days after the beginning of the quarter or 168
term immediately following the quarter or term in which the 169
student was no longer eligible to receive all or part of the 170
student's grant. There shall be an interest charge of one per cent 171
per month on all moneys due and payable after such thirty-day 172
period. The chancellor shall immediately notify the office of 173
budget and management and the legislative service commission of 174
all refunds so received. 175

Sec. 3333.20. (A) The chancellor of the Ohio board of regents 176
shall adopt educational service standards that shall apply to all 177

community colleges, university branches, technical colleges, and 178
state community colleges established under Chapters 3354., 3355., 179
3357., and 3358. of the Revised Code, respectively. These 180
standards shall provide for such institutions to offer or 181
demonstrate at least the following: 182

(1) An appropriate range of career or technical programs 183
designed to prepare individuals for employment in specific careers 184
at the technical or paraprofessional level+. The standards shall 185
require community colleges and state community colleges to award 186
credit for successful completion of a training program approved 187
under section 3333.91 of the Revised Code and to apply that credit 188
toward an associate degree in a related field. 189

(2) Commitment to an effective array of developmental 190
education services providing opportunities for academic skill 191
enhancement; 192

(3) Partnerships with industry, business, government, and 193
labor for the retraining of the workforce and the economic 194
development of the community; 195

(4) Noncredit continuing education opportunities; 196

(5) College transfer programs or the initial two years of a 197
baccalaureate degree for students planning to transfer to 198
institutions offering baccalaureate programs; 199

(6) Linkages with high schools to ensure that graduates are 200
adequately prepared for post-secondary instruction; 201

(7) Student access provided according to a convenient 202
schedule and program quality provided at an affordable price; 203

(8) That student fees charged by any institution are as low 204
as possible, especially if the institution is being supported by a 205
local tax levy; 206

(9) A high level of community involvement in the 207

decision-making process in such critical areas as course delivery, 208
range of services, fees and budgets, and administrative personnel. 209

(B) The chancellor shall consult with representatives of 210
state-assisted colleges and universities, as defined in section 211
3333.041 of the Revised Code, in developing appropriate methods 212
for achieving or maintaining the standards adopted pursuant to 213
division (A) of this section. 214

(C) In considering institutions that are co-located, the 215
chancellor shall apply the standards to them in two manners: 216

(1) As a whole entity; 217

(2) As separate entities, applying the standards separately 218
to each. 219

When distributing any state funds among institutions based on 220
the degree to which they meet the standards, the chancellor shall 221
provide to institutions that are co-located the higher amount 222
produced by the two judgments under divisions (C)(1) and (2) of 223
this section. 224

Sec. 3333.91. (A) There is hereby created the industry sector 225
strategy training program. The chancellor of the Ohio board of 226
regents shall meet with each industry operating within this state 227
to develop regionally developed credentials for each respective 228
industry based on industry sector strategies for high demand jobs 229
or for employers who can demonstrate a defined need for defined 230
employment. The chancellor shall use statistics produced by the 231
bureau of labor market information within the department of job 232
and family services to determine which jobs are considered high 233
demand jobs. 234

(B) An employer who develops a training program based on the 235
sector strategies developed under division (A) of this section may 236
submit the training program to the chancellor for approval. The 237

chancellor shall approve the plan if all of the following are 238
satisfied: 239

(1) The training program submitted by the employer fits the 240
industry sector strategy program established under division (A) of 241
this section for the industry in which the employer is a member. 242

(2) The employer demonstrates either of the following: 243

(a) The training program will be used to train individuals in 244
a field that is in high demand as determined by the bureau of 245
labor market information within the department of job and family 246
services; 247

(b) The employer has a defined need for defined employment 248
that will result in individuals being employed by that employer 249
for that need. 250

(3) Upon successful completion of the training program, an 251
individual will have obtained the regionally developed credentials 252
the program is designed to impart. 253

(C) An individual who wishes to participate in an employer 254
training program approved under division (B) of this section may 255
use funding provided under the "Workforce Investment Act of 1998," 256
112 Stat. 936, 29 U.S.C. 2801, as amended, or other financial aid 257
available to the individual. If the individual is unable to secure 258
financial aid, the individual may apply for and use funding 259
available under the Ohio college opportunity grant program created 260
in section 3333.122 of the Revised Code. To be eligible to receive 261
funding from the grant program, the individual shall demonstrate 262
that the individual was unable to secure funding from other 263
sources in addition to satisfying the requirements for eligibility 264
specified in division (B) of section 3333.122 of the Revised Code. 265

(D) An individual who successfully completes a training 266
program approved under division (B) of this section may apply for 267
credit toward an associate's degree available through a community 268

college or a state community college. If an individual applies for 269
such credit, the community college or state community college 270
shall award that credit in accordance with section 3333.20 of the 271
Revised Code. 272

Sec. 6301.02. The director of job and family services shall 273
administer the "Workforce Investment Act of 1998," 112 Stat. 936, 274
29 U.S.C.A. 2801, as amended, the "Wagner-Peyser Act," 48 Stat. 275
113 (1933), 29 U.S.C.A. 49, as amended, and the funds received 276
pursuant to those acts. In administering those acts and funds 277
received pursuant to those acts, the director shall establish and 278
administer a workforce development system that is designed to 279
provide leadership, support, and oversight to locally designed 280
workforce development and family services systems and that 281
provides the maximum amount of flexibility and authority to 282
counties and municipal corporations, as permitted under the 283
"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C.A. 284
2801, as amended. To the extent possible and in accordance with 285
the "Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 286
2801, as amended, the director shall streamline the provision of 287
core services regarding the sequence of providing those services. 288
The director shall conduct investigations and hold hearings as 289
necessary for the administration of this chapter. 290

To the extent permitted by state and federal law, the 291
director may adopt rules pursuant to Chapter 119. of the Revised 292
Code to establish any program or pilot program for the purposes of 293
providing workforce development activities or family services to 294
individuals who do not meet eligibility criteria for those 295
activities or services under applicable federal law. Prior to the 296
initiation of any program of that nature, the director of budget 297
and management shall certify to the governor that sufficient funds 298
are available to administer a program of that nature. 299

Unless otherwise prohibited by state or federal law, every 300
state agency, board, or commission shall provide to the director 301
all information and assistance requested by the director in 302
furtherance of workforce development activities. 303

Section 2. That existing sections 3333.122, 3333.20, and 304
6301.02 of the Revised Code are hereby repealed. 305