



# Ohio Legislative Service Commission

## Bill Analysis

Julie A. Rishel

### H.B. 168

130th General Assembly  
(As Introduced)

**Reps.** C. Hagan, J. Adams, Antonio, Beck, Blair, Boose, Buchy, Butler, Derickson, Duffey, Grossman, Henne, Hood, Huffman, Landis, Lynch, Maag, O'Brien, Pelanda, Retherford, Rosenberger, Schuring, Slaby, Slesnick, Sprague, Terhar, Thompson, Wachtmann

---

## BILL SUMMARY

- Creates a subprogram of the Post-Secondary Enrollment Options Program under which an eligible student may participate in an apprenticeship program not offered by the student's secondary school.
- Requires, not later than December 31, 2013, the Chancellor of the Ohio Board of Regents and the Superintendent of Public Instruction, in consultation with the Director of Development Services and the Administrator of Workers' Compensation, to develop a proposal to implement the subprogram and submit it to the State Board of Education for consideration.
- Requires the State Board to adopt rules to implement the subprogram, which, among other requirements, must include requirements a student must fulfill in order to participate in the subprogram, a process by which a student may secure an apprenticeship, and formulas for funding students enrolled in the subprogram.
- Requires the Chancellor and the Department of Education, not later than July 1, 2016, and on July 1 of every fifth year thereafter, to submit a report on the subprogram's effectiveness to the Governor and General Assembly.

---

## CONTENT AND OPERATION

### Apprenticeship and the Post-Secondary Enrollment Options Program

The bill creates a subprogram of the Post-Secondary Enrollment Options Program (PSEOP; see "**Background – PSEOP**," below) under which, beginning with

the 2014-2015 school year, an eligible student may participate in an apprenticeship program not offered by the student's secondary school. The subprogram must operate in accordance with rules adopted under the bill.<sup>1</sup>

## **Proposal and rule adoption**

The bill requires, not later than December 31, 2013, the Chancellor of the Ohio Board of Regents and the Superintendent of Public Instruction, in consultation with the Director of Development (now the Director of Development Services) and the Administrator of Workers' Compensation, to develop a proposal to implement the subprogram and submit it to the State Board of Education for consideration. Not later than June 30, 2014, upon consideration of that proposal, the State Board, then must adopt rules in accordance with the Administrative Procedure Act to implement the subprogram. The rules must include at least all of the following:

- Requirements a student must fulfill in order to participate in the subprogram, including a minimum grade point average of 2.5 out of a 4.0, or its equivalent;
- A process by which a student may secure an apprenticeship;
- A process for approval of each student's apprenticeship, including a method for evaluating the educational benefits of the apprenticeship;
- A stipulation of the maximum number of hours per week a student may work as an apprentice;
- A method for determining actual costs to a business for participation in the subprogram, including workers' compensation and other insurance costs and training costs;
- A funding formula for students enrolled in a school district, community school, or STEM school, including a maximum amount, to pay businesses for costs associated with employing students under the subprogram (the amount paid for the subprogram for each participant must be subtracted from the payments made to the participant's school district's, community school's, or STEM school's state aid account);
- A funding formula for students enrolled in a nonpublic school, including a maximum amount, to pay businesses for costs associated with employing students under the subprogram (the amount paid for each

---

<sup>1</sup> R.C. 3365.16(B).



student participating in the subprogram must be subtracted from the amount set aside from state Auxiliary Services funds for that purpose);

- The method for making payments to participating businesses;
- A method by which credits for a certificate or certificates earned in an apprenticeship under the subprogram may transfer for college credit.

Each college must determine whether or not to accept work credits under the subprogram.<sup>2</sup>

## **Report to the Governor and General Assembly**

The bill requires the Chancellor and the Department of Education, not later than July 1, 2016, and on July 1 of every fifth year thereafter, to submit a report on the subprogram's effectiveness to the Governor and General Assembly in accordance with the continuing law requirements for submitting reports to the General Assembly.<sup>3</sup>

## **Definitions**

The bill defines the following terms:

"Eligible student" means an Ohio resident who is enrolled in a school district, chartered nonpublic school, community school, or STEM school and is at least 16 years of age.

"Apprenticeship program" means any apprenticeship program that is certified or registered by the United States Department of Labor (see "**Background – apprenticeship programs**," below).

## **Background – PSEOP**

The PSEOP enables high school students to enroll in college courses for college credit only, or for both high school and college credit. Unless an alternative funding mechanism is used, students who choose to receive only college credit must pay the college's tuition and fees themselves. But for most who elect to receive high school credit as well, money for the colleges' tuition and fees is deducted from their school

---

<sup>2</sup> R.C. 3365.16(C).

<sup>3</sup> R.C. 3365.16(D), by reference to R.C. 101.68, not in the bill.



districts' state aid (or, in the case of nonpublic schools, from an amount set aside from state Auxiliary Services funds).<sup>4</sup>

## Background – apprenticeship programs

The National Apprenticeship Act of 1937<sup>5</sup> directs the U.S. Secretary of Labor to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of these standards by encouraging including the standards in apprenticeship contracts, to bring together employers and labor for the formulation of programs of apprenticeship, to cooperate with state agencies engaged in the formulation and promotion of standards of apprenticeship, and to cooperate with appropriate federal agencies. Under the regulations adopted by the Secretary, an apprentice must be 16 years of age or older (unless another, higher minimum age has been established by law) and the apprenticeship program must have an organized, written plan addressing the terms and conditions of employment, training, and supervision of one or more apprentices and must satisfy other requirements.<sup>6</sup>

Registration of an apprenticeship program is voluntary. The Secretary, under the Secretary's regulations, may allow a state agency to register apprenticeship programs if that agency satisfies certain requirements. In Ohio, the Ohio Apprenticeship Council within the Department of Job and Family Services registers apprenticeship programs and those registered programs are considered to be registered for purposes of the federal law.<sup>7</sup>

---

## HISTORY

ACTION	DATE
Introduced	05-16-13

h0168-i-130.docx/ks

---

<sup>4</sup> R.C. 3365.01, 3365.02, 3365.04, and 3365.07 to 3365.10.

<sup>5</sup> 29 United States Code 50.

<sup>6</sup> 29 Code of Federal Regulations (C.F.R.) 29.1 and 29.5

<sup>7</sup> 29 C.F.R. 29.13, R.C. Chapter 4139., Ohio Department of Job and Family Services, Ohio Apprenticeship Council, <http://jfs.ohio.gov/apprenticeship/index.stm> (accessed June 3, 2013), and United States Department of Labor, Employment and Training Administration, State Agencies, <http://www.doleta.gov/oa/stateagencies.cfm> (accessed June 3, 2013).

