

3333-1-65.6

Funding.**(A) Default**

- (1) If an alternative funding structure agreement has not been mutually executed between an institution of higher education and secondary school pursuant to division (A)(2) or (B)(2) of section 3365.07 of the Revised Code, the department of education shall pay an institution of higher education enrolling a student under the college credit plus program the per credit hour amount in accordance with division (A)(1) of section 3365.07 of the Revised Code.
- (2) In addition to the per credit hour amount established in paragraph (A)(1) of this rule, the district or secondary school is responsible to provide course text books and materials, and the postsecondary institution must waive all fees related to college credit plus program participation and course enrollment.
- (3) If a secondary school fails to submit information or data required for the department to calculate payments under an alternative payment structure, the department shall pay an institution of higher education in accordance with division (A)(1) of section 3365.07 of the Revised Code.

(B) Alternative payment structure agreements under division (A)(2) or (B)(2) of section 3365.07 of the Revised Code

- (1) A secondary school and an institution of higher education may enter into an agreement for an alternative payment structure if all are the following are met:
 - (a) The agreement is executed and made available within thirty days after the effective date of college credit plus rules in 2015 and by the first day of February each year thereafter.
 - (b) The terms comply with applicable laws and rules.
 - (c) The terms and duration of an alternative funding structure agreement must not exceed one academic year. Provisions related to the charging of students pursuant to division (B)(2) of section 3365.07 of the Revised Code shall not be amended beyond July 1 of the academic year, unless the parties have agreed to lower or eliminate the participant charge, if any.
 - (d) The admission process at an institution of higher education, as well as the decision to admit students for purposes of participating in college credit

plus, are not contingent on the completion of an alternative payment structure agreement between the secondary and institution.

- (e) The terms include a provision that the agreement cannot be used by either party to limit participation of a student in enrolling in courses not part of the agreement.
 - (f) The per-credit hour rate, including one set below the floor, for each course delivery option identified under the agreement, is applied as a uniform rate to all students subject to the agreement, including summer term.
 - (g) The agreement includes an attached letter which, for the 2015-2016 academic year, acknowledges that the institution's president approved the negotiated rate. For each year thereafter, the attached letter must indicate the institution's board of trustees' or equivalent governing authority authorized the terms of the alternative payment structure agreement.
 - (h) Any amount negotiated by the parties resulting in an amount charged to students must include all costs associated with the program, including but not limited to, textbooks and associated course fees and must not exceed student cost caps pursuant to division (B) of section 3365.07 of the Revised Code.
 - (i) If a secondary school student takes a summer course and attends a different secondary school that the student attended the previous spring, then the student becomes subject to the default funding structure, or the alternative funding structure established between the secondary school the student is attending in the fall and the postsecondary institution, for purposes of payment for the summer term credits pursuant to division (F) of section 3365.07 of the Revised Code.
- (2) No student considered to be economically disadvantaged shall be charged for anything related to college credit plus participation in accordance with the following:
- (a) A student shall be considered economically disadvantaged for the purpose of college credit plus participation if the student is either of the following:
 - (i) A member of a household that meets the income eligibility guidelines for free or reduced-price meals, less than or equal to 185% of federal poverty guidelines under the provisions of the

National School Lunch Act, 42 U.S.C. 1758, effective date January 7, 2011;

(ii) A member of a household that participates in at least one of the following programs:

(a) Medicaid;

(b) Food stamps;

(c) supplementary security income (SSI);

(d) Federal public housing assistance or Section 8 (a federal housing assistance program administered by the department of housing and urban development);

(e) Low income home energy assistance program.

(b) A student whose siblings attend a school that has established that the student's family income is at or below the criteria described in this rule, shall be considered economically disadvantaged for purposes of this chapter without the student's secondary school or district collecting its own data on that family.

(c) A school district's or building's designation of community eligibility options shall not be considered in determining if a student is economically disadvantaged for purposes of this rule.

(C) Approval for per credit hour payment below the floor

An institution of higher education may seek approval from the chancellor of the board of regents to enter into an alternative funding agreement with a secondary school that establishes a per credit hour payment below the floor. An institution seeking approval may apply within thirty days after the effective date of college credit plus rules in 2015 and by the first day of February each year thereafter.

Such agreement must meet the following requirements:

(1) The requirements provided in paragraph B of this rule;

(2) Complete an application on the form provided by the chancellor, which will require, but not be limited to, the following information:

- (a) Postsecondary institution seeking approval.
- (b) The school district or chartered nonpublic school partnering with the postsecondary institution.
- (c) The proposed amount of the payment below the floor.
- (d) The duration of the proposed agreement.
- (e) For nonpublic postsecondary institutions partnering with school districts, a signed acknowledgement that information regarding the terms of the funding arrangement have been made accessible to eligible students and parents.
- (f) A declaration of the list of assurances signed by the superintendent of the district or person of equal authority and, for the 2015-2016 academic year, the president of the institution of higher education, that the alternative payment structure agreement requesting below the default floor per credit hour funding adheres to all statutory and administrative requirements of this chapter. For each year thereafter the assurances required by this paragraph shall be authorized by the institution's board of trustees or equivalent governing authority.

The chancellor shall post the application form and any other pertinent information on the agency website ohiohighered.org.

- (3) The chancellor's approval of agreements resulting in payments below the default floor shall in no way be construed as limiting a student choice to participate in the college credit plus offerings from another postsecondary institution.

Effective:

Five Year Review (FYR) Dates: 02/17/2020

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 3365.071
Rule Amplifies: 3365.07, 3365.071
Prior Effective Dates: 02/17/2015