



Ohio Legislative Service Commission

Bill Analysis

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131st General Assembly
(As Introduced)

Rep. Brown

BILL SUMMARY

Bachelor's degree programs at two-year institutions

- Requires the Chancellor of Higher Education to establish a program under which community colleges, state community colleges, and technical colleges may apply to offer bachelor's degree programs and allows the Chancellor to approve up to ten such programs statewide.

"3+1" baccalaureate degree model

- Requires the Chancellor, by June 30, 2017, to develop a "3+1" baccalaureate degree program model where a student may earn a bachelor's degree by attending a two-year state institution of higher education for three years and a state university for one year.

Partnership to provide competency-based education programs

- Permits the Chancellor to enter into a partnership with an eligible institution of higher education, created by the governors of several states, for the purpose of providing competency-based education programs.

College Credit Plus (CCP) program

- Specifies that, under the default payment structure for the College Credit Plus (CCP) program, the Department of Education must pay the lesser of (1) the applicable default amount or (2) the college's standard rate for an undergraduate course.
- Prohibits payments made by the Department of Education for a CCP course under an alternative payment structure from exceeding the college's standard rate for an undergraduate course, if that rate is less than the default ceiling amount.

- Prohibits payments made by the Department of Education for a CCP course under an alternative payment structure from being below the default floor amount.
- Requires the Chancellor, in consultation with the Superintendent of Public Instruction, to adopt rules specifying which CCP courses are eligible for funding from the Department of Education.
- Specifies that only courses eligible for funding under these rules may be taken under "Option B" of the CCP program.
- Requires the Chancellor, in consultation with the state Superintendent, to adopt rules specifying conditions under which a student may continue participating in CCP, if the student withdrew from a CCP course or received a grade of "D" or lower.

CCP Corequisite Remediation Pilot program

- Creates the CCP Corequisite Remediation Pilot program, to begin operation with the 2017-2018 school year, under which approved partnerships may offer to students the opportunity to (1) simultaneously enroll in a remedial course and an introductory college course in the same subject area, or (2) enroll in an introductory college course that incorporates remedial curriculum.
- Limits the pilot program to (1) high school seniors, (2) courses in the subject areas of math and English, and (3) for the 2017-2018 school year, three partnerships, which must be approved by the Chancellor and consist of one school district and one college.

Midwest Student Exchange program

- Permits the Chancellor to endorse the Midwest Student Exchange program of the Midwestern Higher Education Compact, in order to permit state institutions of higher education and nonprofit private colleges and universities to participate in the program.

Financial literacy education

- Requires the Chancellor, in consultation with the state Superintendent and other interested parties, to develop model standards and resources for the creation of financial literacy education programming at state institutions of higher education.
- Requires each state institution of higher education, beginning with the 2017-2018 academic year, to integrate financial literacy education programming into existing academic advising, financial aid programming, freshman experience programming, or career services.

Strategic completion plans

- Requires the board of trustees of each state institution of higher education to update its strategic completion plan, not later than six months after the bill's effective date, with an outline of how the institution will advise each undergraduate student on timely and efficient graduation pathways.

Income share agreement study

- Requires the Chancellor, in consultation with institutions of higher education and other parties as determined appropriate by the Chancellor, to conduct an analysis of income share agreements and to submit the findings to the Governor and the General Assembly by September 30, 2016.

Teacher preparation program reports

- Requires the Chancellor, instead of the State Board of Education as under current law, to publish the metrics, educator preparation programs, and approved institutions with the standards and qualifications for each type of educator license and makes other changes to the reporting process for teacher preparation programs.

Efficiency advisory committee report

- Codifies an uncodified provision that requires the Chancellor to maintain an efficiency advisory committee and provide a report by December 31 of each year compiling efficiency reports from all public institutions of higher education.
- Eliminates the requirement that the Chancellor benchmark efficiency gains realized over the previous year, and makes other technical changes.
- Revises the required content for the efficiency report from each institution.

Course and program reviews

- Requires each state institution of higher education to evaluate all offered courses and programs based on duplication with other state institutions of higher education and requires the board of trustees to provide a summary of recommended actions for courses and programs with low enrollment.
- Changes the date by which the board of trustees of each state institution must evaluate all courses and programs from every fifth January 1 to every fifth July 1.

- Permits each institution, in order to fulfill its reporting requirement, to submit its program and course review as part of its annual report to the Chancellor's efficiency advisory committee.

Reports on purchases of biobased products

- Repeals the requirement that each state institution of higher education annually prepare and submit to the Chancellor a report describing (1) the number and types of products purchased under the Biobased Product Preference Program, and (2) the amount spent for those products.

Report on remediation courses

- Modifies the requirements for the annual report of the Chancellor and the state Superintendent regarding college remediation and developmental courses.

Annual report on the master plan for higher education

- Eliminates the requirement that the Chancellor report annually to the Governor and the General Assembly on the findings from the Chancellor's studies of state higher education policy and the master plan for higher education for the state.

Co-op/Internship Advisory Committee

- Reduces the number of members of the Co-op/Internship Advisory Committee from 16 to eight.
- Replaces the Director of Development or the Director's designee with a representative from the Governor's Office of Workforce Transformation.
- Requires the Chancellor to consult the Committee only before issuing requests for applications under the Ohio Co-op/Internship program.
- Permits the Chancellor to consult the Committee and call additional meetings as needed.
- Removes the Committee's exemption from the Sunset Review Law.

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CONTENT AND OPERATION

The bill revises several provisions of law regarding the coordination and administration of higher education programs and the College Credit Plus program.

Note, as used in this analysis, except as otherwise stated, the term "Department" refers to the Department of Higher Education. Also, the term "Chancellor" refers to the Chancellor of Higher Education. A "state institution of higher education" means any of the thirteen state universities, the Northeast Ohio Medical University, and each community college, state community college, technical college, and university branch campus. The state universities are the University of Akron, Bowling Green State University, Central State University, University of Cincinnati, Cleveland State University, Kent State University, Miami University, Ohio University, Ohio State University, Shawnee State University, University of Toledo, Wright State University, and Youngstown State University.

Bachelor's degree programs at two-year institutions

(R.C. 3333.051; conforming changes in R.C. 3354.01, 3354.09, 3357.01, 3357.09, 3357.19, 3358.01, and 3358.08)

The bill requires the Chancellor to establish a program under which community colleges, state community colleges, and technical colleges may apply to the Chancellor for approval to offer bachelor's degree programs. The Chancellor may approve up to ten of these bachelor's degree programs statewide.



In reviewing and approving applications, the Chancellor must consider the following factors:

- (1) The availability of current bachelor's degree programs similar to that proposed by the application in the same geographic area as the applicant;
- (2) The workforce needs of the geographic area in which an applicant is located;
- (3) The proposed program's relationship to providing the necessary skills and training for high-demand jobs; and
- (4) Any other factors determined by the Chancellor.

The bill requires any community college, state community college, or technical college that offers bachelor's degree programs to charge the same per credit hour rate and general and instructional fees for bachelor's degree programs as it does for other programs the college offers.

3+1 baccalaureate degree program model

(Section 733.30)

The bill requires the Chancellor, not later than June 30, 2017, in consultation with the Inter-University Council of Ohio and the Ohio Association of Community Colleges, to develop a "3+1" baccalaureate degree program model where a student may earn a bachelor's degree by attending a state community college, community college, or technical college for three years and a state university for one year. The model must outline how a student may complete the equivalent of three academic years, or 90 semester credit hours, at a state community college, community college, or technical college and then transfer to a state university to complete the final academic year, or 30 semester credit hours, or the remainder of the student's baccalaureate degree program.

The bill requires the Chancellor to seek input from administrators of state institutions of higher education that are currently participating in a 3+1 baccalaureate degree program, as well as faculty leaders in the academic fields or disciplines under consideration for the program. Further, the Chancellor must evaluate existing programs for their cost effectiveness for students.

Partnership to provide competency-based education programs

(R.C. 3333.45)

The bill permits the Chancellor to enter into a partnership with an eligible institution of higher education for the purpose of providing competency-based



education programs, where students may receive credit through demonstrating skills and knowledge in required subject areas. The bill defines an "eligible institution of higher education" as an institution of higher education that is created by governors of several states, where at least one governor from a participating state is a member of the institution's board of trustees.

The terms of the partnership between the Chancellor and the eligible institution may specify all of the following:

- (1) The approval process for programs offered by the institution;
- (2) The eligibility of students enrolled in the institution for state student financial aid programs;
- (3) Any articulation and transfer policies of the Chancellor that apply to the institution;
- (4) The reporting requirements for the institution; and
- (5) Any other requirements that the Chancellor determines to be in the best interest of the state.

Finally, the bill designates any eligible institution that enters into the partnership as a "state institution of higher education" for the purpose of providing competency-based education programs. However, the bill prohibits such an institution from receiving any of the state share of instruction (SSI) funds appropriated to the Department by the General Assembly for payment to state institutions of higher education.

College Credit Plus (CCP) program

The bill makes a few changes to the College Credit Plus (CCP) program. That program allows high school students who are enrolled in public or nonpublic high schools or who are home-instructed to enroll in nonsectarian college courses to receive high school and college credit. Generally, the program governs arrangements in which the student, upon successful completion of such a course, receives transcribed credit from the college. CCP courses may be taken at any public or participating private or out-of-state college.

Each student may choose to participate under "Option A" (under which the student is responsible for all costs related to participation) or "Option B" (under which the state, through the Department of Education (not Higher Education), makes a payment to the college on the student's behalf) of the program. If participating under

Option B, the amount of payments made by the Department of Education depends upon several factors, including the type of high school and college in which the student is enrolled and whether the high school and college are operating under the default payment structure or an agreement specifying an alternative payment structure.

For a detailed description of the CCP program currently in effect, see pp. 23-44 of the LSC Final Analysis for H.B. 487 of the 130th General Assembly, online at the Ohio General Assembly Archives.¹ Minor changes were enacted in H.B. 64 of the 131st General Assembly. For a description of those changes, see pp. 192-194 of the Final Analysis for H.B. 64, online at the General Assembly website.²

Payments by the Department of Education

(R.C. 3365.01 and 3365.07; conforming change in R.C. 3301.0712)

Under the default payment structure for CCP, the Department of Education is currently required to pay the default ceiling amount (\$163 per credit hour for FY16 and \$166 per credit hour for FY17) or 50% of the default ceiling amount for specified students. Meanwhile, under an alternative payment structure, payments made by the Department may differ from those under the default payment structure. However, payments cannot be below the default floor amount (\$41 per credit hour for FY16 and \$42 per credit hour for FY17), unless approved by the Chancellor, or exceed the default ceiling amount.

The bill makes a couple of changes to this structure. First, it specifies that, if the college's standard rate (see below) is less than the applicable default amount, the Department of Education, instead, must pay the standard rate. Essentially, it prohibits payments made by the Department for a CCP course from exceeding the college's standard rate. "Standard rate" is defined under the bill as "the amount per credit hour assessed by the college for an in-state student who is enrolled in an undergraduate course at that college, but who is not participating in the CCP program, as prescribed by the college's established tuition policy."³

Second, the bill removes current provisions that (1) permit payments under an alternative payment structure to be below the default floor amount and (2) require the Chancellor to approve such payments, if the agreement complies with all other

¹ <http://archives.legislature.state.oh.us/>.

² <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA131-HB-64>.

³ R.C. 3365.01(U).



requirements of the CCP program. Therefore, the bill prohibits payments made by the Department of Education for a CCP course to be below the default floor amount.

Courses eligible for funding and student participation

(R.C. 3365.06 and 3365.091)

The bill requires the Chancellor, in consultation with the Superintendent of Public Instruction, to adopt rules specifying all of the following:

(1) Which courses under the CCP program are eligible for funding from the Department of Education. The bill specifies that only courses eligible for funding under these rules may be taken under Option B of the CCP program;

(2) Conditions under which a student may continue to participate in the CCP program, if the student either (a) withdrew from a CCP course, or (b) received a final grade of "D" or below in a CCP course; and

(3) The school years for which implementation of the rules specified in (1) and (2) first apply.

When developing those rules, the Chancellor, in consultation with the state Superintendent, must establish a process to receive input from public and private high schools and colleges, as well as other interested parties.

CCP Corequisite Remediation Pilot program

(Section 733.10)

The bill creates the CCP Corequisite Remediation Pilot program, to begin operation with the 2017-2018 school year. The Chancellor, in consultation with the state Superintendent, must administer the program and take the necessary steps to adopt rules, guidelines, and procedures, and to create any necessary forms and documents, to ensure that the pilot program is fully operational for that school year.

Under the pilot program, approved partnerships may offer to students, as part of the CCP program, the opportunity to either (1) simultaneously enroll in a remedial course and an introductory college course in the same subject area, or (2) enroll in an introductory college course that incorporates remedial curriculum into the course. Upon successful completion of the required coursework, the student must receive transcribed college credit⁴ for the introductory college course. The pilot program is

⁴ See R.C. 3365.01(V).

limited to only (1) high school seniors, (2) courses in the subject areas of math and English, and (3) for the 2017-2018 school year, up to three partnerships approved by the Chancellor.

To be eligible for participation, a partnership must consist of one school district and one public college or one private college that is participating in the CCP program. Additionally, the college must demonstrate "established and successful corequisite remediation strategies" in math, English, or both. The Chancellor may give priority to a partnership that includes either (1) a school district that serves a high number of economically disadvantaged students, or (2) a school district and a college that already have an established partnership agreement under the CCP program.

Each partnership approved for participation in the pilot program must collect, report, and track data currently required under the CCP program, as well as any data required under the rules and guidelines for the pilot program. Each partnership also must submit an evaluation of the effectiveness of the pilot program to the Chancellor and the CCP Advisory Committee.

Midwest Student Exchange program

(R.C. 3333.172)

The bill permits the Chancellor to endorse the Midwest Student Exchange program of the Midwestern Higher Education Compact, in order to permit state institutions of higher education and nonprofit private colleges and universities to participate in the program. This program is a multi-state tuition reciprocity program through which public and private institutions in participating states agree to charge reduced tuition rates for nonresident students from participating states. In the case of public institutions participating in the program, tuition rates are no more than 150% of the in-state resident tuition rate for specified programs. In the case of private institutions, tuition rates are reduced by 10%. Currently, nine states participate in the program: Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, and Wisconsin.⁵

If the Chancellor endorses the program, a state or private institution may participate in the program as long as its board of trustees adopts a resolution setting forth both of the following:

(1) The amount a participating student will be charged for instructional and general fees, provided that amount is in compliance with the program;

⁵ See the program's website home page at <http://msep.mhec.org/>.

(2) The parameters for each student to participate in the program, including any limitation on the number of students enrolled under the program and admission requirements for participation in the program.

The bill prohibits a participating state institution of higher education from receiving SSI funds for any student enrolled in the institution under the program and requires the institution to report the student to the Chancellor as a nonresident student.

Financial literacy education

(R.C. 3345.19)

The bill requires the Chancellor, in consultation with the state Superintendent and other interested parties, to develop model standards and resources for the creation of financial literacy education programming at state institutions of higher education. It also requires each state institution of higher education, beginning with the 2017-2018 academic year, to integrate financial literacy education programming into existing academic advising, financial aid programming, freshman experience programming, or career services in order to assist students to understand financial issues, including student loan debt.

Strategic completion plans

(Section 733.50)

The bill requires the board of trustees of each state institution of higher education to update its strategic completion plan not later than six months after the bill's effective date with an outline of how the institution will advise each undergraduate student on timely and efficient graduation pathways. The outline must be a part of the measurable student completion goals section of the completion plan and must include consideration of the individual needs and career plans of both full-time and part-time students.

A state institution of higher education's strategic completion plan is a plan designed to increase the number of degrees and certificates awarded to students. Under current law, each state institution of higher education was required to adopt a strategic completion plan by June 30, 2014, and each institution must update its plan once every two years.⁶

⁶ R.C. 3345.81, not in the bill.

Income share agreement study

(Section 733.20)

The bill requires the Chancellor, in consultation with institutions of higher education and other parties as determined appropriate by the Chancellor, to conduct an analysis of income share agreements used to pay for student tuition and higher education-related expenses. The findings of the analysis must be submitted to the Governor and the General Assembly by September 30, 2016.

An "income share agreement" is a financing arrangement under which an investor provides funds to cover all or part of a student's higher education costs, and, in return, the student agrees to pay back a percentage of the student's income for a set period of time after graduation.⁷

Teacher preparation program reports

(Repealed R.C. 3333.0411; conforming changes in R.C. 3319.111(G), 3333.041, and 3333.048)

Under law unchanged by the bill, the Chancellor annually must (1) collect and report aggregate academic growth data for students assigned to graduates of approved teacher preparation programs who teach English Language arts or math in any of grades four to eight using the value-added progress dimension, or the alternative student growth measure, as applicable, and (2) aggregate such data by graduating class for each approved teacher preparation program. Continuing law, relocated by the bill, also requires the Chancellor to report annually, for each approved teacher preparation program, the number and percentage of all graduates of the program who were rated "accomplished," "skilled," "developing," or "ineffective" on the teacher evaluations for the previous school year. The bill requires both sets of information to be submitted to the Governor and the General Assembly, in one report, by February 15 of each year, instead of February 15 for the value-added report and December 31 for the skill level report as provided by current law.

The bill also requires the Chancellor to publish the metrics, educator preparation programs, and approved institutions with the standards and qualifications for each type of educator license. Under current law, the State Board of Education is required to publish this information. Continuing law requires the Chancellor to notify the State

⁷ See, for example, <https://www.washingtonpost.com/news/grade-point/wp/2015/11/27/investors-buying-shares-in-college-students-is-this-the-wave-of-the-future-purdue-university-thinks-so/>.



Board of the metrics and educator preparation programs and the approved institutions of higher education.

Efficiency advisory committee report

(R.C. 3333.94; Sections 610.20, 610.21, and 733.40)

The bill codifies an uncodified provision of H.B. 64 that requires the Chancellor to maintain an efficiency advisory committee and provide a report by December 31 of each year compiling efficiency reports from all public institutions of higher education. In doing so, it specifies that the purpose of the efficiency advisory committee is generating institutional efficiency reports (rather than optimal efficiency plans) and eliminates the requirement that the Chancellor's report benchmark efficiency gains realized over the previous year. It also makes a technical change regarding the submission of the report, by requiring it to be submitted to the President of the Senate and the Speaker of the House of Representatives (rather than the General Assembly), in addition to the Office of Budget and Management and the Governor (as already required under current law).

Efficiency reports from public institutions of higher education

Regarding the content of the efficiency reports from each public institution of higher education that must be submitted to the Chancellor and compiled in the Chancellor's report, the bill eliminates the requirement that each report do all of the following:

(1) Identify efficiencies at the respective institution;

(2) Quantify revenue enhancements, reallocation of resources, expense reductions, and cost avoidance where possible in the areas of general operational functions, academic program delivery, energy usage, and information technology and procurement reforms; and

(3) Particularly emphasize areas where these reforms are demonstrating savings or cost avoidance to students.

The bill, instead, requires that each report include the following recommendations from the report of the Ohio Task Force on Affordability and Efficiency in Higher Education, provided that the implementation of the recommendations is approved by the board of trustees of the institution:

(1) A plan for how the institution will migrate primary or disaster recovery data centers to the State of Ohio Computer Center;



(2) An outline of how the institution will increase the standardization of materials for large enrollment courses, such as general education courses or introductory courses in a major, provided that such standardization demonstrates a value to the students enrolled in the courses; and

(3) A plan for how the institution will increase the efficient use of facilities year-round to benefit students.

Course and program reviews

(R.C. 3345.35)

Under current law, each state institution of higher education, every five years, must evaluate all courses and programs the institution offers based on enrollment and student performance in each course or program. The bill eliminates the portion of the review that is based on student performance and, instead, requires each institution to evaluate all offered courses and programs based on enrollment and duplication with other state institutions of higher education. The bill also requires each state institution to evaluate the benefits of collaboration with other institutions of higher education to deliver a duplicative program (rather than a low-enrollment course as under current law) and removes the current limitation that the evaluation should be based on geographic location. The bill requires each state institution to provide a summary of recommended actions, including consideration of collaboration with other state institutions of higher education, for courses and programs with low enrollment.

Under the bill, each institution, in order to fulfill its reporting requirement, may submit its program and course review as part of its annual report to the efficiency advisory committee established by the Chancellor (see above).

Finally, the bill changes the date by which the board of trustees of each state institution must evaluate all courses and programs from every fifth January 1 (beginning with January 1, 2016) to every fifth July 1 (beginning with July 1, 2016).

Reports on purchases of biobased products

(Repealed R.C. 3345.692)

The bill repeals a provision that requires each state institution of higher education to annually prepare and submit to the Chancellor a report that describes (1) the number and types of biobased products purchased under the Biobased Product Preference Program, and (2) the amount of money spent for those products.

Background

Current law, unchanged by the bill, requires the Director of Administrative Services to establish a Biobased Product Preference Program, which must ensure that the Department of Administrative Services, other state agencies, and state institutions of higher education purchase biobased products by giving a preference to those designated items that are composed of the highest percentage of biobased content practicable or that comply with specified federal regulations.⁸ "Biobased products" are products determined by the U.S. Secretary of Agriculture to be a commercial or industrial product, other than food or feed, that is composed of biological products, renewable domestic agricultural materials, or forestry material, or is an intermediate ingredient or feedstock.⁹

Report on remediation courses

(R.C. 3345.061)

The bill modifies the requirements for the annual report by the Chancellor and the state Superintendent regarding college remediation and developmental courses. First, it requires an annual analysis of the remediation trends for the five most recent academic years. Second, it limits to every third annual report the requirement for recommendations and strategies for reducing the need for such courses. Under continuing law, the report must recommend strategies for reducing the need for academic remediation and developmental courses at state institutions of higher education.

Annual report on the master plan for higher education

(R.C. 3333.04)

The bill eliminates the requirement that the Chancellor report annually to the Governor and the General Assembly on the findings from the Chancellor's studies of state higher education policy and the master plan for higher education for the state. Current law, unchanged by the bill, requires the Chancellor to make studies of state policy in the field of higher education and to formulate a master plan for higher education for the state, "considering the needs of the people, the needs of the state, and the role of individual public and private institutions within the state in fulfilling these needs."

⁸ R.C. 125.092, not in the bill.

⁹ R.C. 125.091(B), not in the bill.



Co-op/Internship Advisory Committee

(R.C. 3333.731; Section 803.10)

Composition

The bill alters the composition of the Co-op/Internship Advisory Committee to reduce the number of Committee members from 16 to eight. The Governor's appointments are reduced from five to three, eliminating one appointee from academia and one appointee from private industry. The Governor's remaining appointees under the bill are one appointee from academia, one appointee from private industry, and one appointee from the general public. The Senate President's appointments are reduced from five to two, eliminating two members of the Senate and one appointee from the general public. The President's remaining appointments under the bill are one member of the Senate and one appointee from academia. The Speaker of the House of Representatives' appointments are also reduced from five to two, eliminating two members of the House and one appointee from the general public. The Speaker's remaining appointees under the bill are one member of the House and one appointee from private industry.

Additionally, the bill removes the Director of Development, or Director's designee, from the Committee and replaces the Director with a representative of the Governor's Office of Workforce Transformation.

Appointees' (who are not members of the General Assembly) terms on the Committee also are changed under the bill from various term lengths to a uniform three years. Appointees who are members of the General Assembly continue to serve terms of the shorter of four years or the expiration of their term in the General Assembly.

Lastly, under the bill, the Governor appoints the chair and vice-chair of the Committee, rather than the Committee selecting these positions from the academic and private industry members, as in current law.

Operation

The bill also makes several changes to the current operation of the Committee. The bill removes all references to and procedures for voting by the Committee, as the Committee is intended to serve as an advisory committee to the Chancellor. The Chancellor is no longer required to consult the Committee while reviewing applications and deciding which awards to submit for the Controlling Board's approval, and after deciding which awards to submit to the Controlling Board but before sending them. Instead, the Chancellor only must continue to request the Committee's advice before issuing requests for applications under the Co-op/Internship program, but may call



additional meetings of the Committee to provide advice on other matters at the Chancellor's discretion.

Finally, this bill removes the Committee's current exemption from the Sunset Review Law, so that in the future the Committee will need to appear before the Sunset Review Committee as necessary for evaluation of its effectiveness and possible dissolution by the bill produced by the Sunset Review Committee.

HISTORY

ACTION	DATE
Introduced	02-23-16

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