

**Note:** Email completed form to jcarr1@jcarr.state.oh.us.

Hearing Date: 12/14/2017 Today's Date: 12/15/2017

Agency: Ohio Department of Higher Education

Rule Number(s): Rule 3333-1-65.12 and Rule 3333-1-65.13

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If no comments at the hearing, please check the box. ☐

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List organizations or individuals giving or submitting testimony before, during or after the public hearing and indicate the rule number(s) in question.

1. Rob Callahan, Ohio Alliance of Dual Enrollment Partnerships, Rule 3333-1-65.12
2. Beth Young, University of Cincinnati, Rule 3333-1-65.12
3. Michele Brown, Ohio State University, Rule 3333-1-65.12
4. Alex Van Bibber, Student, Rule 3333-1-65.12
5. Tom Walsh, Ohio Association of Community Colleges, Rules 3333-1-65.12 and 3333-1-65.13
6. Tim Dorsey, Cuyahoga Community College, Rules 3333-1-65.12 and 3333-1-65.13
7. Megan Schmidbauer, Owens Community College, Rule 3333-1-65.12
8. Kelly Hogan, Columbus State Community College, Rule 3333-1-65.12
9. Melissa Tolle, Sinclair Community College, Rules 3333-1-65.12
10. Christine Woodgeard, Hocking College, Rule 3333-1-65.12
11. Erik Shuey, South-Western City School District, Rule 3333-1-65.12
12. Adrielle Van Bibber, Parent, Rule 3333-1-65.12
13. Anne Flick, Parent, Rule 3333-1-65.12
14. Connie Strebe, Tolles Career Technical Center, Rule 3333-1-65.12
15. Deanna Garber, Parent, Rule 3333-1-65.12
16. Krista Hussar, Ohio Association of Comprehensive and Compact Career-Technical Schools, Rule 3333-1-65.12
17. Christine Gardner, Ohio Association of Career-Technical Educators, Rule 3333-1-65.12
18. Margarette Hess, Ohio Association of Career-Technical Educators, Rule 3333-1-65.12
19. Julie Sanford, Sylvania Schools, Rule 3333-1-65.12
20. Kate Webster, Columbus City Schools, Rules 3333-1-65.12 and 3333-1-65.13
21. Marcia Ballinger, Lorain County Community College, Rule 3333-1-65.12
22. Para Jones, Stark State College, Rules 3333-1-65.12
23. Ryan McCall, Marion Technical College, Rules 3333-1-65.12 and 3333-1-65.13
24. Ryan Van Bibber, Parent and Fort Hayes Metropolitan Education Center, Rule 3333-1-65.12

## Hearing Summary Report

25. Steven Glaser, Ohio State University, Rule 3333-1-65.12
26. Velina Bogart, Edison State Community College, Rules 3333-1-65.12 and 3333-1-65.13
27. Theresa B. Felder, Clark State Community College, Rules 3333-1-65.12
28. David Janik, Bowling Green State University, Rule 3333-1-65.12
29. Ron Matter, Penta Career Center, Rule 3333-1-65.12
30. Julie Samlow, Teays Valley High School, Rules 3333-1-65.12 and 3333-1-65.13
31. Debra S. Heban, Washington Local Schools, Rule 3333-1-65.12
32. Tom Woodford, Hilliard City School District, Rule 3333-1-65.12
33. Jane O'Shaughnessy, Grandview Heights High School, Rules 3333-1-65.12 and 3333-1-65.13
34. Kevin Boys, Southern State Community College, Rules 3333-1-65.12 and 3333-1-65.13
35. Thomas L. Stuckey, Northwest State Community College, Rule 3333-1-65.12
36. Robin Halley, Teays Valley High School, Rules 3333-1-65.12 and 3333-1-65.13
37. Kyle Wolfe, Teays Valley High School, Rules 3333-1-65.12 and 3333-1-65.13
38. Ann Sheldon, Ohio Association for Gifted Children, Rule 3333-1-65.12

## Hearing Summary Report

### **Consolidated Summary of Comments Received**

Please review all comments received and complete a consolidated summary paragraph of the comments and indicate the rule number(s).

Rule 3333-1-65.12:

Comments included the following:

- Some commenters suggested, within Level I, some courses should be considered such as foreign language, American sign language, first-year academic/study courses, internships, and courses that are included in career-technical pathways that have been established between secondary schools and colleges.
- Commenters were concerned that the courses within Level I were too limited.
- Commenters requested adding the word “degree” as part of Level I courses.
- Commenters requested clarification if students with advanced placement or international baccalaureate credit could use that credit to satisfy some or all of the first fifteen hours.
- Commenters did not see a need to identify adult-oriented courses.
- Commenters indicated a concern with not being able to schedule courses that are longer than a semester at the high school locations.
- Commenters expressed concern with not allowing one-on-one private lessons.
- Commenters noted additional work for school counselors.
- Commenters requested identification of what the fee for “high fee courses” within the rule.
- Commenters requested clarification on homeschooled family responsibilities.
- Commenters requested specification of difference between study abroad courses that are not allowed but courses requiring travel within the United States are allowable.
- Commenters indicated that the timing of the rule implementation is a concern and requested a delay until Summer 2019 instead of 2018.

Rule 3333-1-65.13:

Comments included the following:

- Commenters indicated that the rule should include considerations if a student performed poorly due to personal hardships.
- Commenters noted additional work for school counselors.
- Commenters requested clarification on term of subject area.
- Commenters requested clarification on homeschooled family responsibilities.
- Commenters indicated that the timing of the rule implementation is a concern and requested a delay until Summer 2019 instead of 2018.

## Hearing Summary Report

### **Incorporated Comments into Rule(s)**

Indicate how comments received during the hearing process were incorporated into the rule(s).  
If no comments were incorporated, explain why not.

#### **Rule 3333-1-65.12:**

The following revisions were made after the hearing:

##### **Changes to Level I Courses**

- Include courses that are part of an identified 15 or 30-hour pathway in Level I course options.

*Rationale:* Development of 15 and 30 credit hour pathways are already a requirement of the CCP program (3365.13). There was testimony at the hearing indicating that many students participate in these pathways, most of which include courses outside of Level I. Including pathway courses as part of Level I would advance the 15 and 30-hour model and provide a great incentive to secondary and postsecondary institutions to continue collaborating to provide meaningful pathway options for students. Inclusion would also solve course-sequencing problems raised by several community colleges.

- Include first year student study skills courses in Level I offerings.

*Rationale:* This change corrects an oversight from the initial filing. Inclusion of study skills courses appear in the current draft as an exception to one of the non-allowable courses. Instead of identifying these courses as exceptions, we thought the rule would be clearer if study skill courses were identified under Level I.

- Add Foreign Languages to the list of Level 1 courses

*Rationale:* Foreign language courses are not part of existing transfer modules but are consistently accepted for transfer by Ohio institutions. There was also testimony submitted by secondary schools indicating that many of its students are participating in foreign language courses through CCP.

- Add internship courses in Level I offerings.

*Rationale:* This change allows for internship opportunities through CCP which were identified as a critical part of workforce development.

- Allow students receiving scores on AP and IB exams that qualify them for automatic receipt of college credit upon matriculation, to apply those courses to the 15-hour requirement under CCP.

*Rationale:* This change would ensure (in most instances) that students would not have to repeat subject matter in CCP in which they would already receive college credit under other circumstances. Under this change, the postsecondary institution would need to acknowledge that the student met the condition for receiving credit in the subject area at their institution.

##### **Changes to Non-allowable Courses**

- Remove the designation of “adult content” requirement

*Rationale:* Testimony from both the community college and university community indicated that parsing each course for “adult content” would be extremely subjective and very inconsistent across institutions. As an alternative to the designation requirement, it was suggested that guidance be developed which would ask secondary and postsecondary institutions to put out a general statement to parents indicating that some courses may contain adult content and encourage parents to investigate the course before registering, to determine if a course is appropriate.

## Hearing Summary Report

- Remove the prohibition against year-long courses

*Rationale:* The rule as proposed had the potential of disproportionately effecting rural school districts with respect to their ability to offer courses on a semester schedule. In many instances, there would not be reliable alternatives for taking a CCP course on a college or university campus if the high school could not accommodate the change.

### **Changes to Student Notifications**

- Clarify the responsibilities of parents of home schooled students under the rules

*Rationale:* There was some confusion with respect to the scope of the responsibilities of parents of home schooled students. Under Course Eligibility, the rule will be amended to clarify that parents are required to:

- a) Verify that students are enrolled in the proper course and;
- b) Verify that a student is not enrolled in a non-allowable course.

### **Comments that were not incorporated into the rule**

- The word degree was not incorporated into the rule because this would have broadly opened up all courses for students to take, which was the opposite of the intended purpose of the rule. Other options including the 15 and 30 hour model pathways were added to open the opportunities for students who are on pathways that may lead to degrees.
- One-on-one private lessons were not changed in the rule as the courses are in general not transferable and may not be part of a pathway. If the course is part of a degree, the rule does include the option for colleges to request payment for the course for students who are on the designated pathway.
- Study abroad courses remain the same as non-allowable whereas courses that required travel within the United States would not be abroad and may or may not be allowable depending on the fees associated with the course.
- High fees were not changed; rather, the rule allows the Chancellor to determine the high fee threshold by reviewing on an annual basis the submissions of fees from colleges and universities as these may vary regularly.
- The timing of implementation remains the same as summer term 2018 because of the commitment to the General Assembly to review and make changes in a timely manner.

### **Rule 3333-1-65.13:**

The following revisions were made after the hearing:

- Change the term “subject area” to “subject”

*Rationale:* For students who earn a “D” or “F” or “W” grade in a course, the rule specifies that students on CCP probation status may not take a course in the same subject area. Subject area is a broader term that may have been too limiting. By using subject, this specifies that the student may not take the same course again, but may take a course in the broader context of the area (i.e., Psychology is part of the Social Sciences subject area).

## Hearing Summary Report

- Eliminate the description of the length of probation

*Rationale:* A sentence had been included that indicated a student could stay on probation for two additional terms; however, this was contradictory to the intention of students being on probation for one term after the grade of “D” or “F” or “W” was earned.

- Clarify the responsibilities of parents of home schooled students under the rules

*Rationale:* There was some confusion with respect to the scope of the responsibilities of parents of home schooled students. Under Underperforming Students, the rule was amended to clarify that parents are required to:

- Submit documentation to the Department of Education at time of applying for CCP funding to show the steps the parent took to ensure the parent and the student complied with the requirements of the rule and the reasons for granting any appeal of the rule.
  - If the parent does not provide the appropriate documentation, the funding application for the next academic year will not be processed.
  - In the event the student or parent fails to comply with the rule, the department of education has the authority to declare the student ineligible or to require the student to pay all tuition, fees, and textbooks for courses taken through the program during the period of noncompliance.

### **Comments that were not incorporated into the rule**

- The timing of implementation remains the same as summer term 2018 because of the commitment to the General Assembly to review and make changes in a timely manner.