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Bill Analysis

Legislative Service Commission

H.B. 484

125th General Assembly
(As Introduced)

Rep. C. Evans

BILL SUMMARY

- Effective July 1, 2005, generally restricts new participation in the Post-Secondary Enrollment Options Program (PSEO) to students in grades 11 and 12.
- Permits a school district superintendent, after consultation with the student's parents, teachers, and guidance counselors, to grant a waiver to a 9th or 10th grade student (who did not participate in the 2004-2005 school year) so that the student may participate in PSEO as a 9th or 10th grader.
- Effective July 1, 2005, requires new students participating in PSEO to be Ohio residents.
- Effective July 1, 2005, requires new students participating in PSEO, except 9th and 10th grade students who are granted a waiver, to attain a proficient score on any related Ohio Graduation Test prior to enrolling in a post-secondary course.
- Specifies that the purpose of PSEO is to provide enriched education opportunities to students that are equivalent to or beyond the opportunities offered by the students' high schools.
- Prohibits an institution of higher education from admitting a PSEO student to a course unless the institution determines that the course provides enriched education programs that are equivalent to or beyond the opportunities offered by the student's high school.
- Permits students who participated in PSEO in the 2004-2005 school year (including those who were in the 9th or 10th grades) to continue to

participate in the program in subsequent school years in the same manner as they did in the 2004-2005 school year.

CONTENT AND OPERATION

Background

The Post-Secondary Enrollment Options Program (PSEO) allows high school students to enroll in post-secondary, nonsectarian courses on a full- or part-time basis and to receive high school and college credit for those courses if successfully completed. Students in public high schools (school districts and community schools) and nonpublic high schools (chartered and nonchartered) are eligible to participate in the program. Institutions of higher education that may enroll students under PSEO include any state college or university or any private institution that either offers degree programs approved by the Ohio Board of Regents or is regulated by the State Board of Career Colleges and Schools.

PSEO consists of two "options," which the student elects at the time of enrolling in the course. Under Option A, the student receives only college credit for the course and is responsible for payment of all tuition charges and the cost of all textbooks, materials, and fees associated with the course. Under Option B, the student receives both college credit and high school credit for successfully completing the course, and the state makes a payment to the institution of higher education on the student's behalf. The amount of the payment is the lesser of:

(1) The aggregate of the actual cost of tuition, textbooks, materials, and fees associated with the course; or

(2) The full-time equivalent percentage of time the student attends the course multiplied by the current per pupil base-cost amount for school districts (the current school funding "formula amount" times the "cost-of-doing-business-factor" of the school district in which the student is entitled to attend school). The formula amount for fiscal year 2005 is \$5,169. Cost-of-doing-business factors vary by county from the lowest factor of "1" to the highest factor of "1.0750."¹

The aggregate of the amounts paid to institutions of higher education for students also enrolled in the schools of a school district or in a community school is deducted from the state aid account of the district or community school. The aggregate of the amounts paid to institutions of higher education for students also

¹ See R.C. 3317.012, 3317.02, and 3317.022, none in the bill.

enrolled in nonpublic schools is paid out of a separate state fund, since those schools do not receive operations funding from the state.²

Effective date

(Section 4)

Effective on July 1, 2005, the bill makes the changes described below in PSEO.

Grade levels that may participate

(R.C. 3365.01(E), 3365.02(A) and (C), 3365.021, 3365.03(A), 3365.06, and 3365.08)

Currently, any student in grades 9 through 12 may participate in the PSEO. The bill restricts participation to students in grades 11 and 12, except for 9th and 10th grade students who are granted a waiver under the bill's provisions or for students who participated in the program during the 2004-2005 school year (the school year that concludes just before the bill takes effect). (See below.)

Waivers

(R.C. 3365.11)

The bill provides that a student who is in grade 9 or 10 may enroll in a post-secondary course under PSEO, if the superintendent of the school district or the chief administrator of the community school or nonpublic school in which the student is enrolled grants a waiver to that student.³ The superintendent or

² *Nonpublic school students and their parents must receive counseling from their high schools that explains to them that funding for their participation in PSEO may be limited and that not all students who wish to participate may be able to do so (R.C. 3365.021).*

Chartered nonpublic schools do receive some state funds for administrative purposes and for providing "auxiliary services" to their students, but they do not receive general operating revenue from the state. The current biennial appropriations act earmarks up to \$1.46 million in each of fiscal years 2004 and 2005 from the appropriations for these auxiliary services payments for PSEO payments for nonpublic school students (Section 41.10 of Am. Sub. H.B. 95 of the 125th General Assembly, line-item 200-511).

³ *The waiver granted to the student is to exempt the student from the grade restrictions otherwise imposed under the bill and from the requirement to attain a proficient score on any Ohio Graduation Test related to the college course also imposed under the bill. No other requirements of the program, including the continuing requirement that a student*

administrator may grant the waiver, if the superintendent or administrator believes that the student is able to satisfactorily complete the course based on the student's prior academic performance. In deciding whether to grant a waiver, the superintendent or administrator is required to consult with the student's parents, teachers, and guidance counselors.⁴

Ohio residency

(R.C. 3365.02)

The bill specifies that a student must be a resident of Ohio to participate in PSEO. Most students participating in the program would be Ohio residents if they are entitled to attend school in a school district. Nevertheless, it is possible that a student enrolled in a *nonpublic* school in the state may not be a resident but under current law might still be eligible to participate in PSEO. The bill would eliminate this possibility for new participants.

Ohio Graduation Tests

(R.C. 3365.02(G))

The Ohio Graduation Tests (OGT) are a battery of 10th grade tests in the subject areas of reading, writing, mathematics, science, and social studies. The tests are administered for the first time to 10th graders in March of each school year. Attaining a "proficient" score on all five areas, along with completion of the high school curriculum, is required for high school graduation.⁵ The bill requires that students who wish to participate in PSEO must attain at least a proficient score on the OGT related to the post-secondary course in which the student plans

have a GPA of 3.0 on a 4.0 scale in the subject area in order to participate, may be waived.

⁴ *As for all other students in the program under continuing law, the bill also requires that the high schools provide 9th and 10th grade students who participate in PSEO under a waiver and their parents with counseling to ensure that they are fully aware of the possible risks and consequences of participation. Some of the topics that must be addressed in this counseling include program eligibility, consequences of failing or withdrawing from the course, and information about and encouragement to use the guidance services of the institution of higher education in which the student intends to enroll.*

⁵ *Under current law, not changed by the bill, the State Board of Education prescribes cut scores for five levels of achievement on the OGT and the other required achievement tests prescribed for lower grades in various areas. The levels are: "advanced," "accelerated," "proficient," "basic," and "limited." (R.C. 3301.0710, not in the bill.)*

to enroll. However, 9th and 10th grade students who receive a waiver from the age restrictions will not have taken the OGT when they enroll in the course and are exempt from this requirement as well as the age restriction (see above).

Purpose statement

(R.C. 3365.02)

The bill specifies that the purpose of PSEO is "to provide enriched education opportunities to students in the eleventh and twelfth grades that are equivalent to or beyond the opportunities offered by the high school in which they are enrolled."

Admission to post-secondary course aligned with purpose statement

(R.C. 3365.03(B))

The bill specifies that an institution of higher education may not admit a student to a post-secondary course unless the institution has determined that the course satisfies the PSEO purpose statement (see above).

Exemption for students who participate in PSEO in the 2004-2005 school year

(Section 3)

The bill provides that its provisions do not apply to any student who enrolls in a post-secondary course under PSEO in the 2004-2005 school year. Instead, those students must be permitted to enroll in a post-secondary course under the program in subsequent school years just as they would under current law and do not have to comply with any new requirements imposed by the bill, presumably including the requirement to be an Ohio resident to participate. In addition, those students do not need to receive a waiver from the age restrictions or the OGT restrictions in order to participate. For example, a student in 9th grade who participates in PSEO in 2004-2005 would not need a waiver to participate in 10th grade in 2005-2006, even though the bill generally requires a waiver for 10th grade students beginning that year. Likewise, a student in 9th or 10th grade who participates in PSEO in 2004-2005 would not need to attain a proficient score on any OGT (or have this requirement waived) to continue participating in 11th and 12th grades.

HISTORY

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Introduced	05-04-04	p. 1804

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