

**As Reported by the House Finance Committee**

**135th General Assembly**

**Regular Session**

**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**

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**A BILL**

To enact sections 3301.95 and 3333.89 of the 1  
Revised Code to establish the Foster-to-College 2  
Scholarship Program, to require the Department 3  
of Education and Workforce to hire a full-time 4  
school foster care liaison, and to make an 5  
appropriation for the Foster-to-College 6  
Scholarship Program. 7

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

**Section 1.** That sections 3301.95 and 3333.89 of the 8  
Revised Code be enacted to read as follows: 9

**Sec. 3301.95.** (A) As used in this section: 10

(1) "School of origin" means the school in which a student 11  
was enrolled at the time of each placement into foster care. If 12  
the student's foster care placement changes, the school of 13  
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 services agency or private child placing agency for input from a school district or school concerning the determination of whether it is in the best interest of the student placed in foster care to remain in the school of origin; 46  
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(2) Collaborating with the public children services agency or private child placing agency to ensure that any necessary transportation and services are provided for the student placed in foster care to remain in the student's school of origin; 51  
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(3) If a public children services agency or private child placing agency determines that it is not in the student's best interest to remain in the school of origin, working with the agency, juvenile probation officer, parents, guardian ad litem or counsel for the student, and foster caregivers to ensure that the student is enrolled in a new school immediately with transition planning, and that the student's complete education information and records are requested immediately by the student's new school upon enrollment; 55  
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(4) Upon receiving the required notification and invitation, participating in a transition planning meeting regarding the enrollment in a public school of a student placed in foster care from a state-licensed day treatment facility, or hospital, or having a designee participate in the meeting; 64  
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(5) Participating, or having the liaison's designee participate, in any interagency collaboration team or threat assessment team centered on students placed in foster care, which the school district or school may develop or on which the school district or school may be invited to participate; 69  
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(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

<u>institution of higher education in which the eligible student is</u>	130
<u>enrolled;</u>	131
<u>(j) For public institutions, the sum of all institutional</u>	132
<u>grants, scholarships, tuition waivers, and tuition remission</u>	133
<u>amounts.</u>	134
<u>(2) The foster scholarship shall be paid directly to the</u>	135
<u>participating institution of higher education in which the</u>	136
<u>student is enrolled.</u>	137
<u>(3) An eligible private institution may choose not to</u>	138
<u>participate in the foster-to-college scholarship program</u>	139
<u>established under this section. To opt out, the institution</u>	140
<u>shall provide notice to the chancellor of higher education by</u>	141
<u>the first day of September for the next academic year.</u>	142
<u>(4) An eligible private institution that chooses to</u>	143
<u>participate in the program and accepts a student's application</u>	144
<u>to attend the institution shall provide institutional grants,</u>	145
<u>scholarships, tuition waivers, or tuition remission in an amount</u>	146
<u>equal to the difference between the institution's cost of</u>	147
<u>attendance and the sum of the scholarship under this division</u>	148
<u>and the sum of the amounts in divisions (B)(1)(a) to (j) of this</u>	149
<u>section.</u>	150
<u>(C) In order to receive a scholarship under the program,</u>	151
<u>the qualifying student shall do all of the following:</u>	152
<u>(1) Complete the free application for federal student aid,</u>	153
<u>including acknowledgement of past or current foster care</u>	154
<u>placement;</u>	155
<u>(2) If eligible, complete the application for a Chafee ETV</u>	156
<u>grant;</u>	157

(3) Be enrolled in courses leading toward a bachelor's degree, a postgraduate degree, an associate's degree, an industry-recognized credential, or a certificate of completion at an institution of higher education; 158  
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(4) Request financial assistance in accordance with policies set forth by the institution of higher education; 162  
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(5) Remain in satisfactory academic standing in accordance with the academic policies of the institution of higher education and be making progress toward completion of the requirements of the educational program in which the student is enrolled. 164  
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(D) (1) Eligible students shall apply to participate in the program in a form and manner prescribed by the chancellor. The chancellor shall approve each qualifying student who applies and who has a remaining cost of attendance for the period in which the application is approved after all other financial aid for which that applicant qualifies has been applied to the applicant's account at the institution. The chancellor shall approve applications in the order in which they are received. The amount of scholarships awarded shall not exceed the amount appropriated for that purpose. 169  
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(2) The chancellor shall pay to each institution of higher education in which a participant who receives a scholarship described in division (B) of this section is enrolled the amount of the scholarship awarded under that division. 179  
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(E) The chancellor shall enter into an agreement with the same organization engaged by the department of job and family services to administer the Chafee ETV program to employ four full-time employees to serve as foster care student navigators 183  
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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

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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

The foregoing appropriation item 235689, Foster-to-College Scholarship, shall be used by the Chancellor of Higher Education to support the Foster-to-College Scholarship Program pursuant to section 3333.89 of the Revised Code. 215  
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Of the foregoing appropriation item 235689, Foster-to-College Scholarship, a portion in each fiscal year may be allocated to the same organization engaged by the Department of Job and Family Services to administer the Chafee ETV Program to employ four full-time foster care student navigators pursuant to division (E) of section 3333.89 of the Revised Code. 219  
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An amount equal to the unexpended, unencumbered balance of the foregoing appropriation item 235689, Foster-to-College Scholarship, at the end of fiscal year 2024 is hereby reappropriated for the same purpose in fiscal year 2025. 225  
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**Section 4.** Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the manner in which appropriation accounts shall be maintained. Expenditures from operating appropriations contained in this act shall be 229  
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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