

**Rule Summary and Fiscal Analysis (Part A)****Ohio Board of Regents**

Agency Name

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Division

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Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Ohio student residency for state subsidy and tuition surcharge  
purposes.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **R.C. 3333.31 and 3333.04**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 3333.31 and 5747.02**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

To redefine the residency requirements and the regular five-year review.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE, then summarize the content of the rule:

The rule establishes requirements for persons to be classified residents of Ohio for purposes of receiving in-state tuition rates. The amendment creates an additional

exception that permits veterans honorably discharged or released from service, and the spouses and dependents of those veterans to receive in-state tuition rates without being domiciled in Ohio for the 12 months preceding enrollment if the following criteria are met: (1) the person is eligible for the Post 9/11 Veterans Educational Assistance Act of 2008 or any prior federal act establishing veterans' education benefits; (2) the person is domiciled in Ohio; (3) during the person's course of study the person participates in one of the following: (a) a community service position approved by the Chancellor, or, (b) an internship or cooperative education program established by the Chancellor or the college or university to which the person has been accepted.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

*Not Applicable.*

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

Permits the veteran to complete community service during the first twelve months domicile in this state immediately preceding enrollment. Changes the requirements of the documentation of a community service position. Institutions do not need to seek approval from the Chancellor for documents required for documentation of an internship or cooperative education program.

## 12. 119.032 Rule Review Date: 7/21/2008

(If the rule is not exempt and you answered NO to question No. 1, provide the scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

**FISCAL ANALYSIS**

13. Estimate the total amount by which *this proposed rule* would **increase/decrease** either **revenues /expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will increase expenditures.

unknown

This proposed rule is expected to have only a slight impact on the Board of Regents?? budget for the current biennium. It is unlikely that a large number of possibly eligible veterans or their dependents would be able to take advantage of this initiative in FY 2009. For those that do participate in this program, it is possible that some could be eligible for one or more of the state??s student financial assistance programs, although the impact is expected to be minimal in FY 2009. The precise net impact is impossible to estimate at this time.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

The three programs most likely to be affected in this biennium are:

235-563 Ohio College Opportunity Grant

235-531 Ohio Student Choice Grant

235-438 Choose Ohio First Scholarship

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

All other things being equal, state colleges and universities would lose revenue equivalent to the out-of-state surcharge they otherwise would collect for the out of state students. Assuming that the additional enrollments of these students are fully funded in future State Share of Instruction allocations, the campuses should then receive revenue from the state that more or less offsets the loss of the surcharge revenue, although they would not be made whole in FY 2009. Campus administrative costs could also be expected to increase modestly to support any special student support or related programs that might be created or enhanced to support the veterans.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**