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## DEPARTMENT OF HIGHER EDUCATION (BOARD OF REGENTS)

### Board of Regents name change

- Renames the office of the Board of Regents as the "Department of Higher Education."
- Renames the Chancellor of the Board of Regents as the "Director of Higher Education."

### Bachelor's degree program at two-year colleges

- Allows a community college, technical college, or state community college to offer bachelor's degree programs, upon receiving approval from the Director of Higher Education, in subject areas that are not the same or substantially similar as (1) those currently offered by any state university within 30 miles of the college or (2) those that a state university plans to offer within a year of the college's application.
- Requires the Director to conduct two studies, one not later than December 31, 2018, and one not later than December 31, 2020, to determine the effects of bachelor's programs at two-year colleges on fulfilling the needs of students and local industry and to submit those studies to the General Assembly and Governor.

### Cap on undergraduate tuition increases

- For fiscal year 2016, limits the increases of in-state undergraduate instructional and general fees for:
  - (1) State universities and the Northeast Ohio Medical University to 2% or \$200, whichever is higher, over the previous year; and
  - (2) University regional campuses, community colleges, state community colleges, and technical colleges to 2% or \$100, whichever is higher, over the previous year.
- For fiscal year 2017, prohibits an increase in in-state undergraduate instructional and general fees for all state institutions of higher education.

### In-state tuition for veterans, spouses, and dependents

- Qualifies a veteran for in-state tuition at a state institution of higher education, if the veteran (1) is receiving federal veterans' education benefits under the G.I. Bill, (2) served on active duty for at least 90 days, and (3) resides in the state as of the first day of a term of enrollment.



- Qualifies a veteran's spouse or dependent for in-state tuition at a state institution of higher education, if the spouse or dependent (1) is receiving transferred federal veterans' education benefits under the G.I. Bill from a veteran who served on active duty for at least 90 days and (2) resides in the state as of the first day of a term of enrollment.

### **Overload fees**

- Prohibits state institutions of higher education from charging overload fees for courses taken in excess of the institution's full course load, except in specified circumstances.

### **Tuition guarantee program**

- Specifies in permanent law that no other statutory limitation on the increase of in-state undergraduate instructional and general fees applies to a state university that has established an undergraduate tuition guarantee program.

### **College credit for International Baccalaureate courses**

- Requires state institutions of higher education to establish a policy to grant credit for successful completion of the International Baccalaureate Diploma Program (IB).

### **OSU student trustee voting power**

- Requires the board of trustees of the Ohio State University to adopt a resolution to grant or not grant voting power to student members.
- Authorizes the university's board to adopt subsequent resolutions to change the voting status of student trustees.
- Prohibits a student from being disqualified as a voting student trustee, if the student receives financial aid or is employed in certain student employment positions.
- Exempts voting student trustees from the law that disqualifies the university's trustees from holding faculty or other positions at the university if the compensation for that position is paid from the state treasury or a university fund.

### **STEM Public-Private Partnership Pilot Program**

- Establishes the STEM Public-Private Partnership Pilot Program to encourage public-private partnerships between high schools, colleges, and the community.
- Requires the Director of Higher Education to administer the Program, and to select five partnerships to participate in the Program.



- Requires the Director to adopt rules for implementation of the Program, including application requirements and various operational requirements.
- Provides that a partnership selected for participation in the Program may use the grants awarded only for transportation, classroom supplies, and primary instructors for a course offered under the Program.

### **Report on performance of teacher preparation program graduates**

- Moves, from December 31 to February 15, the annual deadline for the Director to report to the Governor and the General Assembly the aggregate academic growth data for students of graduates of teacher preparation programs.

### **Evaluation of courses and programs**

- Requires each state institution of higher education, not later than January 1, 2016, and every five years thereafter on January 1, to evaluate, based on enrollment and student performance, all courses and programs the institution offers.

### **OSU committee**

- Eliminates the requirement that the Ohio University College of Osteopathic Medicine to have an advisory committee.

### **OSU Extension fingerprinting of 4-H volunteers**

- Stipulates that any OSU Extension policy or guideline requiring 4-H volunteers to be fingerprinted must require only individuals who become volunteers on or after the bill's effective date to be fingerprinted and to be fingerprinted only once.

### **Higher Education Innovation Grant Program**

- Requires the Director of Higher Education to establish the Ohio Higher Education Innovation Grant Program to promote educational excellence and economic efficiency to stabilize or reduce student tuition rates through grants to state and private institutions of higher education.

### **Career counseling program**

- Requires the Director of Higher Education, in consultation with state institutions of higher education and nonprofit private institutions of higher education, to develop implementation strategies regarding career counseling by December 31, 2015.



## **Ohio Task Force on Affordability and Efficiency in Higher Education report**

- Specifies that no recommendation of the Ohio Task Force on Affordability and Efficiency in Higher Education may be implemented without the approval of the General Assembly or, if a change to Ohio law is necessary for the recommendation to take effect, without the enactment of the required changes by the General Assembly.
- Requires all state institutions of higher education, upon submission of the report of the Task Force, to complete, by July 1, 2016, an efficiency review based on the report and, within 30 days after the completion of the efficiency review, to provide a report to the Director of Higher Education that describes how it will implement the recommendations and any other cost savings measures.

### **Reserve fund transfers**

- Makes changes regarding the administration of scholarship program reserve funds.

### **Board of Regents name change**

(R.C. 103.48, 121.03, 125.901, 1713.02, 1713.03, 1713.031, 1713.04, 1713.05, 1713.06, 1713.09, 1713.25, 3313.603, 3313.902, 3319.22, 3319.223, 3319.61, 3333.01, 3333.011, 3333.012 (renumbered from 3333.031), 3333.021, 3333.03, 3333.032, 3333.04, 3333.041, 3333.042, 3333.043, 3333.044, 3333.045, 3333.047, 3333.048, 3333.049, 3333.0410, 3333.0411, 3333.0412, 3333.0413, 3333.0414, 3333.05, 3333.06, 3333.07, 3333.071, 3333.08, 3333.09, 3333.10, 3333.11, 3333.12, 3333.121, 3333.122, 3333.123, 3333.124, 3333.13, 3333.14, 3333.15, 3333.16, 3333.161, 3333.162, 3333.163, 3333.164, 3333.17, 3333.171, 3333.18, 3333.19, 3333.20, 3333.21, 3333.22, 3333.23, 3333.25, 3333.26, 3333.28, 3333.29, 3333.30, 3333.31, 3333.33, 3333.34, 3333.342, 3333.35, 3333.36, 3333.37, 3333.372, 3333.373, 3333.374, 3333.375, 3333.39, 3333.391, 3333.392, 3333.43, 3333.44, 3333.50, 3333.55, 3333.58, 3333.59, 3333.61, 3333.611, 3333.612, 3333.613, 3333.62, 3333.63, 3333.64, 3333.65, 3333.66, 3333.67, 3333.68, 3333.69, 3333.70, 3333.71, 3333.72, 3333.73, 3333.731, 3333.74, 3333.75, 3333.76, 3333.77, 3333.78, 3333.79, 3333.82, 3333.83, 3333.84, 3333.86, 3333.87, 3333.90, 3333.91, 3334.08, 3345.022, 3345.05, 3345.06, 3345.061, 3345.32, 3345.35, 3345.421, 3345.45, 3345.48, 3345.50, 3345.51, 3345.54, 3345.692, 3345.70, 3345.72, 3345.73, 3345.74, 3345.75, 3345.76, 3345.81, 3354.01, 3354.071, 3354.09, 3357.01, 3357.071, 3357.09, 3357.19, 3358.071, 3365.02, 3365.07, 3365.14, 3365.15, 4763.01, 5104.30, 5709.93, 5747.01, 5751.20, 5910.08, and 5919.341; Sections 263.210, 263.260, 263.340, and 733.10; Uncodified Chapter 369.)

The bill renames the administrative office of the Ohio Board of Regents as the "Department of Higher Education" and the Chancellor of the Board of Regents as the "Director of Higher Education." The bill maintains the current law that the Board of Regents acts as an advisory board to the Director.

### **Bachelor's degree programs at two-year colleges**

(R.C. 3333.0414, 3354.071, 3357.071, and 3358.071; conforming changes in R.C. 3354.01, 3354.09, 3357.01, 3357.09, 3357.19, 3358.01, and 3358.08)

#### **Approval for two-year colleges to offer bachelor's degree programs**

The bill permits the board of trustees of any community college, technical college, or state community college to apply to the Director of Higher Education for approval to offer bachelor's degree programs in subject areas that are not either of the following:

(1) The same or substantially similar subject areas currently offered at any state university, either on its main campus or a regional campus, or university branch, that is within 30 miles of the main campus of the college;

(2) The same or substantially similar subject areas that a state university plans to offer on its main campus, regional campus, or university branch within one year of the date the college submits its application for approval.

Before granting approval to a program, the Director must determine and certify that there is a demonstrated need for such a program in the geographic area of the community college, technical college, or state community college. If the Director grants approval, the college may offer such programs and award the appropriate bachelor's degrees to students upon completion of the programs.

#### **Study of bachelor's degree programs offered by two-year colleges**

The bill requires the Director to conduct and complete two studies of the bachelor's degree programs approved and offered by community colleges, technical colleges, and state community colleges under the bill's provisions to determine the effects of the programs on fulfilling the needs of students and local industry. The first study must be completed not later than December 31, 2018, and the second study must be completed not later than December 31, 2020. Each study must be submitted to the General Assembly and the Governor.



## **Cap on undergraduate tuition increases**

(Section 369.170)

For fiscal year 2016 (the 2015-2016 academic year), the bill requires the board of trustees of each state institution of higher education to limit increases of in-state undergraduate instructional and general fees as follows:

(1) For each state university and the Northeast Ohio Medical University, not more than 2% or \$200, whichever is higher, over what the institution charged the previous year;

(2) For each university regional campus, not more than 2% or \$100, whichever is higher, over what the institution charged the previous year; and

(3) For each community college, state community college, or technical college, not more than 2% or \$100, whichever is higher, over what the institution charged the previous year.

For fiscal year 2017 (the 2016-2017 academic year), the bill prohibits the boards of trustees of each state institution of higher education from increasing its in-state undergraduate instructional and general fees over what the institution charged for the 2015-2016 academic year.

As in previous biennia when the General Assembly capped tuition increases, the bill's limits do not apply to increases required to comply with institutional covenants related to the institution's obligations or to meet unfunded legal mandates or legally binding prior obligations or commitments. Further, the Director of Higher Education, with Controlling Board approval, may modify the limitations to respond to exceptional circumstances as the Director identifies.

The bill specifies that these limitations do not apply to institutions that participate in an undergraduate tuition guarantee program (see below).

## **In-state tuition for veterans, spouses, and dependents**

(R.C. 3333.31)

The bill qualifies a veteran for in-state tuition at state institutions of higher education, if the veteran is the recipient of federal veterans' education benefits under the "All-Volunteer Force Educational Assistance Program" (also called the Montgomery G.I. Bill) or the "Post 9/11 Veterans Educational Assistance Program" (also called the Post 9/11 G.I. Bill). In order to qualify, the veteran also must (1) have served on active



duty for at least 90 days and (2) reside in the state as of the first day of a term of enrollment at the institution.

The bill also qualifies a veteran's spouse or dependent for in-state tuition at state institutions of higher education, if (1) the spouse or dependent is the recipient of transferred education benefits under either of the aforementioned G.I. Bills and (2) the veteran from who the benefits were transferred served on active duty for at least 90 days. Additionally, the spouse or dependent, whichever is applicable, must reside in the state as of the first day of a term of enrollment at the institution.

Current law, not affected by the bill, also qualifies a veteran and the veteran's spouse and dependents for in-state tuition under a different set of conditions. To qualify under that provision, the veteran must have (1) served at least one year on active military duty or (2) been killed in action or declared a prisoner of war (POW) or missing in action (MIA). Additionally, if the veteran is seeking residency status for in-state tuition, the veteran must have established domicile in the state as of the first day of a term of enrollment. If the spouse or dependent is seeking such status, both the veteran and the spouse or dependent must have established domicile, unless the veteran was killed in action or declared POW or MIA.

It appears that, under the bill, veterans and their spouses and dependents may continue to qualify under the current law or may qualify under the new provision, so long as all of the criteria are met.

## **Overload fees**

(R.C. 3345.46)

The bill prohibits state institutions of higher education from charging overload fees for courses taken in excess of the institution's full course load, except for:

(1) Credit hours in excess of 18 per semester (or the equivalent number per quarter, as determined by the board of trustees of each institution).

(2) Courses from which the student withdraws prior to a date specified by the board of trustees, if the student's course load (a) exceeds the full course load, but (b) is less than or equal to 18 credit hours per semester, or the equivalent.

An "overload fee" is defined by the bill as "a fee or increased tuition rate charged to students who enroll in courses for a total number of credit hours in excess of a full course load." Each board of trustees must define what constitutes a "full course load" at that institution. For example, if the board defines its full course load as 15 credit hours



per semester, that institution may not charge an overload fee for credit hours 16, 17, or 18, so long as the student does not withdraw from a course prior to the specified date.

## **Undergraduate tuition guarantee program**

(R.C. 3345.48)

The bill specifies in permanent law that, except as specified in the provision that authorizes a university to establish a tuition guarantee program, no other statutory limitation on the increase of in-state undergraduate instructional and general fees applies to a state university that establishes such a program. Section 369.170 of the bill, an uncodified section, does this for fiscal years 2016 and 2017 (see above).

### **Background**

A state university that establishes a tuition guarantee program affords eligible students in the same cohort a guarantee to pay a fixed rate for general and instructional fees for four years, in exchange for the possibility of a one-time increase in those fees. That increase may be up to 6% above what has been charged in the previous academic year one time for the *first* cohort of the tuition guarantee program. Thereafter, the one-time increase is the sum of the 60-month (five-year) rate of inflation as measured by the Consumer Price Index, plus the amount of any General Assembly-imposed limit on the increase of in-state undergraduate general and instructional fees (tuition increase cap) once per each cohort. If the General Assembly does not enact a tuition increase cap, then no limit applies to the one-time increase under the guarantee for a cohort that first enrolls in such an academic year.

## **College credit for International Baccalaureate courses**

(R.C. 3345.38)

The bill requires the board of trustees of each state institution of higher education to establish a policy to grant undergraduate course credit to students who successfully completed the International Baccalaureate Diploma Program (IB) (see "**Background on the IB diploma**," below). The policy must do both of the following:

(1) Establish conditions for granting course credit, including the minimum scores required on IB examinations in order to receive credit;

(2) Identify specific course credit or other academic requirements of the institution, including the number of credit hours or other course credit that the institution will grant to a student who completes the IB program.



Under continuing law, districts and schools may offer IB as one of the advanced standing programs specified in law. Advanced standing programs are programs in which a student, who is currently enrolled in high school, may choose to participate in order to earn credit toward a college degree while also completing the high school curriculum.<sup>96</sup> Under current law, there is no provision that requires institutions of higher education to award college credit for IB courses.

### **Background on the IB diploma**

An IB diploma is earned through an interdisciplinary education program and is recognized at various institutions of higher education both nationally and internationally. The program, approved by the IB Organization, includes examinations in specified traditional and nontraditional courses, community service requirements, and an extended essay.

### **Student trustee voting power – Ohio State University**

(R.C. 3335.02 and 3335.09)

The bill requires the board of trustees of the Ohio State University to adopt a resolution to grant or not grant voting power to student members and authorizes the university's board to adopt subsequent resolutions to change the voting status of student trustees. A student cannot be disqualified as a voting student trustee if the student receives financial aid or is employed in certain student employment positions.

Continuing law disqualifies the university's trustees and their relatives from holding faculty or other positions at the university if the compensation for that position is paid from the state treasury or a university fund. The bill exempts student trustees who are granted voting power from this disqualification.

### **STEM Public-Private Partnership Pilot Program**

(Section 733.20)

The bill establishes the STEM Public-Private Partnership Pilot Program to encourage public-private partnerships between high schools, colleges, and the community to provide high school students the opportunity to receive education in a targeted industry while simultaneously earning high school and college credit. The Pilot Program is to operate for fiscal years 2016 and 2017.

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<sup>96</sup> R.C. 3313.6013, not in the bill.



The Director of Higher Education must administer the Pilot Program, and must select five partnerships to participate in the Pilot Program, one from each quadrant of the state and one from the central part of the state. A partnership will receive a one-time grant of \$400,000.

The bill requires the Director to adopt rules for implementation of the Pilot Program that include, but are not limited to, the following operational requirements:

(1) A partnership must consist of one community college or state community college, one or more private companies, and one or more public or private high schools.

(2) The partnering community college or state community college must pursue one targeted industry during the Pilot Program; however, the community college or state community college may partner with multiple private companies within the targeted industry.

(3) Students who take courses under the Pilot Program will earn college credit for the courses from the community college or state community college.

(4) Students, high schools, and colleges that participate in the Pilot Program must do so under the College Credit Plus Program.

(5) The curriculum offered by the Pilot Program must be developed and agreed upon by all members of the partnership.

(6) The private company or companies that are part of the partnership must provide full- or part-time facilities to be used as classroom space.

The Director must develop an application and review process to select the five partnerships that are to receive grants under the Pilot Program. The community college or state community college is responsible for submitting the application for the partnership to the Director. The application must include a proposed budget for the Pilot Program, presumably insofar as the applicant's participation in the Pilot Program is concerned.

The Director is to select the five partnerships for the Pilot Program based on the following considerations:

(1) Whether the partnership existed before the application was submitted;

(2) Whether the partnership is oriented toward a targeted industry;



(3) The likelihood of a student gaining employment upon graduating from high school or upon completing a two-year degree in the industry to which the partnership is oriented in relation to its geographic region;

(4) The number of students projected to be served by the partnership;

(5) The partnership's cost per student;

(6) The sustainability of the partnership beyond the duration of the two-year Pilot Program; and

(7) The level of investment made by the private company partner or partners in the partnership, including financially and through the use of facilities, equipment, and staff.

A partnership selected for participation in the Pilot Program may use the grants awarded only for transportation, classroom supplies, and primary instructors for a course offered under the Program. Classroom supplies include, but are not limited to, textbooks, furniture, and technology. Primary instructors include, but are limited to, faculty from participating high schools and community colleges or state community colleges, including adjunct faculty.

### **Report on performance of teacher preparation program graduates**

(R.C. 3333.041)

Moves, from December 31 to February 15, the annual deadline for the Director of Higher Education to report to the Governor and the General Assembly the aggregate academic growth data for students of graduates of teacher preparation programs.

### **Evaluation of courses and programs**

(R.C. 3345.35)

The bill requires each state institution of high education to evaluate by January 1, 2016, and every five years thereafter by January 1, all courses and programs offered by the institution. The evaluation must be based on enrollment and student performance. For courses with low enrollment, the institution must evaluate the benefits of collaboration with other state institutions, based on geographic region, to deliver the course. Finally, each institution must submit its findings to the Director of Higher Education not later than 30 days after completion of the evaluation.

## **OU College of Osteopathic Medicine advisory committee**

(R.C. 3337.10; repealed R.C. 3337.11)

The bill eliminates the requirement that the Ohio University College of Osteopathic Medicine have an advisory committee. It also eliminates all requirements related to the committee's structure and membership, including provisions specifying the election of officers and quorums at committee meetings. Finally, it eliminates a duty of the committee to annually submit recommendations to Ohio University's Board of Trustees.

## **OSU Extension fingerprinting of 4-H volunteers**

(R.C. 3335.361)

The bill stipulates that any OSU Extension policy or guideline that requires volunteers for 4-H programs to be fingerprinted must require only individuals who become volunteers on or after the provision's effective date to be fingerprinted, and to be fingerprinted only one time. OSU Extension must modify any prior policy or guideline regarding fingerprinting of 4-H volunteers to comply with that stipulation.

Current law defines "OSU Extension" as the Cooperative Extension Service established by the federal Smith-Lever Act and administered in Ohio by the Ohio State University. Employees of OSU Extension conduct educational activities related to agriculture, natural resources, community development, family and consumer sciences, and 4-H programs throughout Ohio.<sup>97</sup>

## **Higher Education Innovation Grant Program**

(R.C. 3333.70)

The bill requires the Director of Higher Education to establish and administer the Ohio Higher Education Innovation Grant Program to promote educational excellence and economic efficiency to stabilize or reduce student tuition rates. The Director is required to award grants to state institutions of higher education and private nonprofit institutions of higher education for innovative projects that incorporate academic achievement and economic efficiencies. Institutions may apply for grants and collaborate with other institutions of higher education, either public or private, on the projects.

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<sup>97</sup> R.C. 1.611 and 3335.36, neither in the bill.



The bill requires the Director to adopt rules to administer the program, including requirements that each grant application provide for all of the following:

- A system to measure academic achievement and reductions in expenditures;
- Demonstration of how the project's value will be sustained beyond the grant period and continue to provide substantial value and lasting impact;
- Proof of commitment from all parties responsible for implementing the project; and
- Implementation of an ongoing evaluation process and improvement plans, as necessary.

### **Work experiences and career counseling in curriculum programs**

(Section 369.570)

The bill requires the Director of Higher Education, in consultation with state institutions of higher education and nonprofit private institutions of higher education to develop implementation strategies by December 31, 2015, to do all of the following:

(1) Embed work experiences, including but not limited to internships and cooperatives, into the curriculum of degree programs starting in the 2016-2017 academic year;

(2) Explore ways to increase student participation in in-demand occupations, including computer sciences; and

(3) Create industry clusters to develop curriculum that can be used for competency based tests.

These implementation strategies must also include the use of the OhioMeansJobs website as a central location for higher education students to access information on work experiences and career opportunities.

The bill also requires that, by December 31, 2015, each institution of higher education must display a link to the OhioMeansJobs website in a prominent location on the institution's website.

Finally, the bill requires the Director to work with institutions of higher education to have a career counseling program in place by December 31, 2015.



## **Ohio Task Force on Affordability and Efficiency in Higher Education Report**

(Sections 369.560 and 369.590)

On February 10, 2015, the Governor signed an executive order establishing the Ohio Task Force on Affordability and Efficiency in Higher Education.<sup>98</sup> The Task Force must "review and recommend ways in which state-sponsored institutions of higher education . . . can be more efficient" in a number of different areas. The Task Force must submit a report of its recommendations to the Governor and General Assembly by October 1, 2015, at which point it will be dissolved.

### **Implementation of Task Force recommendations**

The bill specifies that no recommendation of the Task Force may be implemented without the approval of the General Assembly or, if a change to Ohio law is necessary for the recommendation to take effect, without the enactment of the required changes in Ohio law by the General Assembly.

### **Efficiency review based on Task Force recommendations**

The bill also specifies that, upon submission of the report of the Task Force, all state institutions of higher education, by July 1, 2016, must complete an efficiency review based on the report and recommendations of the Task Force. Within 30 days after the completion of the efficiency review, each institution must provide a report to the Director of Higher Education that describes how it will implement the recommendations and any other cost savings measures.

### **Deadline for certification of reserve fund transfer of scholarship programs**

(R.C. 3333.124, 3333.613, 5910.08, and 5919.341)

The bill authorizes the Director of Budget and Management to transfer funds from the reserve funds of the Ohio College Opportunity Grant Program, Ohio First Scholarship Program, Ohio National Guard Scholarship Program, and War Orphans Scholarship Program in order to meet General Revenue Fund (GRF) obligations, if it is determined that GRF appropriations are insufficient. Current law authorizes the Director to transfer "any unencumbered balance" of those funds to the GRF.

The bill authorizes the Director of Budget and Management to transfer the unexpended balance of the amounts initially transferred to the GRF back to those scholarship reserve funds, if the funds transferred from those reserve funds are not

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<sup>98</sup> Executive Order 2015-01K.



needed. The bill also eliminates an authorization for the Director to seek Controlling Board approval to establish appropriations for the National Guard Scholarship Reserve Fund.

Finally the bill revises, from July 1 of each fiscal year to "as soon as possible following the end of each fiscal year," the deadline by which the Director of Higher Education must certify to the Director of Budget and Management the unencumbered balance of GRF appropriations made in the immediately preceding fiscal year for the Ohio College Opportunity Grant Program, Ohio First Scholarship Program, Ohio National Guard Scholarship Program, and War Orphans Scholarship Program.

