

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

Agency Name

Division

**Michelle Chavanne**

Contact

**30 E. Broad Street, 36th Floor Columbus OH  
43215-0000**

Agency Mailing Address (Plus Zip)

**(614) 644-1988**

Phone

Fax

**3333-1-10**

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? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB450**General Assembly: **127**Sponsor: **Representative  
Bruce Goodwin**

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, R.C.  
3333.04**

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

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

HB 450 mandates the Chancellor define qualifying veterans and spouse and dependents, as residents for purpose of in-state tuition rates.

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 proposed rule removes the required community service commitment and Federal GI Bill qualification for a veteran to be a resident eligible for an in-state tuition rate, and states that a veteran and spouse and dependents, are residents for in-state tuition rates if the veteran (or spouse or dependent for a veteran killed while serving on active military duty or missing in action or a prisoner of war) is domiciled in Ohio prior to the first day of the term of enrollment and the veteran served a minimum of 1 year and received a honorable discharge or a medical discharge or was killed while serving on active military duty or declared missing in action or a prisoner of war.

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:

The language from section E9 was stricken.

12. 119.032 Rule Review Date: **10/20/2013**

(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 cause a slight increase in State Share of Instruction allocations for any out-of-state veterans or dependents who utilizes the program, yet these are students who may not of otherwise have gone to an Ohio school. To obtain access to this benefit, these families are actually moving to, working, and settling in Ohio (presumably expanding the tax base) and possibly bringing with them federal education dollars. Any financing for increasing student support services for veterans or their families on campuses will likely be financed either through federal grant sources, fund-raising (i.e., the GI promise Council), or private grants (i.e., ACE Wal-Mart).

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

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

235-563 Ohio College Opportunity Grant

235-501 State Share of Instruction

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. There's a slight chance that the enrollment of the veterans could result in a minimal increase in Ohio College Opportunity Grant expenditures.

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**