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H.B. 9*
133rd General Assembly

Bill Analysis

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Version: As Reported by Senate Higher Education

Primary Sponsors: Reps. Jones and Sweeney

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SUMMARY

Degree completion at state institutions of higher education

- Requires the Chancellor of Higher Education to develop an electronic equivalency management tool to assist in the transfer of coursework and degrees between state institutions of higher education.
- Requires each state university to inform a student about the university's transfer appeals process and the Department of Higher Education's student complaint portal, when the university refuses to accept and grant credit for certain general education coursework completed by the student at another state institution of higher education.
- Requires the Ohio Articulation and Transfer Network Oversight Board to conduct a study of, and prepare a report about, rules regarding the transfer of college credit, and submit the report to the General Assembly.
- Requires each state university to review its student records every two years to determine if certain disenrolled students who did not complete a bachelor's degree are eligible, or close to being eligible, for an associate degree.
- Specifies that a state university must inform any eligible students of their potential eligibility for an associate degree and that each university must report the findings of each review to the Chancellor.

* This analysis was prepared before the report of the Senate Higher Education Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

- Requires a state institution of higher education, under certain circumstances, to waive an eligible student's tuition and general fees for a course that is necessary to complete a bachelor's degree.
- Requires each state institution of higher education to include in its strategic completion plan required under continuing law a report about its collaboration through an initiative of the Chancellor to assist students who have some college experience, but no degree, in earning an associate degree, certificate, or credential.

Educational Choice Scholarship Program

- Revises the eligibility criteria for the Educational Choice Scholarship (Ed Choice) Program.
- Earmarks \$20 million to reimburse school districts for deductions of state foundation aid for that fiscal year associated with students who receive a first-time Ed Choice Scholarship because they would be assigned to a district school building that meets certain criteria under continuing law and the student completed eighth grade while homeschooled or enrolled in private school in the prior school year.

Academic distress commission

- Dissolves any academic distress commission established for a school district on or before the bill's effective date if it receives an overall "D" or higher on the 2018-2019 state report card.

DETAILED ANALYSIS

Transfer of credits between state institutions

The bill requires that the Chancellor of Higher Education develop an electronic equivalency management tool to assist in the transfer of coursework and degrees between state institutions of higher education. The tool also must help minimize inconsistent judgement about the application of transfer credits and assist in allowing transfer credits to be applied in the same manner at each institution. Similarly, the tool must include the universal documentation of course and program equivalencies statewide and must be incorporated into a website.¹

The bill also specifies that a state university must inform a student about how to utilize the university's transfer appeal process, and the Department of Higher Education's student complaint portal, if the university refuses to accept or grant credit for general education coursework completed by the student at another state institution of higher education. However, that applies only if the coursework is subject to policies, procedures, and systems regarding the transfer of credit under continuing law.²

¹ R.C. 3333.16(B)(3).

² R.C. 3333.16(E).

Additionally, the bill requires the Ohio Articulation and Transfer Network Oversight Board to conduct a study of current rules regarding the transfer of college credit between state institutions of higher education and, within a year after the bill's effective date, submit to the General Assembly a report that includes the study's findings and any recommended changes to the rules.³

Review of student records for associate degree eligibility

The bill requires that, beginning two years after the bill's effective date, each state university must review its student records every two years to identify students who meet all of the following criteria:

1. The student disenrolled within the five years prior to the first review and within the prior two years for each subsequent review;
2. The student has been disenrolled for four or more semesters, including summer sessions;
3. The student did not complete a bachelor's degree;
4. The student has a 2.0 or higher grade point average on a 4.0 scale; and
5. The student completed at least 45 credit hours.

Each state university then must determine whether an identified student is eligible, or close to being eligible, for an associate degree from that university and, if so, notify the student of that fact using the most recent contact information the university has on file. Additionally, each state university must report to the Chancellor the findings of each review.

The Chancellor must adopt rules as necessary to implement this provision.⁴

Waiver of tuition and general fees for final course

The bill requires a state institution of higher education to waive an undergraduate student's tuition and general fees for a final course that is necessary to complete a bachelor's degree if the student meets certain eligibility criteria.

A student's eligibility for a waiver of tuition and general fees for a final course is connected to the student's actions in the student's "final year" at the state institution and the next academic year in which the course is offered. Under the bill, a "final year" is the last academic year of full-time study that a bachelor's degree program is typically designed to require, as determined by the Chancellor. A student must receive a waiver of tuition and general fees if all of the following apply to the student:

1. The student was enrolled full-time, as defined by the Chancellor, in the student's final year;

³ R.C. 3333.16(F).

⁴ R.C. 3345.351.

2. The student was unable to enroll in the final course in the student's final year due to a lack of course availability or other circumstances beyond the student's control, as determined by the Chancellor;
3. The student paid all tuition and general fees and did not receive a refund for the courses in which the student enrolled in the student's final year at the beginning of that year;
4. The student registers for the final course in the next academic year in which the course is offered;
5. The student did not enroll in the maximum amount of credit hours in the student's final year, as determined by the state institution of higher education.

However, the bill specifies that the final course cannot be a general elective, and that qualifying for a waiver of tuition and general fees does not grant the student guaranteed or priority registration for the final course.

Additionally, the bill requires the Chancellor to adopt rules to implement this provision.⁵

Approved bachelor's degree programs

Under continuing law, the Chancellor must approve or disapprove all new degrees and degree programs at state institutions of higher education, and state institutions are expressly prohibited from offering new degrees or programs without the Chancellor's approval.⁶

Generally, community colleges, state community colleges, and technical colleges offer two-year degrees or shorter programs. But, recently, the Chancellor was authorized to establish a program under which community colleges, technical colleges, and state community colleges may offer "applied bachelor's degree" programs.⁷

An "applied bachelor's degree" under continuing law is a bachelor's degree that is (1) based on a curriculum that incorporates theoretical and applied knowledge and skills in a specific technical field and (2) designed for an individual with an applied science associate degree to maximize the application of technical course credits toward the bachelor's degree.⁸ Since an "applied bachelor's degree" is a type of bachelor's degree, presumably the requirement to waive tuition and general fees for a final course applies to "applied bachelor's degree" programs in the same manner as other bachelor's degree programs.

Report on institutional collaboration

The bill requires each state institution of higher education to include in its strategic completion plan required under continuing law a report about its collaboration with other

⁵ R.C. 3345.481.

⁶ R.C. 3333.04(N) and 3333.07(C), neither in the bill.

⁷ R.C. 3333.051(A), not in the bill.

⁸ R.C. 3333.051(C)(1), not in the bill.

institutions through an initiative of the Chancellor to assist students who have some college experience, but no degree, in earning an associate degree, certificate, or credential. The report must include information about the state institution's efforts to assist students in attaining an associate degree, certificate, or credential while earning a bachelor's degree or using college credit transferred between state institutions.⁹

Under continuing law, each state institution must adopt an institution-specific strategic completion plan designed to increase the number of degrees and certificates awarded to students. Each state institution must update its plan at least once every two years and provide a copy of the updated plan to the Chancellor.¹⁰

According to the Chancellor's website, the Chancellor created a "Credit When It's Due" initiative in 2013 to assist eligible students who have some college experience, but no degree, with obtaining an associate degree through collaboration among state institutions of higher education. All of Ohio's community colleges, state community colleges, technical colleges, and state universities participate in the initiative.¹¹

Educational Choice scholarships

Eligibility

The bill makes several changes to the Educational Choice (Ed Choice) Scholarship Program eligibility.

First, it specifies that a student who would be assigned to a district school building that meets certain criteria under continuing law is eligible for a first-time Ed Choice scholarship if the student completed eighth grade while homeschooled or enrolled in a public or private school in the prior school year, rather than completing any of grades 8 through 11 as under current law.¹²

Second, for the 2020-2021, 2021-2022, or 2022-2023 school year, it disqualifies a student for a first-time Ed Choice scholarship if the student's resident school district is not subject to an academic distress commission and the school to which the student would otherwise be assigned either:

1. Receives an overall grade of "A," "B," or "C" on the most recent state report card;
2. Receives an overall grade of "D" on the most recent state report card and was not ranked in two of the three most recent years in the lowest 20% of school buildings according to performance index ranking.¹³

⁹ R.C. 3345.81(D).

¹⁰ R.C. 3345.81(B) and (C).

¹¹ <https://www.ohiohighered.org/CWID>.

¹² R.C. 3310.03.

¹³ R.C. 3310.033.

Third, it increases the base family income eligibility criteria of the income-based Educational Choice Expansion Program to 300% of the federal poverty line (FPL), rather than 200% of FPL as under current law.¹⁴

Finally, it specifies that a student receiving a scholarship whose family income subsequently rises above the base family income must receive a 75% pro-rated scholarship amount if that income is between 300% and 350%; and a 50% pro-rated amount if that income is between 350% and 400% (rather than as under current law under which a student receives a 75% pro-rated amount for an income between 200% and 300% and a 50% pro-rated amount for an income between 300% and 400%).¹⁵

The bill makes those provisions effective immediately.¹⁶

Reimbursements

The bill earmarks \$20 million to reimburse school districts for deductions of state foundation aid for FY 2021 associated with students who receive a first-time Ed Choice Scholarship because they would be assigned to a district school building that meets certain criteria under continuing law and the student completed eighth grade while homeschooled or enrolled in private school in the prior school year. It also requires the Department of Education to prorate the payments if the amount earmarked for that purpose is insufficient.¹⁷

Background

The Ed Choice Scholarship Program operates statewide in every school district except Cleveland to provide scholarships for students who (1) are assigned or would be assigned to district school buildings that have persistently low academic achievement (“traditional Ed Choice”) or (2) are from low-income families (“Ed Choice Expansion”). Under current law the income-based portion of the program, a student qualifies if the student’s family income is 200% of poverty or below, but a student can continue to receive a reduced scholarship as family income increases up to 400% of poverty. Students may use their scholarships to enroll in participating chartered nonpublic schools. The amount awarded under the program is the lesser of the tuition charged by the school, minus certain qualifying discounts not related to the student’s family income, athletic ability, or academic ability, or the maximum scholarship award.

The maximum scholarship award is \$4,650 for students in grades K-8 and \$6,000 for students in grades 9-12. For students who qualify based on the performance of their resident districts’ schools, the scholarships are deducted from the districts’ state aid accounts. For

¹⁴ R.C. 3310.032.

¹⁵ R.C. 3310.032.

¹⁶ Section 5.

¹⁷ Section 3.

students who qualify based on family income, the scholarships are paid from a specific appropriation of the General Assembly.

Academic distress commission

The bill dissolves any academic distress commission (ADC) established for a school district on or before to the bill's effective date if that district received an overall grade of "D" or higher on the school report card for the 2018-2019 school year.

The bill also requires each district affected by the bill's provision to continue operating under its ADC as prescribed by current law until June 30, 2020, during which time the ADC and the chief executive officer for the ADC must work with the district board to transition control back to the district board.

Finally, the bill requires the Department of Education to pay the remainder of each chief executive officer's contract upon dissolution of the ADC.¹⁸

For a detailed description of current law on academic distress commissions, see pp. 10 to 23 of the LSC Final Analysis of H.B. 70 of the 131st General Assembly at: <https://www.legislature.ohio.gov/download?key=2653&format=pdf>.

HISTORY

| Action | Date |
|-------------------------------|----------|
| Introduced | 05-21-19 |
| Reported, H. Higher Education | 06-26-19 |
| Passed House (95-0) | 06-27-19 |
| Reported, S. Higher Education | --- |

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¹⁸ R.C. 3302.103.