

As Introduced

**128th General Assembly
Regular Session
2009-2010**

H. B. No. 424

Representative Williams, S.

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A B I L L

To amend sections 3333.122 and 3333.20 and to enact 1
section 3333.164 of the Revised Code to qualify 2
students in non-credit community college programs 3
for Ohio College Opportunity Grants and to require 4
the awarding of academic credit for community 5
colleges' career certification programs. 6

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

Section 1. That sections 3333.122 and 3333.20 be amended and 7
section 3333.164 of the Revised Code be enacted to read as 8
follows: 9

Sec. 3333.122. (A) The chancellor of the Ohio board of 10
regents shall adopt rules to carry out this section and as 11
authorized under section 3333.123 of the Revised Code. The rules 12
shall include definitions of the terms "resident," "expected 13
family contribution," "full-time student," "three-quarters-time 14
student," "half-time student," "one-quarter-time student," "state 15
cost of attendance," and "accredited" for the purpose of those 16
sections. 17

(B) Only an Ohio resident who meets both of the following is 18
eligible for a grant awarded under this section: 19

(1) The resident has an expected family contribution of two 20

thousand one hundred ninety dollars or less; 21

(2) The resident enrolls in one of the following: 22

(a) An undergraduate program, or a nursing diploma program 23
approved by the board of nursing under division (A)(5) of section 24
4723.06 of the Revised Code, at a state-assisted state institution 25
of higher education, as defined in section 3345.12 of the Revised 26
Code, that meets the requirements of Title VI of the Civil Rights 27
Act of 1964~~7~~. For purposes of division (B)(2)(a) of this section, 28
enrollment in an undergraduate program shall include enrollment in 29
a community college or state community college in a program for 30
which credit is not awarded. 31

(b) An undergraduate program, or a nursing diploma program 32
approved by the board of nursing under division (A)(5) of section 33
4723.06 of the Revised Code, at a private, nonprofit institution 34
in this state holding a certificate of authorization pursuant to 35
Chapter 1713. of the Revised Code; 36

(c) An undergraduate program, or a nursing diploma program 37
approved by the board of nursing under division (A)(5) of section 38
4723.06 of the Revised Code, at a career college in this state 39
that holds a certificate of registration from the state board of 40
career colleges and schools under Chapter 3332. of the Revised 41
Code or at a private institution exempt from regulation under 42
Chapter 3332. of the Revised Code as prescribed in section 43
3333.046 of the Revised Code, if the program has a certificate of 44
authorization pursuant to Chapter 1713. of the Revised Code. 45

(C)(1) The chancellor shall establish and administer a 46
needs-based financial aid grants program based on the United 47
States department of education's method of determining financial 48
need. The program shall be known as the Ohio college opportunity 49
grant program. The general assembly shall support the needs-based 50
financial aid program by such sums and in such manner as it may 51

provide, but the chancellor also may receive funds from other 52
sources to support the program. If, for any academic year, the 53
amounts available for support of the program are inadequate to 54
provide grants to all eligible students, the chancellor shall do 55
one of the following: 56

(a) Give preference in the payment of grants based upon 57
expected family contribution, beginning with the lowest expected 58
family contribution category and proceeding upward by category to 59
the highest expected family contribution category; 60

(b) Proportionately reduce the amount of each grant to be 61
awarded for the academic year under this section; 62

(c) Use an alternate formula for such grants that addresses 63
the shortage of available funds and has been submitted to and 64
approved by the controlling board. 65

(2) The needs-based financial aid grant shall be paid to the 66
eligible student through the institution in which the student is 67
enrolled, except that no needs-based financial aid grant shall be 68
paid to any person serving a term of imprisonment. Applications 69
for the grants shall be made as prescribed by the chancellor, and 70
such applications may be made in conjunction with and upon the 71
basis of information provided in conjunction with student 72
assistance programs funded by agencies of the United States 73
government or from financial resources of the institution of 74
higher education. The institution shall certify that the student 75
applicant meets the requirements set forth in division (B) of this 76
section. Needs-based financial aid grants shall be provided to an 77
eligible student only as long as the student is making appropriate 78
progress toward a nursing diploma or an associate or bachelor's 79
degree or, if the student is enrolled in a program for which 80
credit is not awarded, is meeting progress standards adopted by 81
the chancellor. No student shall be eligible to receive a grant 82
for more than ten semesters, fifteen quarters, or the equivalent 83

of five academic years. A grant made to an eligible student on the 84
basis of less than full-time enrollment shall be based on the 85
number of credit hours for which the student is enrolled and shall 86
be computed in accordance with a formula adopted by rule issued by 87
the chancellor. No student shall receive more than one grant on 88
the basis of less than full-time enrollment. 89

(D)(1) Except as provided in division (D)(4) of this section, 91
no grant awarded under this section shall exceed the total state 92
cost of attendance. 93

(2) Subject to divisions (D)(1), (3), and (4) of this 94
section, the amount of a grant awarded to a student under this 95
section shall equal the student's remaining state cost of 96
attendance after the student's Pell grant and expected family 97
contribution are applied to the instructional and general charges 98
for the undergraduate program. However, for students enrolled in a 99
state university or college as defined in section 3345.12 of the 100
Revised Code or a university branch, the chancellor may provide 101
that the grant amount shall equal the student's remaining 102
instructional and general charges for the undergraduate program 103
after the student's Pell grant and expected family contribution 104
have been applied to those charges, but, in no case, shall the 105
grant amount for such a student exceed any maximum that the 106
chancellor may set by rule. 107

(3) For a student enrolled for a semester or quarter in 108
addition to the portion of the academic year covered by a grant 109
under this section, the maximum grant amount shall be a percentage 110
of the maximum specified in any table established in rules adopted 111
by the chancellor as provided in division (A) of this section. The 112
maximum grant for a fourth quarter shall be one-third of the 113
maximum amount so prescribed. The maximum grant for a third 114
semester shall be one-half of the maximum amount so prescribed. 115

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

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(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.

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

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

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(a) The institution pursuant to federal law appeals its loss of eligibility for federal financial aid and the United States secretary of education determines its cohort default rate after recalculation is lower than the rate specified in division (F)(1) of this section or the secretary determines due to mitigating circumstances that the institution may continue to participate in federal financial aid programs. The chancellor shall adopt rules requiring any such appellant to provide information to the

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chancellor regarding an appeal. 147

(b) Any student who has previously received a grant pursuant 148
to any provision of this section, including prior to the section's 149
amendment by Am. Sub. H.B. 1 of the 128th general assembly, 150
effective July 17, 2009, and who meets all other eligibility 151
requirements of this section. 152

(3) The chancellor shall adopt rules for the notification of 153
all institutions whose students will be ineligible to participate 154
in the grant program pursuant to division (F)(1) of this section. 155
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(4) A student's attendance at any institution whose students 157
are ineligible for grants due to division (F)(1) of this section 158
shall not affect that student's eligibility to receive a grant 159
when enrolled in another institution. 160

(G) Institutions of higher education that enroll students 161
receiving needs-based financial aid grants under this section 162
shall report to the chancellor all students who have received such 163
needs-based financial aid grants but are no longer eligible for 164
all or part of those grants and shall refund any moneys due the 165
state within thirty days after the beginning of the quarter or 166
term immediately following the quarter or term in which the 167
student was no longer eligible to receive all or part of the 168
student's grant. There shall be an interest charge of one per cent 169
per month on all moneys due and payable after such thirty-day 170
period. The chancellor shall immediately notify the office of 171
budget and management and the legislative service commission of 172
all refunds so received. 173

Sec. 3333.164. The chancellor of the Ohio board of regents 174
shall establish policies and procedures for awarding credit for 175
career or technical certification programs offered by community 176
colleges and state community colleges and for applying that credit 177

toward an associate degree in a related field. 178

Sec. 3333.20. (A) The chancellor of the Ohio board of regents 179
shall adopt educational service standards that shall apply to all 180
community colleges, university branches, technical colleges, and 181
state community colleges established under Chapters 3354., 3355., 182
3357., and 3358. of the Revised Code, respectively. These 183
standards shall provide for such institutions to offer or 184
demonstrate at least the following: 185

(1) An appropriate range of career or technical programs 186
designed to prepare individuals for employment in specific careers 187
at the technical or paraprofessional level~~†~~. The standards shall 188
require community colleges and state community colleges to award 189
credit for career or technical certification programs and to apply 190
that credit toward an associate degree in a related field in 191
accordance with the policies and procedures established under 192
section 3333.164 of the Revised Code. 193

(2) Commitment to an effective array of developmental 194
education services providing opportunities for academic skill 195
enhancement; 196

(3) Partnerships with industry, business, government, and 197
labor for the retraining of the workforce and the economic 198
development of the community; 199

(4) Noncredit continuing education opportunities; 200

(5) College transfer programs or the initial two years of a 201
baccalaureate degree for students planning to transfer to 202
institutions offering baccalaureate programs; 203

(6) Linkages with high schools to ensure that graduates are 204
adequately prepared for post-secondary instruction; 205

(7) Student access provided according to a convenient 206
schedule and program quality provided at an affordable price; 207

(8) That student fees charged by any institution are as low 208
as possible, especially if the institution is being supported by a 209
local tax levy; 210

(9) A high level of community involvement in the 211
decision-making process in such critical areas as course delivery, 212
range of services, fees and budgets, and administrative personnel. 213

(B) The chancellor shall consult with representatives of 214
state-assisted colleges and universities, as defined in section 215
3333.041 of the Revised Code, in developing appropriate methods 216
for achieving or maintaining the standards adopted pursuant to 217
division (A) of this section. 218

(C) In considering institutions that are co-located, the 219
chancellor shall apply the standards to them in two manners: 220

(1) As a whole entity; 221

(2) As separate entities, applying the standards separately 222
to each. 223

When distributing any state funds among institutions based on 224
the degree to which they meet the standards, the chancellor shall 225
provide to institutions that are co-located the higher amount 226
produced by the two judgments under divisions (C)(1) and (2) of 227
this section. 228

Section 2. That existing sections 3333.122 and 3333.20 of the 229
Revised Code are hereby repealed. 230