

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD83 Term of the Chancellor

R.C. 3333.03, 121.03, Section 630.12

R.C. 3333.03, 121.03, Section 630.12

No provision.

Changes the term of the Chancellor of the Board of Regents (BOR) from five years to the term of the appointing Governor.

Same as the House.

No provision.

Specifies that the Chancellor serves at the pleasure of the Governor, instead of permitting the Governor to remove the Chancellor only for inefficiency, dereliction of duties, ethics violations, falsification of files, or corruption.

Same as the House.

**Fiscal effect: None.****Fiscal effect: None.**

## BORCD84 In-state Tuition for Ohio High School Graduates

R.C. 3333.31

R.C. 3333.31

No provision.

Grants residency status, for purposes of in-state college tuition, to Ohio high school graduates who enroll in an institution of higher education and establish domicile in Ohio within 10 years of high school graduation, regardless of residence prior to enrollment.

Same as the House, but prohibits granting residency status to any alien unless the alien has been granted: (1) the right to reside permanently and work without restrictions in the United States, or (2) the right to reside temporarily in the United States.

**Fiscal effect: Potential increase in the number of undergraduate students eligible for State Share of Instruction (SSI) subsidy, which could result in a small decrease in the amount of subsidy funding per student.****Fiscal effect: Same as the House.**

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD62 Three-year Baccalaureate Degree Statements****R.C. 3333.43**

Requires all state institutions of higher education that offer baccalaureate degrees to issue a statement describing a method of earning those degrees within three academic years consisting of the equivalent of two semesters each, as a condition of the Chancellor's reauthorization of those baccalaureate programs.

Permits the statements to include, but not be limited to the following methods of earning credit: (1) advanced placement; (2) international baccalaureate; (3) courses offered by other institutions or earned through the post-secondary enrollment options program; (4) courses completed during the summer session immediately preceding the three-year period if the summer courses are available to at least 95% of students who apply to enroll in such courses; and (5) foreign language proficiency exam.

If one of the above methods requires a passing score, grade, or exam level to earn credit, requires that the statement specify the score, grade, or level.

Prohibits the statements from requiring students to take more than a standard course load per term.

Requires statements for 10% of programs by October 15, 2012, and 60% by June 30, 2014. Requires the programs with the greatest enrollments receive statements first.

Requires institutions to post the statements on their websites and provide them to the Department of Education for distribution to school districts.

**R.C. 3333.43**

Same as the Executive, but removes the two-semester limit on the definition of an academic year.

Same as the Executive, but eliminates the requirement that the summer courses in (4) immediately precede the three-year period and be available to at least 95% of students.

No provision.

No provision.

Same as the Executive, but permits institutions to choose which programs receive statements first.

Same as the Executive.

**R.C. 3333.43**

Same as the House, but specifies that the three-year degree statement requirements do not apply to any baccalaureate degree program that is a cooperative education program, as defined in R.C. section 3333.71.

Same as the House.

No provision.

No provision.

Same as the House.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

Specifies that institutions do not have to include anything in their statements that would violate accreditation requirements.

Same as the Executive, but specifies that institutions do not have to "take any actions" that would violate accreditation requirements, rather than "include anything in their statements."

Same as the House.

**Fiscal effect: Potential costs if institutions must increase course offerings in order to accommodate a student obtaining a degree in three years. Possible minimal cost to institutions for the creation of the three-year degree statements.**

**Fiscal effect: Same as the Executive, but requirements are potentially easier to meet and, therefore, less costly.**

**Fiscal effect: Same as the House.**

## BORCD63

## Choose Ohio First Scholarship Eligible Programs

R.C. 3333.66

Expands eligibility for Choose Ohio First grants to include colleges and universities that propose initiatives to award scholarships for graduate-level science, technology, engineering, math, or medicine teacher education students who establish domicile in Ohio and commit to teach for at least three years in a hard-to-staff Ohio school district. Specifies that priority may be given to candidates who graduated from an Ohio high school.

**Fiscal effect: May change the distribution of Choose Ohio First grants.**

R.C. 3333.66

Same as the Executive.

**Fiscal effect: Same as the Executive.**

R.C. 3333.66

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD78 Distance Learning Clearinghouse

R.C. 3333.81, 3333.82, 3333.87

Expands the entities required to adopt rules for the distance learning clearinghouse to include the State Board of Education in addition to the Chancellor, and specifies the rules be adopted in consultation with the Director of the Governor's Office of 21st Century Education.

Eliminates a provision permitting the Chancellor to contract with another entity to administer the distance learning clearinghouse.

Requires the eTech Ohio Commission, in consultation with the Chancellor and the State Board of Education, to distribute information about the clearinghouse in an easily understandable format to students and parents.

**Fiscal effect: Increase in administrative costs for eTech for the development and distribution of information about the clearinghouse.**

R.C. 3333.81, 3333.82, 3333.87

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

R.C. 3333.81, 3333.82, 3333.87

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## BORCD79 Distance Learning Clearinghouse Location

R.C. 3333.81, Section 371.60.70

Specifies that the distance learning clearinghouse is to be located at the Ohio Resource Center for Mathematics, Science, and Reading administered by the College of Education and Human Ecology at The Ohio State University. Requires the College to provide access to its online repository of educational content to offer courses from multiple providers at competitive prices for Ohio students.

R.C. 3333.81, Section 371.60.70

Same as the Executive.

R.C. 3333.81, Section 371.60.70

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

Requires the College to review the content of courses, assess their alignment with Ohio academic standards, and publish information about the degree of alignment.

Same as the Executive.

Same as the Executive.

Requires the College to indicate a reasonable amount of academic credit to be earned for each course. Specifies that schools retain full authority to determine the actual credit awarded to their students.

Same as the Executive.

Same as the Executive.

Specifies that fees charged for courses are to be set by course providers and permits the College to retain a percentage of the fee.

Same as the Executive.

Same as the Executive.

Permits the College to establish policies to protect the proprietary interest or intellectual property of the educational content and courses in the clearinghouse. Permits the College to require end users to agree to the terms of any such policies before accessing the courses.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Increase in expenditures for the College offset by fee revenue collected by the College.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**BORCD76**

**Distance Learning Clearinghouse Guidelines**

**R.C. 3333.81, 3333.82**

**R.C. 3333.81, 3333.82**

**R.C. 3333.81, 3333.82**

Establishes the following guidelines for the distance learning clearinghouse:

Same as the Executive.

Same as the Executive.

(1) Requires all Ohio students to have access to high quality distance learning courses at any point in their educational careers;

(1) Same as the Executive.

(1) Same as the Executive.

(2) Requires all students to be able to customize their education using distance learning courses offered through the clearinghouse. Specifies that no eligible student is to be denied access to any course in the clearinghouse;

(2) Same as the Executive.

(2) Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

(3) Permits students to take distance learning courses for all or any portion of their curriculum requirements. Permits students to use a combination of distance learning courses and traditional classroom courses;

(3) Same as the Executive.

(3) Same as the Executive.

(4) Permits students to earn an unlimited number of academic credits through distance learning courses;

(4) Same as the Executive.

(4) Same as the Executive.

(5) Permits students to take distance learning courses at any time of the calendar year;

(5) Same as the Executive.

(5) Same as the Executive.

(6) Requires student advancement to be based on a demonstration of subject area competency instead of completion of any particular number of hours of instruction;

(6) Same as the Executive.

(6) Same as the Executive.

**Fiscal effect: Presumably any additional costs related to the clearinghouse will be borne by the Board of Regents and, possibly, The Ohio State University.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

## BORCD77

## Distance Learning Clearinghouse School Involvement

R.C. 3333.81, 3333.83, 3333.84, 3333.85, 3313.603

R.C. 3333.81, 3333.83, 3333.84, 3333.85, 3313.603

R.C. 3333.81, 3333.83, 3333.84, 3333.85, 3313.603

Replaces a requirement that distance learning students have course enrollment, grades, and credits approved by their district or school with a requirement that each district and school encourage and assist students to enroll in distance learning courses.

Same as the Executive.

Same as the Executive.

Requires that a district or school award a student credit for successful completion of a distance learning course. Requires that the credit awarded for the distance learning course be equal to the credit awarded for a similar course offered by the district or school.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

Specifies that districts or schools cannot limit student access to or participation in clearinghouse courses, or refuse to recognize clearinghouse courses as fulfilling curriculum requirements, including high school diploma requirements.

Same as the Executive.

Same as the Executive.

Specifies that districts and schools are not required to pay distance learning course fees.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Schools may be able to decrease expenditures by awarding credit for distance learning courses taken by their students instead of courses offered by the school. Presumably, schools may choose to pay course fees for their students, but they are not required to do so.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

## BORCD80

## Digital Learning Task Force

R.C. 3333.81, Section 371.60.80

Creates the Ohio Digital Learning Task Force to develop a strategy for the expansion of digital learning that enables students to customize their education, produces cost savings, and meets the needs of Ohio's economy.

R.C. 3333.81, Sections 371.60.80

Same as the Executive.

R.C. 3333.81, Sections 371.60.80

Same as the Executive.

Specifies the members of the Task Force as the Chancellor of the Ohio Board of Regents, the Superintendent of Public Instruction, the Director of the Governor's Office of 21st Century Education, and up to six members appointed by the Governor, who represent districts in the top 5% according to the performance index that have demonstrated an ability to incorporate technology into the classroom.

Same as the Executive, but permits the Chancellor, the Superintendent, and the Director to send designees; removes the requirement that the Governor's appointees represent school districts in the top 5% of districts according to the performance index; specifies that the Governor's appointees also may represent community schools; and adds two new members - one appointed by the Speaker of the House and one appointed by the Senate President.

Same as the House.

## Executive

## As Passed by the House

## As Reported by Senate Finance

Requires that members of the Task Force be appointed by September 30, 2011. Specifies that Task Force vacancies are to be filled in the same manner as the original appointments. Specifies that members serve without compensation.

Same as the Executive, but changes the deadline for appointment of members to 60 days after the bill's effective date.

Same as the House.

Requires the Governor to designate the chairperson of the Task Force. Specifies that meetings of the Task Force are to be held at the call of the chairperson.

Same as the Executive.

Same as the Executive.

Provides a list of issues that the task force is to make recommendations on, including: (1) free, high quality digital content and instruction; (2) professional development for teachers and principals; (3) funding strategies; (4) student assessment and accountability; (5) digital learning infrastructure; (6) mobile learning; (7) the distance learning clearinghouse; (8) ways to align the resources and digital learning initiatives of state agencies and offices; (9) a request for proposals for a digital learning site, to replace the OhioLearns! Gateway; (10) methods of addressing future changes in technology and learning.

Same as the Executive, but eliminates (9) and adds methods for removing redundancy and inefficiency in, and providing coordination of, all digital learning programs, including the provision of free online instruction to public and nonpublic schools statewide.

Same as the House.

No provision.

Requires the Task Force to (1) request information from textbook publishers about digital textbooks and digital content distribution methods, (2) examine potential cost savings and academic benefits of using digital textbooks, (3) examine potential academic benefits of utilizing digital content distribution methods, (4) examine digital content pilot programs and initiatives (5) examine any state-level initiatives to provide digital content in Ohio.

Same as the House.

Requires the Task Force to issue a report to the Governor and the General Assembly by March 1, 2012. Specifies that, upon issuance of its report, the Task Force will cease to exist.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**Fiscal effect: Probable increase in administrative costs relating to the establishment and operations of the task force.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

BORCD87

Electronic Textbook Programs

R.C. 3333.81, Section 371.60.90

Requires the Chancellor to facilitate full implementation of digital textbook and content pilot programs planned at state institutions of higher education and to ensure that those pilot programs examine cost savings, efficiencies, and academic benefits of digital content.

**Fiscal effect: Possible increase in administrative costs for BOR.**

R.C. 3333.81, Section 371.60.90

Same as the House.

**Fiscal effect: Same as the House.**

BORCD97

Out-of-State Tuition Surcharge Forgiveness Program

No provision.

No provision.

R.C. 3333.93, 3333.94

Creates the Ohio Out-of-State Tuition Surcharge Forgiveness Program, which defers the out-of-state tuition surcharge for nonresident students who agree to live and work in Ohio for at least five years immediately subsequent to graduation and forgives the deferred surcharges when students honor the five-year obligation.

No provision.

No provision.

Requires the Chancellor to adopt rules to administer the program, including student eligibility; processes for application, award, accounting, and transfers; a maximum deferment amount; and conditions for deferment cancelation. Requires all applicants to file a statement of selective service status.

## Executive

## As Passed by the House

## As Reported by Senate Finance

No provision.

No provision.

Authorizes the boards of trustees of the state institutions to limit the number of their students who may participate and to establish eligibility standards for their students.

No provision.

No provision.

Converts the amount of the out-of-state surcharge into a loan to be repaid with interest if the recipient fails to live and work in Ohio for five years, withdraws from school, or fails to meet the standards of deferment. Requires the Chancellor to determine the loan repayment period. Specifies that the Chancellor and the Attorney General collect payments on converted loans.

No provision.

No provision.

Specifies that the program is to incrementally forgive the total amount of out-of-state surcharges deferred for every year the graduate lives and works in Ohio: 10% at the end of the first year, 20% at the end of the second year, 30% at the end of the third year, 50% at the end of the fourth year, and 100% at the end of the fifth year.

No provision.

No provision.

Specifies that students who receive the deferment as an undergraduate and subsequently go directly to a graduate program at a state institution do not begin payment until after the end of their graduate study. Specifies that students remaining in Ohio after graduation have a maximum of six months to satisfy the work requirement before the loan repayment period begins.

**Fiscal effect: Decrease in tuition revenues for state institutions of higher education enrolling out-of-state students. In FY 2010, approximately 47,000 nonresident students attended state institutions, paying a weighted average out-of-state surcharge of approximately \$9,900. Any payment of the deferred surcharges is collected by the state.**

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD81 Tuition Trust Default Investment Option

R.C. 3334.19

Requires the Tuition Trust Authority to establish, within the Variable College Savings Program, a default investment option to benefit contributors who are first-time investors or have low to moderate incomes.

**Fiscal effect: A default option may help to encourage new investors to join the Program, indirectly increasing program assets.**

R.C. 3334.19

Same as the Executive.

**Fiscal effect: Same as the Executive.**

R.C. 3334.19

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## BORCD93 OSU Highway Transportation and Research Fund

No provision.

No provision.

R.C. 3335.45, Section 371.70.10

Eliminates the existing The Ohio State University Highway and Transportation Research Fund (Fund 6490) and requires that the cash balance in that fund be paid to The Ohio State University on July 1, 2011, or as soon as possible thereafter.

## BORCD82 Student Groups and Religious Beliefs

No provision.

R.C. 3345.023

Prohibits any state institution of higher education from denying benefits to a religious student group based on the group's requirement that its leaders or voting members adhere to its religious beliefs or standards of conduct.

**Fiscal effect: None.**

R.C. 3345.023

Same as the House, but eliminates the qualifier "voting."

**Fiscal effect: None.**

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD75 College Remediation

## R.C. 3345.061

Requires the presidents of the state institutions to jointly establish, by December 31, 2012, uniform statewide standards in math, science, reading, and writing for a college student to be considered as having a "remediation-free" status. Allows the presidents also to establish assessments for determining if students meet the standards. Requires the state institutions' boards of trustees or managing authorities to adopt the remediation-free status standard and any related assessments into the institution's policies.

Requires the state institutions annually to report (1) their remediation costs, both in the aggregate and disaggregated according to the school districts from which the students graduated and (2) any other information with respect to remedial courses that the Chancellor considers appropriate.

Requires the Chancellor and the Superintendent of Public Instruction to issue a report no later than December 31, 2011, and annually thereafter, recommending policies and strategies for reducing the need for college remedial courses at state institutions.

**Fiscal effect: Possible increase in administrative expenditures for institutions' creation of statewide standards and the annual report. Possible minimal increase in administrative expenditures for the creation of the annual report by the Chancellor and Superintendent.**

## R.C. 3345.061

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## R.C. 3345.061

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD64      Research Employee Intellectual Property****R.C.      3345.14**

Expands the definition of what employees of public colleges or universities may hold equity in, under rules adopted by the board of trustees of that institution, to include "intellectual property," in addition to discoveries and inventions as in existing law.

**Fiscal effect: None.**

**R.C.      3345.14**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C.      3345.14**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**BORCD65      Faculty Workload Policies****R.C.      3345.45, Section 733.20**

Requires state institutions to modify their faculty workload policies or adopt policies, if they do not already have any. Requires that the workload policies include that, beginning with the 2011-2012 academic year, each full-time research and instructional faculty member must teach at least one additional course during each two-year period than the previous two-year period or, alternatively, that each academic unit increase its aggregate faculty teaching loads by the equivalent number of courses.

Requires the Chancellor, by December 1, 2012, to report to the Governor and the General Assembly on the efforts of state institutions of higher education to increase teaching workloads for full-time faculty, including an appendix showing courses taught by faculty during FY 2010 - FY 2012, and those planned for FY 2013.

No provision.

No provision.

No provision.

No provision.

Executive

As Passed by the House

As Reported by Senate Finance

**Fiscal effect:** It is not clear how this policy would be implemented by institutions. Potentially, fewer faculty would be needed to teach the same number of courses, resulting in lower expenditures for institutions. On the other hand, research faculty may need to substitute teaching time for research time, which may lead to a decrease in research-related revenue for the institutions, or faculty may demand increased pay for the increased teaching workload. The Board of Regents may incur minimal administrative costs in reporting to the Governor and General Assembly.

BORCD92 State Institutions Leaseback Agreements

No provision.

No provision.

R.C. 3345.54, 3345.55

Authorizes state institutions of higher education and university housing commissions to enter into lease agreements with nonpublic vendors to construct and operate new or existing campus housing facilities.

No provision.

No provision.

Authorizes state institutions of higher education to enter into agreements to convey "auxiliary" facilities - such as student services buildings, dining halls, athletic facilities, health facilities, etc - to a charitable conduit entity, which will enter into a lease-leaseback arrangement with a third-party independent funding source.

**Fiscal effect:** May increase financial flexibility for state institutions by allowing them to use private businesses to operate campus properties and to use charitable entities to finance auxiliary facilities.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD66 Charter Universities Plan

## R.C. 3345.81

Requires the Chancellor to develop a plan for designating public institutions of higher education as charter universities.

Requires the Chancellor, in developing the plan, to study the existing financial and administrative relationships between the state and public higher education institutions, examine legal and other issues related to restructuring those relationships, and consult with the institutions' presidents. Requires each state agency and each state institution of higher education to provide the Chancellor with assistance, upon request, in conducting the study and developing the plan.

Requires that the plan specify eligibility criteria, specific areas of financial and operational authority that are subject to increased flexibility, and the nature and term of management agreements between the state and an institution.

Allows institutions meeting the eligibility criteria to enter into negotiations with the Governor to develop a management agreement.

Requires the Chancellor to submit to the General Assembly and the Governor a report of findings and recommendations for developing changes in policy, statute, and administrative rules by August 15, 2011. Specifies that it is the General Assembly's intent to take actions necessary for implementation of the plan to commence July 1, 2012.

## R.C. 3345.81

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

Same as the Executive, but prohibits institutions from being designated as charter universities until the General Assembly has enacted legislation establishing a designation procedure and prohibits the Chancellor from adopting, amending, or rescinding any rules with respect to designating charter universities until legislation is enacted.

## R.C. 3345.81

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

Same as the House.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**Fiscal effect: Possible minimal increase in administrative expenses for the creation of the Chancellor's report and recommendations. Potential savings from increased fiscal flexibility for institutions that are eligible to enter into a management agreement.**

**Fiscal effect: Same as the Executive, but no potential savings for eligible institutions unless additional legislation is enacted.**

**Fiscal effect: Same as the House.**

## BORCD2

## Sea Grant

## Section: 371.10.20

Requires that GRF appropriation item 235402, Sea Grants, be disbursed to the Ohio State University to enhance the economic value, public utilization, and responsible management of Lake Erie and Ohio's coastal resources.

## Section: 371.10.20

Same as the Executive.

## Section: 371.10.20

Same as the Executive.

## BORCD5

## Articulation and Transfer

## Section: 371.10.30

Specifies that GRF appropriation item 235406, Articulation and Transfer, be used to maintain and expand the work of the Articulation and Transfer Council to develop a system of transfer policies that ensure that course work will apply to majors and degrees at any state institution.

## Section: 371.10.30

Same as the Executive.

## Section: 371.10.30

Same as the Executive.

## BORCD6

## Midwest Higher Education Compact

## Section: 371.10.40

Requires that GRF appropriation item 235408, Midwest Higher Education Compact, be used for paying membership fees for the Midwest Higher Education Compact.

## Section: 371.10.40

Same as the Executive.

## Section: 371.10.40

Same as the Executive.

Executive

As Passed by the House

As Reported by Senate Finance

**BORCD7 Information System**

**Section: 371.10.50**

Requires that GRF appropriation item 235409, Information System, be used for the development and implementation of information technology solutions. Requires that the information technology solutions be provided by the Ohio Academic Research Network (OARnet).

**Section: 371.10.50**

Same as the Executive.

**Section: 371.10.50**

Same as the Executive.

**BORCD8 State Grants and Scholarship Administration**

**Section: 371.10.60**

Requires that GRF appropriation item 235414, State Grants and Scholarship Administration, be used to administer various state and federal student financial aid and scholarship programs, support all financial aid audits, and provide fiscal services for the Ohio National Guard Scholarship Program.

**Section: 371.10.60**

Same as the Executive.

**Section: 371.10.60**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD9 Ohio Learning Network****Section: 371.10.70**

Requires that GRF appropriation item 235417, Ohio Learning Network, be used to support the continued implementation of the Ohio Learning Network. Requires the Ohio Learning Network to use these funds to expand access to dual enrollment opportunities for high school students, expand access to adult higher education opportunities through technology, develop and promote learning and assessment through the use of technology, provide advice on emerging learning directed technologies, and facilitate cost effectiveness through shared investments in educational technology.

**Section: 371.10.70**

Same as the Executive, but earmarks \$250,000 in each fiscal year of GRF appropriation item, 235417, Ohio Learning Network, for staff support and operations of the Ohio Digital Learning Task Force.

**Section: 371.10.70**

Same as the House.

**BORCD10 Appalachian New Economy Partnership****Section: 371.10.80**

Requires that GRF appropriation item 235428, Appalachian New Economy Partnership, be distributed to Ohio University to continue to lead a multi-campus and multiagency coordinated effort to link Appalachia to the new economy through entrepreneurship, management, education, and technology.

**Section: 371.10.80**

Same as the Executive.

**Section: 371.10.80**

Same as the Executive.

## Executive

## As Passed by the House

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**BORCD11 Economic Growth Challenge****Section: 371.10.90**

Requires that GRF appropriation item 235433, Economic Growth Challenge, be used for the administrative expenses of the Research Incentive Program and other economic advancement initiatives.

Requires that any transfer of appropriation to GRF appropriation item 235433, Economic Growth Challenge, be used to enhance basic research capabilities of Ohio institutions of higher education.

**Section: 371.10.90**

Same as the Executive.

Same as the Executive.

**Section: 371.10.90**

Same as the Executive.

Same as the Executive.

**BORCD12 Choose Ohio First Scholarship****Section: 371.20.10**

Requires that GRF appropriation item 235438, Choose Ohio First Scholarship, be used according to the statutes authorizing the Choose Ohio First Scholarship Program.

Reappropriates the unexpended, unencumbered portion of the appropriation at the end of FY 2012 for the same purpose for FY 2013.

**Section: 371.20.10**

Same as the Executive.

Same as the Executive.

**Section: 371.20.10**

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

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**BORCD13      Adult and Basic Literacy Education****Section: 371.20.20**

Requires that GRF appropriation item 235443, Adult Basic and Literacy Education – State, be used for the adult basic and literacy education (ABLE) instructional grant program and state leadership program. Requires that supported programs satisfy the state match requirements for the grant program.

**Section: 371.20.20**

Same as the Executive.

**Section: 371.20.20**

Same as the Executive.

**BORCD14      Post-Secondary Adult Career-Technical Education****Section: 371.20.30**

Requires that GRF appropriation item 235444, Post-Secondary Adult Career-Technical Education, be used to provide post-secondary adult career education as specified under state law.

**Section: 371.20.30**

Same as the Executive.

**Section: 371.20.30**

Same as the Executive.

**BORCD15      Area Health Education Centers****Section: 371.20.40**

Requires that GRF appropriation item 235474, Area Health Education Centers Program Support, be used to support medical school regional area health education centers' educational programs.

**Section: 371.20.40**

Same as the Executive.

**Section: 371.20.40**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD16 State Share of Instruction (SSI) Formulas****Section: 371.20.50**

Requires the Chancellor to establish procedures to allocate GRF appropriation item 235501, State Share of Instruction, based on the formulas, enrollment, course completion, degree attainment, and student achievement factors in the instructional models set out in the State Share of Instruction formula.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

**BORCD17 SSI - Full-Time Equivalent Enrollment and Completion****Section: 371.20.50**

Requires that state-assisted institutions report their enrollments to the Chancellor. Requires the Chancellor to exclude all undergraduate students who are not Ohio residents (except those under reciprocity agreements or employer contracts) in defining the number of full-time equivalent (FTE) students for the formula.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

Requires that, in counting core subsidy entitlements for university branch and main campuses, the Chancellor only use FTE students who successfully complete a course.

Same as the Executive.

Same as the Executive.

Specifies that successful course completion FTE students with an expected family contribution (EFC) of less than 2190 or in need of remedial education are defined as "at-risk." Specifies that at-risk FTEs are to be weighted by (A) campus-specific weights determined for each curricular model, (B) campus-specific course completion indexes calculated based on the number of at-risk students during the 2009-2010 academic year, and (C) statewide at-risk course completion

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

weights determined by the percentage of traditional students completing the course and the percentage of at-risk students completing the course.

Limits the number of Medical II model students repeating terms that can be included in FTE counts to no more than 5% of current year FTEs.

Same as the Executive.

Same as the Executive.

Limits the number of law school FTEs that can be counted to those that are residents of Ohio. Provides a table for the maximum number of law school FTEs that can be counted for each university with a law school.

Same as the Executive, but eliminates the table for the maximum number of law school FTEs.

No provision.

**Fiscal effect: The relative number of FTEs within each sector affects the distribution of the SSI subsidy among the institutions.**

**Fiscal effect: Same as the Executive, but law schools enrolling more students than the eliminated maximums may receive higher SSI distributions than otherwise.**

**Fiscal effect: Same as the House, but law schools with nonresident students may receive higher SSI distributions than otherwise.**

BORCD18

SSI - Total Costs Per FTE

**Section: 371.20.50**

Provides a table of total costs per FTE for the 24 non-doctoral curriculum models for each fiscal year, ranging from \$8,000 to \$39,011 for arts and humanities curriculum models; from \$7,124 to \$30,188 for business, education, and social science curriculum models; and from \$7,306 to \$54,039 for science, technology, engineering, mathematics and medicine curriculum models.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD19      SSI - Science, Technology, Engineering, Mathematics, Medical and Graduate Weights****Section: 371.20.50**

Provides a table of curriculum model weights for each fiscal year, including a uniform weight of 1.0000 for all non-doctoral undergraduate-level models in arts, humanities, business, education, and social sciences and various weights ranging from 1.0017 to 1.8798 for graduate-level models and science, technology, engineering, mathematics (STEM), and medicine models.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

**BORCD20      SSI - Student Success Factors****Section: 371.20.50**

Requires that 7.5% of the SSI appropriation for community colleges, state community colleges, and technical colleges in FY 2012 and 10% in FY 2013 be allocated in proportion to each campus's share of college student success factors. Specifies that student success factors be allocated to colleges in proportion to their share of college student success factors as adopted by the Chancellor in formal communication to the Controlling Board on August 30, 2010.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

**BORCD21      SSI - Doctoral Set-Aside****Section: 371.20.50**

Requires that up to 12.89% of the SSI appropriation for university main campuses be set aside for doctoral programs in each fiscal year.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

Specifies that 70% of the doctoral set-aside in FY 2012 and 60% in FY 2013 be allocated among the doctoral-degree granting universities in proportion to each campus's historical shares of the statewide total number of Doctoral I equivalent FTEs, using the greater of the two-year or five-year average FTEs from FY 1994-FY 1998. Specifies that Doctoral I equivalent FTEs be equal to the sum of Doctoral I FTEs plus 1.5 times the sum of Doctoral II FTEs.

Same as the Executive.

Same as the Executive.

Requires that 15% of the doctoral set-aside in FY 2012 and 20% in FY 2013 be allocated to universities in proportion to each campus's share of statewide doctoral degrees, weighted by the cost of the discipline. Specifies that the calculation of doctoral degrees should use the average of the previous three years.

Same as the Executive.

Same as the Executive.

Requires that 7.5% of the doctoral set-aside in FY 2012 and 10% in FY 2013 be allocated to universities in proportion to their share of research grant activity, using a data collection method that is reviewed and approved by the presidents of Ohio's doctoral degree granting universities. Specifies that if the data collection method is not available, funding is to be allocated to universities in proportion to each campus's share of research grant activity published by the National Science Foundation. Specifies that grant awards from the Department of Health and Human Services be weighted at 50%.

Same as the Executive.

Same as the Executive.

Requires that 7.5% of the doctoral set-aside in FY 2012 and 10% in FY 2013 be allocated to universities based on other quality measures that contribute to quality doctoral programs. Specifies that if the quality measures are not identified, the same portion of the doctoral set-aside is to be allocated to the doctoral degree granting universities in proportion to their historical shares of the statewide total

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

number of Doctoral I equivalent FTEs, which equals the sum of Doctoral I FTEs plus 1.5 times the sum of Doctoral II FTEs.

**BORCD22      SSI – Medical Set-Asides****Section: 371.20.50**

Requires that 7.01% of the SSI appropriation for university main campuses in each year be set aside for Medical II FTEs. Requires that these funds be allocated in proportion to each campus's share of the total number of Medical II FTEs, weighted by model cost.

Permits the Northeastern Ohio Universities College of Medicine and Pharmacy (NEOUCOM) to use funds from the addition of 35 medical students at the NEOUCOM academic program at Cleveland State University to enable 50% or more of the medical curriculum to be based at Cleveland State and Cleveland area hospitals and clinics.

Requires that 1.61% of the SSI appropriation for university main campuses in each fiscal year be set aside for Medical I FTEs. Requires that these funds be allocated in proportion to each campus's share of the total number of Medical I FTEs.

**Section: 371.20.50**

Same as the Executive.

Same as the Executive, but changes the term "program" to "campus" and prohibits Cleveland State from receiving state capital appropriations for the NEOUCOM campus.

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

Same as the House, but changes NEOUCOM's name to Northeast Ohio Medical University, to reflect recent legislation.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD23      SSI - Degree Attainment

**Section: 371.20.50**

Requires that 15% of the FY 2012 SSI appropriation for university main campuses and 20% of the FY 2013 appropriation be reserved for support of associate, baccalaureate, masters, and professional level degree attainment. Specifies that degree attainment funding be allocated to universities in proportion to each campus's share of the total statewide degrees granted, weighted by the cost of the degree programs.

Specifies that the count for degree attainment be the average degree attainment for the previous three years.

Provides a table with the maximum number of law and legal studies degrees at each law school that can be included in the degree attainment totals, ranging from 90 for University of Cincinnati to 192 for Cleveland State University.

Specifies that associate degrees be included for the calculation of degree attainment only when earned by students of Access Challenge campuses.

Requires that eligible associate and baccalaureate degrees counted in degree attainment be weighted by a statewide at-risk degree completion weight. Specifies that students who have an expected family contribution (EFC) of less than 2190, are in need of remedial education, are Native American, African American or Hispanic, or are 26 years or older at the time of graduation, are defined as "at-risk."

Specifies that at-risk FTEs are to be weighted by (A) campus-specific weights determined for each curricular model, (B)

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

campus-specific course completion indexes calculated based on the number of at-risk students during the 2009-2010 academic year, and (C) statewide at-risk course completion weights determined by the percentage of traditional students completing the course and the percentage of at-risk students completing the course.

**BORCD24      SSI - Calculation of Formula Entitlements****Section: 371.20.50**

Specifies that the instructional costs for each campus's non-doctoral models be determined by multiplying per FTE curriculum model costs by model weights and by (a) the average number of subsidy-eligible FTEs based on the previous 2 years and (b) the average number of subsidy-eligible FTEs based on the previous 5 years. Specifies that the greater of the two calculations be deemed as the campus's instructional costs.

Specifies that the uniform state share of instructional costs for state community colleges, community colleges, and technical colleges be calculated by dividing the adjusted earmark for those colleges, less the student success allocation, by the sum of all those campuses' instructional costs.

Specifies that the uniform state share of instructional costs for university branch campuses be calculated by dividing the adjusted earmark for those campuses by the sum of all those campuses' instructional costs.

Specifies that the uniform state share of instructional costs for university main campuses be calculated by dividing the adjusted earmark for those campuses, less the doctoral set-

**Section: 371.20.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

aside, the medical set-asides, and degree attainment funding, by the sum of all those campuses' instructional costs.

Specifies that the formula entitlement for each campus be calculated by multiplying the campus's sector level uniform state share of instructional cost by each campus's instructional costs.

Same as the Executive.

Same as the Executive.

**BORCD25 SSI - POM Adjustment****Section: 371.20.50**

Requires that an allocation for facility-based plant operations and maintenance (POM) subsidy be made to campuses. Specifies that the POM campus allocation be based on what each eligible campus received for the FY 2009 POM allocation. Requires that any POM allocations be funded by proportionally reducing entitlement earnings, including POM allocations, for all campuses in a sector.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

**BORCD26 SSI – Stability in SSI Funding****Section: 371.20.50**

Requires that, in FY 2012, no campus receive an SSI allocation less than the lesser of (a) the FY 2011 sector level appropriation, reduced by 3%, or (b) the FY 2011 sector level appropriation, reduced by the percentage change in the sector level appropriation, minus 3 percentage points.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

Requires that, in FY 2013, no campus receive an SSI allocation less than the lesser of (a) the FY 2012 sector level appropriation, reduced by 4%, or (b) the FY 2012 sector level appropriation, reduced by the change in the sector level

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

appropriation, minus 4 percentage points.

Requires that, in FY 2012, no campus with a medical school receive a Medical II set-aside less than the lesser of (a) the FY 2011 Medical II set-aside, reduced by 2%, or (b) the FY 2011 Medical II set-aside, reduced by the percentage change in the sector level appropriation, minus 2 percentage points.

Same as the Executive.

Same as the Executive.

Requires that, in FY 2013, no campus with a medical school receive a Medical II set-aside less than the FY 2012 Medical II set-aside, reduced by 3%.

Same as the Executive.

Same as the Executive.

Specifies that formula entitlement earnings from campuses that do not receive stability funding be proportionally reduced to support the calculated stability funding for the other campuses.

Same as the Executive.

Same as the Executive.

**BORCD27****SSI - Capital Component Deduction****Section: 371.20.50**

Requires that, after all other adjustments have been made, a campus's SSI earnings be reduced by the amount, if any, by which debt service charged for that campus exceeds that campus's capital component earnings. Specifies that the deducted amounts be transferred to GRF appropriation item 235552, Capital Component.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD28      SSI - Distribution****Section: 371.20.50**

Requires that the SSI allocation be distributed in equal monthly payments. Specifies that payments for the first six months of the fiscal year be made based on enrollment estimates and that payments for the last six months of the fiscal year be distributed after Controlling Board approval upon request of the Chancellor.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

**BORCD67      SSI - Exceptional Circumstances and Appropriation Reduction****Section: 371.20.50**

Authorizes adjustments be made to the SSI payments and other subsidies distributed by the Chancellor for exceptional circumstances. Requires the recommendation of the Chancellor and approval of the Controlling Board for these adjustments.

**Section: 371.20.50**

Same as the Executive.

**Section: 371.20.50**

Same as the Executive.

Requires the standard SSI formula provisions to apply to any SSI appropriation reductions occurring prior to the Chancellor's formal approval of the SSI allocation. Specifies that reductions made after the Chancellor's formal approval be applied uniformly to each campus in proportion to its share of the final SSI allocation.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD29 State Share of Instruction for Fiscal Years 2012 and 2013

## Section: 371.20.60

Makes the following earmarks to GRF appropriation item 235501, State Share of Instruction:

(1) \$400,039,672 in FY 2012 and \$403,657,477 in FY 2013 for the community colleges, state community colleges, and technical colleges SSI allocation.

(2) \$115,139,824 in FY 2012 and \$116,181,104 in FY 2013 for the university branch campuses SSI allocation.

(3) \$1,220,350,535 in FY 2012 and \$1,231,386,916 in FY 2013 for the university main campuses SSI allocation.

Makes the following additional earmarks of the sector earmarks listed above:

(1) \$60,996,059 in each fiscal year for Access Challenge allocations to eligible campuses based on each campus's FY 2009 share of GRF appropriation item 235418, Access Challenge.

(2) \$10,323,056 in each fiscal year to be distributed among state-supported community colleges, state community colleges, and technical colleges, in an amount equal to the amount each institution received in FY 2009 from the supplemental tuition subsidy earmarked for FY 2009 in H.B. 119 of the 127th GA.

## Section: 371.20.60

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

## Section: 371.20.60

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD68      Transfer of Instructional Subsidies Between Universities****Section: 371.20.65**

Allows state universities to transfer SSI subsidy allocations between a university's main campus and branch campuses in order to accomplish institutional goals and objectives. Allows the Director of Budget and Management to adjust the earmarked allocations for university main campuses and university branch campuses to accommodate the transfers.

**Section: 371.20.65**

Same as the Executive, but instead of permitting the Director of Budget and Management to adjust the earmarked allocations, permits the Director to transfer appropriation allocations.

**Section: 371.20.65**

Same as the House.

**BORCD69      Restriction on Fee Increases****Section: 371.20.70**

Limits the increase of fees at all state-assisted institutions to 3.5% above what was charged in the prior academic year. Specifies that the tuition increase limitations do not apply to increases required to comply with institutional covenants or certain legal mandates. Specifies that the Chancellor may modify the tuition increase limitations for exceptional circumstances with the approval of the Controlling Board.

**Section: 371.20.70**

Same as the Executive.

**Section: 371.20.70**

Same as the Executive, but changes the cap for community colleges and technical colleges to an increase of \$200 over what the institution charged in the preceding academic year, instead of 3.5%.

**BORCD30      Higher Education Board of Trustees****Section: 371.20.80**

(1) Authorizes colleges and universities, with the approval of the Chancellor, to use instructional subsidies for off-campus undergraduate and master's degree courses of study.  
(2) Requires the board of trustees at each institution to supplement state subsidies by establishing uniform instructional and general fees to be charged to all students

**Section: 371.20.80**

(1) Same as the Executive.  
(2) Same as the Executive.

**Section: 371.20.80**

(1) Same as the Executive.  
(2) Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

for universal services. Allows each board to establish special purpose fees and service charges for individual or specific categories of students that are not applied uniformly. Requires each board to establish a tuition surcharge to out-of-state students.

(3) Prohibits the board of trustees at each institution from authorizing a waiver or nonpayment of instructional or general fees that is not authorized by law or approved by the Chancellor.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Requires each institution of higher education, in its statement of charges, to separately identify the instructional fee, general fee, tuition charge, and tuition surcharge.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Requires that boards of trustees ensure that faculty members devote a proper and judicious part of their work week to actual instruction of students

(5) Same as the Executive.

(5) Same as the Executive.

(6) Requires the boards of trustees of state-assisted institutions of higher education to exercise the authority of the government vested by law in them. States that administrative decisions are the exclusive prerogative of the boards and that any delegation of authority by the boards must be accompanied by appropriate standards of guidance and periodic review of the exercise of the delegated authority.

(6) Same as the Executive.

(6) Same as the Executive.

## BORCD31

## Student Support Services

## Section: 371.20.90

Requires that GRF appropriation item 235502, Student Support Services, be distributed to state-assisted colleges and universities that incur disproportionate support services costs for disabled students.

## Section: 371.20.90

Same as the Executive.

## Section: 371.20.90

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

Specifies that upon the request of the Chancellor, the Director of Budget and Management may transfer any unexpended, unencumbered appropriation in fiscal year 2012 or fiscal year 2013 from appropriation item 235502, Student Support Services, to appropriation item 415506, Services for People with Disabilities. Specifies that any appropriation so transferred shall be used by the Ohio Rehabilitation Services Commission to obtain additional federal matching funds to serve disabled students.

Same as the Executive.

Same as the Executive.

**BORCD32 War Orphans Scholarships****Section: 371.30.10**

Requires that GRF appropriation item 235504, War Orphan Scholarships, be used to reimburse public institutions for waivers of instructional fees and general fees provided to war orphans, provide grants to private institutions, and fund additional scholarships for children of persons declared prisoners of war or missing in action.

**Section: 371.30.10**

Same as the Executive.

**Section: 371.30.10**

Same as the Executive.

Reappropriates the FY 2012 year-end appropriation balance for the same purpose for FY 2013.

Same as the Executive.

Same as the Executive.

**BORCD33 OhioLINK****Section: 371.30.20**

Requires that GRF appropriation item 235507, OhioLINK, be used to support OhioLINK, the state's electronic library information and retrieval system.

**Section: 371.30.20**

Same as the Executive.

**Section: 371.30.20**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD34 Air Force Institute of Technology****Section: 371.30.30**

Specifies that GRF appropriation item 235508, Air Force Institute of Technology, be used to (A) strengthen the research and educational linkages between the Wright Patterson Air Force Base and institutions of higher education in Ohio and (B) support the Dayton Area Graduate Studies Institute (DAGSI).

**Section: 371.30.30**

Same as the Executive.

**Section: 371.30.30**

Same as the Executive.

**BORCD35 Ohio Supercomputer Center****Section: 371.30.40**

Requires that GRF appropriation item 235510, Ohio Supercomputer Center, be used to support the operation of the Ohio Supercomputer Center located at the Ohio State University.

Specifies that funds are to be used, in part, to support the Ohio Supercomputer Center's Computational Science Initiative, including its industrial outreach program, Blue Collar Computing, and its School of Computational Science. Requires that those collaborations be aimed at making Ohio a leader in using computer modeling to promote economic development.

**Section: 371.30.40**

Same as the Executive.

Same as the Executive.

**Section: 371.30.40**

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD36 Cooperative Extension Service****Section: 371.30.50**

Requires that GRF appropriation item 235511, Cooperative Extension Service, be disbursed to The Ohio State University in monthly payments unless otherwise determined by the Director of Budget and Management.

**Section: 371.30.50**

Same as the Executive.

**Section: 371.30.50**

Same as the Executive.

**BORCD37 Central State Supplement****Section: 371.30.60**

Requires the Chancellor to develop a plan to use GRF appropriation item 235514, Central State Supplement, to increase enrollment, improve course completion, and increase the number of degrees conferred. Requires the Chancellor to submit a summary of the plan to the General Assembly and the Governor by December 31, 2011.

**Section: 371.30.60**

Same as the Executive.

**Section: 371.30.60**

Same as the Executive.

Requires the Chancellor to make the first two disbursements to Central State on a quarterly basis until January 1, 2012 and thereafter make disbursements according to the plan.

Same as the Executive.

Same as the Executive.

Requires the Chancellor to monitor the plan's implementation and suspend the plan if Central State is not using funds according to the plan or if the plan is not having the desired effect. Specifies that, if the plan is suspended, Central State must avoid all unnecessary expenditures under the plan. Requires the Chancellor to notify the Controlling Board of a suspension and prepare a new plan within sixty days.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

BORCD90

## Central State Speed to Scale

**Section: 371.30.63**

No provision.

Requires Central State University to support the Speed to Scale Task Force and the goals of the Speed to Scale Plan, which include increasing student enrollment, student retention rates, and the proportion of in-state students. Requires the Task Force to also develop methods of enhancing Third Frontier collaborations, enhancing marketing of current academic programs, and exploring the possibility of merger, acquisition, or expansion of Central State University. Specifies how the goals of the plan are to be accomplished.

No provision.

No provision.

Requires that the Task Force meet quarterly to discuss the Plan's progress. Specifies the members of the Task Force. Requires that Central State University and the Task Force submit a status report on the Speed to Scale Plan's accountability measures each fiscal year.

No provision.

BORCD38

## Case Western Reserve University School of Medicine

**Section: 371.30.70**

Requires that GRF appropriation item 235515, Case Western Reserve University School of Medicine, be disbursed to Case Western Reserve University in accordance with agreements entered into under R.C. 3333.10 to aid non-profit medical, osteopathic, and dental schools. Specifies that the state support per full-time medical student is not to exceed that provided to full-time medical students at state-assisted universities.

**Section: 371.30.70**

Same as the Executive.

**Section: 371.30.70**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD39      Family Practice****Section: 371.30.80**

Requires the Chancellor to develop plans for the distribution of GRF appropriation item 235519, Family Practice.

**Section: 371.30.80**

Same as the Executive.

**Section: 371.30.80**

Same as the Executive.

**BORCD40      Shawnee State Supplement****Section: 371.30.90**

Requires the Chancellor to develop a plan to use GRF appropriation item 235520, Shawnee State Supplement, to improve course completion, increase the number of degrees conferred, and further the university's mission of service to the Appalachian region. Requires the Chancellor to submit a summary of the plan to the General Assembly and the Governor by December 31, 2011.

**Section: 371.30.90**

Same as the Executive.

**Section: 371.30.90**

Same as the Executive.

Requires the Chancellor to make the first two disbursements to Shawnee State on a quarterly basis until January 1, 2012 and thereafter make disbursements according to the plan.

Same as the Executive.

Same as the Executive.

Requires the Chancellor to monitor the plan's implementation and suspend the plan if Shawnee State is not using funds according to the plan or if the plan is not having the desired effect. Specifies that, if the plan is suspended, Shawnee State must avoid all unnecessary expenditures under the plan. Requires the Chancellor to notify the Controlling Board of a suspension and prepare a new plan within sixty days.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD41      Police and Fire Protection****Section: 371.40.10**

Requires that GRF appropriation item 235524, Police and Fire Protection, be used to support police and fire services in the nine rural municipalities and townships where state-affiliated campuses are located.

**Section: 371.40.10**

Same as the Executive.

**Section: 371.40.10**

Same as the Executive.

**BORCD42      Geriatric Medicine****Section: 371.40.20**

Requires the Chancellor to develop plans for the distribution of the funds under GRF appropriation item 235525, Geriatric Medicine.

**Section: 371.40.20**

Same as the Executive.

**Section: 371.40.20**

Same as the Executive.

**BORCD43      Primary Care Residencies****Section: 371.40.30**

Requires the Chancellor to develop plans for the distribution of GRF appropriation item 235526, Primary Care Residencies. Specifies that distribution of the appropriation be based on whether an institution has gained approval of a plan to implement the Primary Care Residencies guidelines. Specifies that an institution receive 5% less funding per student from its annual allocation if the institution does not have an approved plan and that the remaining funding be distributed to institutions that meet or exceed their targets.

**Section: 371.40.30**

Same as the Executive.

**Section: 371.40.30**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD44 Ohio Agricultural Research and Development Center (OARDC)****Section: 371.40.40**

Requires that GRF appropriation item 235535, Ohio Agricultural Research and Development Center, be disbursed to the Ohio State University in monthly payments unless otherwise determined by the Director of Budget and Management. Exempts OARDC from remitting payments to the Ohio State University for cost reallocation assessments during the biennium. Requires OARDC to competitively allocate funding among programs based on demonstrated performance.

**Section: 371.40.40**

Same as the Executive.

**Section: 371.40.40**

Same as the Executive.

**BORCD45 State University Clinical Teaching****Section: 371.40.50**

Requires the Chancellor to distribute the following GRF appropriation items: 235536, The Ohio State University Clinical Teaching; 235537, University of Cincinnati Clinical Teaching; 235538, University of Toledo Clinical Teaching; 235539, Wright State University Clinical Teaching; 235540, Ohio University Clinical Teaching; and 235541, Northeastern Ohio Universities College of Medicine Clinical Teaching.

**Section: 371.40.50**

Same as the Executive.

**Section: 371.40.50**

Same as the Executive, but changes the name of appropriation item 235541, Northeastern Ohio Universities College of Medicine Clinical Teaching, to "Northeast Ohio Medical University Clinical Teaching" to reflect recent legislation.

Executive

As Passed by the House

As Reported by Senate Finance

**BORCD46 Capital Component**

**Section: 371.40.60**

Requires that GRF appropriation item 235552, Capital Component, be distributed to each campus for which the estimated campus debt service attributable to new qualifying capital projects is less than the campus's formula-determined capital component allocation. Specifies that the amount of each campus's payment be determined by subtracting the former amount from the latter and that the campuses use these payments only for capital projects.

Requires the Chancellor to subtract from each campus's SSI allocation the amount by which the estimated campus debt service attributable to new qualifying capital projects exceeds the campus's formula-determined capital component allocation and transfer appropriation equal to the sum of these amounts from GRF appropriation items 235501, State Share of Instruction, or 235535, Ohio Agricultural Research and Development Center, to this appropriation item. Requires the transferred appropriation be combined with the original appropriation for this item and distributed as described above.

**Section: 371.40.60**

Same as the Executive.

Same as the Executive.

**Section: 371.40.60**

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD47 Library Depositories****Section: 371.40.70**

Requires that GRF appropriation item 235555, Library Depositories, be used to support the state's five regional depository libraries for the cost-effective storage of and access to lesser-used materials in university library collections. Specifies that the depositories are to be administered by the Chancellor or OhioLINK, at the Chancellor's discretion.

**Section: 371.40.70**

Same as the Executive.

**Section: 371.40.70**

Same as the Executive.

**BORCD48 Ohio Academic Resources Network (OARnet)****Section: 371.40.80**

Specifies that GRF appropriation item 235556, Ohio Academic Resources Network, be used to support the operations of OARnet, including support for Ohio's state-assisted colleges and universities in maintaining and enhancing network connections, using network technologies to improve programs, and sharing information technology services.

**Section: 371.40.80**

Same as the Executive.

**Section: 371.40.80**

Same as the Executive.

Requires OARnet to support allocating bandwidth to programs directly supporting Ohio's economic development, to the extent that network capacity is available.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD49 Long-Term Care Research****Section: 371.40.90**

Requires that GRF appropriation item 235558, Long-term Care Research, be disbursed to Miami University for long-term care research.

**Section: 371.40.90**

Same as the Executive.

**Section: 371.40.90**

Same as the Executive.

**BORCD50 Ohio College Opportunity Grant****Section: 371.50.10**

Earmarks \$41.0 million under GRF appropriation item 235563, Ohio College Opportunity Grant, in each fiscal year for need based financial aid awards to students of eligible private nonprofit institutions.

Requires that the remainder of GRF appropriation item 235563, Ohio College Opportunity Grant, be used to award need-based aid to students enrolled in eligible public institutions of higher education.

No provision.

Reappropriates the appropriation balance at the end of FY 2012 to be used for the same purpose in FY 2013.

Allows the Chancellor to create a distribution formula for FY 2012 and FY 2013 if the amounts appropriated are inadequate to provide grants to all eligible students. Requires the Chancellor to notify the Controlling Board of the distribution method. Requires that any formula be complete and established to coincide with the start of the 2011-2012

**Section: 371.50.10**

Same as the Executive, but specifies that institutions be 4-year.

Same as the Executive, but earmarks \$37.0 million in each fiscal year instead of the remainder and specifies that institutions be 4-year.

Specifies that the remainder of the appropriation be used for awards to students enrolled in eligible private for-profit institutions.

Same as the Executive.

Same as the Executive.

**Section: 371.50.10**

Same as the House.

Same as the House.

Same as the House.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

academic year.

Specifies that the funds may also be used to pay for renewals or partial renewals under the Ohio Academic Scholarship Program. Specifies that, in paying for scholarships, funds are to be deducted proportionately from the sector allocations of public and private nonprofit institutions.

Same as the Executive, but adds a sector for private for-profit institutions and specifies that funds are to be deducted proportionately from all three sector allocations.

Same as the House, but specifies that sector deductions are to be made proportionally based on amounts appropriated under GRF appropriation item 235563, Ohio College Opportunity Grant, and GSF appropriation item 235667, Ohio College Opportunity Grant – Proprietary.

Prohibits the Chancellor from distributing or obligating more than the appropriation.

Same as the Executive.

Same as the Executive.

Requires the Chancellor to post award tables on the BOR website and notify students and institutions of any reductions in awards. Requires the Chancellor to submit award tables and allocations for the 2011-2012 academic year to the Controlling Board by August 31, 2011.

Same as the Executive.

Same as the Executive.

Prohibits any student from receiving an Ohio College Opportunity Grant for more than the equivalent of five academic years, less the number of semesters or quarters in which the student received an Ohio Instructional Grant.

Same as the Executive.

Same as the Executive.

No provision.

Transfers \$6,000,000 in cash in each fiscal year from the Economic Development Programs Fund (Fund 5JC0) to the General Revenue Fund (GRF) to support the appropriation for Ohio College Opportunity Grants.

No provision.

## BORCD51

## The Ohio State University Clinic Support

## Section: 371.50.20

Requires that GRF appropriation item 235572, The Ohio State University Clinic Support, be used to support the dental and veterinary medicine clinics of the Ohio State University.

## Section: 371.50.20

Same as the Executive.

## Section: 371.50.20

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD53 National Guard Scholarship Program

## Section: 371.50.30

Requires that GRF appropriation item 235599, National Guard Scholarship Program, and Fund 5BM0 appropriation item 235623, National Guard Scholarship Reserve Fund, be disbursed at the direction of the Adjutant General.

Authorizes cash equal to the unencumbered balance of GRF appropriation item 235599, National Guard Scholarship Programs, to be transferred to the National Guard Scholarship Reserve Fund (Fund 5BM0) for use under appropriation item 235623, National Guard Scholarship Reserve Fund. Requires the Chancellor, upon the request of the Adjutant General, to seek Controlling Board approval to establish appropriations for that item.

No provision.

No provision.

No provision.

## Section: 371.50.30

Same as the Executive.

Same as the Executive.

No provision.

No provision.

No provision.

## Section: 371.50.30

Same as the Executive.

Same as the Executive.

Requires the Adjutant General, in consultation with the Chancellor of the Board of Regents and the Director of Budget and Management, to determine if the amounts appropriated to GRF appropriation item 235599, National Guard Scholarship Program, are adequate to provide scholarships equal to 100% of tuition charges to all eligible applicants attending a state institution of higher education.

Specifies that if, in any fiscal year, appropriated amounts are inadequate, the Adjutant General is to accommodate the available funds by proportionally reducing the amount of each scholarship awarded to a student of a state institution. Requires the Adjutant General to notify each state institution of the percentage that scholarship amounts were reduced.

Requires each state institution to provide a matching award to each scholarship recipient in an amount equal to the

Executive

As Passed by the House

As Reported by Senate Finance

amount that recipient's scholarship was reduced.

**BORCD54 Pledge of Fees****Section: 371.50.40**

Provides that any new pledge or adjustment of fees made in the biennium to secure bonds or notes on a state-assisted institution of higher education for a project for which bonds or notes were not outstanding on the effective date of this section be effective only after approval by the Chancellor, unless approved in a previous biennium.

**Section: 371.50.40**

Same as the Executive.

**Section: 371.50.40**

Same as the Executive.

**BORCD55 Higher Education General Obligation Debt Service****Section: 371.50.50**

Requires that GRF appropriation item 235909, Higher Education General Obligation Debt Service, be used to pay all debt service and related financing costs at the required times during the biennium.

**Section: 371.50.50**

Same as the Executive.

**Section: 371.50.50**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD56 Sales and Services

## Section: 371.50.60

Authorizes the Chancellor to charge and accept payment for its provision of goods and services. Specifies that all revenues received be deposited into GSF Fund 4560, Sales and Services. Allows the Chancellor to use these funds to pay for the costs of producing goods and services. Specifies that charges be related to the costs of producing goods and services, though no charges are to be levied for goods or services that are produced as part of the routine responsibilities or duties of the Chancellor.

## Section: 371.50.60

Same as the Executive.

## Section: 371.50.60

Same as the Executive.

## BORCD85 Co-op Internship Program

## Section: 371.50.63

No provision.

Makes the following earmarks under GSF appropriation item 235649, Co-op Internship Program:

No provision.

(1) No provision.

(1) \$75,000 in each fiscal year for Ohio University's Voinovich School.

(1) No provision.

(2) No provision.

(2) \$75,000 in each fiscal year for The Ohio State University's John Glenn School of Public Affairs.

(2) No provision.

(3) No provision.

(3) \$75,000 in each fiscal year for the Bliss Institute of Applied Politics at the University of Akron.

(3) No provision.

(4) No provision.

(4) \$75,000 in each fiscal year for the Center for Public Management and Regional Affairs at Miami University.

(4) No provision.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD91 Ohio College Opportunity Grant - Proprietary

No provision.

No provision.

**Section: 371.50.63**

Specifies that GSF appropriation item 235667, Ohio College Opportunity Grant – Proprietary, is to be used by the Chancellor to award need-based financial aid to students enrolled in eligible private for-profit career colleges and schools through the Ohio College Opportunity Grant program.

No provision.

No provision.

Reappropriates the unexpended, unencumbered portion of FY 2012 appropriations under 235667, Ohio College Opportunity Grant - Proprietary, for the same purpose for FY 2013.

No provision.

No provision.

Prohibits the Chancellor from distributing or obligating an amount greater than what is appropriated under GSF appropriation item 235667, Ohio College Opportunity Grant - Proprietary.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD99**      **Air Force Institute of Technology - Defense/Aerospace Graduate Studies Institute**

No provision.

No provision.

**Section: 371.50.65**

Creates GSF Fund 5JC0 appropriation item 235668, Air Force Institute of Technology - Defense/Aerospace Graduate Studies Institute. Specifies that the item is to be used by the Defense/Aerospace Graduate Studies Institute to strengthen regional job training, equip Ohio's workforce with needed skills, and strengthen the research and educational linkages among Ohio's Department of Defense facilities, institutions of higher education, and available industry jobs. Requires that funds be matched by private industry partners or the Department of Defense in an aggregate amount of \$2.5 million over the FY 2012-FY 2013 biennium.

**BORCD57**      **Higher Educational Facility Commission Administration****Section: 371.50.70**

Specifies that SSR Fund 4E80 appropriation item 235602, Higher Educational Facility Commission Administration, be used for operating expenses related to BOR's support of the activities of the Ohio Higher Educational Facility Commission (HEFC).

Authorizes the Director of Budget and Management to transfer up to \$29,100 cash in each fiscal year from Fund 4610, HEFC Operating Expenses Fund, which is used by HEFC to Fund 4E80, HEFC Administration, which is used by BOR.

**Section: 371.50.70**

Same as the Executive.

Same as the Executive.

**Section: 371.50.70**

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD58      Nursing Loan Program****Section: 371.50.80**

Requires that SSR Fund 6820 appropriation item 235606, Nursing Loan Program, be used to administer the nurse education assistance program.

Earmarks up to \$167,580 in each fiscal year for operating expenses associated with the program. Authorizes the Controlling Board to increase these set-aside amounts.

**Section: 371.50.80**

Same as the Executive.

Same as the Executive.

**Section: 371.50.80**

Same as the Executive.

Same as the Executive.

**BORCD59      Veterans' Preferences****Section: 371.50.90**

Requires the Chancellor to collaborate with the Department of Veterans' Services to develop veterans' preference guidelines for institutions of higher education.

**Section: 371.50.90**

Same as the Executive.

**Section: 371.50.90**

Same as the Executive.

**BORCD60      State Need-Based Financial Aid Reconciliation****Section: 371.60.10**

Requires the Chancellor on August 1 of each fiscal year, or as soon as possible thereafter, to certify the amount necessary to pay any outstanding prior year obligations to institutions of higher education for the state's need-based student financial aid programs. Specifies that the amounts certified be paid from revenues received in the State Need-based Financial Aid Reconciliation Fund (Fund 5Y50), through GSF Fund 5Y50 appropriation item 235618, State Need-based Financial Aid Reconciliation.

**Section: 371.60.10**

Same as the Executive.

**Section: 371.60.10**

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD70 Employee Furloughs at Public Institutions

## Section: 371.60.20

Permits the board of trustees of a state-assisted institution of higher education to adopt a policy providing for mandatory furloughs for employees, including faculty, to reduce institutional budget deficits.

**Fiscal effect: Potential savings for institutions that choose to implement furlough days.**

## Section: 371.60.20

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## Section: 371.60.20

Same as the Executive.

**Fiscal effect: Same as the Executive.**

## BORCD71 Shared Services

## Section: 371.60.30

Requires any state institution of higher education with total FTE enrollment under 5,000 to enter into strategic partnerships for shared services with other institutions, school districts, local government entities, or regional shared services centers.

No provision.

No provision.

Requires the strategic partnerships to be comprehensive and provides a list of services that must be included. Provides a list of additional services that must be included for co-located campuses.

No provision.

No provision.

Allows state institutions to seek a waiver from the Chancellor for one or more of the services. Requires any institution seeking a waiver to demonstrate the efficiency of its individual operation or another strategic partnership that achieves similar results. Requires the Chancellor to report an institution to the Governor and General Assembly if the institution fails to demonstrate the efficiency of its operation.

No provision.

No provision.

## Executive

## As Passed by the House

## As Reported by Senate Finance

Requires each state institution to report on its strategic partnerships to the Chancellor by December 31, 2011, and annually thereafter. Requires that the reports document the amount saved through the partnerships.

No provision.

No provision.

Specifies that any institution that provides employee prescription drug benefits through the Rx Ohio Collaborative has demonstrated maximum cost savings.

No provision.

No provision.

**Fiscal effect: Potential savings from the consolidation of services among institutions. Possible minimal increase in administrative expenditures for the creation of annual reports.**

BORCD72

Efficiency Advisory Committee

**Section: 371.60.40**

Requires the Chancellor to establish an efficiency advisory committee to generate efficiency plans for campuses, identify shared services opportunities, and share best practices. Requires the efficiency advisory committee to attempt to reduce the cost of textbooks and other education resource materials. Requires the committee to meet at least quarterly or at the call of the Chancellor or the Chancellor's designee. Requires each state institution to designate an efficiency officer to serve on the efficiency advisory committee.

**Section: 371.60.40**

Same as the Executive.

**Section: 371.60.40**

Same as the Executive.

**Fiscal effect: Potential increase in administrative costs for BOR and the institutions relating to the establishment and operations of the committee.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

## Executive

## As Passed by the House

## As Reported by Senate Finance

**BORCD73 Textbook Affordability****Section: 371.60.50**

Requires each state institution to submit a plan to reduce the student cost of textbooks and other education resource materials to the Chancellor by December 31, 2011.

**Fiscal effect: Possible minimal increase in administrative expenditures for the creation of the plans.**

**Section: 371.60.50**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**Section: 371.60.50**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**BORCD74 Tuition Trust Authority Appropriation Line Item Transfers****Section: 371.60.60**

Cancels, on July 1, 2011, or as soon as possible thereafter, any existing encumbrances against SSR Fund 5P30 appropriation item 095602, Variable Savings Plan, and reestablishes them against SSR Fund 5P30 appropriation item 235663, Variable Savings Plans.

Cancels, on July 1, 2011, or as soon as possible thereafter, any existing encumbrances against SSR Fund 6450 appropriation item 095601, Guaranteed Savings Plan, and reestablishes them against SSR Fund 6450 appropriation item 235664, Guaranteed Savings Plan.

**Section: 371.60.60**

Same as the Executive.

Same as the Executive.

**Section: 371.60.60**

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## BORCD96 Western Reserve Historical Society Transfer

No provision.

No provision.

**Sections: 620.40, 620.41**

Limits the amount of encumbrances against capital appropriation item C371A9, Western Reserve Historical Society, (used by the Cultural Facilities Commission) that are canceled and reestablished against capital appropriation item C37835, Western Reserve Historical Society, (used by Cuyahoga Community College) to \$2.8 million. (H.B. 114 of the 129th GA canceled and reestablished any encumbrances remaining at the end of the fiscal year.)

## BORCD98 Qualifying Alternative Retirement Plan Providers

No provision.

No provision.

**Section: 733.20**

Specifies that any alternative retirement plan established by a public institution of higher education prior to July 1, 2000, that is a qualified trust under federal tax law, is temporarily designated as provider for purposes of Ohio law governing alternative retirement plans. (Under existing law, the Department of Insurance is required to designate three or more entities that meet specified conditions to offer such plans to participating employees.)

No provision.

No provision.

Provides that a public institution is not required to pay any retirement contributions or interest due STRS for an employee who made an election prior to July 1, 2000, from the date of the election, except for the contributions required to mitigate any negative financial impact on the State Teachers Retirement System (STRS) and interest on those contributions.

## Executive

## As Passed by the House

## As Reported by Senate Finance

No provision.

No provision.

Requires a public institution that failed to timely file with STRS a copy of an election made prior to July 1, 2000, to file it not later than 90 days after this bill's effective date.

**Fiscal effect: Potential minimal decrease in Department of Insurance administrative costs related to the alternative retirement plan designations; such costs are paid from the Department of Insurance Operating Fund (Fund 5540).**

BORCD94

Cleveland State University Land Conveyance

No provision.

No provision.

**Section: 753.27**

Authorizes the conveyance of the real estate formerly used as the residence for the President of Cleveland State University to a purchaser as yet to be determined.

**Fiscal effect: Revenue gain for Cleveland State University, dependent on sale price. There may also be additional savings to the University for maintenance and upkeep functions on the property that will no longer need to be performed by the University.**

## Executive

## As Passed by the House

## As Reported by Senate Finance

## DASCD11 Construction Reform

R.C. 9.33, 9.331, 9.332, 9.333, 9.334, 9.335, 123.011, 126.141, 153.01, 153.03, 153.07, 153.08, 153.50, 153.501, 153.502, 153.51, 153.52, 153.53, 153.54, 153.55, 153.56, 153.57, 153.581, 153.65, 153.66, 153.67, 153.69, 153.692, 153.693, 153.694, 153.70, 153.71, 153.72, 153.73, 153.80, 3313.46, 3353.04, 3354.16, 3357.16, 4113.61, 5540.03, 6115.20, Section 701.10

(1) Eliminates the requirement that the multiple-prime contracting method be used for public improvements, but does not prohibit its use. Authorizes public authorities, other than the Ohio Turnpike Commission, to enter into public improvement contracts with construction managers at risk (CMARs) and design-build firms (D/B firms), and to enter into public improvement contracts with general contracting firms as sole prime contractors regardless of the size of the project.

(2) Defines CMAR and prescribes the process that a public authority must use to select a CMAR. Requires a CMAR to provide a surety bond in an amount not less than the combined contract values of any work under contract prior to the establishment of the guaranteed maximum price or in the amount of the guaranteed maximum price. Subjects CMARs to the current drug-free workplace and prompt-pay laws.

R.C. 9.33, 9.331, 9.332, 9.333, 9.334, 9.335, 123.011, 126.141, 153.01, 153.03, 153.07, 153.08, 153.50, 153.501, 153.502, 153.51, 153.52, 153.53, 153.54, 153.55, 153.56, 153.57, 153.581, 153.65, 153.66, 153.67, 153.69, 153.692, 153.693, 153.694, 153.70, 153.71, 153.72, 153.73, 153.80, 3313.46, 3353.04, 3354.16, 3357.16, 4113.61, 5540.03, 6115.20, Section 701.10

(1) Same as the Executive.

(2) Same as the Executive.

R.C. 9.33, 9.331-9.335, 123.011, 126.141, 153.01, 153.012, 153.03, 153.07, 153.08, 153.50, 153.501-153.505, 153.51-153.56, 153.581, 153.65, 153.66, 153.67, 153.69, 153.692-153.694, 153.70-153.73, 153.80, 3313.46, 3318.111, 3353.04, 3354.16, 3357.16, 4113.61, 5540.03, 6115.20; Sections 701.10 and 701.13

(1) Replaces the executive provision with a provision that restores the current multiple prime requirement, but makes the following exceptions only for state agencies, state institutions of higher education, counties, and school districts using School Facilities Commission assistance: a) authorizes the use of CMAR and D/B firms, regardless of the size of the contract; b) authorizes the use of a general contractor, if the cost of the project is \$600,000 or less; and c) increases the minimum cost threshold for a single mechanical, electrical, and plumbing (MEP) branch or class of work to \$20,000.

(2) Same as the Executive, but specifies that the surety bond guidelines are to be established by DAS rule.

## Executive

## As Passed by the House

## As Reported by Senate Finance

(3) Defines D/B services and prescribes the process that a public authority must use to select a D/B firm. Requires a D/B firm to provide a surety bond in an amount not less than the combined contract values of any work under contract prior to the establishment of the guaranteed maximum price or in the amount of the guaranteed maximum price. Authorizes the public authority to require the D/B firm to carry contractor's professional liability insurance and any other insurance the public authority considers appropriate. Subjects D/B firms to the current drug-free workplace and prompt-pay laws.

(3) Same as the Executive.

(3) Same as the Executive, but specifies that the surety bond guidelines are to be established by DAS rule.

(4) No provision.

(4) No provision.

(4) Permits a contract with a CMAR or a D/B firm to provide for the distribution of savings in the final cost of the project.

(5) No provision.

(5) No provision.

(5) Requires CMAR and D/B firms to receive separate bids and award separate contracts for MEP work. Requires that bidders on these contracts be certified to bid in accordance with rules adopted by DAS. Requires DAS to commission an independent study of the certification process by July 1, 2013.

(6) Permits public authorities to utilize design-assist firms on CMAR and D/B projects

(6) Same as the Executive.

(6) No provision.

(7) Requires DAS to prescribe the form for the contracts to be used by a public authority when entering into a contract with a CMAR or D/B firm.

(7) Same as the Executive.

(7) No provision.

(8) No provision.

(8) No provision.

(8) Requires DAS to adopt rules establishing the proper forms that must be used for subcontracts awarded by CMARs, D/B firms, and general contractors.

(9) No provision.

(9) No provision.

(9) Requires DAS to adopt rules to adjust the new competitive bidding, multiple prime, and general contracting thresholds every five years.

## Executive

## As Passed by the House

## As Reported by Senate Finance

(10) No provision.

(10) No provision.

(10) Authorizes a public authority to delegate to a CMAR or D/B firm certain duties in the performance of the contract with the public authority.

(11) No provision.

(11) No provision.

(11) Requires, when CMAR or D/B firms award subcontracts, that preference be given to sub contractors whose principle place of business is in Ohio.

(12) No provision.

(12) No provision.

(12) Specifies the rights and remedies available to subcontractors who perform work on behalf of a CMAR or D/B firm.

(13) Increases from \$50,000 to \$200,000 the minimum project cost threshold that requires competitive bidding for state projects; exempts contracts with CMARs and D/B firms from this requirement.

(13) Same as the Executive.

(13) Same as the Executive.

(14) Permits certain public entities to advertise for bids on a public improvement project by electronic means, pursuant to rules adopted by DAS, rather than by newspaper.

(14) Same as the Executive.

(14) Replaces the Executive provision with a provision that applies the uniform public notice requirements as otherwise required under the bill.

(15) Requires that capital funds released contain a contingency reserve.

(15) Same as the Executive.

(15) Same as the Executive, but only applies this requirement to projects for which the contracts are awarded by DAS.

(16) No provision.

(16) No provision.

(16) Increases, from \$25,000 to \$50,000, the project cost threshold under which a public authority contracting for professional design services is exempt from the bidding, evaluation, and ranking requirements that otherwise would apply under current law, under the following conditions: (A) The public authority selects a single design contractor, that the public authority deems to be the most qualified to provide the required design services, from among those that have submitted a current statement of qualifications within the last year; and (B) The public authority and the selected design contractor comply with division (B) of section 153.69 of the Revised Code with respect to the negotiation of a

## Executive

## As Passed by the House

## As Reported by Senate Finance

(17) No provision.

(17) No provision.

contract.

(17) Provides that the bill's changes to the law governing the construction of public improvements are not applicable until DAS adopts the aforementioned surety bond guidelines by rule.

**Fiscal effect: Increased flexibility in construction delivery methods may enable state agencies and local governments to achieve savings on public improvements.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**DASCD35 Health Care Pooling Program/School Employees Health Care Board**

R.C. 9.883, 9.90, 9.901, 305.171, 505.60, 505.601, 505.603, 1545.071, 3313.202, Section 701.20

R.C. 9.883, 9.90, 9.901, 305.171, 505.60, 505.601, 505.603, 1545.071, 3313.202, Section 701.20

R.C. 9.883, 9.90, 9.901, 305.171, 505.60, 505.601, 505.603, 1545.071, 3313.202, Sections 207.1010, 701.20, 515.60

(1) Eliminates the School Employees Health Care Board and transfers the majority of the Board's duties to DAS. Renames the School Employees Health Care Fund the Public Employees Health Care Fund.

(1) Replaces the Executive provisions with provisions that (a) completely eliminate the School Employees Health Care Board and the School Employees Health Care Fund; (b) eliminate the requirement that all health care benefits provided to persons employed by public school districts be provided by health care plans that contain best practices established by the Board; and (c) eliminate the provision that allow any board of education member of a school district and his or her dependent children and spouse to be covered under any medical plan designed by the Board.

(1) Same as the Executive, but makes the following changes: (a) Transfers all equipment, assets, and records of the School Employees Health Care Board to DAS, specifies that DAS designate the Board positions, if any, to be transferred, and requires DAS and the Department of Education to enter into an interagency agreement for the transfer of equipment, assets, records, and positions to DAS; (b) Requires the Director of Budget and Management to cancel any existing encumbrances against appropriation item 200458, School Employees Health Care Board, and re-establish them against appropriation item 100403, Public Employees Health Care Program, and reappropriates the reestablished encumbrances; and (c) Renames the School Employees Health Care Fund the Political Subdivisions and Public Employees Health Care Fund.

| Executive   | As Passed by the House            | As Reported by Senate Finance   |
|---|-----------------------------------|---|
| <p>(2) Requires DAS to design health insurance plans for political subdivisions, school districts (including educational service centers), and institutions of higher education. Permits any or all of the plans designed by DAS to be self-insured. Requires these plans to incorporate the best practices adopted by DAS. Requires DAS to set employee and employer health care premiums for these plans. Permits health benefits to be provided by those entities until DAS implements these new plans. Requires that any such interim plan for school district employees must contain those best practices established by the School Employees Health Care Board or by DAS.</p> | <p>(2) No provision.</p>          | <p>(2) Same as the Executive.</p>   |
| <p>(3) Requires DAS to determine geographic regions for the availability of providers, networks, costs, and other factors relating to providing health care benefits.</p>   | <p>(3) No provision.</p>          | <p>(3) Same as the Executive.</p>   |
| <p>(4) Requires DAS to examine those plans currently offered through a consortium of public entities, including the benefits and the strategies of these plans to manage health care costs.</p>   | <p>(4) No provision.</p>          | <p>(4) Same as the Executive.</p>   |
| <p>(5) Permits such consortiums that are composed of at least 2,500 employees to continue offering health benefit plans to seek permission from DAS to continue offering such plans.</p>  | <p>(5) No provision.</p>          | <p>(5) Same as the Executive, but does not impose the limit of 2,500 employees for consortium benefit plans.</p>  |
| <p>(6) Eliminates the Public Schools Health Care Advisory Committee.</p>  | <p>(6) Same as the Executive.</p> | <p>(6) Replaces the Executive provision with a provision that reconstitutes the Committee under DAS with 15 members, as opposed to 18 as is the case currently.</p> |
| <p>(7) Requires DAS to contract with an independent consultant to analyze costs related to employee health care benefits provided by existing entities. Requires the consultant to submit certain written recommendations to DAS for the development of a successful program for pooling purchasing power for the acquisition of employee health care plans.</p>  | <p>(7) No provision.</p>          | <p>(7) Same as the Executive.</p>   |

## Executive

## As Passed by the House

## As Reported by Senate Finance

(8) Requires any health care provider that has provided coverage for these entities within the last two years to provide DAS with nonidentifiable aggregate claims data within 30 days of receiving such a request for information from DAS.

(8) No provision.

(8) Same as the Executive.

(9) Requires DAS to develop a request for proposals and to solicit bids for the provision of those plans that it develops. Requires DAS, in consultation with the Superintendent of Insurance and using competitive selection, to contract with one or more insurance companies for the issuance of these plans. Permits all health care benefits for these entities to be provided through these plans.

(9) No provision.

(9) Same as the Executive.

(10) Prohibits these entities, once the plans developed by DAS are in their final form and are fully implemented, from receiving state aid while being in violation of these provisions.

(10) No provision.

(10) No provision.

(11) Permits these entities to offer health care benefits to their employees that the entity is currently authorized to offer and that are not covered by DAS's plan.

(11) No provision.

(11) Same as the Executive.

(12) Requires DAS, not later than 12 months after the section's effective date, to submit a report to the General Assembly on the feasibility of providing care plans that cover persons employed by these entities.

(12) Same as the Executive, but requires the report to be submitted by July 1, 2012, instead of 12 month's after the provision's effective date. Specifies that the report applies to public school districts, as well as political subdivisions and institutions of higher education. Requires that (a) DAS consider voluntary and mandatory participation, and (b) the impacts of changes to the existing purchasing structure on existing health care pooling and consortiums.

(12) Same as the House.

(13) No provision.

(13) Specifies that no action can be taken regarding health care coverage for employees of political subdivisions, public school districts, and state institutions of higher education without the enactment of a bill by the General Assembly.

(13) Same as the House.

Executive

As Passed by the House

As Reported by Senate Finance

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**Fiscal effect: Providing pooled health insurance to local governments, school districts, and institutions of higher education may decrease personnel costs for these agencies, if discounts can be achieved through the program. DAS could incur some costs for preparing the report required under the bill.**

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**Fiscal effect: DAS could incur some costs for preparing the report required under the bill.**

**Fiscal effect: Same as the Executive.**

## Executive

## As Passed by the House

## As Reported by Senate Finance

**Educator Provisions**

EDUCD82

Alternative Resident Educator License

R.C. 3319.26

Changes the qualifications for obtaining and holding an alternative resident educator license in the following ways:

(1) Eliminates the requirement that applicants complete an intensive pedagogical training institute in the principles and practices of teaching and that ODE and the Board of Regents establish such an institute;

(2) Prohibits the State Board from requiring applicants to have a major in the teaching area;

(3) Allows license holders to satisfy continuing education requirements with professional development provided as part of a teacher preparation program that is operated by a nonprofit organization and approved by the Chancellor of the Board of Regents.

(4) No provision.

Requires the Chancellor to approve any teacher preparation program that requires participants to have a bachelor's degree, have a cumulative undergraduate GPA of 2.5 or higher, and complete a summer training institute.

R.C. 3319.26

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) No provision.

Same as the Executive.

R.C. 3319.26

Same as the Executive, but makes the following changes:

(1) Replaces the Executive provision with a provision that permits an applicant to complete either the intensive pedagogical training institute or a summer training institute operated by a nonprofit organization and approved by the Chancellor of the Board of Regents.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Makes the license valid for grades kindergarten through 12 (except for intervention specialists, the license is valid for grades 4-12 under current law).

Same as the Executive.

Executive

As Passed by the House

As Reported by Senate Finance

Fiscal effect: Decrease in expenditures for ODE and the Board of Regents for no longer being required to establish the intensive pedagogical training institute. Minimal increase in administrative costs for the Board of Regents in approving teacher preparation programs.

Fiscal effect: Same as the Executive.

Fiscal effect: Minimal increase in administrative costs for the Board of Regents in approving teacher preparation programs.

EDUCD160 Teacher Preparation Program Graduates

No provision.

No provision.

R.C. 3333.0411

Requires the Chancellor of the Board of Regents to annually report aggregate academic growth data for students assigned to graduates of teacher preparation programs teaching English language arts or mathematics in any grade four through eight in a public school.

No provision.

No provision.

Requires the Chancellor to aggregate the data by graduating class for each teacher preparation program, except that if a class has ten or fewer graduates, requires the Chancellor to report the data for a three year period.

Fiscal effect: Increase in administrative costs for the Board of Regents.

Executive

As Passed by the House

As Reported by Senate Finance

**Other Education Provisions**

EDUCD135 School District Lease of Space to Higher Education Institutions

R.C. 3313.75

R.C. 3313.75

No provision.

Specifically states that school districts may rent or lease facilities to public or nonpublic institutions of higher education to be used to provide evening and summer classes. (Current law permits districts to authorize other groups and entities to use their facilities, for a reasonable fee, as long as that use does not interfere with the districts' operation of schools.)

Same as the House.

**Fiscal effect: None.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Reported by Senate Finance

RSCCD12 Vocational Rehabilitation Services for Students

Section: 375.10

Authorizes the ODM Director, at the request of the Chancellor of the Board of Regents, to transfer appropriation from GRF appropriation item 235502, Student Support Services, to GRF appropriation item 415506, Services for People with Disabilities in RSC.

Requires RSC to use any transferred funds to obtain additional federal matching funds to serve disabled students.

Requires that GRF appropriation item 415506, Service for People with Disabilities, be used as state matching funds to provide vocational rehabilitation services to eligible consumers.

Fiscal effect: Potential revenue gains.

Section: 375.10

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Section: 375.10

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Reported by Senate Finance

SOACD1 Eligibility for Grants and Loans

No provision.

R.C. 183.151

Requires grants and loans awarded by the Southern Ohio Agricultural and Community Development Foundation after the effective date of the section to be limited to applicants enrolled in an institution of higher education located in Ohio or within 50 miles of the state's borders.

**Fiscal effect: This provision changes the terms under which grants and loans are awarded, but does not alter the number of grants or loans issued. Typically, the Foundation receives more applications than it can fund.**

No provision.

## Executive

## As Passed by the House

## As Reported by Senate Finance

## TOSCD6 Supplemental School Employee Compensation Deferral Plan

| Executive         | As Passed by the House | As Reported by Senate Finance  |
|-------------------|------------------------|--|
|                   |                        | <b>R.C. 113.42, 113.43, 113.44, 2907.15, and 2921.41</b>   |
| (1) No provision. | (1) No provision.      | (1) Authorizes the Treasurer of State to offer a supplemental employee compensation deferral plan to eligible employees of a school district or college. Specifies that the plan is in addition to any retirement or any other benefit program provided by law for employees of the school district or college. Allows the Treasurer to designate one or more third parties as administrator of the plan. Requires the Treasurer to establish eligibility criteria for plan participation and adopt necessary rules related to the plan. |
| (2) No provision. | (2) No provision.      | (2) Provides that the plan may be invested in investments considered appropriate by the Treasurer, including life insurance, annuity contracts, and mutual funds.  |
| (3) No provision. | (3) No provision.      | (3) Specifies that the deferred employee compensation under such plan is not included in the computation of federal or state income taxes.   |
| (4) No provision. | (4) No provision.      | (4) Creates the Supplemental Employee Deferral Plan Administration Fund, to be used by the Treasurer of State to pay actual and necessary administrative expenses of the plan. Specifies that the fund will not be part of the state treasury, but will be in the custody of the Treasurer of State.   |
| (5) No provision. | (5) No provision.      | (5) Allows the Treasurer of State to apply administrative expenses of the plan in any of the following ways: (a) against earnings from investments, (b) as prorated fees charged equitably among the participants of the plan, or (c) by another method determined by the Treasurer of State. Specifies that the Treasurer of State must use one of the above options.   |

Executive

As Passed by the House

As Reported by Senate Finance

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**Fiscal effect: Potential increase in administrative costs for the Treasurer to establish and administer the plan. Potential increase in pension costs if a school district or a college opts to contribute to the supplemental plan on behalf of its participating employees; any such increase would be permissive. Potential reduction in state personal income tax and school district income tax revenue, with the magnitude of the reduction depending on participation in the new plan.**

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## Executive

## As Passed by the House

## As Reported by Senate Finance

## LOCCD9 Commercial Advertising on State Agency and Political Subdivision Web Sites

R.C. 9.03, 9.031

Authorizes state agencies and political subdivisions to adopt rules (in the case of state agencies) or resolutions (in the case of political subdivisions) to authorize commercial advertising on state agency and political subdivision web sites. Requires the rules or resolutions to specify the persons authorized to place the advertising on the web sites, the criteria for choosing advertisers and types of permissible advertisements, the requirements and procedures for making requests for proposals under the authority to place commercial advertisements on web sites, and any other necessary requirements and limitations for the authorization.

Modifies the current prohibition against commercial advertising by political subdivisions by allowing commercial advertising as long as it is posted on a political subdivision's web site in compliance with the authorization under the bill.

**Fiscal effect: The provision would increase revenues for those entities that chose to offer advertising on their web sites.**

R.C. 9.03, 9.031

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

No provision.

No provision.

## LOCCD55 Contracts for Legislative Agents

No provision.

No provision.

R.C. 101.711

Prohibits a public office from entering into a contract for a legislative agent with a cost exceeding \$50,000 per year unless the contract is approved by the Controlling Board.

Executive

As Passed by the House

As Reported by Senate Finance

**Fiscal effect: May restrict the ability of state agencies, political subdivisions, higher education institutions, and other public offices to contract for legislative agents.**

LOCCD26

Land Conveyance from Kent State University to Jackson Township

**Section: 753.23****Section: 753.23**

No provision.

Authorizes the Governor to execute a deed in the name of the state conveying to the Board of Township Trustees of Jackson Township, its successors and assigns, all of the state's right, title, and interest in certain real estate located in Stark County.

Same as the House.

No provision.

Specifies that the consideration for the conveyance is the mutual benefit accruing to the state and to Jackson Township from the use of the real estate for a fire station.

Same as the House.

No provision.

Specifies that if Jackson Township ceases to use the real estate for a fire station, that all right, title, and interest in the real estate immediately reverts to the state.

Same as the House.

No provision.

Requires Jackson Township to pay the costs of conveyance.

Same as the House.

No provision.

Specifies that the section authorizing the land conveyance expires one year after its effective date.

Same as the House.