

As Introduced

133rd General Assembly

Regular Session

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S. B. No. 69

Senator Williams

Cosponsors: Senators Antonio, Thomas, Fedor, Huffman, M., Yuko

A BILL

To amend sections 3333.122 and 3333.20 and to enact
section 3333.167 of the Revised Code to qualify
students in noncredit community college and
career and technical programs for Ohio College
Opportunity Grants and to require the awarding
of academic credit for community colleges'
career certification programs.

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

Section 1. That sections 3333.122 and 3333.20 be amended
and section 3333.167 of the Revised Code be enacted to read as
follows:

Sec. 3333.122. (A) The chancellor of higher education
shall adopt rules to carry out this section and as authorized
under section 3333.123 of the Revised Code. The rules shall
include definitions of the terms "resident," "expected family
contribution," "full-time student," "three-quarters-time
student," "half-time student," "one-quarter-time student,"
"state cost of attendance," and "accredited" for the purpose of
those sections.

(B) Only an Ohio resident who meets both of the following 19
is eligible for a grant awarded under this section: 20

(1) The resident has an expected family contribution of 21
two thousand one hundred ninety dollars or less; 22

(2) The resident enrolls in one of the following: 23

(a) An undergraduate program, or a nursing diploma program 24
approved by the board of nursing under section 4723.06 of the 25
Revised Code, at a state-assisted state institution of higher 26
education, as defined in section 3345.12 of the Revised Code, 27
that meets the requirements of Title VI of the Civil Rights Act 28
of 1964~~+~~. For purposes of division (B) (2) (a) of this section, 29
enrollment in an undergraduate program shall include enrollment 30
in a career and technical program for an in-demand job, as 31
defined in section 3333.94 of the Revised Code, offered at a 32
community college or state community college for which credit is 33
not awarded. 34

(b) An undergraduate program, or a nursing diploma program 35
approved by the board of nursing under section 4723.06 of the 36
Revised Code, at a private, nonprofit institution in this state 37
holding a certificate of authorization pursuant to Chapter 1713. 38
of the Revised Code; 39

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

authorization pursuant to Chapter 1713. of the Revised Code. 48

(d) A comprehensive transition and postsecondary program 49
that is certified by the United States department of education. 50
For purposes of this section, a "comprehensive transition and 51
postsecondary program" means a degree, certificate, or non- 52
degree program that is designed to support persons with 53
intellectual disabilities who are receiving academic, career, 54
technical, and independent living instruction at an institution 55
of higher education in order to prepare for gainful employment 56
as defined in 20 U.S.C. 1140. 57

(C) (1) The chancellor shall establish and administer a 58
needs-based financial aid grants program based on the United 59
States department of education's method of determining financial 60
need. The program shall be known as the Ohio college opportunity 61
grant program. The general assembly shall support the needs- 62
based financial aid program by such sums and in such manner as 63
it may provide, but the chancellor also may receive funds from 64
other sources to support the program. If, for any academic year, 65
the amounts available for support of the program are inadequate 66
to provide grants to all eligible students, the chancellor shall 67
do one of the following: 68

(a) Give preference in the payment of grants based upon 69
expected family contribution, beginning with the lowest expected 70
family contribution category and proceeding upward by category 71
to the highest expected family contribution category; 72

(b) Proportionately reduce the amount of each grant to be 73
awarded for the academic year under this section; 74

(c) Use an alternate formula for such grants that 75
addresses the shortage of available funds and has been submitted 76

to and approved by the controlling board. 77

(2) The needs-based financial aid grant shall be paid to 78
the eligible student through the institution in which the 79
student is enrolled, except that no needs-based financial aid 80
grant shall be paid to any person serving a term of 81
imprisonment. Applications for the grants shall be made as 82
prescribed by the chancellor, and such applications may be made 83
in conjunction with and upon the basis of information provided 84
in conjunction with student assistance programs funded by 85
agencies of the United States government or from financial 86
resources of the institution of higher education. The 87
institution shall certify that the student applicant meets the 88
requirements set forth in division (B) of this section. Needs- 89
based financial aid grants shall be provided to an eligible 90
student only as long as the student is making appropriate 91
progress toward a nursing diploma, an associate or bachelor's 92
degree, or completion of a comprehensive transition and 93
postsecondary program or, if the student is enrolled in a 94
program for which credit is not awarded, is meeting progress 95
standards adopted by the chancellor. No student shall be 96
eligible to receive a grant for more than ten semesters, fifteen 97
quarters, or the equivalent of five academic years. A grant made 98
to an eligible student on the basis of less than full-time 99
enrollment shall be based on the number of credit hours for 100
which the student is enrolled and shall be computed in 101
accordance with a formula adopted by rule issued by the 102
chancellor. No student shall receive more than one grant on the 103
basis of less than full-time enrollment. 104

(D)(1) Except as provided in divisions (D)(4) and (5) of 105
this section, no grant awarded under this section shall exceed 106
the total state cost of attendance. 107

(2) Subject to divisions (D)(1), (3), (4), and (5) of this 108
section, the chancellor shall determine the maximum per student 109
award amount for each institutional sector by subtracting the 110
sum of the maximum Pell grant and maximum expected family 111
contribution amounts, as determined by the chancellor, from the 112
average instructional and general fees charged by the 113
institutional sector. The department of higher education shall 114
publish on its web site an annual Ohio college opportunity award 115
table. In no case, shall the grant amount for such a student 116
exceed any maximum that the chancellor may set by rule. 117

(3) For a student enrolled for a semester or quarter in 118
addition to the portion of the academic year covered by a grant 119
under this section, the maximum grant amount shall be a 120
percentage of the maximum specified in any table established in 121
rules adopted by the chancellor as provided in division (A) of 122
this section. The maximum grant for a fourth quarter shall be 123
one-third of the maximum amount so prescribed. The maximum grant 124
for a third semester shall be one-half of the maximum amount so 125
prescribed. 126

(4) If a student is enrolled in a two-year institution of 127
higher education and is eligible for an education and training 128
voucher through the Ohio education and training voucher program 129
that receives federal funding under the John H. Chafee foster 130
care independence program, 42 U.S.C. 677, the amount of a grant 131
awarded under this section may exceed the total state cost of 132
attendance to additionally cover housing costs. 133

(5) For a student who is receiving federal veterans' 134
benefits under the "All-Volunteer Force Educational Assistance 135
Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans 136
Educational Assistance Program," 38 U.S.C. 3301 et seq., or any 137

successor program, the amount of a grant awarded under this 138
section shall be applied toward the total state cost of 139
attendance and the student's housing costs and living expenses. 140
Living expenses shall include reasonable costs for room and 141
board. 142

(E) No grant shall be made to any student in a course of 143
study in theology, religion, or other field of preparation for a 144
religious profession unless such course of study leads to an 145
accredited bachelor of arts, bachelor of science, associate of 146
arts, or associate of science degree. 147

(F) (1) Except as provided in division (F) (2) of this 148
section, no grant shall be made to any student for enrollment 149
during a fiscal year in an institution with a cohort default 150
rate determined by the United States secretary of education 151
pursuant to the "Higher Education Amendments of 1986," 100 Stat. 152
1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth 153
day of June preceding the fiscal year, equal to or greater than 154
thirty per cent for each of the preceding two fiscal years. 155

(2) Division (F) (1) of this section does not apply in the 156
case of either of the following: 157

(a) The institution pursuant to federal law appeals its 158
loss of eligibility for federal financial aid and the United 159
States secretary of education determines its cohort default rate 160
after recalculation is lower than the rate specified in division 161
(F) (1) of this section or the secretary determines due to 162
mitigating circumstances that the institution may continue to 163
participate in federal financial aid programs. The chancellor 164
shall adopt rules requiring any such appellant to provide 165
information to the chancellor regarding an appeal. 166

(b) Any student who has previously received a grant 167
pursuant to any provision of this section, including prior to 168
the section's amendment by Am. Sub. H.B. 1 of the 128th general 169
assembly, effective July 17, 2009, and who meets all other 170
eligibility requirements of this section. 171

(3) The chancellor shall adopt rules for the notification 172
of all institutions whose students will be ineligible to 173
participate in the grant program pursuant to division (F)(1) of 174
this section. 175

(4) A student's attendance at any institution whose 176
students are ineligible for grants due to division (F)(1) of 177
this section shall not affect that student's eligibility to 178
receive a grant when enrolled in another institution. 179

(G) Institutions of higher education that enroll students 180
receiving needs-based financial aid grants under this section 181
shall report to the chancellor all students who have received 182
such needs-based financial aid grants but are no longer eligible 183
for all or part of those grants and shall refund any moneys due 184
the state within thirty days after the beginning of the quarter 185
or term immediately following the quarter or term in which the 186
student was no longer eligible to receive all or part of the 187
student's grant. There shall be an interest charge of one per 188
cent per month on all moneys due and payable after such thirty- 189
day period. The chancellor shall immediately notify the office 190
of budget and management and the legislative service commission 191
of all refunds so received. 192

Sec. 3333.167. The chancellor of higher education shall 193
establish policies and procedures for awarding credit for career 194
or technical certification programs offered by community 195
colleges and state community colleges and for applying that 196

credit toward an associate degree in a related field. 197

Sec. 3333.20. (A) The chancellor of higher education shall 198
adopt educational service standards that shall apply to all 199
community colleges, university branches, technical colleges, and 200
state community colleges established under Chapters 3354., 201
3355., 3357., and 3358. of the Revised Code, respectively. These 202
standards shall provide for such institutions to offer or 203
demonstrate at least the following: 204

(1) An appropriate range of career or technical programs 205
designed to prepare individuals for employment in specific 206
careers at the technical or paraprofessional level~~7~~. The 207
standards shall require community colleges and state community 208
colleges to award credit for career or technical certification 209
programs and to apply that credit toward an associate degree in 210
a related field in accordance with the policies and procedures 211
established under section 3333.167 of the Revised Code. 212

(2) Commitment to an effective array of developmental 213
education services providing opportunities for academic skill 214
enhancement; 215

(3) Partnerships with industry, business, government, and 216
labor for the retraining of the workforce and the economic 217
development of the community; 218

(4) Noncredit continuing education opportunities; 219

(5) College transfer programs or the initial two years of 220
a baccalaureate degree for students planning to transfer to 221
institutions offering baccalaureate programs; 222

(6) Linkages with high schools to ensure that graduates 223
are adequately prepared for post-secondary instruction; 224

(7) Student access provided according to a convenient	225
schedule and program quality provided at an affordable price;	226
(8) That student fees charged by any institution are as	227
low as possible, especially if the institution is being	228
supported by a local tax levy;	229
(9) A high level of community involvement in the decision-	230
making process in such critical areas as course delivery, range	231
of services, fees and budgets, and administrative personnel.	232
(B) The chancellor shall consult with representatives of	233
state-assisted colleges and universities, as defined in section	234
3333.041 of the Revised Code, in developing appropriate methods	235
for achieving or maintaining the standards adopted pursuant to	236
division (A) of this section.	237
(C) In considering institutions that are co-located, the	238
chancellor shall apply the standards to them in two manners:	239
(1) As a whole entity;	240
(2) As separate entities, applying the standards	241
separately to each.	242
When distributing any state funds among institutions based	243
on the degree to which they meet the standards, the chancellor	244
shall provide to institutions that are co-located the higher	245
amount produced by the two judgments under divisions (C)(1) and	246
(2) of this section.	247
Section 2. That existing sections 3333.122 and 3333.20 of	248
the Revised Code are hereby repealed.	249