

As Passed by the House

135th General Assembly

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2023-2024

Am. H. B. No. 164

Representatives Jarrells, Seitz

Cosponsors: Representatives Isaacsohn, Baker, Weinstein, Galonski, Brewer, Somani, Miller, J., Grim, Lightbody, Miranda, Brennan, Miller, A., Forhan, Brown, Humphrey, Russo, Upchurch, Blackshear, McNally, Rogers, Abdullahi, Dell'Aquila, Liston, Williams, Hillyer, White, Robb Blasdel, Carruthers, Ray, Young, T., Bird, Robinson, Willis, Abrams, Brent, Daniels, Denson, Dobos, Edwards, Fowler Arthur, Jones, Kick, Lampton, LaRe, Mathews, Miller, M., Mohamed, Oelslager, Patton, Pavliga, Piccolantonio, Plummer, Sims, Skindell, Stein, Thomas, C., Troy, Whitted

A BILL

To enact sections 3301.95 and 3333.89 of the
Revised Code to establish the Foster-to-College
Scholarship Program, to require the Department
of Education and Workforce to hire a full-time
school foster care liaison, and to make an
appropriation for the Foster-to-College
Scholarship Program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3301.95 and 3333.89 of the
Revised Code be enacted to read as follows:

Sec. 3301.95. (A) As used in this section:

(1) "School of origin" means the school in which a student
was enrolled at the time of each placement into foster care. If
the student's foster care placement changes, the school of

origin is the school in which the student is enrolled at the 14
time of the change in placement. "School of origin" includes the 15
designated receiving school at the next grade level for feeder 16
school or zone patterns when the student completes the final 17
grade level served by the school of origin. When there is more 18
than one potential school of origin, the department of education 19
and workforce, or school foster care liaison under division (B) 20
of this section, shall designate the school of origin using the 21
student's input. 22

(2) "Student placed in foster care" means a child who at 23
any time during an academic semester or term is in foster care, 24
including any child who is in the custody of a public children's 25
services agency or private child placing agency or otherwise 26
placed with a licensed foster caregiver. "Student placed in 27
foster care" includes a child who transfers enrollment as a 28
result of being returned to the child's home at the conclusion 29
of the child's placement. 30

(B) If the director of education and workforce determines 31
that sufficient funds are available from general revenue fund 32
appropriations made to the department of education and 33
workforce, the department shall hire a full-time school foster 34
care liaison. The school foster care liaison shall work with 35
public children services agencies, private child placing 36
agencies, and the department of job and family services to 37
facilitate services to keep students placed in foster care in 38
the student's school of origin or, if the public children 39
services agency or private child placing agency determines that 40
it is not in a student's best interest to remain in the school 41
of origin, facilitate the prompt and appropriate placement, 42
transfer, and enrollment of such a student in another public 43
school. 44

The school foster care liaison's specific duties include: 45

(1) Responding to a request from a public children 46
services agency or private child placing agency for input from a 47
school district or school concerning the determination of 48
whether it is in the best interest of the student placed in 49
foster care to remain in the school of origin; 50

(2) Collaborating with the public children services agency 51
or private child placing agency to ensure that any necessary 52
transportation and services are provided for the student placed 53
in foster care to remain in the student's school of origin; 54

(3) If a public children services agency or private child 55
placing agency determines that it is not in the student's best 56
interest to remain in the school of origin, working with the 57
agency, juvenile probation officer, parents, guardian ad litem 58
or counsel for the student, and foster caregivers to ensure that 59
the student is enrolled in a new school immediately with 60
transition planning, and that the student's complete education 61
information and records are requested immediately by the 62
student's new school upon enrollment; 63

(4) Upon receiving the required notification and 64
invitation, participating in a transition planning meeting 65
regarding the enrollment in a public school of a student placed 66
in foster care from a state-licensed day treatment facility, or 67
hospital, or having a designee participate in the meeting; 68

(5) Participating, or having the liaison's designee 69
participate, in any interagency collaboration team or threat 70
assessment team centered on students placed in foster care, 71
which the school district or school may develop or on which the 72
school district or school may be invited to participate; 73

(6) Providing students placed in foster care with 74
information about the foster-to-college scholarship program 75
established in section 3333.89 of the Revised Code. 76

Sec. 3333.89. (A) As used in this section: 77

(1) "Chafee ETV grant" means an educational and training 78
voucher program grant made pursuant to the "John H. Chafee 79
Foster Care Program for Successful Transition to Adulthood," 42 80
U.S.C. 677. 81

(2) "Cost of attendance" has the same meaning as in 82
section 3333.37 of the Revised Code. 83

(3) "Federal need analysis" means the methodology 84
determined by the United States department of education to 85
determine the amount of a student's financial need to pay for 86
postsecondary education. 87

(4) "Institution of higher education" has the same meaning 88
as in section 3345.19 of the Revised Code. 89

(5) "Noncertified kinship care" means a public children 90
services agency or private child placing agency has placed a 91
child in the care of a kinship caregiver, as defined in section 92
5101.85 of the Revised Code, who has not met the requirements 93
for a foster home certificate issued under section 5103.03 of 94
the Revised Code or has chosen not to pursue that certificate. 95

(6) "Qualifying student" means a resident of Ohio as 96
defined in section 3333.31 of the Revised Code, who has been 97
accepted for enrollment at an institution of higher education 98
who has been placed in either of the following: 99

(a) Foster care at any time on or after the student's 100
thirteenth birthday; 101

(b) Noncertified kinship care at any time on or after the 102
student's thirteenth birthday and was, at any time, adjudicated 103
an abused child as defined in section 2151.031 of the Revised 104
Code, a neglected child as defined in section 2151.03 of the 105
Revised Code, or a dependent child as defined in section 2151.04 106
of the Revised Code. 107

(B) (1) The foster-to-college scholarship program is 108
established. Under the program, beginning in the 2023-2024 109
academic year, each qualifying student shall be awarded a 110
foster-to-college scholarship based on the student's federal 111
need analysis. The amount of the foster-to-college scholarship 112
shall equal the applicant's recognized cost of attendance after 113
deducting all of the following: 114

(a) The student aid index as calculated by the federal 115
need analysis; 116

(b) The amount of any federal Pell grant award for which 117
the applicant is eligible; 118

(c) The amount of any state grant; 119

(d) The federal supplemental educational opportunity 120
grant; 121

(e) The Ohio college opportunity grant, under section 122
3333.122 of the Revised Code; 123

(f) The amount of any other state and federal gift aid; 124

(g) The Chafee ETV grant; 125

(h) Extended foster care benefits under 42 U.S.C. 675(8) 126
(B); 127

(i) The amount of any private grants or scholarships, 128

excluding grants and scholarships provided by the private 129
institution of higher education in which the eligible student is 130
enrolled; 131

(j) For public institutions, the sum of all institutional 132
grants, scholarships, tuition waivers, and tuition remission 133
amounts. 134

(2) The foster scholarship shall be paid directly to the 135
participating institution of higher education in which the 136
student is enrolled. 137

(3) An eligible private institution may choose not to 138
participate in the foster-to-college scholarship program 139
established under this section. To opt out, the institution 140
shall provide notice to the chancellor of higher education by 141
the first day of September for the next academic year. 142

(4) An eligible private institution that chooses to 143
participate in the program and accepts a student's application 144
to attend the institution shall provide institutional grants, 145
scholarships, tuition waivers, or tuition remission in an amount 146
equal to the difference between the institution's cost of 147
attendance and the sum of the scholarship under this division 148
and the sum of the amounts in divisions (B)(1)(a) to (j) of this 149
section. 150

(C) In order to receive a scholarship under the program, 151
the qualifying student shall do all of the following: 152

(1) Complete the free application for federal student aid, 153
including acknowledgement of past or current foster care 154
placement; 155

(2) If eligible, complete the application for a Chafee ETV 156
grant; 157

(3) Be enrolled in courses leading toward a bachelor's 158
degree, a postgraduate degree, an associate's degree, an 159
industry-recognized credential, or a certificate of completion 160
at an institution of higher education; 161

(4) Request financial assistance in accordance with 162
policies set forth by the institution of higher education; 163

(5) Remain in satisfactory academic standing in accordance 164
with the academic policies of the institution of higher 165
education and be making progress toward completion of the 166
requirements of the educational program in which the student is 167
enrolled. 168

(D) (1) Eligible students shall apply to participate in the 169
program in a form and manner prescribed by the chancellor. The 170
chancellor shall approve each qualifying student who applies and 171
who has a remaining cost of attendance for the period in which 172
the application is approved after all other financial aid for 173
which that applicant qualifies has been applied to the 174
applicant's account at the institution. The chancellor shall 175
approve applications in the order in which they are received. 176
The amount of scholarships awarded shall not exceed the amount 177
appropriated for that purpose. 178

(2) The chancellor shall pay to each institution of higher 179
education in which a participant who receives a scholarship 180
described in division (B) of this section is enrolled the amount 181
of the scholarship awarded under that division. 182

(E) The chancellor shall enter into an agreement with the 183
same organization engaged by the department of job and family 184
services to administer the Chafee ETV program to employ four 185
full-time employees to serve as foster care student navigators 186

and assist prospective qualifying students in applying for and 187
enrolling in institutions of higher education and the foster-to- 188
college scholarship program. The navigators shall work with 189
school district and school foster care liaisons to identify 190
prospective qualifying students. A navigator shall provide 191
guidance to prospective qualifying students with selecting 192
institutions and programs in which the student may wish to 193
enroll. A navigator shall, at the request of a student, assist 194
the student with completing an institution's application for 195
admission, the free application for federal student aid, and, if 196
eligible, the application for a Chafee ETV grant. 197

(F)(1) The chancellor shall, in accordance with Chapter 198
119. of the Revised Code, adopt rules necessary to administer 199
this section. 200

(2) Notwithstanding any provision of section 121.95 of the 201
Revised Code to the contrary, a regulatory restriction contained 202
in a rule adopted under division (F) of this section is not 203
subject to sections 121.95 to 121.953 of the Revised Code. 204

Section 2. All items in this act are hereby appropriated 205
as designated out of any moneys in the state treasury to the 206
credit of the designated fund. For all operating appropriations 207
made in this act, those in the first column are for fiscal year 208
2024 and those in the second column are for fiscal year 2025. 209
The operating appropriations made in this act are in addition to 210
any other operating appropriations made for these fiscal years. 211

Section 3. 212

213

A	BOR DEPARTMENT OF HIGHER EDUCATION		
B	Dedicated Purpose Fund Group		
C	5AM1 235689 Foster-to-College Scholarship	\$7,500,000	\$7,500,000
D	TOTAL DPF Dedicated Purpose Fund Group	\$7,500,000	\$7,500,000
E	TOTAL ALL BUDGET FUND GROUPS	\$7,500,000	\$7,500,000

FOSTER-TO-COLLEGE SCHOLARSHIP	214
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The foregoing appropriation item 235689, Foster-to-College	215
Scholarship, shall be used by the Chancellor of Higher Education	216
to support the Foster-to-College Scholarship Program pursuant to	217
section 3333.89 of the Revised Code.	218

Of the foregoing appropriation item 235689, Foster-to-	219
College Scholarship, a portion in each fiscal year may be	220
allocated to the same organization engaged by the Department of	221
Job and Family Services to administer the Chafee ETV Program to	222
employ four full-time foster care student navigators pursuant to	223
division (E) of section 3333.89 of the Revised Code.	224

An amount equal to the unexpended, unencumbered balance of	225
the foregoing appropriation item 235689, Foster-to-College	226
Scholarship, at the end of fiscal year 2024 is hereby	227
reappropriated for the same purpose in fiscal year 2025.	228

Section 4. Within the limits set forth in this act, the	229
Director of Budget and Management shall establish accounts	230
indicating the source and amount of funds for each appropriation	231
made in this act, and shall determine the manner in which	232
appropriation accounts shall be maintained. Expenditures from	233
operating appropriations contained in this act shall be	234

accounted for as though made in, and are subject to all 235
applicable provisions of, the main operating appropriations act 236
of the 135th General Assembly. 237

Section 5. On the effective date of this section, or as 238
soon as possible thereafter, the Director of Budget and 239
Management shall transfer \$15,000,000 cash from the General 240
Revenue Fund to the Foster-to-College Scholarship Fund (Fund 241
5AM1), which is hereby created in the state treasury. 242