

**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**

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**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

<u>Sec. 3333.89. (A) As used in this section:</u>	75
<u>(1) "Chafee ETV grant" means an educational and training voucher program grant made pursuant to the "John H. Chafee Foster Care Program for Successful Transition to Adulthood," 42 U.S.C. 677.</u>	76 77 78 79
<u>(2) "Cost of attendance" has the same meaning as in section 3333.37 of the Revised Code.</u>	80 81
<u>(3) "Federal need analysis" means the methodology determined by the United States department of education to determine the amount of a student's financial need to pay for postsecondary education.</u>	82 83 84 85
<u>(4) "Institution of higher education" has the same meaning as in section 3345.19 of the Revised Code.</u>	86 87
<u>(5) "Noncertified kinship care" means a public children services agency or private child placing agency has placed a child in the care of a kinship caregiver, as defined in section 5101.85 of the Revised Code, who has not met the requirements for a foster home certificate issued under section 5103.03 of the Revised Code or has chosen not to pursue that certificate.</u>	88 89 90 91 92 93
<u>(6) "Qualifying student" means a resident of Ohio as defined in section 3333.31 of the Revised Code, who has been accepted for enrollment at an institution of higher education who has been placed in either of the following:</u>	94 95 96 97
<u>(a) Foster care at any time on or after the student's thirteenth birthday;</u>	98 99
<u>(b) Noncertified kinship care at any time on or after the student's thirteenth birthday and was, at any time, adjudicated an abused child as defined in section 2151.031 of the Revised</u>	100 101 102

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 grants, scholarships, tuition waivers, and tuition remission amounts. 130  
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(2) The foster scholarship shall be paid directly to the participating institution of higher education in which the student is enrolled. 133  
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(3) An eligible private institution may choose not to participate in the foster-to-college scholarship program established under this section. To opt out, the institution shall provide notice to the chancellor of higher education by the first day of September for the next academic year. 136  
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(4) An eligible private institution that chooses to participate in the program and accepts a student's application to attend the institution shall provide institutional grants, scholarships, tuition waivers, or tuition remission in an amount equal to the difference between the institution's cost of attendance and the sum of the scholarship under this division and the sum of the amounts in divisions (B) (1) (a) to (j) of this section. 141  
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(C) In order to receive a scholarship under the program, the qualifying student shall do all of the following: 149  
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(1) Complete the free application for federal student aid, including acknowledgement of past or current foster care placement; 151  
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(2) If eligible, complete the application for a Chafee ETV grant; 154  
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(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 156  
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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 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. 213  
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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. 217  
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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. 223  
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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 accounted for as though made in, and are subject to all applicable provisions of, the main operating appropriations act 227  
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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