

As Re-Referred by the House Rules and Reference Committee

135th General Assembly

Regular Session

2023-2024

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

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 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
time of the change in placement. "School of origin" includes the
designated receiving school at the next grade level for feeder

school or zone patterns when the student completes the final 16
grade level served by the school of origin. When there is more 17
than one potential school of origin, the department of 18
education, or school foster care liaison under division (B) of 19
this section, shall designate the school of origin using the 20
student's input. 21

(2) "Student placed in foster care" means a child who at 22
any time during an academic semester or term is in foster care, 23
including any child who is in the custody of a public children's 24
services agency or private child placing agency or otherwise 25
placed with a licensed foster caregiver. "Student placed in 26
foster care" includes a child who transfers enrollment as a 27
result of being returned to the child's home at the conclusion 28
of the child's placement. 29

(B) If the superintendent of public instruction determines 30
that sufficient funds are available from general revenue fund 31
appropriations made to the department of education, the 32
department shall hire a full-time school foster care liaison. 33
The school foster care liaison shall work with public children 34
services agencies, private child placing agencies, and the 35
department of job and family services to facilitate services to 36
keep students placed in foster care in the student's school of 37
origin or, if the public children services agency or private 38
child placing agency determines that it is not in a student's 39
best interest to remain in the school of origin, facilitate the 40
prompt and appropriate placement, transfer, and enrollment of 41
such a student in another public school. 42

The school foster care liaison's specific duties include: 43

(1) Responding to a request from a public children 44
services agency or private child placing agency for input from a 45

school district or school concerning the determination of 46
whether it is in the best interest of the student placed in 47
foster care to remain in the school of origin; 48

(2) Collaborating with the public children services agency 49
or private child placing agency to ensure that any necessary 50
transportation and services are provided for the student placed 51
in foster care to remain in the student's school of origin; 52

(3) If a public children services agency or private child 53
placing agency determines that it is not in the student's best 54
interest to remain in the school of origin, working with the 55
agency, juvenile probation officer, parents, guardian ad litem 56
or counsel for the student, and foster caregivers to ensure that 57
the student is enrolled in a new school immediately with 58
transition planning, and that the student's complete education 59
information and records are requested immediately by the 60
student's new school upon enrollment; 61

(4) Upon receiving the required notification and 62
invitation, participating in a transition planning meeting 63
regarding the enrollment in a public school of a student placed 64
in foster care from a state-licensed day treatment facility, or 65
hospital, or having a designee participate in the meeting; 66

(5) Participating, or having the liaison's designee 67
participate, in any interagency collaboration team or threat 68
assessment team centered on students placed in foster care, 69
which the school district or school may develop or on which the 70
school district or school may be invited to participate; 71

(6) Providing students placed in foster care with 72
information about the foster-to-college scholarship program 73
established in section 3333.89 of the Revised Code. 74

Sec. 3333.89. (A) As used in this section: 75

(1) "Chafee ETV grant" means an educational and training 76
voucher program grant made pursuant to the "John H. Chafee 77
Foster Care Program for Successful Transition to Adulthood," 42 78
U.S.C. 677. 79

(2) "Cost of attendance" has the same meaning as in 80
section 3333.37 of the Revised Code. 81

(3) "Federal need analysis" means the methodology 82
determined by the United States department of education to 83
determine the amount of a student's financial need to pay for 84
postsecondary education. 85

(4) "Institution of higher education" has the same meaning 86
as in section 3345.19 of the Revised Code. 87

(5) "Noncertified kinship care" means a public children 88
services agency or private child placing agency has placed a 89
child in the care of a kinship caregiver, as defined in section 90
5101.85 of the Revised Code, who has not met the requirements 91
for a foster home certificate issued under section 5103.03 of 92
the Revised Code or has chosen not to pursue that certificate. 93

(6) "Qualifying student" means a resident of Ohio as 94
defined in section 3333.31 of the Revised Code, who has been 95
accepted for enrollment at an institution of higher education 96
who has been placed in either of the following: 97

(a) Foster care at any time on or after the student's 98
thirteenth birthday; 99

(b) Noncertified kinship care at any time on or after the 100
student's thirteenth birthday and was, at any time, adjudicated 101
an abused child as defined in section 2151.031 of the Revised 102

Code, a neglected child as defined in section 2151.03 of the 103
Revised Code, or a dependent child as defined in section 2151.04 104
of the Revised Code. 105

(B)(1) The foster-to-college scholarship program is 106
established. Under the program, beginning in the 2023-2024 107
academic year, each qualifying student shall be awarded a 108
foster-to-college scholarship based on the student's federal 109
need analysis. The amount of the foster-to-college scholarship 110
shall equal the applicant's recognized cost of attendance after 111
deducting all of the following: 112

(a) The student aid index as calculated by the federal 113
need analysis; 114

(b) The amount of any federal Pell grant award for which 115
the applicant is eligible; 116

(c) The amount of any state grant; 117

(d) The federal supplemental educational opportunity 118
grant; 119

(e) The Ohio college opportunity grant, under section 120
3333.122 of the Revised Code; 121

(f) The amount of any other state and federal gift aid; 122

(g) The Chafee ETV grant; 123

(h) Extended foster care benefits under 42 U.S.C. 675(8) 124
(B); 125

(i) The amount of any private grants or scholarships, 126
excluding grants and scholarships provided by the private 127
institution of higher education in which the eligible student is 128
enrolled; 129

(j) For public institutions, the sum of all institutional 130
grants, scholarships, tuition waivers, and tuition remission 131
amounts. 132

(2) The foster scholarship shall be paid directly to the 133
participating institution of higher education in which the 134
student is enrolled. 135

(3) An eligible private institution may choose not to 136
participate in the foster-to-college scholarship program 137
established under this section. To opt out, the institution 138
shall provide notice to the chancellor of higher education by 139
the first day of September for the next academic year. 140

(4) An eligible private institution that chooses to 141
participate in the program and accepts a student's application 142
to attend the institution shall provide institutional grants, 143
scholarships, tuition waivers, or tuition remission in an amount 144
equal to the difference between the institution's cost of 145
attendance and the sum of the scholarship under this division 146
and the sum of the amounts in divisions (B)(1)(a) to (j) of this 147
section. 148

(C) In order to receive a scholarship under the program, 149
the qualifying student shall do all of the following: 150

(1) Complete the free application for federal student aid, 151
including acknowledgement of past or current foster care 152
placement; 153

(2) If eligible, complete the application for a Chafee ETV 154
grant; 155

(3) Be enrolled in courses leading toward a bachelor's 156
degree, a postgraduate degree, an associate's degree, an 157
industry-recognized credential, or a certificate of completion 158

at an institution of higher education; 159

(4) Request financial assistance in accordance with 160
policies set forth by the institution of higher education; 161

(5) Remain in satisfactory academic standing in accordance 162
with the academic policies of the institution of higher 163
education and be making progress toward completion of the 164
requirements of the educational program in which the student is 165
enrolled. 166

(D) (1) Eligible students shall apply to participate in the 167
program in a form and manner prescribed by the chancellor. The 168
chancellor shall approve each qualifying student who applies and 169
who has a remaining cost of attendance for the period in which 170
the application is approved after all other financial aid for 171
which that applicant qualifies has been applied to the 172
applicant's account at the institution. The chancellor shall 173
approve applications in the order in which they are received. 174
The amount of scholarships awarded shall not exceed the amount 175
appropriated for that purpose. 176

(2) The chancellor shall pay to each institution of higher 177
education in which a participant who receives a scholarship 178
described in division (B) of this section is enrolled the amount 179
of the scholarship awarded under that division. 180

(E) The chancellor shall enter into an agreement with the 181
same organization engaged by the department of job and family 182
services to administer the Chafee ETV program to employ four 183
full-time employees to serve as foster care student navigators 184
and assist prospective qualifying students in applying for and 185
enrolling in institutions of higher education and the foster-to- 186
college scholarship program. The navigators shall work with 187

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

(F) (1) The chancellor shall, in accordance with Chapter 196
119. of the Revised Code, adopt rules necessary to administer 197
this section. 198

(2) Notwithstanding any provision of section 121.95 of the 199
Revised Code to the contrary, a regulatory restriction contained 200
in a rule adopted under division (F) of this section is not 201
subject to sections 121.95 to 121.953 of the Revised Code. 202

Section 2. All items in this act are hereby appropriated 203
as designated out of any moneys in the state treasury to the 204
credit of the designated fund. For all operating appropriations 205
made in this act, those in the first column are for fiscal year 206
2024 and those in the second column are for fiscal year 2025. 207
The operating appropriations made in this act are in addition to 208
any other operating appropriations made for these fiscal years. 209

Section 3. 210

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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 212

The foregoing appropriation item 235689, Foster-to-College 213
Scholarship, shall be used by the Chancellor of Higher Education 214
to support the Foster-to-College Scholarship Program pursuant to 215
section 3333.89 of the Revised Code. 216

Of the foregoing appropriation item 235689, Foster-to- 217
College Scholarship, a portion in each fiscal year may be 218
allocated to the same organization engaged by the Department of 219
Job and Family Services to administer the Chafee ETV Program to 220
employ four full-time foster care student navigators pursuant to 221
division (E) of section 3333.89 of the Revised Code. 222

An amount equal to the unexpended, unencumbered balance of 223
the foregoing appropriation item 235689, Foster-to-College 224
Scholarship, at the end of fiscal year 2024 is hereby 225
reappropriated for the same purpose in fiscal year 2025. 226

Section 4. Within the limits set forth in this act, the 227
Director of Budget and Management shall establish accounts 228
indicating the source and amount of funds for each appropriation 229
made in this act, and shall determine the manner in which 230
appropriation accounts shall be maintained. Expenditures from 231
operating appropriations contained in this act shall be 232
accounted for as though made in, and are subject to all 233
applicable provisions of, the main operating appropriations act 234

of the 135th General Assembly. 235

Section 5. On the effective date of this section, or as 236
soon as possible thereafter, the Director of Budget and 237
Management shall transfer \$15,000,000 cash from the General 238
Revenue Fund to the Foster-to-College Scholarship Fund (Fund 239
5AM1), which is hereby created in the state treasury. 240