

Executive

As Passed By House

SCRCD1 Student Tuition Recovery Authority membership changes

No provision.

R.C. 3332.081

Modifies the General Assembly members of the five-member Student Tuition Recovery Authority by replacing the chairpersons of the House and Senate committees that primarily deal with education with a member each of the Senate and House appointed by the President and Speaker, respectively. Specifies that the General Assembly members are nonvoting members, rather than nonvoting ex officio members as under current law.

**Fiscal effect: None.**

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**BORCD91 Contracts with online program managers**

**R.C. 1713.03, 1713.032, 3333.0420**

Defines a "contractual agreement" as a contract in which a state or private nonprofit institution of higher education grants an unaccredited online program manager input or authority on any of the following: (1) curriculum development, design, or maintenance; (2) student assessment and grading; (3) course assessment; (4) admissions requirements; (5) appointment of faculty; (6) faculty assessment; (7) decision to award course credit or credential; (8) institutional governance.

Requires each state institution of higher education annually to report to the Chancellor of Higher Education each contractual agreement it entered into in that year. Authorizes the Chancellor to request that a state institution provide the Chancellor with all information concerning a contractual agreement, including a copy of the agreement.

Permits the Chancellor to require that each state institution submit a contractual agreement to the Chancellor prior to the agreement's execution for a review to ensure compliance with the standards and procedures for academic program review.

Requires each state institution to (1) maintain responsibility for and oversight of the academic program as specified in the Chancellor's standards and procedures for academic program approval, (2) ensure each academic program is offered in the manner approved by the Chancellor or formally request approval for a significant change to the previously approved program or approval of a new academic program, and (3) notify students which parties are providing instruction, recruitment, and other services under the agreement.

**R.C. 1713.03, 1713.032, 3332.22, 3333.0420**

Same as the Executive, but replaces "unaccredited online program manager" with "online program manager" and defines "online program manager" as a for-profit entity in a contractual agreement with a state or private nonprofit institution of higher education to develop or administer curriculum on behalf of the institution for online courses or programs. Replaces the topic in (2) with "student recruitment, assessment, and grading" for private nonprofit institutions and "student instruction" for state institutions and adds "(9) instruction" for private nonprofit institutions.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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Prohibits a state institution from entering a contractual agreement unless the agreement grants the Chancellor the authority to invalidate the agreement if it either was not approved by the Chancellor or is not compliant with the Chancellor's standards and procedures for academic program approval. Requires a state institution to offer each current student remediated instruction at no cost or a full refund if the Chancellor invalidates a contractual agreement.

Same as the Executive.

Requires each private nonprofit institution to disclose on its annual report to the Chancellor any unaccredited online program managers it has contracted with to provide instruction to its students.

Same as the Executive, but replaces “unaccredited online program manager” with “online program manager” as defined above.

Requires each private nonprofit institution of higher education annually to report to the Chancellor each contractual agreement it entered into in that year. Authorizes the Chancellor to request that an institution provide the Chancellor with all information concerning a contractual agreement, including a copy of the agreement. Requires a institution that intends to enter into a contractual agreement to submit appropriate documentation to the Chancellor and obtain approval before entering into the agreement.

Replaces the Executive provisions for private nonprofit institutions with ones that require those institutions, to the extent practicable, to endeavor to provide the Chancellor a notification of intent at least 30 days before entering into a contractual agreement. Requires, upon entering into a contractual agreement, an institution to immediately send a copy of it to the Chancellor and any other documentation requested by the Chancellor related to ensuring compliance with standards, rules, and laws.

Requires each private nonprofit institution to (1) maintain responsibility for and oversight of the academic program as specified in the Chancellor's standards and procedures for academic program approval, (2) ensure each academic program is offered in the manner approved by the Chancellor or formally request approval for a significant change to the previously approved program or approval of a new academic program, and (3) notify students which parties are providing instruction, recruitment, and other services under the agreement.

No provision.

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Prohibits a private nonprofit institution from entering a contractual agreement unless the agreement grants the Chancellor the authority to invalidate the agreement if it either was not approved by the Chancellor or is not compliant with the Chancellor's standards and procedures for academic program approval. Requires an institution to offer each current student remediated instruction at no cost or a full refund if the Chancellor invalidates a contractual agreement.

No provision.

No provision.

No provision.

No provision.

No provision.

No provision.

Requires the Chancellor to develop materials regarding the risks inherent in contractual agreements and implementation of such agreements that relate to compliance with standards, rules, and laws regarding program approval, including the consequences of offering an unapproved program. Requires a nonprofit institution to attest to its review of the materials prior to entering into a contractual agreement with an online program manager.

Requires a contractual agreement for private nonprofit institutions to include a provision that grants the institution the authority to invalidate the contract if the online program manager does not provide the curricula that align with the institution or school's approved program.

Requires a private nonprofit institution to post on its website that it uses an online program manager. Specifies that contractual agreements for private nonprofit institutions are not subject to the public records law.

Requires a for-profit institution that holds a certificate of authorization from the Chancellor to comply with the same provisions as private nonprofit institutions for any program or degree it offers under that approval.

Applies, generally, all of the Executive provisions in BORCD91 to for-profit career colleges and schools that hold a certificate of registration from or is authorized to offer a certificate, diploma, or degree under a certificate of authorization issued by the State Board of Career Colleges and Schools (SCR). Replaces the Chancellor with SCR, accordingly, where applicable.

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**Fiscal effect: A state institution that enters into a contractual agreement will incur increased administrative costs.**

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

**BORCD93 Higher education institution program review**

**R.C. 1713.041, 3333.074**

**R.C. 1713.041, 3332.21, 3333.074**

Requires each state and private nonprofit institution of higher education to annually submit the following information to the Chancellor: the institution's accreditation status, a plan to preserve student records indefinitely in case of closure, the results of any external degree program evaluations that occurred in the last year, and any other information requested by the Chancellor.

Same as the Executive, but requires each private for-profit career college or school to annually submit the same information to the State Board of Career Colleges and Schools (SCR) and the Chancellor.

Requires each private nonprofit institution to submit a list of current degree programs offered in Ohio and the latest financial statement for the most recent fiscal year compiled by an independent certified public accountant.

Same as the Executive, but extends the requirements to each for-profit career college or school.

Permits the Chancellor to rescind approval of a program or a private nonprofit institution's authorization if an institution fails to submit the required information.

Same as the Executive, but authorizes SCR to rescind approval of a for-profit career college or school's program or authorization if a school fails to submit the required information or if SCR and the Chancellor finds that the information submitted is insufficient.

Requires each institution to immediately notify the Chancellor if it is placed on special monitoring status by the federal government or an accrediting organization, receives preliminary or final accreditation findings, is under investigation by a government agency, fails to make specified payments, makes budget revisions resulting in substantially reduced ending fund balance or larger deficit, or becomes aware of significant negative variance between its annual budget and actual revenues or expenses projected at the end of the fiscal year.

Same as the Executive, but extends requirement to each for-profit career college or school to notify SCR and the Chancellor.

Requires each state institution to notify the Chancellor if it has requested an advance of a state subsidy.

Same as the Executive.

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Exempts documents submitted to the Chancellor that are related to heightened reporting standards or special monitoring status, accreditation findings, or government agency investigations from public records requests until such time the document is released by the appropriate entity.

Same as the Executive, but extends exemption to documents submitted to SCR or the Chancellor.

Specifies that financial documents submitted to the Chancellor by a private nonprofit institution are not public records.

Same as the Executive, but additionally specifies that financial documents submitted to SCR or the Chancellor are not public records.

**Fiscal effect: Provides ODHE greater oversight for institutions that may be in financial distress. State institutions may incur an increase in administrative costs to meet the reporting and notification requirements.**

**Fiscal effect: Same as the Executive, but also provides SCR with additional oversight of for-profit career colleges or schools.**

**BORCD94 State and private nonprofit institution student record preservation plans**

R.C. 3345.601, 1713.033

R.C. 3345.601, 1713.033, 3332.17

Requires each state and private nonprofit institution of higher education to annually provide the Chancellor with a plan to preserve student records indefinitely if the institution were to close.

Same as the Executive, but also requires each private for-profit career college and school to annually provide SCR a plan to preserve student records indefinitely if the college or school were to close.

Authorizes the Chancellor to consult with the Higher Learning Commission, the State Board of Career Colleges and Schools (SCR), and other appropriate entities to establish plans, processes, and procedures for institutions and schools to provide indefinite access to student records.

Same as the Executive, but authorizes SCR to consult with the Chancellor, the Higher Learning Commission, and other appropriate entities for the same purpose for private for-profit career colleges and schools.

**Fiscal effect: Minimal increase in administrative costs for state institutions.**

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